



**United Nations**

# **Report of the Committee on the Rights of Persons with Disabilities**

**First session  
(23–27 February 2009)**

**Second session  
(19–23 October 2009)**

**Third session  
(22–26 February 2010)**

**Fourth session  
(4–8 October 2010)**

**General Assembly  
Official Records  
Sixty-sixth session  
Supplement No. 55 (A/66/55)**



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**United Nations • New York, 2011**

*Note*

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## **Chapter I**

### **Draft decision recommended for adoption by the General Assembly**

#### **A. Rationale**

1. At its fourth session, the Committee decided to request the General Assembly to provide appropriate financial support to expand its meeting time.
2. The decision to request additional meeting time was taken due to the current insufficient meeting time for the Committee to undertake its mandated functions considering that:
  - (a) At its current pace of work, the Committee is facing a backlog of pending reports that amounts to a five-year delay between their receipt and examination;
  - (b) As a result the high level of ratifications of the Convention, by the end of 2011, 76 reports will have fallen due and, by end of 2012, 95 reports will be due, which translates into several decades of delays in the examination of reports following submission, unless the Committee's pace of work can be accelerated.

#### **B. Draft decision**

3. Pursuant to article 34 of the Convention, and to rules 22 and 23 of the Committee's rules of procedure, the General Assembly approves the holding of two sessions of two weeks' duration each year — one additional week per session — as well as two pre-sessional working groups per year.

## **Chapter II**

### **Organizational and other matters**

#### **A. States parties to the Convention**

4. As at 8 October 2010, the closing date of the fourth session of the Committee on the Rights of Persons with Disabilities, there were 95 States parties to the Convention on the Rights of Persons with Disabilities and 58 States parties to its Optional Protocol. The Convention and its Optional Protocol were adopted by the General Assembly in its resolution 61/106 of 13 December 2006 and opened for signature, ratification and accession on 30 March 2007. In accordance with article 45, paragraph 1, the Convention entered into force on 3 May 2008. In accordance with its article 13, the Optional Protocol also entered into force on 3 May 2008 at the same time as the Convention and in accordance with article 13, paragraph 1 of the Optional Protocol.
5. A list of States parties to the Convention and a list of States parties to the Optional Protocol are contained in annexes I and II to the present report.

#### **B. Meetings and sessions**

6. The Committee held its first session at the United Nations Office at Geneva from 23 to 27 February 2009. The Committee held 10 plenary meetings (CRPD/C/SR.1–10). The

provisional agenda, contained in annex III, was adopted by the Committee at its 1st meeting, with the addition of an item on key issues relating to its work. The first session was opened by the Deputy United Nations High Commissioner for Human Rights.

7. The Committee held its second session at the United Nations Office at Geneva from 19 to 23 October 2009. The Committee held 10 plenary meetings (CRPD/C/2/SR.1–10 and Add.1). The provisional agenda, contained in annex III, was adopted by the Committee at its 11th meeting. The Committee also adopted the report on its first session (CRPD/C/1/2). The second session was opened by a representative of the Secretary-General.

8. The Committee held its third session at the United Nations Office at Geneva from 22 to 26 February 2010. The Committee held 10 plenary meetings (CRPD/C/3/SR.1–10). The provisional agenda, contained in annex III, was adopted by the Committee at its 21st meeting, with additional agenda items entitled “Dialogue on presentation of reports by States parties” and the “Optional Protocol to the Convention”. The Committee also adopted the report on its second session (CRPD/C/2/2). The third session was opened by a representative of the Secretary-General. At its twenty-seventh meeting, the Committee met with the United Nations High Commissioner for Human Rights.

9. The Committee held its fourth session at the United Nations Office at Geneva from 4 to 8 October 2010. The Committee held 10 plenary meetings (CRPD/C/4/SR.1–10 and Add.1). The provisional agenda, contained in annex III, was adopted by the Committee at its 31st meeting, with additional agenda items relating to its working methods. The Committee also adopted the report on its third session (CRPD/C/3/2). The fourth session was opened by a representative of the Secretary-General.

### **C. Membership and attendance**

10. The Committee on the Rights of Persons with Disabilities was established in accordance with article 34, paragraph 1, of the Convention, with the first 12 members of the Committee being elected by the Conference of States Parties on 3 November 2008.

11. A list of members of the Committee, indicating the duration of their terms of office, is contained in annex IV to the present report. All members attended the first four sessions of the Committee.

### **D. Solemn declaration by members of the Committee**

12. At the opening of the first session, on 23 February 2009, the 12 members of the Committee made the solemn declaration provided for under rule 14 of the provisional rules of procedure of the Committee.

### **E. Election of officers**

13. At its first session, the Committee considered the provisional rules of procedure regarding the election of officers and composition of the Bureau (rules 13–18) and thereafter proceeded to elect its officers.

14. No single candidate had obtained the majority required to be elected as Chairperson according to rule 14 of the Committee’s draft provisional rules of procedure. An agreement was reached whereby the two members with the highest number of votes would serve as Chairperson and Vice-Chairperson during the first year and alternate positions the second year. Mr. Al-Tarawneh and Ms. Peláez Narváez would thus serve as Chairperson and Vice-Chairperson, respectively, during the first year and would reverse their roles during the

second year. The Committee designated by consensus the other members to its Bureau for a term of two years, in accordance with rules 13 and 15, paragraph 1, of the provisional rules of procedure, as follows:

- Chairperson:* Mohamed Al-Tarawneh (Jordan)
- Vice-Chairperson:* Ana Peláez Narváez (Spain)  
Edah Wangechi Maina (Kenya)  
Jia Yang (China)  
György Könczei (Hungary)  
Germán Xavier Torres Correa (Ecuador)
- Rapporteur*  
(general issues): Ronald McCallum (Australia)
- Rapporteur*  
(Optional Protocol): Amna Ali Al Suwaidi (Qatar)

15. After the expiration of the first year of duty of the Bureau, the Committee decided to conduct a new election at its second session (19–23 October 2009). Mr. Ronald McCallum was elected by acclamation as Chairperson of the Committee, effective from the beginning of its third session on 22 February 2010.

16. Following the re-election process the Bureau was selected by consensus of the Committee. All positions had been filled at the commencement of the third session on 22 February 2010. The members of the Bureau are as follows:

- Chairperson:* Ronald McCallum (Australia)
- Vice-Chairperson:* Mohamed Al-Tarawneh (Jordan)  
Ana Peláez Narváez (Spain)  
Jia Yang (China)
- Rapporteur:* Edah Wangechi Maina (Kenya)

## **F. Future meetings of the Committee**

17. At its first session, in accordance with the calendar of conferences adopted by the General Assembly, the Committee confirmed the date of its second session from 19 to 23 October 2009, in Geneva. It also encouraged the secretariat to explore the possibility of convening informal meetings of the Committee or its working groups, and further requested the secretariat to explore the possibility of having some of its sessions in New York.

18. At its second session, in accordance with the calendar of conferences adopted by the General Assembly, the Committee confirmed the date of its third session, from 22 to 26 February 2010 in Geneva.

19. At its third session, in accordance with the calendar of conferences adopted by the General Assembly, the Committee confirmed the dates of its fourth session, from 4 to 8 October 2010, in Geneva.

20. At its fourth session, in accordance with the calendar of conferences adopted by the General Assembly, the Committee confirmed the dates of its fifth session, from 11 to 15 April 2011, in Geneva.

## **G. Other decisions of the Committee**

21. At its first session, the Committee took a number of other decisions, which are included in annex VII to the present document. To ensure accessibility, the Committee decided to request the secretariat to provide support in the form of hearing devices, sign language and visual captioning for its forthcoming sessions. The Committee further decided to establish three working groups, to work respectively on the rules of procedure, the reporting guidelines and working methods other than reporting guidelines.

22. A number of other decisions taken by the Committee at its second session are included in annex VII to the present document.

23. At its third session, the Committee took a number of other decisions which are included in annex VII to the present document. The Committee appointed by acclamation Ms. Maria Soledad Cisternas Reyes as the Committee's Special Rapporteur on communications under the Optional Protocol.

24. The Committee also decided to establish a working group, consisting of four members, to follow up on natural disasters and other events that might impact on the situation of persons with disabilities and to report to the Committee on a regular basis. The Committee further decided to establish two working groups on the day of general discussion: one to follow up on the previous day of general discussion on article 12 of the Convention and one for the preparation of the next day of general discussion which would focus on article 9 of the Convention.

25. At its fourth session, the Committee took several other decisions which are listed in annex VII to the present document. Among them, the Committee decided to establish a working group on accessibility to public transportation and on airline policies, composed of Mr. Mohammed Al-Tarawneh (Chair), Ms. Jia Yang, Mr. Lotfi Ben Lallahom and Mr. Monsur Ahmed Chowdhury.

## **H. Participation in intersessional meetings**

26. At its first session, the Committee designated its Chairperson, Mr. Mohammed Al-Tarawneh, and two of its members, Ms. Maria Soledad Cisternas Reyes and Ms. Jia Yang, to participate in the ninth Inter-Committee Meeting, to be held from 29 June to 1 July 2009.

27. At its second session, the Committee designated its Chairperson, Mr. Mohammed Al-Tarawneh, and two of its members, Ms. Jia Yang and Mr. Monsur Chowdhury, to participate in the tenth Inter-Committee Meeting, to be held from 30 November to 2 December 2009.

28. At its third session, the Committee designated its Chairperson, Mr. Ronald McCallum, and one member of the Committee, Mr. Mohammed Al-Tarawneh, to participate in the eleventh Inter-Committee Meeting, to be held from 28 to 30 June 2010.

29. At its fourth session, the Committee designated Ms. Maria Soledad Cisternas Reyes and Ms. Ana Peláez Narváez to participate in the first session of the Working Group on Follow-up of the Human Rights Treaty Bodies of the Inter-Committee Meeting, held in Geneva from 12 to 14 January 2011.

## **I. Other intersessional activities**

30. At its second session, the Committee reviewed and adopted the report of intersessional activities, including the report of the Chairperson on the activities undertaken

between the first and the second sessions of the Committee (CRPD/C/2/4). This report includes information on the participation of the Chairperson and Committee members in seminars and conferences and correspondence sent by the Committee.

31. At its third session, the Committee reviewed and adopted the report of intersessional activities, including the report of the Chairperson on the activities undertaken between the second and the third sessions of the Committee (CRPD/C/3/3).

32. At its fourth session the Committee decided to review and adopt, at its fifth session, the report of intersessional activities undertaken between the third and fourth sessions of the Committee, including the report of the Chairperson.

## **J. Statements of the Committee**

33. In February 2010, the Committee on the Rights of Persons with Disabilities adopted a statement on the situation in Haiti. The statement is contained in annex XI to the present report.

34. In April 2010, the Committee adopted a statement on the earthquake and tsunami in Chile and persons with disability and a statement on the earthquake in Qinghai, China. The statements are contained in annexes XII and XIII to the present report.

35. In October 2010, the Chairpersons of the Committee on the Rights of Persons with Disabilities, the Committee on the Rights of the Child and the Committee on the Elimination of Discrimination against Women adopted a joint statement on the Pakistan floods. The statement is contained in annex XIV to the present report.

## **K. Days of general discussion**

36. During the Committee's second session, a day of general discussion was held on 21 October 2009 on article 12 of the Convention, on equal recognition before the law. The discussion was attended by representatives of States parties, civil society and other interested parties. The programme of the day of general discussion is included in annex VIII to the present report.

37. The day of general discussion was opened by a statement from the Chief of the Human Rights Treaties Division, Mr. Ibrahim Salama. He welcomed all attendees and expressed his support for the proceedings.

38. Opening remarks were then given by the Chairperson of the Committee, Mr. Mohammed Al-Tarawneh, who underscored the importance of article 12. Presentations were given throughout the day by non-governmental organizations (NGOs).

39. At the end of the day of general discussion, the Committee recognized the valuable contributions of civil society in the discussions and expressed the hope that they would continue to work with the Committee to promote further ratification and accession to the Convention and its Optional Protocol.

40. The Committee decided to return to the discussion of the issue at its third session. At that session, the Committee decided to establish a working group to follow up on the day of general discussion on article 12 of the Convention, which would report to the Committee at its fourth session. The working group was made up of Ms. Edah Wangechi Maina (Chair), Mr. György Köncei and Ms. Maria Soledad Cisternas Reyes.

41. On 7 October 2010, a day of general discussion was held at the Palais des Nations of the United Nations Office at Geneva on article 9 of the Convention, which concerns

accessibility. The discussion was attended by representatives of States parties, civil society and other interested parties. The programme of the day of general discussion is included in annex VIII to the present document.

42. The day of general discussion was opened by the Chairperson of the Committee, who highlighted the critical importance of access in enabling persons with disabilities to play a full role in society, including access to buildings, public transportation, education, employment and information.

43. The keynote address of Prince Ra'ad bin Zeid of Jordan was delivered on his behalf by Mr. Mohammed Al-Tarawneh. He stressed that the concept of accessibility was crucial in the Convention and wished success to the participants.

44. Presentations throughout the day were given by representatives of NGOs, disabled persons organizations, Member States, the United Nations and the Harvard School of Law.

45. The discussions throughout the day highlighted a view shared by the participants that the Convention refers to physical, social and cultural environments; that accessibility as provided for in article 9 is more than physical access, but encompasses also information, technology, social and economic life, and confers obligations on both public and the private actors; that accessibility is a cross-cutting issue in the Convention affecting the implementation of all other rights; that a gender-perspective on accessibility is needed; that undertaking measures is an immediate obligation for States; and that standards and policies require an adequate budgetary allocation for implementation. The Committee decided to draw up a general comment on accessibility.

## **L. International Day of Persons with Disabilities**

46. The Committee, under the leadership of its former Chairperson, conducted a series of activities in celebration of the international day of persons with disabilities on 3 December 2009. These activities included sending a number of letters to Heads of State and Governments, United Nations agencies, NGOs and the Secretary-General, as well as a press release and a video address to the 600 million persons with disabilities around the world. These letters urged States, NGOs and United Nations agencies to work towards implementation of the Convention.

47. A copy of the statement issued by the Committee on the occasion of the 2009 International Day of Persons with Disabilities is attached in annex X.

48. At the occasion of the 2010 International Day of Persons with Disabilities, 3 December, the Committee sent a general introductory letter with good wishes to the United Nations Messenger of Peace, Mr. Stevie Wonder.

## **M. Promotion of the Convention**

49. The Committee met with journalists during a press conference on the last day of the first session, to brief them about the work of the new human rights treaty body and issued a press statement, the first declaration by the Committee, "Committee on the Rights of Persons with Disabilities: Looking forward". The text of the statement is included in annex IX to the present report.

## **N. Accessibility of information**

50. At its first session, the Committee observed that information concerning it on the website of the Office of the High Commissioner for Human Rights was not readily accessible, in particular to persons with visual impairments. The Committee hoped that more accessible information would be provided, including in a variety of languages and a format which would be easily accessible to persons with disabilities.

## **O. Adoption of the report**

51. At its 45th meeting, the Committee adopted its first biennial report to the General Assembly, covering its first four sessions.

## **Chapter III Methods of work**

### **A. Reporting guidelines**

52. At its second session, the Committee completed its discussion of various issues related to the reporting guidelines, and approved the final text with some amendments. The text of the amended reporting guidelines is contained in annex V to the present report.

### **B. Rules of procedure**

53. The Committee adopted its provisional rules of procedure at its third session (see annex VI).

### **C. Working methods**

54. During its first four sessions, the Committee used the following as its working languages: Arabic, Chinese, English, French and Spanish.

55. At its first session, the Committee discussed various issues related to working methods, including:

- (a) The issue of ensuring the accessibility of information and material as a matter of priority, including for those people whose forms of disabilities are not represented by a member of the Committee, such as sign language;
- (b) The creation of working groups to work on the draft rules of procedure;
- (c) The establishment of a pre-sessional working group;
- (d) The possibility of regularly holding one Committee session in New York;
- (e) The need for exploring the possibilities for cooperating with States, if they should require advice from the Committee.

56. The Committee noted that there was insufficient time in the programme for an examination of all of these important areas in detail. It resolved to return to these matters in exchanges among the members, between sessions and eventually hold a first meeting of the second session in a country willing to host the Committee, if the Office of the High

Commissioner for Human Rights was unable to fund such a meeting, in order to be able to finish the discussion of those important issues.

57. The Committee continued its discussion on various issues related to its working methods during its third session and it adopted an overview of the working methods of the Committee on the Rights of Persons with Disabilities.

58. At the fourth session, the Committee decided to amend some articles of its working methods. A new draft will be submitted for approval to Committee members at the fifth session of the Committee in April 2011.

## **Chapter IV**

### **Cooperation with concerned bodies**

#### **A. Meeting with States parties**

59. At its 29th meeting, the Committee held an informal meeting with States parties to the Convention. The meeting focused on the preparation of the initial reports by States parties, the challenges faced in that respect and the working methods in considering States parties' reports. Several representatives of States parties were present at the meeting, as follows: Australia, Belgium, Bosnia and Herzegovina, China, Ecuador, Germany, Hungary, Jordan, Kenya, Mexico, New Zealand, Oman, Saudi Arabia, Serbia, Spain, Sweden, Turkey, Uruguay and Zambia.

