

+41227348630



**PERMANENT MISSION OF THE REPUBLIC OF MAURITIUS TO THE UNITED NATIONS
AND OTHER INTERNATIONAL ORGANISATIONS**

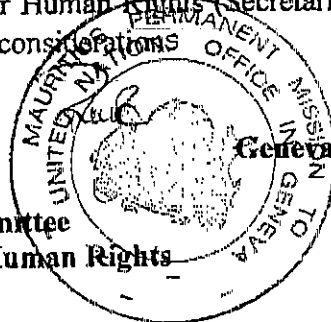
**MISSION PERMANENTE DE LA REPUBLIQUE DE MAURICE AUPRES DES NATIONS UNIES
ET DES AUTRES ORGANISATIONS INTERNATIONALES**

No. 269/2008 MMG/UN/13

The Permanent Mission of the Republic of Mauritius to the United Nations Office and other International Organisations in Geneva presents its compliments to the Office of the High Commissioner for Human Rights (Secretariat of the Human Rights Committee) and with reference to the latter's fax message dated 12 September 2008 regarding the **Draft General Comment No. 33 on the Obligations of States Parties under the first Optional Protocol to the International Covenant on Civil and Political Rights**, has the honour to submit hereunder the comments of the Government of Mauritius on paragraphs 25 and 26 of the draft General Comment:

"The provisions of the Vienna Convention (Article 27) in fact concern the obligations of the State under international law and not the question of the application of international law by domestic Courts. As was stated in the case of Jordan v/s Jordan 2000 MR 22, whilst it is a well-recognised canon of interpretation that domestic legislation should, if possible be construed so as to conform to international instruments to which the State is a party, it is the practice in Mauritius that any treaty or convention must as a rule be incorporated into its domestic law before the Courts will take cognizance of it."

The Permanent Mission of the Republic of Mauritius to the United Nations Office and other International Organisations in Geneva avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights (Secretariat of the Human Rights Committee) the assurances of its highest considerations



Geneva, 7 October 2008

Secretariat of the Human Rights Committee
Office of the High Commissioner for Human Rights
Palais des Nations
CH-1211 Geneva 10

Fax No : 022 917 90 29