

GERMANY

DISABILITY

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)

1 November 2010

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

“The Federal Republic of Germany has carefully examined the declaration made by the Government of the Islamic Republic of Iran upon its accession to the Convention on the Rights of Persons with Disabilities of 13 December 2006.

The Federal Republic of Germany is of the opinion that by excluding the application of those provisions of the Convention which may be incompatible with applicable national rules the Islamic Republic of Iran in fact has made a reservation which leaves it unclear to what extent the Islamic Republic of Iran accepts being bound by the obligations under the Convention.

The Federal Republic of Germany objects to this reservation as being incompatible with the object and purpose of the Convention and thus impermissible according to Article 46, paragraph 1 of the Convention.

This objection shall not preclude the entry into force of the Convention between the Federal Republic of Germany and the Islamic Republic of Iran.”

3 August 2011

With regard to the reservation made by Malaysia upon ratification:

“The Government of the Federal Republic of Germany has carefully examined the reservation made by the Government of Malaysia upon ratification of the Convention on the Rights of Persons with Disabilities of 13 December 2006.

The Government of the Federal Republic of Germany considers that the provisions of Articles 15 and 18 are core provisions of the Convention and that the exclusion of their application is incompatible with the object and purpose of the Convention.

The Government of the Federal Republic of Germany therefore objects to this reservation as

being inadmissible according to Article 46, paragraph 1 of the Convention.

This objection shall not preclude the entry into force of the Convention between the Federal Republic of Germany and Malaysia.”

Note

On 28 January 2010, the Secretary-General received from the Government of Germany the following communication relating to the declaration made by the Republic of El Salvador upon signature and confirmed upon ratification:

“The Federal Republic of Germany has carefully examined the aforementioned reservation.

The Federal Republic of Germany is of the opinion that reservations which consist in a general reference to a system of norms (like the constitution or the legal order of the reserving State) without specifying the contents thereof leave it uncertain to which extent that State accepts to be bound by the obligations under the treaty. Moreover, those norms may be subject to changes.

The reservation made by the Republic of El Salvador is therefore not sufficiently precise to make it possible to determine the restrictions that are introduced into the agreement.

The Federal Republic of Germany is therefore of the opinion that the reservation is incompatible with object and purpose of the Convention and the Protocol and would like to recall that, according to Article 46, paragraph 1 of the Convention, and Article 14, paragraph 1 of the Protocol, a reservation incompatible with the object and purpose of the Convention shall not be permitted.

The Federal Republic of Germany therefore objects to the above-mentioned reservation. This objection shall not preclude the entry into force of the Convention and the Protocol between the Federal Republic of Germany and the Republic of El Salvador.”

(Note 5, Chapter IV.15, Multilateral Treaties Deposited with the Secretary-General)