#### **B. Cooperation with other United Nations organs and departments**

60. At its 7th meeting on 25 February 2009, the Committee met with the representatives of other United Nations bodies and agencies and discussed ways of cooperating, as provided for under article 38 of the Convention.

61. At its third session, the Committee met with representatives of the World Health Organization who provided the Committee with an overview of the organization's current projects relating to persons with disabilities, including in the area of mental health, and the activities of the organization's unit responsible for issues of disability and rehabilitation. Committee members subsequently engaged in an exchange of views with the representatives of the organization.

#### **C. Meeting with other concerned bodies**

62. At its 8th meeting on 26 February 2009, the Committee met with representatives of several NGOs: Disabled Peoples' International, the European Disability Forum and the Centre on Human Rights for People with Disabilities.

63. The Committee welcomed the contribution made by civil society both during the drafting of the Convention and of its Optional Protocol and in encouraging its entry into force. It expressed the hope that NGOs would continue to work with the Committee to promote further ratification and accession to the Convention and its Optional Protocol.



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## **Chapter V Conference of States Parties**

### **A. Second and third Conferences of States Parties**

64. From 2 to 4 September 2009, six members of the Committee participated in the second Conference of States Parties in New York: Mr. Al-Tarawneh, Ms. Peláez Narváez, Ms. Maina, Mr. Chowdhury, Ms. Cisternas Reyes and Mr. Uršič.

65. From 1 to 3 September 2010, the third Conference of States Parties was held in New York. The following members of the Committee attended the session and participated as panellists in various sessions: Mr. McCallum, Chairperson of the Committee (opening of the meeting), Ms. Peláez Narváez, Ms. Cisternas Reyes, Mr. Chowdhury and Mr. Al-Tarawneh.

### **B. Schedule of work of the second and third Conferences of States Parties**

66. The third Conference of States Parties allowed two round-table discussions to be held, the first on accessibility and reasonable accommodation, and the second on equal recognition before the law, access to justice and supported decision-making.

67. The third session of the Conference of States parties, on the theme inclusion of persons with disabilities through the implementation of the Convention on the Rights of Persons with Disabilities, included two substantive round-table discussions — on inclusion and living in the community and inclusion and the right to education — and an interactive informal session with civil society entitled “Emerging issue: persons with disabilities in situation of risk and humanitarian emergencies”.

## **Chapter VI Reports by States parties under article 35 of the Convention**

68. The Committee noted that the reports of 30 States parties would be due in the course of 2011, bringing the total expected to 76 reports by the end of 2011. In that respect, it recalled the obligation of States parties to submit reports. It encouraged States parties to comply with their reporting obligation under the Conventions by referring to the content of article 35 of the Convention and noted that the reporting guidelines adopted at the Committee’s second session (see annex V) had been sent by notes verbales to all States parties to the Convention and were also available on the Committee’s website. Annex XV to the report contains a table showing the dates by which the initial reports of States parties should be submitted.

## Annexes

### Annex I

#### States that have signed, ratified or acceded to the Convention on the Rights of Persons with Disabilities as at 8 October 2010

<i>Participant</i>	<i>Signature</i>	<i>Formal confirmation<sup>c</sup>, accession<sup>a</sup>, ratification</i>
Albania	22 December 2009	
Algeria	30 March 2007	4 December 2009
Andorra	27 April 2007	
Antigua and Barbuda	30 March 2007	
Argentina	30 March 2007	2 September 2008
Armenia	30 March 2007	22 September 2010
Australia	30 March 2007	17 July 2008
Austria	30 March 2007	26 September 2008
Azerbaijan	9 January 2008	28 January 2009
Bahrain	25 June 2007	
Bangladesh	9 May 2007	30 November 2007
Barbados	19 July 2007	
Belgium	30 March 2007	2 July 2009
Benin	8 February 2008	
Bhutan	21 September 2010	
Bolivia (Plurinational State of)	13 August 2007	16 November 2009
Bosnia and Herzegovina	29 July 2009	12 March 2010
Brazil	30 March 2007	1 August 2008
Brunei Darussalam	18 December 2007	
Bulgaria	27 September 2007	
Burkina Faso	23 May 2007	23 July 2009
Burundi	26 April 2007	
Cambodia	1 October 2007	

<i>Participant</i>	<i>Signature</i>	<i>Formal confirmation<sup>c</sup>, accession<sup>a</sup>, ratification</i>
Cameroon	1 October 2008	
Canada	30 March 2007	11 March 2010
Cape Verde	30 March 2007	
Central African Republic	9 May 2007	
Chile	30 March 2007	29 July 2008
China	30 March 2007	1 August 2008
Colombia	30 March 2007	
Comoros	26 September 2007	
Congo	30 March 2007	
Cook Islands		8 May 2009
Costa Rica	30 March 2007	1 October 2008
Côte d'Ivoire	7 June 2007	
Croatia	30 March 2007	15 August 2007
Cuba	26 April 2007	6 September 2007
Cyprus	30 March 2007	
Czech Republic	30 March 2007	28 September 2009
Denmark	30 March 2007	24 July 2009
Dominica	30 March 2007	
Dominican Republic	30 March 2007	18 August 2009
Ecuador	30 March 2007	3 April 2008
Egypt	4 April 2007	14 April 2008
El Salvador	30 March 2007	14 December 2007
Estonia	25 September 2007	
Ethiopia	30 March 2007	7 July 2010
European Union	30 March 2007	
Fiji	2 June 2010	
Finland	30 March 2007	
France	30 March 2007	18 February 2010
Gabon	30 March 2007	1 October 2007
Georgia	10 July 2009	

<i>Participant</i>	<i>Signature</i>	<i>Formal confirmation<sup>c</sup>, accession<sup>a</sup>, ratification</i>
Germany	30 March 2007	24 February 2009
Ghana	30 March 2007	
Greece	30 March 2007	
Grenada	12 July 2010	
Guatemala	30 March 2007	7 April 2009
Guinea	16 May 2007	8 February 2008
Guyana	11 April 2007	
Haiti		23 July 2009 <sup>a</sup>
Honduras	30 March 2007	14 April 2008
Hungary	30 March 2007	20 July 2007
Iceland	30 March 2007	
India	30 March 2007	1 October 2007
Indonesia	30 March 2007	
Iran (Islamic Republic of)		23 October 2009 <sup>a</sup>
Ireland	30 March 2007	
Israel	30 March 2007	
Italy	30 March 2007	15 May 2009
Jamaica	30 March 2007	30 March 2007
Japan	28 September 2007	
Jordan	30 March 2007	31 March 2008
Kazakhstan	11 December 2008	
Kenya	30 March 2007	19 May 2008
Lao People's Democratic Republic	15 January 2008	25 September 2009
Latvia	18 July 2008	1 March 2010
Lebanon	14 June 2007	
Lesotho		2 December 2008 <sup>a</sup>
Liberia	30 March 2007	
Libyan Arab Jamahiriya	1 May 2008	
Lithuania	30 March 2007	18 August 2010
Luxembourg	30 March 2007	

<i>Participant</i>	<i>Signature</i>	<i>Formal confirmation<sup>c</sup>, accession<sup>a</sup>, ratification</i>
Madagascar	25 September 2007	
Malawi	27 September 2007	27 August 2009
Malaysia	8 April 2008	19 July 2010
Maldives	2 October 2007	5 April 2010
Mali	15 May 2007	7 April 2008
Malta	30 March 2007	
Mauritius	25 September 2007	8 January 2010
Mexico	30 March 2007	17 December 2007
Monaco	23 September 2009	
Mongolia		13 May 2009 <sup>a</sup>
Montenegro	27 September 2007	2 November 2009
Morocco	30 March 2007	8 April 2009
Mozambique	30 March 2007	
Namibia	25 April 2007	4 December 2007
Nepal	3 January 2008	7 May 2010
Netherlands	30 March 2007	
New Zealand	30 March 2007	25 September 2008
Nicaragua	30 March 2007	7 December 2007
Niger	30 March 2007	24 June 2008
Nigeria	30 March 2007	24 September 2010
Norway	30 March 2007	
Oman	17 March 2008	6 January 2009
Pakistan	25 September 2008	
Panama	30 March 2007	7 August 2007
Paraguay	30 March 2007	3 September 2008
Peru	30 March 2007	30 January 2008
Philippines	25 September 2007	15 April 2008
Poland	30 March 2007	
Portugal	30 March 2007	23 September 2009
Qatar	9 July 2007	13 May 2008

<i>Participant</i>	<i>Signature</i>	<i>Formal confirmation<sup>c</sup>, accession<sup>a</sup>, ratification</i>
Republic of Korea	30 March 2007	11 December 2008
Republic of Moldova	30 March 2007	21 September 2010
Romania	26 September 2007	
Russian Federation	24 September 2008	
Rwanda		15 December 2008 <sup>a</sup>
San Marino	30 March 2007	22 February 2008
Saudi Arabia		24 June 2008 <sup>a</sup>
Senegal	25 April 2007	7 September 2010
Serbia	17 December 2007	31 July 2009
Seychelles	30 March 2007	2 October 2009
Sierra Leone	30 March 2007	4 October 2010
Slovakia	26 September 2007	26 May 2010
Slovenia	30 March 2007	24 April 2008
Solomon Islands	23 September 2008	
South Africa	30 March 2007	30 November 2007
Spain	30 March 2007	3 December 2007
Sri Lanka	30 March 2007	
Sudan	30 March 2007	24 April 2009
Suriname	30 March 2007	
Swaziland	25 September 2007	
Sweden	30 March 2007	15 December 2008
Syrian Arab Republic	30 March 2007	10 July 2009
Thailand	30 March 2007	29 July 2008
The former Yugoslav Republic of Macedonia	30 March 2007	
Togo	23 September 2008	
Tonga	15 November 2007	
Trinidad and Tobago	27 September 2007	
Tunisia	30 March 2007	2 April 2008
Turkey	30 March 2007	28 September 2009
Turkmenistan		4 September 2008 <sup>a</sup>

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<i>Participant</i>	<i>Signature</i>	<i>Formal confirmation<sup>c</sup>, accession<sup>a</sup>, ratification</i>
Uganda	30 March 2007	25 September 2008
Ukraine	24 September 2008	4 February 2010
United Arab Emirates	8 February 2008	19 March 2010
United Kingdom of Great Britain and Northern Ireland	30 March 2007	8 June 2009
United Republic of Tanzania	30 March 2007	10 November 2009
United States of America	30 July 2009	
Uruguay	3 April 2007	11 February 2009
Uzbekistan	27 February 2009	
Vanuatu	17 May 2007	23 October 2008
Viet Nam	22 October 2007	
Yemen	30 March 2007	26 March 2009
Zambia	9 May 2008	1 February 2010

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## Annex II

**States that have signed, ratified or acceded to the Optional Protocol to the Convention on the Rights of Persons with Disabilities as at 8 October 2010**

<i>Participant</i>	<i>Signature</i>	<i>Formal confirmation<sup>c</sup>, accession<sup>a</sup>, ratification</i>
Albania	22 December 2009	
Algeria	30 March 2007	4 December 2009
Andorra	27 April 2007	
Antigua and Barbuda	30 March 2007	
Argentina	30 March 2007	2 September 2008
Armenia	30 March 2007	22 September 2010
Australia	30 March 2007	17 July 2008
Austria	30 March 2007	26 September 2008
Azerbaijan	9 January 2008	28 January 2009
Bahrain	25 June 2007	
Bangladesh	9 May 2007	30 November 2007
Barbados	19 July 2007	
Belgium	30 March 2007	2 July 2009
Benin	8 February 2008	
Bhutan	21 September 2010	
Bolivia (Plurinational State of)	13 August 2007	16 November 2009
Bosnia and Herzegovina	29 July 2009	12 March 2010
Brazil	30 March 2007	1 August 2008
Brunei Darussalam	18 December 2007	
Bulgaria	27 September 2007	
Burkina Faso	23 May 2007	23 July 2009
Burundi	26 April 2007	
Cambodia	1 October 2007	
Cameroon	1 October 2008	
Canada	30 March 2007	11 March 2010



<i>Participant</i>	<i>Signature</i>	<i>Formal confirmation<sup>c</sup>, accession<sup>a</sup>, ratification</i>
Cape Verde	30 March 2007	
Central African Republic	9 May 2007	
Chile	30 March 2007	29 July 2008
China	30 March 2007	1 August 2008
Colombia	30 March 2007	
Comoros	26 September 2007	
Congo	30 March 2007	
Cook Islands		8 May 2009
Costa Rica	30 March 2007	1 October 2008
Côte d'Ivoire	7 June 2007	
Croatia	30 March 2007	15 August 2007
Cuba	26 April 2007	6 September 2007
Cyprus	30 March 2007	
Czech Republic	30 March 2007	28 September 2009
Denmark	30 March 2007	24 July 2009
Dominica	30 March 2007	
Dominican Republic	30 March 2007	18 August 2009
Ecuador	30 March 2007	3 April 2008
Egypt	4 April 2007	14 April 2008
El Salvador	30 March 2007	14 December 2007
Estonia	25 September 2007	
Ethiopia	30 March 2007	7 July 2010
European Union	30 March 2007	
Fiji	2 June 2010	
Finland	30 March 2007	
France	30 March 2007	18 February 2010
Gabon	30 March 2007	1 October 2007
Georgia	10 July 2009	
Germany	30 March 2007	24 February 2009
Ghana	30 March 2007	

<i>Participant</i>	<i>Signature</i>	<i>Formal confirmation<sup>c</sup>, accession<sup>a</sup>, ratification</i>
Greece	30 March 2007	
Grenada	12 July 2010	
Guatemala	30 March 2007	7 April 2009
Guinea	16 May 2007	8 February 2008
Guyana	11 April 2007	
Haiti		23 July 2009 <sup>a</sup>
Honduras	30 March 2007	14 April 2008
Hungary	30 March 2007	20 July 2007
Iceland	30 March 2007	
India	30 March 2007	1 October 2007
Indonesia	30 March 2007	
Iran (Islamic Republic of)		23 October 2009 <sup>a</sup>
Ireland	30 March 2007	
Israel	30 March 2007	
Italy	30 March 2007	15 May 2009
Jamaica	30 March 2007	30 March 2007
Japan	28 September 2007	
Jordan	30 March 2007	31 March 2008
Kazakhstan	11 December 2008	
Kenya	30 March 2007	19 May 2008
Lao People's Democratic Republic	15 January 2008	25 September 2009
Latvia	18 July 2008	1 March 2010
Lebanon	14 June 2007	
Lesotho		2 December 2008 <sup>a</sup>
Liberia	30 March 2007	
Libyan Arab Jamahiriya	1 May 2008	
Lithuania	30 March 2007	18 August 2010
Luxembourg	30 March 2007	
Madagascar	25 September 2007	
Malawi	27 September 2007	27 August 2009

<i>Participant</i>	<i>Signature</i>	<i>Formal confirmation<sup>c</sup>, accession<sup>a</sup>, ratification</i>
Malaysia	8 April 2008	19 July 2010
Maldives	2 October 2007	5 April 2010
Mali	15 May 2007	7 April 2008
Malta	30 March 2007	
Mauritius	25 September 2007	8 January 2010
Mexico	30 March 2007	17 December 2007
Monaco	23 September 2009	
Mongolia		13 May 2009 <sup>a</sup>
Montenegro	27 September 2007	
Morocco	30 March 2007	8 April 2009
Mozambique	30 March 2007	
Namibia	25 April 2007	4 December 2007
Nepal	3 January 2008	7 May 2010
Netherlands	30 March 2007	
New Zealand	30 March 2007	25 September 2008
Nicaragua	30 March 2007	7 December 2007
Niger	30 March 2007	24 June 2008
Nigeria	30 March 2007	24 September 2010
Norway	30 March 2007	
Oman	17 March 2008	6 January 2009
Pakistan	25 September 2008	
Panama	30 March 2007	7 August 2007
Paraguay	30 March 2007	3 September 2008
Peru	30 March 2007	30 January 2008
Philippines	25 September 2007	15 April 2008
Poland	30 March 2007	
Portugal	30 March 2007	23 September 2009
Qatar	9 July 2007	13 May 2008
Republic of Korea	30 March 2007	11 December 2008
Republic of Moldova	30 March 2007	21 September 2010

<i>Participant</i>	<i>Signature</i>	<i>Formal confirmation<sup>c</sup>, accession<sup>a</sup>, ratification</i>
Romania	26 September 2007	
Russian Federation	24 September 2008	
Rwanda		15 December 2008 <sup>a</sup>
San Marino	30 March 2007	22 February 2008
Saudi Arabia		24 June 2008 <sup>a</sup>
Senegal	25 April 2007	7 September 2010
Serbia	17 December 2007	31 July 2009
Seychelles	30 March 2007	2 October 2009
Sierra Leone	30 March 2007	4 October 2010
Slovakia	26 September 2007	26 May 2010
Slovenia	30 March 2007	24 April 2008
Solomon Islands	23 September 2008	
South Africa	30 March 2007	30 November 2007
Spain	30 March 2007	3 December 2007
Sri Lanka	30 March 2007	
Sudan	30 March 2007	24 April 2009
Suriname	30 March 2007	
Swaziland	25 September 2007	
Sweden	30 March 2007	15 December 2008
Syrian Arab Republic	30 March 2007	10 July 2009
Thailand	30 March 2007	29 July 2008
The former Yugoslav Republic of Macedonia	30 March 2007	
Togo	23 September 2008	
Tonga	15 November 2007	
Trinidad and Tobago	27 September 2007	
Tunisia	30 March 2007	2 April 2008
Turkey	30 March 2007	28 September 2009
Turkmenistan		4 September 2008 <sup>a</sup>
Uganda	30 March 2007	25 September 2008
Ukraine	24 September 2008	4 February 2010

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<i>Participant</i>	<i>Signature</i>	<i>Formal confirmation<sup>c</sup>, accession<sup>a</sup>, ratification</i>
United Arab Emirates	8 February 2008	19 March 2010
United Kingdom of Great Britain and Northern Ireland	30 March 2007	8 June 2009
United Republic of Tanzania	30 March 2007	10 November 2009
United States of America	30 July 2009	
Uruguay	3 April 2007	11 February 2009
Uzbekistan	27 February 2009	
Vanuatu	17 May 2007	23 October 2008
Viet Nam	22 October 2007	
Yemen	30 March 2007	26 March 2009
Zambia	9 May 2008	1 February 2010

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## Annex III

### **A. Agenda of the first session of the Committee on the Rights of Persons with Disabilities (23–27 February 2009)**

1. Opening of the session.
2. Solemn declarations by the members of the Committee.
3. Election of the officers of the Committee.
4. Adoption of the agenda.
5. Induction course.
6. Draft provisional rules of procedure.
7. Cooperation with United Nations specialized agencies and other competent bodies.
8. Future meetings.
9. Other matters.

