

15. a) Optional Protocol to the Convention on the Rights of Persons with Disabilities

New York, 13 December 2006

ENTRY INTO FORCE: 3 May 2008, in accordance with article 13(1).
REGISTRATION: 3 May 2008, No. 44910.
STATUS: Signatories: 89. Parties: 54.
TEXT: Doc.A/61/611.

Note: The above Optional Protocol was adopted on 13 December 2006 during the sixty-first session of the General Assembly by resolution A/RES/61/106. In accordance with its article 10, the Optional Protocol shall be open for signature by all signatory States and regional integration organizations of the Convention on the Rights of Persons with Disabilities at United Nations Headquarters in New York as of 30 March 2007.

<i>Participant</i>	<i>Signature</i>	<i>Formal confirmation(c), Accession(a), Ratification</i>	<i>Participant</i>	<i>Signature</i>	<i>Formal confirmation(c), Accession(a), Ratification</i>
Algeria	30 Mar 2007		Ecuador	30 Mar 2007	3 Apr 2008
Andorra	27 Apr 2007		El Salvador.....	30 Mar 2007	14 Dec 2007
Antigua and Barbuda	30 Mar 2007		Fiji.....	2 Jun 2010	
Argentina.....	30 Mar 2007	2 Sep 2008	Finland	30 Mar 2007	
Armenia.....	30 Mar 2007		France	23 Sep 2008	18 Feb 2010
Australia.....		21 Aug 2009 a	Gabon.....	25 Sep 2007	
Austria.....	30 Mar 2007	26 Sep 2008	Georgia	10 Jul 2009	
Azerbaijan	9 Jan 2008	28 Jan 2009	Germany	30 Mar 2007	24 Feb 2009
Bangladesh.....		12 May 2008 a	Ghana.....	30 Mar 2007	
Belgium.....	30 Mar 2007	2 Jul 2009	Guatemala.....	30 Mar 2007	7 Apr 2009
Benin.....	8 Feb 2008		Guinea.....	31 Aug 2007	8 Feb 2008
Bolivia (Plurinational State of) ¹	13 Aug 2007	16 Nov 2009	Haiti		23 Jul 2009 a
Bosnia and Herzegovina	29 Jul 2009	12 Mar 2010	Honduras.....	23 Aug 2007	
Brazil.....	30 Mar 2007	1 Aug 2008	Hungary	30 Mar 2007	20 Jul 2007
Bulgaria.....	18 Dec 2008		Iceland.....	30 Mar 2007	
Burkina Faso	23 May 2007	23 Jul 2009	Italy	30 Mar 2007	15 May 2009
Burundi	26 Apr 2007		Jamaica	30 Mar 2007	
Cambodia	1 Oct 2007		Jordan.....	30 Mar 2007	
Cameroon.....	1 Oct 2008		Kazakhstan.....	11 Dec 2008	
Central African Republic	9 May 2007		Latvia	22 Jan 2010	
Chile.....	30 Mar 2007	29 Jul 2008	Lebanon	14 Jun 2007	
Congo.....	30 Mar 2007		Liberia.....	30 Mar 2007	
Cook Islands.....		8 May 2009 a	Lithuania	30 Mar 2007	
Costa Rica.....	30 Mar 2007	1 Oct 2008	Luxembourg.....	30 Mar 2007	
Côte d'Ivoire.....	7 Jun 2007		Madagascar	25 Sep 2007	
Croatia.....	30 Mar 2007	15 Aug 2007	Mali.....	15 May 2007	7 Apr 2008
Cyprus.....	30 Mar 2007		Malta	30 Mar 2007	
Czech Republic	30 Mar 2007		Mauritius.....	25 Sep 2007	
Dominican Republic	30 Mar 2007	18 Aug 2009	Mexico	30 Mar 2007	17 Dec 2007
			Mongolia.....		13 May 2009 a
			Montenegro.....	27 Sep 2007	2 Nov 2009

<i>Participant</i>	<i>Signature</i>	<i>Formal confirmation(c), Accession(a), Ratification</i>	<i>Participant</i>	<i>Signature</i>	<i>Formal confirmation(c), Accession(a), Ratification</i>
Morocco		8 Apr 2009 a	South Africa.....	30 Mar 2007	30 Nov 2007
Namibia.....	25 Apr 2007	4 Dec 2007	Spain	30 Mar 2007	3 Dec 2007
Nepal.....	3 Jan 2008	7 May 2010	Sudan		24 Apr 2009 a
Nicaragua.....	21 Oct 2008	2 Feb 2010	Swaziland.....	25 Sep 2007	
Niger	2 Aug 2007	24 Jun 2008	Sweden.....	30 Mar 2007	15 Dec 2008
Nigeria	30 Mar 2007		Syrian Arab Republic....		10 Jul 2009 a
Panama.....	30 Mar 2007	7 Aug 2007	The former Yugoslav Republic of Macedonia.....	29 Jul 2009	
Paraguay.....	30 Mar 2007	3 Sep 2008	Togo.....	23 Sep 2008	
Peru	30 Mar 2007	30 Jan 2008	Tunisia	30 Mar 2007	2 Apr 2008
Portugal.....	30 Mar 2007	23 Sep 2009	Turkey.....	28 Sep 2009	
Qatar.....	9 Jul 2007		Uganda.....	30 Mar 2007	25 Sep 2008
Romania.....	25 Sep 2008		Ukraine	24 Sep 2008	4 Feb 2010
Rwanda		15 Dec 2008 a	United Arab Emirates ...	12 Feb 2008	
San Marino.....	30 Mar 2007	22 Feb 2008	United Kingdom of Great Britain and Northern Ireland.....	26 Feb 2009	7 Aug 2009
Saudi Arabia.....		24 Jun 2008 a	United Republic of Tanzania.....	29 Sep 2008	10 Nov 2009
Senegal.....	25 Apr 2007		Yemen.....	11 Apr 2007	26 Mar 2009
Serbia	17 Dec 2007	31 Jul 2009	Zambia	29 Sep 2008	
Seychelles	30 Mar 2007				
Sierra Leone	30 Mar 2007				
Slovakia.....	26 Sep 2007	26 May 2010			
Slovenia.....	30 Mar 2007	24 Apr 2008			
Solomon Islands.....	24 Sep 2009				

Declarations and Reservations

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

AZERBAIJAN

Declaration:

“The Republic of Azerbaijan declares that it is unable to guarantee the application of the provisions of the Protocol in the territories occupied by the Republic of Armenia until these territories are liberated from occupation.”

EL SALVADOR²

Reservation made upon signature and confirmed upon ratification:

The Government of the Republic of El Salvador signs the present Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto, adopted by the United Nations General Assembly on 13 December 2006, to the extent that its provisions do not prejudice or violate the provisions of any of the precepts, principles

and norms enshrined in the Constitution of the Republic of El Salvador, particularly in its enumeration of principles.

SYRIAN ARAB REPUBLIC

Declaration:

The Government of the Syrian Arab Republic declares that it does not recognize the competence of the Committee on the Rights of Persons with Disabilities (“the Committee”) provided for in articles 6 and 7 of the Optional Protocol, in accordance with Article 8 of that Protocol, which provides that each State Party may, at the time of signature or ratification of the present Protocol or accession thereto, declare that it does not recognize the competence of the Committee provided for in articles 6 and 7.

Objections

(Unless otherwise indicated, the objections were made upon ratification, acceptance, approval or accession.)

AUSTRIA

26 September 2008

With regard to the reservation made by El Salvador upon signature and confirmed upon ratification:

“The Government of Austria has examined the reservation to the Convention on the Rights of Persons with Disabilities and Optional Protocol thereto made by the Government of El Salvador.

According to its reservation, El Salvador envisages becoming Party to the Convention only to the extent that its provisions do not prejudice or violate the provisions of any of the precepts, principles and norms enshrined in the Constitution of the Republic of El Salvador, particularly in its enumeration of principles. In the absence of further

clarification, this reservation does not clearly specify the extent of El Salvador’s derogation from the provisions of the Convention. This general and vague wording of the reservation raises doubts as to the degree of commitment assumed by El Salvador in becoming a party to the Convention and is therefore incompatible with international law.

The Government of Austria objects to the reservation made by the Government of the Republic of El Salvador to the Convention on the Rights of Persons with Disabilities and Optional Protocol thereto.

This objection, however, does not preclude the entry into force, in its entirety, of the Convention between Austria and El Salvador.”

Notes:

¹ See Note 1 under "Bolivia (Plurinational State of)" in the "Historical Information" section.

² 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.”