

FRANCE

DISABILITY

RESERVATIONS AND DECLARATIONS

(Unless otherwise indicated, the reservations and declarations were made upon ratification, accession or succession)

Declarations:

The French Republic declares that it will interpret the term "consent" in article 15 of the Convention in conformity with international instruments, in particular those that relate to human rights and biomedicine, and with national legislation, which is in line with these instruments. This means that, as far as biomedical research is concerned, the term "consent" applies to two different situations:

1. Consent given by a person who is able to consent, and
2. In the case of persons who are not able to give their consent, permission given by their representative or an authority or body provided for by law.

The French Republic considers it important that persons who are unable to give their free and informed consent receive specific protection, without prejudice to all medical research of benefit to them. In addition to the permission referred to under paragraph 2 above, other protective measures, such as those included in the above-mentioned international instruments, are considered to be part of this protection.

With regard to article 29 of the Convention, the exercise of the right to vote is a component of legal capacity that may not be restricted except in the conditions and in accordance with the modalities provided for in article 12 of the Convention.

OBJECTIONS MADE TO OTHER STATES PARTIES RESERVATIONS AND DECLARATIONS

(Ed. Note: for the text targeted by the following objections, see the Reservations and Declarations of the State which is the subject of the objection)

30 March 2010

With regard to the declaration made by the Islamic Republic of Iran upon accession:

The Government of the French Republic has examined the declaration made by the Government of the Islamic Republic of Iran upon its adherence to the Convention on the Rights of Persons with Disabilities of 13 December 2006. The Government of the French Republic considers that,

in aiming to exclude the application of those provisions of the Convention that are deemed incompatible with Iranian laws, the Islamic Republic of Iran has in effect made a reservation of general and indeterminate scope. This reservation is vague, failing to specify the relevant provisions of the Convention or the domestic laws to which the Islamic Republic of Iran wishes to give preference. Consequently, it does not allow other States parties to know the extent of the commitment of the Islamic Republic of Iran and could render the Convention ineffective. The Government of the French Republic considers that this reservation runs counter to the purpose and goals of the Convention and raises an objection to it. This objection does not prevent the entry into force of the Convention between the Islamic Republic of Iran and France.