### **B. Agenda of the second session of the Committee on the Rights of Persons with Disabilities (19–23 October 2009)**

1. Opening of the session and adoption of the agenda.
2. Adoption of the report of the first session of the Committee.
3. Report of the Chairperson on activities undertaken between the first and the second session of the Committee.
4. Ways and means of expediting the work of the Committee:
  - (a) Draft rules of procedure;
  - (b) Draft reporting guidelines and other working methods.
5. Day of general discussion on article 12.
6. Provisional agenda for the third session.
7. Adoption of the Report of the Committee on its second session.
8. Other matters.

### **C. Agenda of the third session of the Committee on the Rights of Persons with Disabilities (22–26 February 2010)**

1. Opening of the session and adoption of the agenda.
2. Adoption of the report of the second session of the Committee.
3. Report of the Chairperson on intersessional activities.
4. Ways and means of expediting the work of the Committee:
  - (a) Draft rules of procedure;

- (b) Draft working methods.
- 5. Follow-up on previous decisions of the Committee.
- 6. Follow-up on the day of general discussion on article 12 and preparation of the second day of general discussion for the fall 2010 session.
- 7. Provisional agenda for the fourth session.
- 8. Other matters.

**D. Agenda of the fourth session of the Committee on the Rights of Persons with Disabilities (4–8 October 2010)**

- 1. Adoption of the agenda.
- 2. Organizational matters.
- 3. Adoption of the report of the third session of the Committee.
- 4. Submission of reports by States parties.
- 5. Adoption of lists of issues on State party reports.
- 6. Cooperation with other United Nations bodies, specialized agencies and other competent bodies.
- 7. Methods of work of the Committee.
- 8. Day of general discussion.
- 9. Future meetings.
- 10. Other matters.

## Annex IV

### Membership of the Committee on the Rights of Persons with Disabilities and terms of office at the time of the fourth session

<i>Name of member</i>	<i>State party</i>	<i>Term of office expires on 31 December</i>
Ms. Amna Ali <b>Al Suwaidi</b>	Qatar	2012
Mr. Mohammed <b>Al-Tarawneh</b>	Jordan	2012
Mr. Lotfi Ben <b>Lallahom</b>	Tunisia	2010 <sup>a</sup>
Mr. Monsur Ahmed <b>Chowdhury</b>	Bangladesh	2012
Ms. Maria Soledad <b>Cisternas Reyes</b>	Chile	2012
Mr. György <b>Könczei</b>	Hungary	2010
Ms. Edah Wangechi <b>Maina</b>	Kenya	2010 <sup>a</sup>
Mr. Ronald <b>McCallum</b>	Australia	2010 <sup>a</sup>
Ms. Ana <b>Peláez Narváez</b>	Spain	2012
Mr. Germán Xavier <b>Torres Correa</b>	Ecuador	2010 <sup>a</sup>
Mr. Cveto <b>Uršič</b>	Slovenia	2010
Ms. <b>Jia</b> Yang	China	2012

<sup>a</sup> As of 1 January 2011, term of office extended until 2014.

### Newly elected members of the Committee on the Rights of Persons with Disabilities and terms of office<sup>a</sup>

<i>Name of member</i>	<i>State party</i>	<i>Term of office expires on 31 December</i>
Ms. Theresia <b>Degener</b>	Germany	2014
Mr. Gábor <b>Gombos</b>	Hungary	2012
Ms. Fatiha <b>Hadj-Salah</b>	Algeria	2012
Mr. <b>Hyung</b> Shik Kim	Republic of Korea	2014
Mr. Stig <b>Langvad</b>	Denmark	2014
Ms. Silvia Judith <b>Quan-Chang</b>	Guatemala	2012
Mr. Carlos <b>Ríos Espinosa</b>	Mexico	2014
Mr. Damjan <b>Tatic</b>	Serbia	2014

<sup>a</sup> New members were elected on September 2010 and will take up their duties on 1 January 2011.



## Annex V

### **Reporting guidelines of the Committee on the Rights of Persons with Disabilities**

#### **Guidelines on the treaty-specific document to be submitted by States Parties under article 35 of the Convention on the Rights of Persons with Disabilities**

#### **A. The existing reporting system and organization of information to be included in the common core document and in the treaty-specific document submitted to the Committee on the Rights of Persons with Disabilities**

1. State reports submitted under the harmonized guidelines on reporting under the international human rights treaties consist of two parts: a common core document and treaty-specific documents.

##### **1. The common core document**

2. The common core document should contain general information about the reporting State, the general framework for the protection and promotion of human rights, disaggregated according to sex, age, main population groups and disability, as well as information on non-discrimination and equality, and effective remedies, in accordance with the harmonized guidelines.

##### **2. The treaty-specific document**

3. The treaty-specific document submitted to the Committee on the Rights of Persons with Disabilities should not repeat the information included in the common core document or merely list or describe the legislation adopted by the State party. Rather, it should contain specific information relating to the implementation, in law and in fact, of articles 1–33 of the Convention, taking into account analytical information on recent developments in law and practice affecting the full realization of the rights recognized in the Convention by all persons, with all forms of disabilities within the territory or jurisdiction of the State party. It should also contain detailed information on substantive measures taken towards the aforementioned goals and the resulting progress achieved. Where applicable, this information should be presented in relation to policy and legislation of persons without disabilities. In all cases, it should indicate data sources.

4. In relation to the rights recognized in the Convention, the treaty-specific document should indicate:

(a) Whether the State party has adopted policies, strategies and a national legal framework for the implementation of each Convention right, identifying the resources available for that purpose and the most cost-effective ways of using such resources;

(b) Whether the State party has adopted comprehensive disability anti-discrimination legislation to put into effect provisions of the Convention in this regard;

(c) Any mechanisms in place to monitor progress towards the full realization of the Convention rights, including recognition of indicators and related national benchmarks

in relation to each Convention right, in addition to the information provided under appendix 3 of the harmonized guidelines and taking into account the framework and tables of illustrative indicators outlined by the Office of the United Nations High Commissioner for Human Rights (OHCHR) (HRI/MC/2008/3);

(d) Mechanisms in place to ensure that a State party's obligations under the Convention are fully integrated in its actions as a member of international organizations;

(e) The incorporation and direct applicability of each Convention right in the domestic legal order, with reference to specific examples of relevant legal cases;

(f) The judicial and other appropriate remedies in place enabling victims to obtain redress in the case their Convention rights have been violated;

(g) Structural or other significant obstacles arising from factors beyond the State party's control which impede the full realization of the Convention rights, including details of the steps being taken to overcome them;

(h) Statistical data on the realization of each Convention right, disaggregated by sex, age, type of disability (physical, sensory, intellectual and mental), ethnic origin, urban/rural population and other relevant categories, on an annual comparative basis over the past four years.

5. The treaty-specific document should be delivered in accessible electronic format and in print.

6. The report should follow paragraphs 24–26 and 29 of the harmonized reporting guidelines.

7. The format of the Convention-specific document should be in accordance with paragraphs 19–23 of the harmonized reporting guidelines. The initial report should not exceed 60 pages, and subsequent Convention-specific documents should be limited to 40 pages. Paragraphs should be numbered sequentially.

### **3. Initial reports**

8. The initial Convention-specific document, together with the common core document, constitutes the State party's initial report and is the State party's first opportunity to present to the Committee the extent to which its laws and practices comply with the Convention.

9. A State party should deal specifically with every article of the Convention; in addition to information contained in the common core document, a detailed analysis of the impact of legal norms on persons with disabilities' factual situation and the practical availability, implementation and effect of remedies for violations of provisions of the Convention paying special attention to particularly vulnerable population groups such as women and children should be provided and explained in the Convention-specific document.

10. The initial Convention-specific document should, to the extent that such information is not already contained in the common core document, outline any distinctions, exclusions or restrictions made on the basis of disability, even of a temporary nature, imposed by law, practice or tradition, or in any other manner on the persons with disabilities' enjoyment of each provision of the Convention.

11. The initial Convention-specific document should contain sufficient quotations from, or summaries of the relevant constitutional, legislative, judicial and other texts which guarantee and provide remedies in relation to the rights and provisions of the Convention,

in particular when those are not attached to the report or are not available in one of the working languages of the United Nations.

#### **4. Periodic reports**

12. The subsequent Convention-specific document, which, together with the common core document, forms a subsequent periodic report, should focus on the period between the consideration of the State party's previous report and the presentation of the current report.

13. Periodic Convention-specific documents should be structured so as to follow the articles of the Convention. If there is nothing new to report under any article, it should be so stated.

14. There should be at least three starting points for such subsequent Convention-specific documents:

(a) Information on the implementation of concluding observations (particularly "concerns" and "recommendations") from the previous report, and explanations for instances of non-implementation or difficulties encountered;

(b) An analytical and result-oriented examination by the State party of additional legal and other appropriate steps and measures taken towards the implementation of the Convention;

(c) Information on any remaining or emerging obstacles to the exercise and enjoyment by persons with disabilities of their human rights and fundamental freedoms in the civil, political, economic, social, cultural or any other field, as well as information on measures envisaged to overcome these obstacles.

15. Periodic Convention-specific documents should in particular address the impact of measures taken, and should analyze trends over time in eliminating discrimination against persons with disabilities and ensuring persons with disabilities' full enjoyment of their human rights.

16. Periodic Convention-specific documents should also address the implementation of the Convention with respect to different groups of persons with disabilities, in particular those subject to multiple forms of discrimination.

17. Where a fundamental change has occurred in the State party's political and legal approach affecting the implementation of the Convention or new legal or administrative measures have been introduced by the State party which requires the annexure of texts, and judicial or other decisions, such information should be provided in the Convention-specific document.

#### **5. Exceptional reports**

18. The present guidelines do not affect the Committee's procedure in relation to any exceptional reports that may be requested and are governed by the Committee's rules of procedure.

#### **6. Annexes to reports**

19. If needed, the report should be delivered in electronic format and in print accompanied by a sufficient number of copies, in one of the working languages of the United Nations, of the principal legislative, judicial, administrative and other supplementary documentation that the reporting States may wish to have distributed to all members of the Committee to facilitate the consideration of their report. These texts may be submitted in accordance with paragraph 20 of the harmonized guidelines on reporting.

**7. Measures to implement outcomes of United Nations conferences, summits and reviews**

20. The Convention-specific document should also include information on the implementation of the disability elements of the Millennium Development Goals and on the outcomes of other relevant United Nations conferences, summits and reviews.

**8. General recommendations**

21. General recommendations adopted by the Committee should be taken into account in preparing the Convention-specific document.

**9. Reservations and declarations**

22. General information on reservations and declarations should be included in the common core document in accordance with paragraph 40 (b) of the harmonized reporting guidelines. In addition, specific information in respect to reservations and declarations to the Convention should be included in the Convention-specific document submitted to the Committee, the Committee's statements on reservations and, where applicable, the Committee's concluding observations. Any reservation to or declaration relating to any article of the Convention by the State party should be explained and its continued existence clarified.

23. States parties that have entered general reservations which do not refer to a specific article, or which are directed at articles 4, 5 and 12, should report on the interpretation and the effect of those reservations. States parties should provide information on any reservations or declarations they may have lodged with regard to similar obligations in other human rights treaties.

**10. International Labour Organizations conventions**

24. If a State party is a participant to any of the International Labour Organization (ILO) conventions listed in appendix 2 of the harmonized guidelines, or to any other relevant conventions of United Nations specialized agencies, and has already submitted reports to the supervisory committee(s) concerned that are relevant to any of the rights recognized in the Convention, it should append the respective parts of those reports rather than repeat the information in the treaty-specific document. However, all matters which arise under the Convention and are not fully covered in those reports should be dealt with in the present treaty-specific document.

**11. Optional Protocol**

25. If the State party has ratified or acceded to the Optional Protocol and the Committee has issued views entailing provision of a remedy or expressing any other concern, relating to a communication received under that Protocol, the Convention-specific document should include further information about the remedial steps taken as well as other steps taken to ensure that any circumstance giving rise to the communication does not recur. Reports also should indicate any provisions of legislation currently in force that the State party considers an obstacle to the implementation of the Optional Protocol, and whether there are plans to review such provisions.

26. If the State party has ratified or acceded to the Optional Protocol and the Committee has conducted an inquiry under article 6 of the Optional Protocol, the Convention-specific document should include details of any further measures taken in response to an inquiry, and to ensure that the violations giving rise to the inquiry do not recur.

## **B. Segment of the treaty-specific document submitted to the Committee relating to general provisions of the Convention**

### **Articles 1–4 of the Convention**

These articles establish the purpose, definitions, general principles and obligations of the Convention.

States parties should report on:

1. The definition of disability used to collect the data being analysed, which impairments have been included, and the conceptualization of “long-term”;
2. The ways and means by which the domestic law defines and understands the concepts provided in articles 1 and 2 of the Convention, and in particular any laws, regulations, social customs or practices that discriminate on the ground of disability;
3. The ways and means by which the State party defines and understands the concept of “reasonable accommodation”, and the requirement of “disproportionate and undue burden”, providing examples;
4. In what manner the general principles and obligations established under articles 3 and 4 of the Convention have been implemented, and how it intends to ensure their effective realization, in particular the principle of promotion of the full realization of the rights under the Convention without discrimination based on disability as provided under article 4 and provide examples;
5. Disaggregated and comparative statistical data on the effectiveness of specific anti-discrimination measures and the progress achieved towards ensuring equal realization of each of the Convention rights by persons with disabilities including a gender- and age-based perspective;
6. Which Convention rights the State party has endeavoured to implement progressively and which it has committed to implement immediately; describe the impact of the latter measures;
7. The degree of involvement of persons with disabilities including women, boys and girls with disabilities in the development, implementation and evaluation of legislation and policies to introduce the Convention. The diversity of persons with disabilities who have been involved in these processes with a gender and age-based perspective should also be indicated;
8. Whether the State has measures that provide higher levels of protection of the rights of persons with disabilities than those included in the Convention, in line with article 4, paragraph 4;
9. How it has been ensured that the provisions of the Convention extend to all parts of the States, without any limitation or exception, in the case of federal or very decentralized States.

## **C. Segment of the report relating to specific rights**

### **Article 5 – Equality and non-discrimination**

This article recognizes that all persons are equal before the law with entitlement to equal protection and benefit of the law on equal grounds without any discrimination.

States parties should report on:

1. Whether persons with disabilities are able to use the law to protect or pursue their interests on an equal basis to others;
2. Effective measures taken to guarantee persons with disabilities equal and effective legal protection against all types of discrimination, including the provision of reasonable accommodation;
3. Policies and programmes, including affirmative action measures, to achieve the de facto equality of persons with disabilities, taking into account their diversity.

#### **Article 8 – Awareness-raising**

This article establishes the obligation of States parties to conduct effective awareness raising policies to promote a positive image of persons with disabilities. The report should contain information on the measures taken to raise awareness of persons with disabilities, to foster respect for their rights and dignity, their capabilities and contributions, and to combat stereotypes, and prejudices against them.

States parties should report on:

1. Public-awareness campaigns directed to general society, within the education system and actions undertaken through mainstream media;
2. Actions undertaken to raise awareness and inform persons with disabilities and other parts of society on the Convention and the rights it includes.

#### **Article 9 – Accessibility**

This article establishes the obligation of States parties to take appropriate measures to enable persons with disabilities to live independently as possible and to participate fully in all aspects of life.

States parties should report on:

1. Legislative and other measures taken to ensure to persons with disabilities, access on an equal basis with others to the physical environment (including the use of signal indicators and street signs), to transportation, information and communications, (including information and communications technologies and systems) and to other facilities and services provided to the public including by private entities, both in urban and in rural areas according to article 9, paragraph 2 (b)–(h), of the Convention;
2. Technical standards and guidelines for accessibility; as well as on the auditing of their fulfilment and sanctions for non-compliance; and whether resources obtained by means of money sanctions are applied to encourage accessibility actions;
3. The use of public procurement provisions and other measures that establish compulsory accessibility requirements;
4. The identification and elimination of obstacles and barriers to accessibility including from both within the public and the private sector, and national accessibility plans established with clear targets and deadlines.

#### **Article 10 – Right to life**

This article reaffirms the inherent right to life of persons with disabilities on an equal basis with others.

States parties should report on:

1. Whether the legislation recognizes and protects the right to life and survival of persons with disabilities on an equal basis with others;

2. Whether persons with disabilities are being subjected to arbitrary deprivation of life.

#### **Article 11 – Situations of risk and humanitarian emergencies**

This article obliges States parties to ensure the protection and safety of persons with disabilities in situations of risk, such as situations resulting from armed conflicts, humanitarian emergencies or natural disasters.

States parties should report on:

1. Any measures taken to ensure their protection and safety including measures taken to include persons with disabilities in national emergency protocols;
2. Measures taken to ensure that humanitarian aid relief is distributed in an accessible way to people with disabilities caught in humanitarian emergency, in particular measures taken to ensure that sanitation and latrine facilities in emergency shelters and refugee camps are available and accessible for persons with disabilities.

#### **Article 12 – Equal recognition before the law**

This article reaffirms that persons with disabilities have the right to recognition as persons before the law.

States parties should report on:

1. Measures taken by the State party to ensure that persons with disabilities enjoy legal capacity on an equal basis with others in all aspects of life, in particular such measures as to ensure the equal right of persons with disabilities to maintain their physical and mental integrity, full participation as citizens, own or inherit property, to control their own financial affairs and to have equal access to bank loans, mortgages and other forms of financial credit, and their right not to be arbitrarily deprived of their property;
2. Whether legislation does or does not exist which restricts the full legal capacity on the basis of disability, as well as actions being taken towards conformity with article 12 of the Convention;
3. The support available to persons with disabilities to exercise their legal capacity and manage their financial affairs;
4. The existence of safeguards against abuse of supported decision-making models;
5. Awareness-raising and education campaigns in relation to equal recognition of all persons with disabilities before the law.

#### **Article 13 – Access to justice**

This article recognizes the right of persons with disabilities to have effective access to justice on an equal basis to others, without being excluded from legal proceedings.

States parties should report on:

1. Measures taken to ensure the effective access to justice at all stages of the legal process, including investigative and other preliminary stages, by all persons with disabilities;
2. Measures taken to ensure effective training of personnel in the national justice and prison system, in the respect for the rights of persons with disabilities;
3. The availability of reasonable accommodations, including procedural accommodations that are made in the legal process to ensure effective participation of all

types of persons with disabilities in the justice system, whatever the role which they find themselves in (for example as victim, perpetrator, witness or member of jury, etc.);

4. Age-related accommodations to ensure effective participation of children and young persons with disabilities.

#### **Article 14 – Liberty and security of the person**

This article ensures that persons with disabilities enjoy the right to liberty and personal security, and are not deprived of their liberty, unlawfully or arbitrarily, on the basis of the existence of a disability.

States parties should report on:

1. Measures taken by the State party to ensure that all persons with all forms of disabilities enjoy the right to liberty and security of person and that no person is deprived of her/his liberty on the basis of her/his disability;
2. Actions being taken to abolish any legislation that permits the institutionalization or the deprivation of liberty of all persons with all forms of disabilities;
3. Legislative and other measures put in place to ensure that persons with disabilities who have been deprived of their liberty are provided with the required reasonable accommodation, and benefit from the same procedural guarantees as all other persons to enjoy fully their remaining human rights.

#### **Article 15 – Freedom from torture or cruel, inhuman or degrading treatment or punishment**

This article establishes the protection of persons with disabilities from being subjected to torture, cruel, inhuman and degrading treatment or punishment.

States parties should report on:

1. Measures taken to protect effectively persons with disabilities from medical or scientific experimentation without their free and informed consent, including persons with disabilities who need support in exercising their legal capacity;
2. The inclusion of persons with disabilities in national strategies and mechanisms to prevent torture.

#### **Article 16 – Freedom from exploitation, violence and abuse**

This article protects persons with disabilities from all forms of exploitation, violence and abuse, both within and outside the home, paying special attention to children and women with disabilities.

States parties should report on:

1. Legislative, administrative, social, educational and other measures taken to protect persons with disabilities, both within and outside the home, from all forms of exploitation, violence and abuse, including the gender and child based aspects;
2. Social protection measures to assist and support persons with disabilities, including their families and caregivers, and to prevent, recognize and report instances of exploitation, violence and abuse, including the gender- and child-based aspects;
3. Measures taken to ensure that all services and programmes designed to serve persons with disabilities are effectively monitored by independent authorities;



4. Measures taken to ensure that all persons with disabilities who are victims of violence have access to effective recovery, rehabilitation and social re-integration services and programmes;
5. Measures taken to ensure that all services and resources available to prevent and support victims of violence are accessible to persons with disabilities;
6. Legislation and policies, including women and child-focused legislation and policies, to ensure that instances of exploitation, violence and abuse against persons with disabilities are identified, investigated and, where appropriate, prosecuted.

#### **Article 17 – Protecting the integrity of the person**

This article establishes the right to respect for the physical and mental integrity of persons with disabilities.

States parties should report on:

1. Measures taken to protect persons with disabilities from medical (or other) treatment given without the free and informed consent of the person;
2. Measures taken to protect all persons with disabilities from forced sterilization, and girls and women from forced abortions;
3. The existence, composition and role of independent review organizations to ensure the fulfilment of this right, as well as the programmes and measures adopted by these bodies.

#### **Article 18 – Liberty of movement and nationality**

This article recognizes the right of persons with disabilities to liberty of movement, to freedom to choose their residence and to a nationality.

States parties should report on:

1. Legislative or administrative measures taken to ensure the right of persons with disabilities to acquire a nationality and to not be deprived of it, as well as to ensure the right of persons with disabilities to enter or leave the country arbitrarily;
2. Measures taken to ensure that every newborn child with a disability be registered upon birth and given a name and a nationality.

#### **Article 19 – Living independently and being included in the community**

This article recognizes the right of persons with disabilities to live independently and to participate in the community.

States parties should report on:

1. The existence of available independent living schemes, including the provision of personal assistants for persons who so require;
2. The existence of in-house support services allowing persons with disabilities to live in their community;
3. The existence and range of options of residential services for living arrangements, including shared and sheltered accommodation which take into account the form of disability;
4. The degree of accessibility for persons with disabilities to community services and facilities provided to the general population.

### **Article 20 – Personal mobility**

This article recognizes the right of persons with disabilities to move freely with the greatest possible independence.

States parties should report on:

1. Measures to facilitate the personal mobility of persons with disabilities, including the use of signal indicators and street signs for accessibility, in the manner and the time of their choice, as well as their access to forms of assistance (human, animal, or assistive technologies and devices), at an affordable cost;
2. Measures taken to ensure that the technologies are high quality, affordable, and user-friendly;
3. Measures taken to give training in mobility skills to persons with disabilities and specialist staff;
4. Measures taken to encourage entities that produce mobility aids, devices and assistive technologies to take into account all aspects of mobility for persons with disabilities.

### **Article 21 – Freedom of expression and opinion, and access to information**

This article recognizes the right of persons with disabilities to freedom of expression and opinions, including the freedom to seek, receive and impart information and ideas through all forms of communication of their choosing.

States parties should report on:

1. Legislative and other measures taken to ensure that information provided to the general public is accessible to persons with disabilities in a timely manner and without additional cost;
2. Legislative and other measures taken to ensure that persons with disabilities can use their preferred means of communication in all forms of official interaction and access to information, such as sign language, Braille, augmentative and alternative communication, and all other accessible means;
3. Measures taken to urge private entities and mass media to provide their information and services in an accessible form for persons with disabilities, including measures taken to prevent the blocking or restriction of access to information in alternative formats by the private sector;
4. Degree of accessibility of mass media and percentage of public websites that comply with the Web Accessibility Initiative (WAI) standards;
5. Legislative and other measures taken linked to the official recognition of sign language(s).

### **Article 22 – Respect for privacy**

This article recognizes the right of all persons with disabilities to the protection of their private life, honour and reputation.

States parties should report on:

1. The measures taken to protect the privacy of personal, health and rehabilitation related information of persons with disabilities;
2. Measures taken so that persons with disabilities are not concealed under the pretext of protection of privacy.

**Article 23 – Respect for home and the family**

This article recognizes the right of persons with disabilities to marriage and to found a family, to decide freely on the number of children to have, and to retain their fertility on an equal basis to others.

States parties should report on:

1. Measures taken to ensure that persons with disabilities may exercise the right to marry and to found a family on the basis of full and free consent;
2. Measures taken so that persons with disabilities have access to family planning, assistive reproduction and adoption or fostering programmes;
3. Measures taken to ensure that parents with disabilities, who so require, are provided with the adequate support in their child-rearing responsibilities, ensuring the parent-child relationship;
4. Measures taken to ensure that no child is separated from her/his parents because of the disability of either the child or one or both of the parents;
5. Measures taken to support fathers and mothers, and the families of boys and girls with disabilities, in order to prevent concealment, abandonment, neglect or segregation of the boy or girl with a disability;
6. Measures taken to avoid institutionalization of boys and girls with disabilities whose parents are unable to care for them, and ensure that they are provided with alternative care from the wider family, or when this is not possible, in a family setting in the wider community;
7. Measures taken to prevent the forced sterilization of persons with disabilities, especially with girls and women.

**Article 24 – Education**

This article recognizes the right of persons with disabilities to education on the basis of equal opportunity, ensuring an inclusive education system at all levels and the facilitation of access to lifelong learning.

States parties should report on:

1. Measures taken to ensure that every child with disabilities has access to early-stage education, and mandatory primary, secondary and higher education;
2. Information on the number of boys and girls with disabilities in early-stage education;
3. Information on the existing significant differences in the education of boys and girls in the different education levels and whether there are policies and legislation to cater for these differences;
4. Legislative and other measures that ensure that schools and materials are accessible and that individualized reasonable accommodation and support required by persons with disabilities is provided to ensure effective education and full inclusion;
5. Availability of specific skills-training services for children, adults or teachers who so require in Braille, sign languages, augmentative and alternative communication, mobility and other areas;
6. Measures taken for the promotion of the linguistic identity of deaf persons;

7. Measures taken to ensure education is delivered in the most appropriate languages, modes, means of communication, and environments for the individual;
8. Measures to ensure an adequate training on disability to professionals in the education system, as well as measures to incorporate persons with disabilities in the education team;
9. Number and percentage of students with disabilities in tertiary education;
10. Number and percentage of students with disabilities by gender and fields of study;
11. Reasonable accommodation provisions and other measures to ensure access to lifelong learning education;
12. Measures taken by the State to ensure early identification of persons with disabilities and their education needs.

#### **Article 25 – Health**

This article recognizes that persons with disabilities have the right to the enjoyment of the highest attainable standard of health, ensuring access for persons with disabilities to health services, including health-related rehabilitation, that are gender-sensitive, in their community and without financial cost.

States parties should report on:

1. Legislative and other measures that protect against discrimination and ensure that persons with disabilities have the same access to quality health services, including in the area of sexual and reproductive health;
2. Measures taken to ensure that persons with disabilities have access to disability-related health rehabilitation in their community freely and without financial cost;
3. Health services, early detection and intervention programmes, as appropriate, to prevent and minimize the emergence of secondary disabilities, paying attention to children, women and the elderly, including in rural areas;
4. Legislative and other measures to ensure that general public health campaigns are accessible for persons with disabilities;
5. Measures put in place to train doctors and other health professionals on the rights of persons with disabilities, including in rural areas;
6. Legislative and other measures to ensure that any health treatment is provided to persons with disabilities on the basis of their free and informed consent;
7. Legislative and other measures that ensure protection against discrimination in the access to health insurance and other insurance, when these are required by law;
8. Measures taken to insure that sanitation facilities are not simply available, but fully accessible;
9. Measures taken to increase awareness and information in various accessible formats, including in Braille, for HIV/AIDS and malaria prevention.

#### **Article 26 – Habilitation and rehabilitation**

This article establishes the measures to enable persons with disabilities to attain and maintain maximum independence, full physical, mental, social and vocational ability, and full inclusion and participation in all aspects of life, through comprehensive habilitation and rehabilitation programmes, in the areas of health, employment, education and social services.

States parties should report on:

1. General habilitation and rehabilitation programmes for persons with disabilities, in the areas of health, employment, education and social services, including early intervention, peer support, and the availability of these services and programmes in rural areas;
2. Measures taken to ensure that participation in habilitation and rehabilitation services and programmes is voluntary;
3. The promotion of initial and continuous training for professionals and staff working in habilitation and rehabilitation programmes;
4. Measures taken for the promotion, availability, knowledge and use of assistive devices and technologies, designed for persons with disabilities, as they relate to habilitation and rehabilitation;
5. Measures taken for the promotion of international cooperation in the exchange of assistive technologies in particular with developing countries.

#### **Article 27 – Work and employment**

This article recognizes the right of persons with disabilities to work and to gain a living by participation in a labour market and work environment that is open, inclusive and accessible, including for those who acquire a disability during the course of employment.

States parties should report on:

1. The legislative measures taken to ensure protection against discrimination in all stages of employment and in any form of employment and to recognize the right of persons with disabilities to work on a basis of equality with others, in particular the right to equal pay for equal work;
2. The impact of targeted employment programmes and policies in place to achieve full and productive employment among persons with disabilities according to paragraph 1 (a)–(g) of the Convention;
3. The impact of measures to facilitate re-employment of persons with disabilities, who are made redundant as a result of privatization, downsizing and economic restructuring of public and private enterprises according to paragraph 1 (e) of the Convention;
4. Availability of technical and financial assistance for the provision of reasonable accommodations, including the promotion of the establishment of cooperatives and start ups in order to encourage entrepreneurialism;
5. Affirmative and effective action measures for the employment of persons with disabilities in the regular labour market;
6. Positive and effective action measures for the prevention of harassment of persons with disabilities in workplace;
7. Accessibility of persons with disabilities to open employment and vocational training services, including those for the promotion of self employment;
8. Information on existing significant differences in employment between men and women with disability and whether there are policies and legislation to cater for these differences in order to promote the advancement of women with disabilities;
9. Identification of the most vulnerable groups among persons with disabilities (including by providing examples) and policies and legislation in place for their inclusion in the labour market;

10. Measures taken for the promotion of the trade union rights of persons with disabilities;
11. Measures taken to assure the retention and retraining of workers who suffer a workplace injury resulting in a disability preventing them from performing their previous tasks;
12. Provide information on the work of persons with disabilities in the informal economy in the State party, and the measures taken to enable them to move out of the informal economy, as well as on measures taken to ensure their access to basic services and social protection;
13. Describe the legal safeguards in place to protect workers with disabilities from unfair dismissal, and forced or compulsory labour according to article 27, paragraph 2;
14. Measures taken to ensure persons with disabilities who have technical and vocational skills are empowered with the support needed for their entry and re-entry to the labour market according to paragraph 1 (k);
15. Measures taken to ensure students with disabilities the same access to the general labour market;
16. Measures taken to ensure various forms of work, such as work on location, telecommuting (off-site/at home) and subcontracting, and work opportunities offered by new communication technologies.

#### **Article 28 – Adequate standard of living and social protection**

This article recognizes the right of persons with disabilities to an adequate standard of living and to social protection.

States parties should report on:

1. Measures taken to ensure availability and access by persons with disabilities to clean water, adequate food, clothing and housing and provide examples;
2. Measures taken to ensure access by persons with disabilities to services, devices and other appropriate assistance at affordable prices, including the availability of programmes that cover disability related extra financial costs;
3. Measures taken to ensure access by persons with disabilities, in particular women and girls and older persons with disability, to social protection programmes and poverty reduction programmes;
4. Measures towards public housing programmes and retirement benefits and programmes for persons with disabilities;
5. Measures taken to recognize the connection between poverty and disability.

#### **Article 29 – Participation in political and public life**

This article guarantees political rights to persons with disabilities.

States parties should report on:

1. Legislation and measures to guarantee to persons with disabilities, in particular persons with mental or intellectual disability, political rights, including, if it is the case, existing limitations and actions taken to overcome them;
2. Measures taken to ensure the right to vote of all persons with disabilities, on their own or to be assisted by a person of their choice;

3. Measures taken to ensure the full accessibility of the voting procedures, facilities and materials;
4. Indicators measuring the full enjoyment of the right to participate in political and public life of persons with disabilities;
5. Support provided, if any, to persons with disabilities for the establishment and maintenance of organizations to represent their rights and interests at local, regional and national level.

### **Article 30 – Participation in cultural life, recreation, leisure and sport**

This article recognizes the right of persons with disabilities to take part in cultural life, develop and utilize their creative, artistic and intellectual potential, recognition and support of their specific cultural and linguistic identity, and to participate in recreational, leisure and sporting activities on an equal basis with others.

States parties should report on:

1. Measures taken to recognize and promote the right of persons with disabilities to take part on an equal basis with others in cultural life, including opportunities to develop and utilize their creative, artistic and intellectual potential;
2. Measures taken to ensure that cultural, leisure, tourism and sporting facilities are accessible to persons with disabilities, taking into account children with disabilities, including through the conditional use of public procurement and public funding;
3. Measures taken to ensure that intellectual property laws do not become a barrier for persons with disabilities in accessing cultural materials, including participation in relevant international efforts;
4. Measures taken to promote deaf culture;
5. Measures taken to support the participation of persons with disabilities in sports, including elimination of discriminatory and differentiated treatment of persons with disabilities in the awarding of prizes and medals;
6. Measures taken to ensure that children with disabilities have access on an equal basis with all other children to participation in play, recreation, leisure and sporting facilities, including those made within the school system.

## **D. Segment of the reporting relevant to the specific situation of boys, girls and women with disabilities**

### **Article 6 – Women with disabilities**

Although gender aspects should be mainstreamed in each of the articles where applicable, under this specific article the report should include information regarding measures taken by the State party to ensure the full development, advancement and empowerment of women, for the purpose of guaranteeing them the exercise and enjoyment of the Convention rights and fundamental freedoms, and the elimination of all forms of discrimination.

States parties should report on:

1. Whether gender inequality of women and girls with disabilities is recognized at legislative and policy levels, as well as within programme development;

2. Whether girls and women with disabilities enjoy all human rights and fundamental freedoms on an equal basis with boys and men with disabilities;
3. Whether girls and women with disabilities enjoy all human rights and fundamental freedoms on an equal basis with other girls and women without disabilities.

#### **Article 7 – Children with disabilities**

The report should include supplementary information where applicable, regarding measures taken by the State party to ensure the full enjoyment by children with disabilities of all Convention rights and fundamental freedoms, in particular to ensure that all actions concerning children with disabilities are in the best interests of the child.

States parties should report on:

1. The principles that underpin decision-making in relation to boys and girls with disabilities;
2. Whether boys and girls with disabilities are able to express their views on all matters that affect them freely, and receive appropriate assistance according to their disability and age to practice this right;
3. Relevant differences in the situations among boys and girls with disabilities;
4. Whether children with disabilities are viewed as right-bearers on an equivalent basis to other children.

### **E. Segment of the report relevant to specific obligations**

#### **Article 31 – Statistics and data collection**

This article regulates the process of collection of data by the State party.

States parties should report on:

1. Measures taken to collect disaggregated appropriate information, including statistical and research data, to enable them to formulate and implement policies to give effect to the Convention respecting human rights and fundamental freedoms, ethics, legal safeguards, data protection, confidentiality and privacy;
2. The dissemination of these statistics and measures to ensure their accessibility by persons with disabilities;
3. Measures taken to ensure the full participation of persons with disabilities in the process of data collection and research.

#### **Article 32 – International cooperation**

This article recognizes the importance of the State's international cooperation in support of national efforts towards the realization of the purpose and objectives of the Convention.

States parties as donor countries or beneficiaries of international cooperation should report on:

1. Measures taken to guarantee that international cooperation be inclusive and accessible by persons with disabilities;
2. Measures taken to guarantee that donor funds are properly used by recipient States (including by providing examples, numbers and percentages of successful targeted funding);



3. Programmes and projects which specifically target persons with disabilities and the percentage of the total budget allocated to them;
4. Affirmative-action measures taken towards the inclusion of the most vulnerable groups among persons with disability, such as women, children, etc.;
5. Degree of participation of persons with disabilities in the design, development and evaluation of programmes and projects;
6. Degree of mainstreamed action towards persons with disabilities in the general programmes and projects developed;
7. Actions toward facilitating and supporting capacity-building, including through the exchange and sharing of information, experiences, training programmes and best practices;
8. Whether policies and programmes targeting the Millennium Development Goals (MDGs) take into account the rights of persons with disabilities;
9. On the development, progress, and effectiveness of programmes for the exchange of technical know-how and expertise for the assistance of persons with disabilities.

### **Article 33 – National implementation and monitoring**

This article regulates the national application and follow-up of the Convention.

The States parties should report on:

1. Measures taken to designate one or more focal points within the Government for matters relating to the implementation of the Convention, giving due consideration to the establishment or designation of a coordination mechanism within the Government to facilitate related action in different sectors and at different levels;
2. The establishment of a framework, including one or more independent mechanisms, as appropriate and measures taken to promote, protect and monitor implementation of the Convention, taking into account the principles relating to the status and function of national institutions for the protection and promotion of human rights;
3. Measures taken to involve civil society, in particular persons with disabilities and their representative organizations, including gender perspectives, in the monitoring process and the preparation of the report;
4. On the integration of disability issues on the agenda of all governmental agencies to assure that various departments are equally aware of disability rights and can work towards their promotion;
5. On the operations of Government departments and their programmes and functions relating to persons with disabilities;
6. On budget allocations for the purpose of national implementation and monitoring.

## Annex VI

### Rules of procedure of the Committee on the Rights of Persons with Disabilities

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## **Part One**

### **General rules**

#### **I. Meetings and sessions**

##### **Meetings of the Committee**

###### **Rule 1**

1. The Committee on the Rights of Persons with Disabilities (hereinafter referred to as “the Committee”) shall hold meetings as required for the effective performance of its functions in accordance with the Convention on the Rights of Persons with Disabilities (hereinafter referred to as “the Convention”) and its Optional Protocol.
2. The meetings of the Committee shall be guided by the principles of inclusion and accessibility as reflected in article 3 of the Convention on the Rights of Persons with Disabilities.
3. The Secretary-General of the United Nations shall provide the necessary staff and facilities for the effective performance of the functions of the Committee under the Convention and its Optional Protocol, and shall convene its initial meeting.

##### **Sessions**

###### **Rule 2**

1. The Committee shall hold at least two regular sessions per year.
2. Sessions of the Committee shall be convened at dates decided by the Committee in consultation with the Secretary-General of the United Nations (“the Secretary-General”), taking into account the calendar of conferences as approved by the General Assembly.

##### **Place of sessions**

###### **Rule 3**

Sessions of the Committee shall normally be held at the United Nations Office at Geneva. Another place for a session may be designated by the Committee in consultation with the Secretary-General, taking into account the relevant rules of the United Nations on the subject.

##### **Special sessions of the Committee**

###### **Rule 4**

1. Special sessions of the Committee shall be convened by decision of the Committee. When the Committee is not in session, the Chairperson may convene special sessions of the Committee in consultation with the other officers of the Committee. The Chairperson of the Committee shall also convene special sessions:
  - (a) At the request of a majority of the members of the Committee;
  - (b) At the request of a State party to the Convention.
2. Special sessions shall be convened as soon as possible at a date fixed by the Chairperson, in consultation with the Secretary-General and with the other officers of the Committee, taking into account the calendar of conferences as approved by the General Assembly.

**Pre-sessional working group****Rule 5**

1. A pre-sessional working group, which shall consist of no more than five members of the Committee designated by the Chairperson in consultation with the Committee at a regular session, and reflecting equitable geographical representation, shall normally be convened prior to each regular session.
2. The pre-sessional working group shall formulate a list of issues and questions on substantive issues arising from reports submitted by States parties in accordance with article 35 of the Convention and submit that list of issues and questions to the State party concerned.

**Notification of opening date of sessions****Rule 6**

The Secretary-General shall notify the members of the Committee of the date and place of the first meeting of each session as early as possible. Such notification shall be sent at least six weeks in advance.

**Accessibility****Rule 7**

1. The use of sign languages, Braille, tactile, plain-language, augmentative and alternative communication and other accessible methods of communication of their choice by persons with disabilities shall be facilitated, including with the assistance of support providers, in respect of activities related to the Committee.
2. The participation of personal assistants of the Committee members who will facilitate access by members to information, including in private sessions of the Committee, shall be permitted.
3. In order to ensure that all Committee members can take part in the work on an equal basis, it is necessary to guarantee:
  - (a) Access to information in the same timely manner as those Committee members not requiring any accessible formats; and
  - (b) Accessibility of the webpage of the Office of the United Nations High Commissioner for Human Rights to persons with disabilities.
4. Meetings and sessions, both public and private, should be held in premises that provide full accessibility (physical, as well as communication and information accessibility). This includes the provision of accessible toilets, specific devices for access to information and communication such as scanners, Braille printers, subtitles and hearing loops, and any other general accessibility provisions.

**II. Agenda****Provisional agenda****Rule 8**

The provisional agenda for each regular session shall be prepared by the Secretary-General in consultation with the Chairperson of the Committee, in conformity with the relevant provisions of the Convention, and shall include:

- (a) Any item decided upon by the Committee at a previous session;

- (b) Any item proposed by the Chairperson of the Committee;
- (c) Any item proposed by a member of the Committee;
- (d) Any item proposed by a State party to the Convention;
- (e) Any item proposed by the Secretary-General relating to his functions under the Convention or these rules.

#### **Adoption of the agenda**

##### **Rule 9**

The first item on the provisional agenda for any session shall be the adoption of the agenda, except for the election of the officers when required under rule 20 of these rules, in which case the elections shall be the first item on the provisional agenda, unless otherwise decided by the Committee.

#### **Revision of the agenda**

##### **Rule 10**

During a session, the Committee may revise the agenda and may, as appropriate, add, defer or delete items.

#### **Transmission of the provisional agenda**

##### **Rule 11**

1. The provisional agenda shall be transmitted to the members of the Committee by the Secretary-General at the time of the notification of the session, that is, at least six weeks before the session.
2. The provisional agenda shall be transmitted to members of the Committee in accessible formats.

### **III. Members of the Committee**

#### **Term of office**

##### **Rule 12**

1. The term of office of members of the Committee shall begin on 1 January of the year after their election and, in accordance with article 34, paragraph 7, of the Convention, shall expire on 31 December four years later, except for those members elected at the first election and the first election following the entry into force of the Convention for the eighty-first State party who were chosen by lot to serve for two years, whose terms shall expire on 31 December two years after their election.
2. Members shall be eligible for re-election once.

#### **Filling of casual vacancies**

##### **Rule 13**

In accordance with article 34, paragraph 9, of the Convention, if a member of the Committee dies or resigns or declares that for any other cause she or he can no longer perform her or his duties, the State party which nominated the member shall appoint another expert possessing the qualifications and meeting the requirements of the relevant provisions of the Convention to serve for the remainder of the member's term.



**Solemn declaration****Rule 14**

Upon assuming her or his duties, each member of the Committee shall make the following solemn declaration in open Committee:

“I solemnly declare that I will perform my duties and exercise my powers as a member of the Committee on the Rights of Persons with Disabilities honourably, faithfully, impartially and conscientiously.”

**IV. Officers****Elections****Rule 15**

The Committee shall elect from among its members a Chairperson, three Vice-Chairpersons and a Rapporteur; these officers together shall constitute the Bureau of the Committee, which shall meet regularly.

**Conduct of elections****Rule 16**

1. Where there is only one candidate for election for one of its officers, the Committee may decide to elect that person by acclamation.
2. Where there are two or more candidates for election for one of its officers, or where the Committee otherwise decides to proceed with a ballot, the person who obtains a simple majority of the votes cast shall be elected.
3. If no single candidate receives a majority of the votes cast, the members of the Committee shall endeavour to reach a consensus before holding a further ballot.
4. Elections shall be conducted by secret ballot.

**Term of office****Rule 17**

1. The officers of the Committee shall be elected for a term of two years and be eligible for re-election provided that the principle of rotation is upheld.
2. No officer of the Committee may hold office if she or he ceases to be a member of the Committee.

**Position of the Chairperson in relation to the Committee****Rule 18**

1. The Chairperson shall perform the functions conferred upon her or him by the Convention and its Optional Protocol and by these rules of procedure.
2. In exercising her or his functions, the Chairperson shall remain under the authority of the Committee.

**Acting Chairperson****Rule 19**

1. If, during a session, the Chairperson is unable to be present at a meeting or any part thereof, she or he shall designate a Vice-Chairperson to act in her or his place. In the

absence of such a designation, another member of the Bureau will act as Chairperson in his or her place.

2. Any member serving as acting Chairperson shall have the same powers and duties as the Chairperson.

#### **Replacement of officers**

##### **Rule 20**

If any of the officers of the Committee ceases to serve, or declares her or his unavailability to continue serving, as an officer of the Committee, a new officer shall be elected for the unexpired term of her or his predecessor.

## **V. Secretariat**

#### **Statements**

##### **Rule 21**

The Secretary-General or her or his representative shall be present at all sessions of the Committee. The Secretary-General or her or his representative may make oral or written statements at those meetings.

#### **Financial implications of proposals**

##### **Rule 22**

Before any proposal which involves expenditures is approved by the Committee, the Secretary-General shall prepare and circulate to its members, as early as possible, an estimate of the cost involved in the proposal. It shall be the duty of the Chairperson to draw the attention of the members to this estimate and to invite discussion on it when the proposal is considered by the Committee.

#### **The secretariat**

##### **Rule 23**

1. At the request or by decision of the Committee and subject to approval by the General Assembly:

(a) The secretariat of the Committee and of such subsidiary bodies established by the Committee (“the Secretariat”) shall be provided by the Secretary-General;

(b) The Secretary-General shall provide the Committee with the necessary staff and facilities for the effective performance of its functions under the Convention and its Optional Protocol;

(c) The Secretary-General shall be responsible for all necessary arrangements to guarantee accessibility, as provided for in rule 7 of the present rules of procedure, for meetings of the Committee and its subsidiary bodies.

2. The Secretary-General shall be responsible for informing the members of the Committee without delay of any questions that may be brought before it for consideration or of any other developments that may be of relevance to the Committee.

## **VI. Communication and languages**

### **Methods of communication**

#### **Rule 24**

The methods of communication used by the Committee will include: languages, display of text, Braille, tactile communication, large print, accessible multimedia as well as written, audio, plain-language, human-reader and augmentative and alternative modes, means and formats of communication, including accessible formats that may become available in the future through advances made in information and communication technology. The Committee will adopt its standard list of accessible formats of communication.

### **Types of language**

#### **Rule 25**

1. The languages used by the Committee will include spoken and non-spoken languages, such as sign languages. The Committee will adopt a standard list of types of languages, in accordance with the communication needs of the Committee.
2. A member of the Committee or a participant in a public meeting of the Committee may address the Committee and/or public meeting in any of the modes, means and formats of communication specified under rule 24 of the present rules of procedure.

### **Official languages**

#### **Rule 26**

1. Arabic, Chinese, English, French, Russian and Spanish shall be the official languages of the Committee.
2. All formal decisions of the Committee shall be issued in the official languages and in accessible formats.

### **Records**

#### **Rule 27**

1. The Secretary-General shall provide the Committee with summary records of its meetings which shall be made available to the members in the official languages and in accessible formats.
2. Summary records are subject to corrections, to be submitted to the Secretariat by participants in the meetings in the languages in which the summary record is issued. Corrections to the records of the meetings shall be consolidated in a single corrigendum to be issued shortly after the end of the session concerned.
3. The summary records of public meetings shall be documents for general distribution unless, in exceptional circumstances, the Committee decides otherwise.
4. Sound recordings of the meetings of the Committee shall be made and kept in accordance with the usual practice of the United Nations, and in accessible formats.

### **Days of general discussion**

#### **Rule 28**

In order to enhance a deeper understanding of the content and implications of the Convention, the Committee may devote one or more meetings of its regular sessions to a general discussion on one specific article of the Convention or related subject.

## **VII. Public and private meetings**

### **Public and private meetings**

#### **Rule 29**

The meetings of the Committee and its working groups shall be held in public, unless the Committee decides otherwise or it appears from the relevant provisions of the Convention or its Optional Protocol that the meetings should be held in private.

### **Participation in meetings**

#### **Rule 30**

1. In conformity with article 38 of the Convention, representatives of specialized agencies and other United Nations organs may be represented at the consideration of the implementation of such provisions of the Convention as fall within the scope of their mandate. Representatives of the specialized agencies and other United Nations organs may participate in private meetings of the Committee or its subsidiary bodies, when invited by the Committee to do so.

2. Representatives of other competent bodies concerned, which are not included among those referred to in paragraph 1 of this rule, may participate in public or private meetings of the Committee or its subsidiary bodies when invited by the Committee to do so.

3. The Committee may invite specialized agencies and organs of the United Nations, as well as intergovernmental organizations, national human rights institutions (particularly national monitoring bodies established under articles 16, paragraph 3, and 33, paragraph 2, of the Convention), non-governmental organizations, including those that represent persons with disabilities, and other bodies or individual experts to submit, for consideration by the Committee, written information on such matters dealt with in the Convention as fall within the scope of their activities.

## **VIII. Distribution of reports and other official documents of the Committee**

### **Distribution of official documents**

#### **Rule 31**

1. Documents of the Committee, including reports and information submitted by States parties pursuant to articles 35 and 36 of the Convention and furnished to the Committee by the specialized agencies, other United Nations organs and other competent bodies, pursuant to article 38, subparagraph (a), of the Convention, shall be documents for general distribution, unless the Committee decides otherwise.

2. All documents of the Committee shall be made available in accessible formats.

## **IX. Conduct of business**

### **Quorum**

#### **Rule 32**

Eight members of the Committee shall constitute a quorum for the adoption of formal decisions. When the Committee reaches 18 members, in accordance with article 34, paragraph 8, of the Convention, 12 members will constitute a quorum.

## **Powers of the Chairperson**

### **Rule 33**

1. In addition to exercising the powers conferred upon the Chairperson by the Convention and elsewhere by these rules, the Chairperson shall declare the opening and closing of each session of the Committee, direct the discussion, ensure observance of these rules, and accord the right to speak, put questions to the vote and announce decisions.
2. The Chairperson, subject to these rules, shall have control of the proceedings of the Committee and over the maintenance of order at its meetings. In the course of the discussion on an item, the Chairperson may propose to the Committee a limitation on the time to be allowed to speakers and on the number of times each person may speak on any question, and the closure of the list of speakers.
3. The Chairperson shall rule on points of order.
4. The Chairperson may also propose adjournment or closure of the debate or adjournment or suspension of a meeting. Debate shall be confined to the question before the Committee, and the Chairperson may call a speaker to order if his or her remarks are not relevant to the subject under discussion.

## **X. Decisions**

### **Adoption of decisions**

#### **Rule 34**

1. The Committee shall attempt to reach its decisions by consensus. If consensus cannot be reached, decisions shall be put to a vote.
2. Bearing in mind paragraph 1 above, the Chairperson at any meeting may, and at the request of any member shall, put the proposal to a vote.

### **Voting rights**

#### **Rule 35**

1. Each member of the Committee shall have one vote.
2. Any proposal or motion put to the vote shall be adopted by the Committee if it has the support of a simple majority of the members present and voting. For the purpose of these rules, "members present and voting" means members casting an affirmative or negative vote. Members who abstain from voting are considered as not voting.

### **Equally divided votes**

#### **Rule 36**

If a vote is equally divided on matters other than elections, the proposal shall be regarded as rejected.

### **Method of voting**

#### **Rule 37**

Unless otherwise decided by the Committee, the Committee shall vote by a roll-call, which shall be taken in the English alphabetical order of the names of the members of the Committee, beginning with the member whose name is drawn by lot by the Chairperson.

## **XI. Reports of the Committee**

### **Reports to the General Assembly and the Economic and Social Council**

#### **Rule 38**

The Committee shall submit to the General Assembly and to the Economic and Social Council, every two years, reports on its activities under the Convention.

### **Part Two**

### **Functions of the Committee**

## **XII. Reports and information under articles 35 and 36 of the Convention**

### **Reports of States parties**

#### **Rule 39**

The Committee shall develop guidelines on the content of the reports of States parties required under article 35 of the Convention.

### **Non-submission of reports**

#### **Rule 40**

1. At each session, the Secretary-General shall notify the Committee in writing of all cases of non-submission of reports or additional information under articles 35 and 36 of the Convention. In such cases, the Committee shall transmit to the State party concerned, through the Secretary-General, a reminder concerning the submission of such report or additional information and undertake any other efforts in a spirit of dialogue between the State concerned and the Committee.

2. If a State party is significantly overdue in the submission of a report, the Committee may, pursuant to article 36, paragraph 2, of the Convention, notify the State party concerned of the need to examine the implementation of the present Convention in that State party, on the basis of reliable information available to the Committee, if the relevant report is not submitted within three months following the notification. The Committee shall invite the State party concerned to participate in such examination. Should the State party respond by submitting the relevant report, the provisions of articles 35 and 36, paragraph 1, of the Convention shall apply.

3. If, even after the reminder and other efforts referred to in this rule, the State party does not submit the required report or additional information, the Committee shall consider the situation as it deems necessary and shall include a reference to this effect in its report to the General Assembly.

### **Notification to reporting States parties**

#### **Rule 41**

The Committee, through the Secretary-General, shall notify the States parties in writing, as early as possible, of the opening date, duration and place of the session at which their respective reports will be examined. Representatives of the States parties shall be invited to attend the meetings of the Committee when their reports are examined. The Committee may also inform a State party from which it decides to seek additional information that the State party may authorize its representative to be present at a specific meeting; such a representative should be able to answer questions which may be put to him

or her by the Committee and make statements on reports already submitted by his or her State, and may also submit further information from his or her State.

### **Consideration of reports**

#### **Rule 42**

1. The Committee shall consider reports submitted by States parties under article 35 of the Convention, in accordance with the procedure set out in article 36 of the Convention.
2. The Committee may make such suggestions and general recommendations on the report of a State party as it may consider appropriate and shall forward these to the State party concerned.
3. The Committee may adopt more detailed reporting guidelines relating to the submission and consideration of reports submitted by States parties under the Convention, including with respect to further information it requests from States parties relevant to the implementation of the Convention.

### **Inability of a member to take part in the examination of a report**

#### **Rule 43**

1. A member shall not participate in any part of the consideration of a report submitted by a State party if she or he is a national of the State party concerned.
2. Any question which may arise under paragraph 1 above shall be decided by the Committee without the participation of the member concerned.

### **Request for additional reports or information**

#### **Rule 44**

The Committee may request any State party to furnish an additional report or additional information pursuant to article 36 of the Convention, indicating the time limit within which such additional report or information should be supplied.

### **Transmission of States parties' reports that contain a request or indicate a need for technical advice or assistance**

#### **Rule 45**

1. The Committee shall transmit, pursuant to article 36, paragraph 5, of the Convention, as it may consider appropriate, to the specialized agencies, funds and programmes of the United Nations, and other competent bodies, including non-governmental organizations, reports from States parties in order to address a request or indication of a need for technical advice or assistance contained therein.
2. The reports and information received from States parties in accordance with paragraph 1 of this rule shall be transmitted along with observations and recommendations, if any, of the Committee on these requests or indications.
3. The Committee may request, when it considers it appropriate to do so, information on the technical advice or assistance provided and the progress achieved.

### **General recommendations**

#### **Rule 46**

1. The Committee may make other general recommendations based on information received pursuant to articles 35 and 36 of the Convention.
2. The Committee shall include such other general recommendations in its reports to the General Assembly.

**General comments and reporting obligations****Rule 47**

1. The Committee may prepare general comments based on the articles and provisions of the Convention with a view to promoting its further implementation and assisting States parties in fulfilling their reporting obligations.
2. The Committee shall include such general comments in its report to the General Assembly.

**Cooperation between States parties and the Committee****Rule 48**

The Committee shall, pursuant to articles 4, paragraph 3, 33, paragraph 3, and 37 of the Convention, advise and assist States parties, when necessary, in ways and means of enhancing national capacities for the implementation of the Convention, and make recommendations and observations with a view to strengthening the capacity and the mandate of the national implementing and monitoring mechanisms.

### **XIII. Participation of specialized agencies and bodies of the United Nations and other competent bodies in the work of the Committee**

**Participation of specialized agencies and bodies of the United Nations****Rule 49**

1. In conformity with article 38, subparagraph (a), of the Convention, the specialized agencies and other United Nations organs may be represented at the consideration of the implementation of such provisions of the Convention as fall within the scope of their mandate. The Committee may permit representatives of the specialized agencies and other United Nations organs to make oral or written statements to the Committee and to provide information appropriate and relevant to the Committee's activities under the Convention.
2. In accordance with article 38, subparagraph (a), the Committee may invite specialized agencies and other United Nations organs to submit reports on the implementation of the Convention in areas falling within the scope of their activities. The Committee may also invite the specialized agencies to provide expert advice on the implementation of the Convention in areas falling within the scope of their activities.

**Intergovernmental organizations and regional integration organizations****Rule 50**

Representatives of intergovernmental organizations and regional integration organizations may be invited by the Committee to make oral or written statements and provide information or documentation in areas relevant to the Committee's activities under the Convention to meetings of the Committee.

**National human rights institutions****Rule 51**

Representatives of national human rights institutions may be invited by the Committee to make oral or written statements and provide information or documentation in areas relevant to the Committee's activities under the Convention to meetings of the Committee.



**Non-governmental organizations****Rule 52**

Non-governmental organizations may be invited by the Committee to make oral or written statements and provide information or documentation relevant to the Committee's activities under the Convention to meetings of the Committee.

**Cooperation with bodies instituted by international human rights treaties****Rule 53**

The Committee, as it discharges its mandate, shall consult, as appropriate, pursuant to article 38, subparagraph (b), of the Convention, other relevant bodies instituted by international human rights treaties, with a view to ensuring the consistency of their respective reporting guidelines, suggestions and general recommendations, and avoiding duplication and overlap in the performance of their functions.

**Establishment of subsidiary bodies****Rule 54**

1. The Committee may set up ad hoc subsidiary bodies and will define their composition and mandates.
2. Each subsidiary body shall elect its own officers and will, mutatis mutandis, apply the present rules of procedure.

## **XIV. Procedure for the consideration of communications received under the Optional Protocol**

### **A. Transmission of communications to the Committee**

**Transmission of communications to the Committee****Rule 55**

1. The Secretary-General shall bring to the attention of the Committee, in accordance with the present rules, communications which are or appear to be submitted for consideration by the Committee under article 1 of the Optional Protocol.
2. The Secretary-General may request clarification from the author or authors of a communication as to whether they wish to have the communication submitted to the Committee for consideration under the Optional Protocol. Where there is doubt as to the intent of the author or authors, the Secretary-General shall bring the communication to the attention of the Committee.
3. The Committee may receive communications in alternative formats, in accordance with Rule 24 of the present rules of procedure.
4. No communication shall be received by the Committee if it concerns a State which is not a party to the Optional Protocol.

**Registration of communications****Rule 56**

1. The Secretary-General shall maintain a permanent record of all communications submitted for consideration by the Committee under article 1 of the Optional Protocol.

2. The full text of any communication brought to the attention of the Committee that fulfils all preliminary criteria for its registration shall be made available in the language of submission to any member of the Committee upon request by that member.

**Request for clarification of additional information**

**Rule 57**

1. The Secretary-General may request clarification from the author of a communication concerning the applicability of the Optional Protocol to the communication including:

- (a) The victim's/author's identity, such as name, address, date of birth and occupation, or other forms of identifying details/data of the author(s)/victim(s);
- (b) The name of the State party against which the communication is directed;
- (c) The object of the communication;
- (d) The provision or provisions of the Convention alleged to have been violated;
- (e) The facts of the claim;
- (f) Steps taken by the author and/or alleged victim to exhaust domestic remedies;
- (g) The extent to which the same matter is being examined under another procedure of international investigation or settlement.

2. When requesting clarification or information, the Secretary-General shall indicate to the author/s of the communication a time-limit within which such information should be submitted.

3. The Committee may approve a questionnaire to facilitate requests for clarification or information from the alleged victim and/or author of a communication.

**Information to Committee members**

**Rule 58**

Information regarding registered communications shall be made available to members of the Committee at regular intervals by the Secretary-General.

**B. General provisions regarding the consideration of communications by the Committee**

**Public and closed meetings**

**Rule 59**

1. Meetings of the Committee or its working groups during which communications under the Optional Protocol are examined shall be closed. Meetings during which the Committee may consider general issues such as procedures for the application of the Optional Protocol may be public if the Committee so decides.

2. The Committee may issue communiqués, through the Secretary-General, for the use of the information media and the general public regarding the activities of the Committee at its closed meetings.

**Inability of a member to take part in the examination of a communication****Rule 60**

1. A member shall not take part in the examination of a communication by the Committee if:
  - (a) The member has any personal interest in the case;
  - (b) The member has participated in the making of any decision on the case covered by the communication in any capacity other than under the procedures established under the Optional Protocol;
  - (c) The member is a national of the State party against which the communication is directed.
2. Any question which may arise under paragraph 1 above shall be decided by the Committee without the participation of the member concerned.

**Withdrawal of a member****Rule 61**

If, for any reason, a member considers that she or he should not take part or continue to take part in the examination of a communication, the member shall inform the Chairperson of her or his withdrawal.

**Participation of members****Rule 62**

Members participating in a decision should sign an attendance sheet acknowledging their participation or indicating their inability to take part or withdrawal from the examination of a communication. The information on the attendance sheet should be reflected in the decision.

**Establishment of working groups and designation of rapporteurs****Rule 63**

1. The Committee may establish one or more working group/s and may designate one or more Rapporteur/s to make recommendations to the Committee and to assist it in any manner in which the Committee may decide.
2. The rules of procedure of the Committee shall apply as far as possible to the meetings of its working groups.

**Interim measures****Rule 64**

1. At any time after the receipt of a communication and before a determination on the merits has been reached, the Committee may transmit to the State party concerned, for its urgent consideration, a request that it take such interim measures as the Committee considers necessary to avoid irreparable damage to the victim or victims of the alleged violation.
2. Where the Committee or the Special Rapporteur on communications under the Optional Protocol, acting on behalf of the Committee, requests interim measures under this rule, the request shall state that it does not imply a determination on the merits of the communication.
3. The State party may present arguments on why the request for interim measures should be lifted.

4. On the basis of the explanations or statements submitted by the State party, the Committee or the Special Rapporteur on communications under the Optional Protocol, acting on behalf of the Committee, may withdraw the request for interim measures.

#### **Method of dealing with communications**

##### **Rule 65**

1. The Committee shall by simple majority and in accordance with the following Rules, decide whether the communication is admissible or inadmissible under the Optional Protocol.

2. A working group established under rule 63, paragraph 1, of these rules may declare that a communication is admissible under the Optional Protocol provided that all its members so decide.

3. A working group established under rule 63, paragraph 1, of these rules may declare a communication inadmissible provided that all the members so agree. The decision will be transmitted to the Committee plenary, which may confirm it without formal discussion. If any Committee member requests a plenary discussion, the plenary will examine the communication and take a decision.

#### **Order of review of communications**

##### **Rule 66**

Communications shall be dealt with in the order in which they are received by the Secretariat, unless the Secretary-General, the Committee or a working group decides otherwise.

#### **Joint consideration of communications**

##### **Rule 67**

Two or more communications may be dealt with jointly if deemed appropriate by the Committee, the Special Rapporteur or a working group established under rule 63, paragraph 1, of these rules.

#### **Conditions of admissibility of communications**

##### **Rule 68**

1. With a view to reaching a decision on the admissibility of a communication, the Committee, or a working group, shall apply the criteria set forth in articles 1 and 2 of the Optional Protocol.

2. With a view to reaching a decision on the admissibility of a communication, the Committee shall apply the criteria set forth in article 12 of the Convention recognizing the legal capacity of the author or victim before the Committee, regardless of whether this capacity is recognized in the State party against which the communication is directed.

#### **Authors of communications**

##### **Rule 69**

Communications may be submitted by or on behalf of individuals or groups of individuals.

#### **Procedures with regard to communications received**

##### **Rule 70**

1. As soon as possible after the communication has been registered, and provided that the individual or group of individuals consent(s) to the disclosure of her/his/their identity or other forms of identifying details/data to the State party concerned, which is a prerequisite

for registration, the Special Rapporteur on communications under the Optional Protocol, acting on behalf of the Committee, shall bring the communication confidentially to the attention of the State party and shall request that State party to submit a written reply to the communication.

2. Any request made in accordance with paragraph 1 of the present rule shall include a statement that the request does not imply that any decision has been reached on the question of the admissibility of the communication.

3. Within six months after receipt of the Committee's request under the present rule, the State party concerned shall submit to the Committee written explanations or statements that shall relate both to the admissibility of the communication and its merits, and also to any remedy that may have been provided in the matter.

4. The Committee may, because of the exceptional nature of a communication, request written explanations or statements that relate only to the admissibility of that communication. A State party that has been requested to submit a written reply that relates only to the question of admissibility is not precluded thereby from submitting, within six months of the request, a written reply that relates to both the communication's admissibility and its merits.

5. A State party that has received a request for a written reply under paragraph 1 of the present rule may submit a request in writing that the communication be rejected as inadmissible, setting out the grounds for such inadmissibility, and requesting that the admissibility of the communication be considered separately from the merits. Such a request should be submitted to the Committee within two months of the request made under paragraph 1.

6. If the State party concerned disputes the contention of the author or authors, in accordance with article 2, subparagraph (d), of the Optional Protocol, that all available domestic remedies have been exhausted, the State party shall give details of the remedies available to the alleged victim or victims in the particular circumstances of the case.

7. If the State party concerned disputes the legal capacity of the author or authors under article 12 of the Convention, the State party shall give details of the laws and remedies available to the alleged victim or victims in the particular circumstances of the case.

8. On the basis of the information provided by the State party to support its request for a rejection and separate consideration of admissibility, the Committee, a working group or the Special Rapporteur on communications under the Optional Protocol, acting on behalf of the Committee, may decide to consider the admissibility of the communication separately from the merits.

9. Submission by the State party of a request in accordance with paragraph 5 of the present rule shall not extend the period of six months given to the State party to submit its written explanations or statements on the merits, unless the Committee, a working group, or the Special Rapporteur on communications under the Optional Protocol, acting on behalf of the Committee, decides to extend the time for submission for such a period as the Committee considers appropriate.

10. The Committee, a working group or the Special Rapporteur on communications under the Optional Protocol, acting on behalf of the Committee, may request the State party or the author or authors of the communication to submit, within specified time limits, additional written explanations or statements relevant to the question of admissibility or the merits of a communication.

11. The Committee, a working group or the Special Rapporteur, acting on behalf of the Committee, shall transmit to each party the submissions made by the other party pursuant to

the present rule and shall afford each party an opportunity to comment on submissions within fixed time limits.

### **Inadmissible communications**

#### **Rule 71**

1. Where the Committee decides that a communication is inadmissible under article 2, subparagraph (d), of the Optional Protocol, it shall as soon as possible communicate its decision and the reasons for that decision, through the Secretary-General, to the author(s) of the communication and to the State party concerned.
2. A decision of the Committee declaring a communication inadmissible under article 2, subparagraph (d), of the Optional Protocol may be reviewed at a later date by the Committee upon receipt of a written request submitted by or on behalf of the individual concerned containing information indicating that the reasons for inadmissibility referred to in article 2, subparagraph (d), no longer apply.
3. Any member of the Committee who has participated in the decision regarding admissibility may request that a summary of his or her individual opinion be appended to the Committee's decision declaring a communication inadmissible. Rule 73, paragraph 6, on the submission of individual opinions set out below also applies here.

### **Additional procedure regarding consideration of admissibility separately from the merits**

#### **Rule 72**

1. In those cases in which the issue of admissibility is decided by the Committee or a working group before the State party's written explanation or statement on the merits of the communication is received, if the Committee or a working group decides that the communication is admissible, that decision and all other relevant information shall be submitted, through the Secretary-General, to the State party concerned. The author of the communication shall also be informed, through the Secretary-General, of the decision.
2. Any member of the Committee who has participated in the decision declaring a communication admissible may request that a summary of his or her individual opinion be appended to it. Rule 73, paragraph 6, on the submission of individual opinions set out below also applies here.
3. Upon consideration of the merits the Committee may review its decision that a communication is admissible in the light of any explanation or statements submitted by the State party.

### **Views of the Committee**

#### **Rule 73**

1. Where the parties have submitted information relating both to the admissibility and the merits of a communication, or in which a decision on admissibility has already been taken and the parties have submitted information on the merits of that communication, the Committee shall consider and formulate its views on the communication in the light of all written information made available to it by the author or authors of the communication and the State party concerned, provided that this information has been submitted to the other party concerned.
2. The Committee or a working group may, at any time in the course of the examination of a communication, obtain through the Secretary-General any documentation from organizations within the United Nations system or other bodies that may be of assistance in the consideration of the communication, provided that the Committee shall

afford each party an opportunity to comment on such documentation or information within fixed time limits.

3. The Committee may refer any communication to a working group to make recommendations to the Committee on the merits of the communication.
4. The Committee shall not decide on the merits of the communication without having considered the applicability of all the admissibility grounds referred to in articles 1 and 2 of the Optional Protocol.
5. The Secretary-General shall transmit the views of the Committee, determined by a simple majority, together with any recommendations, to the author or authors of the communication and to the State party concerned.
6. Any member of the Committee who has participated in the decision may request that a summary of his or her individual opinion be appended to the Committee's views. Such individual opinions should be submitted by the member(s) concerned within two weeks of the receipt by the member(s) concerned of the final text of the decision/views in the working language of the member(s).

#### **Discontinuation of communications**

##### **Rule 74**

The Committee may discontinue communications in certain circumstances, including when the reasons behind the submission of the communication have become moot.

#### **Follow-up on views of the Committee**

##### **Rule 75**

1. Within six months of the Committee's transmittal of its views on a communication, the State party concerned shall submit to the Committee a written response, including any information on any action taken in the light of the views and recommendations of the Committee.
2. Subsequently, the Committee may invite the State party concerned to submit further information about any measures the State party has taken in response to its views or recommendations.
3. The Committee may request the State party to include information on any action taken in response to its views or recommendations in its reports under article 35 of the Convention.
4. The Committee shall designate for follow-up on views adopted under article 5 of the Optional Protocol a Special Rapporteur or working group to ascertain the measures to be taken by States parties to give effect to the Committee's views.
5. The Special Rapporteur or working group may make such contacts and take such action as is appropriate for the due performance of their assigned functions and shall make such recommendations for further action by the Committee as may be necessary.
6. The Special Rapporteur or working group in charge of the follow-up mandate may, with the approval of the Committee and the State party itself, make any necessary visits to the State party concerned.
7. The Special Rapporteur or working group shall regularly report to the Committee on follow-up activities.
8. The Committee shall include information on follow-up activities in its report under article 39 of the Convention.

**Confidentiality of communications****Rule 76**

1. Communications under the Optional Protocol shall be examined by the Committee or a working group in closed meetings.
2. All working documents prepared by the Secretariat for the Committee, a working group or Rapporteur, including summaries of communications prepared prior to registration, the list of summaries of communications shall remain confidential, unless the Committee decides otherwise.
3. The Secretary-General, the Committee, a working group or Rapporteur shall not make public any submission or information relating to a pending communication.
4. Paragraph 1 of this rule shall not affect the right of the author or authors of a communication, the alleged victim or victims or the State party concerned to make public any submissions or information bearing on the proceedings. However, the Committee, working group or Rapporteur may, as deemed appropriate, request the author or authors of a communication, the alleged victim or victims or the State party concerned to keep confidential the whole or part of any such submissions or information.
5. The Committee's decisions declaring communications inadmissible and decisions on the merits and discontinuances shall be made public. Separate decisions on admissibility (see rule 72 above) shall not be made public until the Committee has considered the merits of the communication.
6. The Committee may decide that the names and identifying details of the author or authors of a communication or the alleged victim or victims of a violation of the provisions of the Convention not be disclosed in its decisions declaring communications inadmissible or decisions on the merits or discontinuance. The Committee shall take such decisions on its own initiative or upon request of the author or authors or alleged victim or victims or State party.
7. The Secretariat is responsible for the distribution of the Committee's final decisions. It shall not be responsible for the reproduction and the distribution of submissions concerning communications.
8. Unless the Committee decides otherwise, information provided in follow-up to the Committee's views and recommendations under article 5 of the Convention shall not be confidential. Unless the Committee decides otherwise, decisions of the Committee with regard to follow-up activities shall not be confidential.
9. The Committee shall include in its report under article 39 of the Convention information on its activities under articles 1–5 of the Optional Protocol.

**Dissemination of information on the Committee's activities****Rule 77**

The Committee may issue communiqués regarding its activities under articles 1–5 of the Optional Protocol. The Secretary-General shall disseminate these communiqués through the most accessible formats.



## **XV. Proceedings under the inquiry procedure of the Optional Protocol**

### **Transmission of information to the Committee**

#### **Rule 78**

1. The Secretary-General shall bring to the attention of the Committee information that is or appears to be submitted for the Committee's consideration under article 6, paragraph 1, of the Optional Protocol.
2. The Secretary-General shall maintain a permanent record of information brought to the attention of the Committee under this rule and shall make the information available to any member of the Committee upon request.
3. The Secretary-General, when necessary, shall prepare and circulate to members of the Committee a brief summary of the information submitted in accordance with the present rule.

### **Compilation of information by the Committee**

#### **Rule 79**

The Committee may, on its own initiative, compile information available to it, including from the United Nations bodies, for its consideration under article 6, paragraph 1, of the Optional Protocol.

### **Confidentiality**

#### **Rule 80**

Except in compliance with article 7 of the Optional Protocol, all documents and proceedings of the Committee relating to the conduct of an inquiry under article 6 of the Optional Protocol shall be confidential.

### **Meetings related to proceedings under article 6**

#### **Rule 81**

Meetings of the Committee during which inquiries under article 6 of the Optional Protocol are considered shall be closed.

### **Preliminary consideration of information by the Committee**

#### **Rule 82**

1. The Committee may, through the Secretary-General, ascertain the reliability of the information and/or the sources of the information brought to its attention under article 6 of the Optional Protocol and may obtain additional relevant information substantiating the facts of the situation.
2. The Committee shall determine whether the information it has received or compiled on its own initiative contains reliable information indicating grave or systematic violations of rights set forth in the Convention by the State party concerned.
3. The Committee may request a working group to assist it in carrying out its duties under this Rule.

### **Submission and examination of information**

#### **Rule 83**

1. If the Committee is satisfied that the information it has received or compiled on its own initiative is reliable and indicates grave or systematic violations of rights set forth in

the Convention by the State party concerned, the Committee shall invite the State party, through the Secretary-General, to submit observations with regard to that information within fixed time limits.

2. The Committee shall take into account any observations that may have been submitted by the State party concerned, as well as any other relevant information.
3. The Committee may decide to obtain additional information from:
  - (a) Representatives of the State party concerned;
  - (b) Regional integration organizations;
  - (c) Governmental organizations;
  - (d) National human rights institutions;
  - (e) Non-governmental organizations;
  - (f) Individuals, including experts.
4. The Committee shall decide the form and manner in which such additional information will be obtained.
5. The Committee may, through the Secretary-General, request any relevant information or documentation from the United Nations system.

#### **Establishment of an inquiry**

##### **Rule 84**

1. Taking account of any observations that may have been submitted by the State party concerned, as well as other reliable information, the Committee may designate one or more of its members to conduct an inquiry and to make a report within a fixed time limit.
2. An inquiry shall be conducted confidentially and in accordance with any modalities determined by the Committee.
3. The members designated by the Committee to conduct the inquiry shall determine their own methods of work, taking into account the Convention, the Optional Protocol and these Rules of Procedure.
4. During the period of the inquiry, the Committee may defer consideration of any report that the State party concerned may have submitted pursuant to article 35 of the Convention.

#### **Cooperation of the State party concerned**

##### **Rule 85**

1. The Committee shall seek the cooperation of the State party concerned at all stages of an inquiry.
2. The Committee may request the State party concerned to nominate a representative to meet with the member or members designated by the Committee.
3. The Committee may request the State party concerned to provide the member or members designated by the Committee with any information that she/he/they or the State party may consider relates to the inquiry.

**Visits****Rule 86**

1. Where the Committee deems it warranted, the inquiry may include a visit to the territory of the State party concerned.
2. Where the Committee decides, as a part of its inquiry, that there should be a visit to the State party concerned, it shall, through the Secretary-General, request the consent of the State party to such a visit.
3. The Committee shall inform the State party concerned of its wishes regarding the timing of the visit and the facilities required to allow those members designated by the Committee to conduct the inquiry to carry out their task.

**Hearings****Rule 87**

1. Visits may include hearings to enable the designated members of the Committee to determine facts or issues relevant to the inquiry.
2. The conditions and guarantees concerning any hearings held in accordance with paragraph 1 of the present rule shall be established by the designated members of the Committee visiting the State party in connection with an inquiry, and the State party concerned.
3. Any person appearing before the designated members of the Committee for the purpose of giving testimony shall make a solemn declaration as to the veracity of her or his testimony and the confidentiality of the procedure.
4. The Committee shall inform the State party that it shall take all appropriate steps to ensure that individuals under its jurisdiction are not subjected to ill-treatment or intimidation as a consequence of participating in any hearings in connection with an inquiry or with meeting the designated members of the Committee conducting the inquiry.

**Assistance during an inquiry****Rule 88**

1. In addition to the staff and facilities, including assistants that shall be provided by the Secretary-General to the designated members of the Committee in connection with an inquiry, including during a visit to the State party concerned, the designated members of the Committee may, through the Secretary-General, invite interpreters and/or such persons with special competence in the fields covered by the Convention as are deemed necessary by the Committee to provide assistance at all stages of the inquiry.
2. Where such interpreters or other persons of special competence are not bound by the oath of allegiance to the United Nations, they shall be required to declare solemnly that they will perform their duties honestly, faithfully and impartially, and that they will respect the confidentiality of the proceedings.

**Transmission of findings, comments or suggestions****Rule 89**

1. After examining the findings of the designated members submitted in accordance with rule 85 of the present rules, the Committee shall transmit the findings of the inquiry, through the Secretary-General, to the State party concerned together with any comments and recommendations.

2. The State party concerned shall submit its observations on the findings, comments and recommendations to the Committee, through the Secretary-General, within six months of their receipt.

#### **Follow-up action by the State party**

##### **Rule 90**

1. The Committee may, through the Secretary-General, invite a State party that has been the subject of an inquiry to include in its report under article 35 of the Convention, and rule 39, details of any measures taken in response to an inquiry conducted under article 6 of the Optional Protocol.

2. The Committee may, after the end of the period of six months referred to in paragraph 2 of rule 90 above, invite the State party concerned, through the Secretary General, to inform it of any measures taken in response to an inquiry.

#### **Applicability**

##### **Rule 91**

Rules 78 to 90 of the present rules shall not be applied to a State party that, in accordance with article 8 of the Optional Protocol, declared at the time of ratification or accession to the Optional Protocol that it does not recognize the competence of the Committee provided for in articles 6 and 7 of the Optional Protocol, unless that State party has subsequently withdrawn its declaration.

## **Part Three Interpretation and amendments**

#### **Headings**

##### **Rule 92**

For the purpose of the interpretation of the present rules, the headings, which are inserted for reference purposes only, shall be disregarded.

#### **Interpretation of rules of procedure**

##### **Rule 93**

In its interpretation of its rules of procedure, the Committee may seek guidance from the practice, procedure and interpretation of other treaty bodies with similar rules.

#### **Suspensions**

##### **Rule 94**

Any of the present rules may be suspended by a decision of the Committee, taken by a two-thirds majority of the members present and voting, provided that such suspension is not inconsistent with the Convention and the Optional Protocol.

#### **Amendments**

##### **Rule 95**

These rules of procedure may be amended by a decision of the Committee taken by a two-thirds majority of the members present and voting and at least twenty-four (24) hours after the proposal for the amendment has been circulated, provided that the amendment is not inconsistent with the Convention and the Optional Protocol.

## Annex VII

### **Decisions adopted by the Committee on the Rights of Persons with Disabilities during its first, second, third and fourth sessions**

#### **A. Decisions adopted by the Committee on the Rights of Persons with Disabilities during its first session**

1. The Committee decided to request the secretariat to take measures to ensure that all persons with disabilities have full access to meetings of human rights mechanisms, and in particular the Committee's future sessions. Drawing attention to article 9 of the Convention on the Rights of Persons with Disabilities, the Committee requested the secretariat to ensure that all aspects of accessibility were taken account of, including through training of staff and other stakeholders, the provision of signage in Braille and easy-to-read and understand forms, the provision of sign-language interpreters and other appropriate forms of assistance and support, and relevant information, communications technologies and systems, including the website and extranet of the Office of the United Nations High Commissioner for Human Rights.
2. The Committee decided to request the secretariat to explore the possibility of the Committee on the Rights of Persons with Disabilities convening a pre-sessional working group meeting prior to its sessions from 2010.
3. The Committee decided to request the Secretariat to explore the possibility of the establishment of a voluntary fund to support the members in their intersessional work related to the Committee.
4. The Committee decided to request the Secretariat to consider as soon as it is feasible and practically possible, with due regard being paid to provisions of article 34, paragraph 12, of the Convention, that Committee members are given the means that can enable them to remunerate the work of the assistants conducted for the Committee.
5. The Committee decided to request the Secretariat to consider the possibility of having some of its sessions in New York.
6. The Committee decided to establish a working group to prepare draft rules of procedure to govern all aspects of its work. The working group, which would be open-ended, would be coordinated by Ron McCallum.
7. The Committee decided to establish a working group to prepare draft reporting guidelines. The working group, which would be open-ended, would be coordinated by Ana Peláez Narváez.
8. The Committee decided to establish a working group to prepare proposals to govern its working methods. The working group, which would be open-ended, would be coordinated by Maria Soledad Cisternas Reyes.
9. The Committee decided to convene a day of general discussion with the participation of all stakeholders on article 12 of the Convention on equal recognition before the law during its second session in October 2009.

10. The Committee decided to issue a press statement on its last day of its first session, the first declaration by the Committee, "Committee on the Rights of Persons with Disabilities: Looking Forward".

## **B. Decisions adopted by the Committee during its second session**

1. The Committee decided to adopt the draft reporting guidelines, as amended, and to send the text to all States parties and civil society.
2. The Committee decided to request the secretariat to assist in the coordination among United Nations bodies, States parties, and non-governmental organizations (NGOs) in the preparations for the International Day for Persons with Disabilities on 3 December 2009.
3. The Committee reiterated its request that the secretariat explore the possibility of holding a future Committee meeting in New York.
4. The Committee decided to reserve time for follow-up discussions on the implementation of its previous decisions.
5. The Committee decided to discuss at its forthcoming third session the possibility of assigning a focal person for liaising with the different treaty bodies.
6. The Committee requested the Secretariat to consider the possibility to have access to public relations support when the situation requires.

## **C. Decisions adopted by the Committee during its third session**

1. The Committee decided to adopt the draft rules of procedure, as amended.
2. The Committee decided to adopt the working methods, as amended.
3. The Committee decided that it would submit its report to the General Assembly in 2011.
4. The Committee decided that its day of general discussion at its fall session would be on article 9 and related provisions of the Convention on accessibility.
5. The Committee decided to establish a working group to follow up the day of general discussion on article 12, composed of Edah Wangechi Maina (Chair), Gyorgy Köncei and Maria Soledad Cisternas Reyes.
6. The Committee decided to establish a working group on the day of general discussion on article 9 (accessibility), composed of Mohammed Al-Tarawneh (Chair), Lofti Ben Lallahom, Monsur Ahmed Chowdhury and Jia Yang.
7. The Committee decided to establish a working group to follow up the situation in Haiti and other similar disasters around the world, composed of Maria Soledad Cisternas Reyes (Chair), Cveti Uršič and Lofti Ben Lallahom.
8. The Committee decided to designate Maria Soledad Cisternas Reyes as the Special Rapporteur on communications under the Optional Protocol.
9. The Committee requested the Secretariat to make immediately available to the Special Rapporteur all communications addressed to the Committee, irrespective of the status of their registration.
10. The Committee designated Amna Ali Al Suweidi as the focal person for networking with the different treaty bodies.

11. The Committee designated the Chairperson, Ronald McCallum, and Mohammed Al-Tarawneh to represent the Committee at the Inter-Committee Meeting.

#### **D. Decisions adopted by the Committee during its fourth session**

1. The Committee decided to establish a working group on accessibility to public transportation and on airline policies composed by Mohammed Al-Tarawneh (Chairperson), Jia Yang, Lotfi Ben Lallahom and Monsur Ahmed Chowdhury.
2. The Committee decided to include Ronald McCallum and Amna Ali Al Suwaidi in the Working Group on a draft general comment on article 12 of the Convention.
3. The Committee decided to make the names of Country Rapporteurs public.
4. The Committee decided to appoint Amna Ali Al Suwaidi as the Country Rapporteur for the dialogue with Tunisia.
5. The Committee decided to appoint Germán Xavier Torres Correa as the Country Rapporteur for Spain.
6. The Committee decided to establish contact with the United Nations Messenger of Peace, Stevie Wonder, commencing with a general introductory letter with good wishes.
7. The Committee decided to reserve time early in each session to interact with NGOs. It also agreed it would welcome lunchtime activities or briefings that they might wish to organize during sessions.
8. The Committee decided that it would normally examine State party reports in the chronological order of receipt.
9. The Committee decided to review the initial report of Tunisia over three three-hour meetings and to adopt a list of issues on the initial report of Spain at its fifth session, and to conduct a dialogue with representatives of Spain about the report at its sixth session.
10. The Committee decided to allow 20 minutes for the introduction of State party reports by representatives of the State party concerned, who should focus on updating the information contained in the State party report. It further decided that the Country Rapporteur would be given the floor first and take the lead in posing questions to the delegation, which would be organized by clusters of articles.
11. The Committee decided that invitations addressed to the Committee or to individual members which come before or during a session will be discussed at that session; that invitations received after the close of a session would be sent to the Secretary to consult with the Chair or Bureau; that, if appropriate, the Chair would nominate a representative to participate, taking into consideration the criteria of region, gender, area of expertise, language skills and the need for rotation among members. Such decisions would be recorded in the reports of the Committee.
12. The Committee decided to add the question of its participation in the next Conference of States parties on the agenda of its next session.
13. In view of an expected dramatic increase in the number of State party reports submitted to it, the Committee decided to request the General Assembly to approve the holding of two annual sessions of two weeks' duration each to enable it to examine up to four State party reports per session. Each session would be held in conjunction with meetings of a pre-session working group, to be composed of five members of the Committee, which would adopt lists of issues on reports to be examined at a future session.

14. The Committee decided to invite the Special Rapporteur on disability to its fifth session.



## Annex VIII

### Agendas of the days of general discussion

#### A. Agenda of the day of general discussion held on 21 October 2009 (second session) on article 12 of the Convention – the right to equal recognition before the law

10:00–10:10	Opening remarks: Mr. Mohammed Al-Tarawneh, Chairperson, Committee on the Rights of Persons with Disabilities
10:10–10:20	Introductory statement: Mr. Ibrahim Salama, Chief, Human Rights Treaty Bodies Branch
10:20–10:45	Keynote speaker: Prof. Amita Dhanda, consultant of the Office of the United Nations High Commissioner for Human Rights on article 12 of the Convention
10:45–11:00	Break
11:00–13:00	Working group I: The legal contents of the right to equal recognition before the law
13:00–15:00	Lunch break
15:00–16:15	Working group II: Practical measures necessary to implement the obligation to promote the right to equal recognition before the law
16:15–16:30	Break
16:30–17:00	Working group II (continued)
17:00–17:15	Break
17:15–17:35	Presentation by rapporteurs of the working groups' conclusions
17:35–17:45	Concluding comment
17:45–17:55	Closing remarks: Mr. Al-Tarawneh

#### B. Agenda of the day of general discussion, held on 7 October 2010 (fourth session) on article 9 of the Convention – accessibility

10:00–10:10	Opening remarks: Mr. Ron McCallum, Chairperson, Committee on the Rights of Persons with Disabilities
10:10–10:20	Introductory statement: Mr. Ibrahim Salama, Director, Human Rights Treaty Bodies Division
10:20–10:30	Keynote speaker: Prince Ra'ad bin Zeid of Jordan, delivered on his behalf by Mr. Mohammed Al-Tarawneh

10:30–10:45	Break
10:45–13:00	Session I: The right to access on an equal basis with others to the physical environment and transportation
13:00–15:00	Lunch break
15:00–16:00	Session II: The right to access on an equal basis with others to virtual and material information and communications
16:00–16:15	Break
16:15–17:15	Session III: Discussion of the best practices on the implementation and promotion of the right to accessibility
17:15–17:30	Break
17:30–17:45	Presentation by Rapporteurs of Working Group conclusions
17:45–17:55	Concluding comments
17:55–18:00	Closing remarks: Mr. Ron McCallum

## Annex IX

### **Declaration by the Committee: “Committee on the Rights of Persons with Disabilities: Looking forward”**

1. In Geneva, on 27 February 2009, the Committee on the Rights of Persons with Disabilities (hereinafter the Committee):

Considering the provisions in article 34, paragraphs 1 and 2, of the Convention on the Rights of Persons with Disabilities (the Convention), the Committee has proceeded to its formal establishment, holding its first session between 23 and 27 February 2009;

Complying with the provisions of article 34, paragraph 10, of the Convention, the Committee has proceeded with the election of the Bureau of the Committee;

In a spirit of promoting, protecting and ensuring the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities; with the aim of promoting respect for their inherent dignity, as set forth in article 1 of the Convention and in accordance with the principles set out in article 3; having particular regard to the situation of more than 650 million persons with disabilities around the world;

Acknowledging the importance of involving civil society, in particular organizations of persons with disabilities in all matters that affect them, in conformity with article 4, paragraph 3, of the Convention and other relevant articles;

Emphasizing the need to raise awareness of persons with disabilities, and of enhancing the visibility of their rights and roles in society, in accordance with article 8 of the Convention;

The Committee hereby declares that:

1. It welcomes and considers the progress achieved by States parties following the signature and ratification of the Convention. It calls on those States that have not yet ratified the Convention and its Optional Protocol to do so as soon as possible and without reservations and/or declarations;

2. It shall afford equal attention and priority to all persons with disabilities considering the specific conditions of those who are vulnerable, such as women; children; older persons; persons with disabilities in rural areas or in areas of armed conflict; persons with multiple disabilities, including those who require more intensive support; indigenous people; migrants and asylum-seekers and others;

3. It recognizes the importance of immediate transition from the medical model to the human rights and social model of disability in accordance with the Convention. It shall endeavour to provide required support to States parties in realizing this important transition;

4. It acknowledges the importance of contributions by States parties, regional integration organizations, specialized organs and other competent entities within and outside the United Nations system and of civil society entities of persons with disabilities. Each of these actors shall play a significant role, from their own perspective and following their own cooperation procedures and channels. At the same time, the Committee invites all relevant stakeholders to undertake particular efforts for the implementation of the Convention at the national level;

5. It considers of the utmost importance to consider and examine the situation of all persons with disabilities in order to fulfil the Millennium Development Goals for the

eradication of poverty; the Beijing Declaration and Platform for Action; and to comply with other international plans of action, particularly the application of human development indexes, the human poverty index and the disability and gender empowerment measure;

6. Inclusive social development is of fundamental importance for the full enjoyment of the rights of persons with disabilities and for the betterment of their quality of life. Pursuant to this consideration, States are invited to double their efforts in this area and to refrain from letting economic and financial instabilities — which by their nature are of a temporary character — affect the achievement of this objective. There can be no doubt that persons with disabilities are at particular risk in the current economic crisis and it is important that States pay special attention to the situation of persons with disabilities in the present situation. This is an obligation of each and every State, but it is also an issue in which international cooperation plays an important role, especially with regard to developing countries. The provisions of article 32 of the Convention are especially relevant in the current context;

7. It shall request and enhance the implementation and monitoring of the Convention, and be available to provide technical support to States parties, United Nations entities and international cooperation on different thematic areas of the Convention and its Optional Protocol.

The Committee calls on the Office of the United Nations High Commissioner for Human Rights to ensure that this declaration be disseminated as widely as possible in the United Nations official languages and in accessible formats.

## Annex X

### **Statement by the Committee on the Rights of Persons with Disabilities on the occasion of the 2009 International Day of Persons with Disabilities**

3 December 2009

1. On 3 December 2009, the world will celebrate the 2009 International Day of Persons with Disabilities. The theme of this year is “Empowering Persons with Disabilities with the Right to Act!”
2. As the newest human rights treaty, the Convention on the Rights of Persons with Disabilities aims to empower a historically underrepresented group with the same standards of equality, rights, and dignity as everyone else. Since entering into force in May 2008 with a total of 20 ratifications, the Convention has been ratified by 55 more States in a year and a half, which demonstrates — as it is one of the fastest-growing human rights treaties in history — the desire for change. Today, with ratifications already numbering 75, the Committee is positioning itself to lead the way for empowering persons with disabilities with the right to act.
3. While the Convention does not directly establish new rights, its importance in improving the lives of the over 650 million persons with disability in the world has been clearly illustrated. In 2006, upon the inauguration of the Convention, the former Secretary-General Kofi Annan released a statement which still rings true today. Addressing the question of why the Convention had emerged as the newest human rights treaty body, he wrote that, “too often those living with disabilities have been seen as objects of embarrassment, and at best, of condescending pity and charity ... on paper, they have enjoyed the same rights as others; in real life, they have often been relegated to the margins, and denied the opportunities that others take for granted.”
4. The International Day of Persons with Disabilities provides an opportunity to reflect on the work of the Committee to date, while also highlighting the progress that remains to be made. On the progress to be made for the implementation of the Convention, the right to equal recognition before the law and the concomitant right or capacity to act is one of the defining issues in the task of ensuring that actual changes in people’s lives can be felt beyond the laws on a page. This question extends to nearly every aspect in the lives of persons with disabilities, and finds traction in the provisions of the Convention on the Rights of Persons with Disabilities.
5. One example of the deprivation of the right to act is that too often in the courts and the legal system persons with disabilities have their decision-making ability taken away by a person assigned to act on their behalf.
6. Article 12 of the Convention, on equal recognition before the law, requires that in legal proceedings, persons with disabilities shall be provided with access to “the support they may require in exercising their legal capacity”. The right to act is not achieved when decisions are made in substitution of the individual by a legal guardian. To fully respect the will of the individual, we must develop systems of trusted support and assistance, and ensure that in the courts and for legal affairs, the role of a supported decision-maker based on a relationship of trust with the person with disability is a fully recognized and legitimate means of expressing one’s right to act.

7. Another area where the right to act is often infringed upon is the involuntary internment of persons with disabilities in institutions which stifle development and subvert decision-making for persons with disabilities. To place individuals against their will in a rigid and controlling environment which does not respect their right to act can be a painful and traumatizing experience. The Convention states in article 14 that persons with disabilities may not be “deprived of their liberty unlawfully or arbitrarily, and that any deprivation of liberty is in conformity with the law, and that the existence of a disability shall in no case justify a deprivation of liberty”. Not only is interning of persons with disabilities on account of their disability against their will contrary to the provisions of the Convention, it is a basic violation of a person’s control over her or his own life.

8. This 3 December 2009, and the week-long campaign announced by the Committee in favour of persons with disabilities, creates an opportunity to place the right to act on the front page of the agenda. Anyone who wishes to participate in this campaign can hold debates and launch awareness-raising activities on the theme of the right to act. Civil society and non-governmental organizations can get involved by petitioning Government representatives to bring policies and programmes into line with the Convention, and States themselves can take this opportunity to renew, or establish their commitment to the dignity and justice for persons with disabilities by signing, ratifying, or implementing the Convention on the Rights of Persons with Disabilities.

9. It has long been time that persons with disabilities are empowered with the right to act. The International Day of Persons with Disabilities is the ideal opportunity to translating rights from the page into changes in people lives.

## Annex XI

### **Statement of the Committee on the Rights of Persons with Disabilities on the situation in Haiti**

8 February 2010

1. The Committee on the Rights of Persons with Disabilities expresses its deepest sympathy and solidarity to the Government and people of Haiti affected by the devastating earthquake of 12 January 2010. The Committee also extends its condolences to the families of United Nations staff as well as all unknown and known persons with disabilities who perished in the earthquake.

2. The earthquake which hit one of the poorest countries in the world has caused tremendous hardship, injury and loss of life among the general population. Whilst relief workers are struggling to provide aid to the people of Haiti and whilst the situation remains difficult for everyone, persons with disabilities are particularly affected by the crisis. The Committee recalls that, under the Convention on the Rights of Persons with Disabilities, States are to take all necessary measures to ensure the protection and safety of persons with disabilities in situations of risk, and natural disaster like the occurrence of this earthquake, and therefore a disability perspective should be included in all humanitarian relief efforts to meet the needs of the disabled.

3. Given the specific environment in which the humanitarian crisis is unfolding, the Committee urges that the disabled, elderly and other vulnerable groups such as women and children in the community be given preferential access to food distribution, and proper sanitation facilities. The Committee is indeed concerned by the prospect of epidemics caused by overcrowding and poor sanitation and also by the lack of law and order in the earthquake-affected areas, and urges Haiti authorities and the international community providing sustained support to it to prevent the spread of diseases and improve security for the most vulnerable people in the affected communities. The trauma caused by this disaster cannot be underestimated. The Committee stresses that it is important to address the specific needs of persons with disabilities in health care and rehabilitation services.

4. The Committee extends its appreciation to the international community which stands united in its resolve to help Haiti overcome this natural disaster. As the social and economic reconstruction of Haiti is about to begin, the Committee urges Haiti to ensure that persons with disabilities fully participate in the decision-making process and that sustained efforts be centred on the long-term development needs of disabled persons in Haiti.

## Annex XII

### **Statement of the Committee on the Rights of Persons with Disabilities on the earthquake and tsunami in Chile and persons with disability**

6 April 2010

The Committee on the Rights of Persons with Disability (hereinafter “the Committee”):

With regard to the earthquake and tsunami in Chile of 27 February 2010, and its subsequent aftershocks, which have caused a grave situation for the residents of devastated areas in the country, in terms of the fulfilment of basic needs, including water, food, health care, housing, etc.;

Noting that Chile is a State party to the Convention on the Rights of Persons with Disabilities and its Optional Protocol;

Given that 12.9 per cent of the Chilean population has disabilities, in other words, 2,068,072 persons according to the National Disability Study (ENDISC) 2004;

Noting article 11 of the Convention, which refers to situations of risk and humanitarian emergencies, provides the obligations of States parties “in accordance with their obligations under international law, including international humanitarian law and international human rights law, all necessary measures to ensure the protection and safety of persons with disabilities in situations of risk, including situations of armed conflict, humanitarian emergencies and the occurrence of natural disasters”;

Noting the aforementioned emergency, persons with disabilities may experience risks in the full enjoyment of their human rights, experiencing difficulties in their movement to safer areas, loss of technical assistance necessary for autonomy, including seeing-eye dogs, complications with access to medication and treatment, in general, deprivation of various aspects of accessibility in its widest sense, including accessibility to information and communications, inter alia in accordance with article 9 of the Convention;

Emphasizing that the President of the General Assembly has appealed to the international community to deploy “all possible efforts to urgently attend to Chile after the disaster”;

The Committee hereby:

1. Offers its deepest condolences to Chile for the loss of human lives and material damage caused by the earthquake and tsunami of 27 February 2010;
2. Recognizes the support provided by different countries of the international community in the situation in Chile after the earthquake and tsunami. However, the Committee calls for increased support of cooperating States and to initiate these efforts by those not yet done so, with a special address to persons with disabilities, applying article 32 of the Convention on international cooperation;
3. Makes an urgent appeal to the specialized agencies within and outside the United Nations system and other relevant bodies, to adopt strategic programmes and action plans towards persons with disabilities, in Chile, in this emergency situation with special attention to women, girls, children and the elderly with disabilities and who require more intensive support provided by their particular vulnerability. For this purpose, it must locate



persons with disabilities, ensuring their safety and facilitating their access to the various allowances provided during the emergency and in transit to the normalization of their lives;

4. Declares that the delivery of humanitarian aid should consider the urgent needs of persons with disabilities and should highlight the importance of installing and/or resumption of procedures for their habilitation and rehabilitation, including post-traumatic stress care, as well as providing technical assistance and medicine that they mean need;

5. Declares that, in this particular humanitarian emergency, it calls on the authorities of Chile to give priority attention to the supervision and safeguarding the rights of persons with disabilities living in the country;

6. Deems it necessary to provide special support to persons with disabilities to rebuild their homes, whether in urban or rural areas, as well as those sites that host associations of persons with disabilities and centres that serve them, which have been destroyed or damaged. This support must include the provision of personal furniture and goods for daily use in these homes, shelters, branches and centres;

7. