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Human Rights Council

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Agenda item 3

Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Resolution adopted by the Human Rights Council*

13/11

Human rights of persons with disabilities: national implementation and monitoring and introducing as the theme for 2011 the role of international cooperation in support of national efforts for the realization of the rights of persons with disabilities

The Human Rights Council,

Reaffirming the universality, indivisibility, interdependence and interrelatedness of all human rights and fundamental freedoms and the need for persons with disabilities to be guaranteed the full enjoyment of their rights and freedoms without discrimination,

Reaffirming also its resolutions 7/9 of 27 March 2008 and 10/7 of 26 March 2009, and welcoming the efforts of all stakeholders to implement those resolutions,

Reaffirming further its commitment to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities, to promote respect for their inherent dignity and to eliminate discrimination against persons with disabilities,

Stressing the importance of effective national legislative, policy and institutional frameworks for the full enjoyment of rights by persons with disabilities,

Acknowledging that the Convention on the Rights of Persons with Disabilities is the first human rights instrument to contain specific provisions for national implementation and monitoring, and reaffirming the provisions to that effect contained in article 33 of the Convention,

* The resolutions and decisions of the Human Rights Council will be contained in the report of the Council on its thirteenth session (A/HRC/13/56), chap. I.

Highlighting the fact that the majority of persons with disabilities live in conditions of poverty and, in this regard, recognizing the critical need to address the negative impact of poverty on persons with disabilities, bearing in mind that an estimated 80 per cent of persons with disabilities live in developing countries, including least developed countries,

Recognizing the importance of international cooperation and its promotion in support of national efforts for the realization of the purpose and objectives of the Convention on the Rights of Persons with Disabilities, including for improving the living conditions of persons with disabilities in all countries, particularly developing countries and including least developed countries,

Emphasizing the role of relevant national data collection in the effective implementation of the Convention,

Conscious of the added value of collecting and sharing information and experiences on national implementation,

1. *Welcomes* the fact that, to date, one hundred and forty-four States and one regional integration organization have signed and eighty-three ratified the Convention on the Rights of Persons with Disabilities, and that eighty-eight have signed and fifty-two have ratified the Optional Protocol, and calls upon those States and regional integration organizations that have not yet ratified or acceded to the Convention and the Optional Protocol to consider doing so as a matter of priority;

2. *Encourages* States that have ratified the Convention and have submitted one or more reservations to the Convention to implement a process to review regularly the effect and continued relevance of such reservations, and to consider the possibility of withdrawing them;

3. *Welcomes* the thematic study on the structure and role of national mechanisms in the implementation and monitoring of the Convention, prepared by the Office of the United Nations High Commissioner for Human Rights (A/HRC/13/29), and calls upon all stakeholders to consider the findings and recommendations of the study;

4. *Reaffirms* the important role that national monitoring mechanisms, including independent mechanisms such as national human rights institutions, play in protecting and promoting the rights of persons with disabilities;

5. *Encourages* all States to maintain or establish appropriate domestic frameworks and mechanisms to effectively protect and promote the rights of persons with disabilities;

6. *Calls upon* States parties to the Convention, when maintaining, strengthening, designating or establishing domestic mechanisms and frameworks for the implementation and monitoring of the Convention, to take the opportunity to review and strengthen existing structures for the promotion and protection of the rights of persons with disabilities, including by ensuring that:

(a) Governmental focal points and, where established, coordination mechanisms for the implementation of the Convention have an appropriate mandate that fully enables them to develop, coordinate and carry out a coherent strategy for the domestic implementation of the Convention;

(b) Coordination mechanisms within Government, where established, include representatives from relevant Government agencies, and that such mechanisms and/or focal points consult closely with and actively involve civil society, in particular organizations of persons with disabilities;

(c) The frameworks to promote, protect and monitor the implementation of the Convention include one or more independent mechanisms, as appropriate, that take into account the principles relating to the status and functioning of the national institutions for protection and promotion of human rights (Paris Principles);

7. *Encourages* States parties to share information with the Office of the High Commissioner on the decisions taken regarding focal points, coordination mechanisms and monitoring frameworks for the implementation and monitoring of the Convention;

8. *Reaffirms* that civil society, in particular persons with disabilities and their representative organizations, should be involved and participate fully in the monitoring process of the Convention;

9. *Encourages* States to ensure that the mandates of Government focal points, coordination mechanisms and monitoring frameworks include promoting awareness of the Convention and that these bodies are adequately resourced;

10. *Encourages* States and regional integration organizations to facilitate and support capacity-building, including through the exchange and sharing of information, experiences and best practices on national implementation and monitoring of the Convention, in line with the recognition of the importance of international cooperation and its promotion in support of national efforts for the realization of the rights of persons with disabilities;

11. *Encourages* States, between and among themselves and, as appropriate, in partnership with relevant international and regional organizations and civil society to ensure that international cooperation, including international development programmes, is inclusive of and accessible to persons with disabilities;

12. *Decides* to continue to integrate the rights of persons with disabilities into its work, in accordance with its resolution 7/9;

13. *Also decides* that its next annual interactive debate on the rights of persons with disabilities will be held at its sixteenth session, and that it will focus on the role of international cooperation in support of national efforts to realize the purpose and objectives of the Convention;

14. *Requests* the Office of the High Commissioner to prepare a study to enhance awareness of the role played by international cooperation in support of national efforts for the realization of the purpose and objectives of the Convention, in consultation with relevant stakeholders, including States, regional organizations, including regional integration organizations, the Special Rapporteur on disability of the Commission for Social Development, civil society organizations, including organizations of persons with disabilities, and national human rights institutions, and requests that the study be made available on the website of the Office of the High Commissioner, in an accessible format, prior to the sixteenth session of the Council;

15. *Encourages* organizations of persons with disabilities, national monitoring bodies and human rights institutions to participate actively in the debate referred to in paragraph 13 above, as well as in regular and special sessions of the Council and its working groups;

16. *Requests* the Secretary-General to continue to ensure that the Office of the High Commissioner, in its mandates on the rights of persons with disabilities, and the Committee on the Rights of Persons with Disabilities are adequately resourced for the fulfilment of their tasks;

17. *Reiterates* the commitment of States to ensure accessibility for all persons with disabilities to the physical, social, economic and cultural environment, to health,

education, information and communication, in order to enable them to enjoy fully all human rights and fundamental freedoms;

18. *Requests* the Secretary-General and the High Commissioner to continue the progressive implementation of standards and guidelines for the accessibility of facilities and services of the United Nations system, also taking into account relevant provisions of the Convention on the Rights of Persons with Disabilities, and underlines that the Council, including its Internet resources, should be fully accessible to persons with disabilities.

42nd meeting
25 March 2010
[Adopted without a vote]