

United Kingdom Treaty Action Bulletin March 2017

TREATIES FOR WHICH THE UK IS DEPOSITARY

None

PUBLISHED IN THE COUNTRY SERIES THIS MONTH

Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the United Arab Emirates concerning Air Services (Abu Dhabi, 21 October 2010) was published as Country Series UAE No.1 (2017) Cm 9434.

Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of Indonesia Concerning Air Services (London, 27 November 2013) was published as Country Series Indonesia No.1 (2017) Cm 9435.

Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Japan concerning Reciprocal Provision of Supplies and Services between the Armed Forces of the United Kingdom of Great Britain and Northern Ireland and the Self-Defense Forces of Japan (London, 26 January 2017) was published as Country Series Japan No.1 (2017) Cm 9442.

PUBLISHED IN THE MISCELLANEOUS SERIES THIS MONTH

None

PUBLISHED IN THE EU SERIES THIS MONTH

None

PUBLISHED IN THE TREATY SERIES THIS MONTH

Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Federative Republic of Brazil to avoid the Double Taxation of Salaries, Wages and other Remuneration derived by a Member of the Crew of an Aircraft operated in International Traffic (Brasilia, 02/09/2010) was published as Treaty Series No.13 (2017) Cm 9399.

MULTILATERAL TREATIES: UK ACTIONS

Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (New York, 10 December 1984)

Action: Objection to reservation made by Fiji upon ratification

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Communicated by the depositary, the UN, on 15 March 2017:

“The United Kingdom Mission to the United Nations in New York [...] wishes to lodge an objection to one of the reservations made by Fiji upon accession to the Convention against Torture and other Cruel, Inhuman and Degrading Treatment.

The reservation is as follows:

Reservation

‘The Government of the Republic of Fiji does not recognize the definition of Torture as provided for in article 1 of the Convention therefore shall not be bound by these provisions. The definition of Torture in the Convention is only applicable to the extent as expressed in the Fijian Constitution.’

The Government of the United Kingdom considers that the effect of the reservation is to exclude or modify the definition of torture, which is incompatible with the object and purpose of the treaty.

Further, the Government of the United Kingdom note that a reservation which consists of a general reference to a system of law without specifying its contents does not clearly define for the other States Parties to the Convention the extent to which the reserving State has accepted the obligations of the Convention. The Government of the United Kingdom therefore object to the aforesaid reservation.”

Confirmation can be found on the depositary’s site:

<https://treaties.un.org/doc/Publication/CN/2017/CN.125.2017-Eng.pdf>

Amendment to Article 20, Paragraph 1 of the Convention on the Elimination of All Forms of Discrimination against Women (New York, 22 December 1995)

Action: Territorial application to Bermuda and Saint Helena, Ascension and Tristan da Cunha

Communicated by the depositary, the UN, on 16 March 2017.

Confirmation can be found on the depositary’s site:

<https://treaties.un.org/doc/Publication/CN/2017/CN.129.2017-Eng.pdf>

<https://treaties.un.org/doc/Publication/CN/2017/CN.130.2017-Eng.pdf>

Convention on the Elimination of All Forms of Discrimination against Women (New York, 18 December 1979)

Action: Territorial application to Bermuda with reservations

Communicated by the depositary, the UN, on 16 March 2017:

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“...The Government of the United Kingdom of Great Britain and Northern Ireland considers the extension of the Convention to Bermuda to enter into force on the day of deposit of this notification ...”

Reservations

“I have the honour to refer to the extension of the ratification by the United Kingdom of Great Britain and Northern Ireland of the Convention on the Elimination of All Forms of Discrimination against Women (‘the Convention’) to the territory of Bermuda. I have the further honour to inform you that the Government of Bermuda expresses its consent to be bound by the Convention, subject to the same declarations and reservations as those made in respect of the United Kingdom of Great Britain and Northern Ireland, except that they apply to the territory and its laws, and subject to the additional Reservations below.

The Government of Bermuda regards the Bermuda Constitution and the Human Rights Act 1981 as embodying the principle of equality of men and women as prescribed by Article 2 of the Convention. The Constitution enshrines the fundamental rights and freedoms of every person whatever that persons race, place of origin, political opinions, colour, creed or sex, and the Human Rights Act 1981 recognizes the inherent dignity and the equal and inalienable rights of all members of the human family and makes better provision to affirm these rights and freedoms and to protect the rights of all members of the community

In the light of the definition contained in Article 1 of the Convention, the extension of the ratification of the Government of the United Kingdom of Great Britain and Northern Ireland on behalf of Bermuda is subject to the understanding that none of Bermuda’s obligations under the Convention shall be treated as extending to the affairs of religious denominations or orders or any act done for the purpose of ensuring the combat effectiveness of the Armed Forces of Bermuda.

As it may deem necessary from time to time, the Government of Bermuda reserves the right to apply Article 15 (4) and other provisions of the Convention, subject to section 11 (2) (d) and 11 (5) (c) of the Bermuda Constitution and section 27A of the Bermuda Immigration and Protection Act 1956. Section 11 (2) (d) of the Constitution imposes restrictions on the movement or residence within Bermuda of any person who does not belong to Bermuda. Under section 11 (5) (c) a foreign national wife belongs to Bermuda if, by decree of a court or a deed of separation, she does not live apart from a husband who possesses Bermudian status, or a husband who has been granted a certificate of naturalization. However, section 11 (5) (c) does not apply to the foreign national husband of a wife who possesses Bermudian status. Section 27A of the Bermuda Immigration and Protection Act 1956 provides for an additional condition to apply to the foreign national husband of a wife who possesses Bermudian status in order for him to remain and reside in Bermuda, i.e. that he has no relevant convictions...”

Confirmation can be found on the depositary’s site:

<https://treaties.un.org/doc/Publication/CN/2017/CN.127.2017-Eng.pdf>

Action: Territorial application to Bermuda and Saint Helena, Ascension and Tristan da Cunha

Communicated by the depositary, the UN, on 16 March 2017.

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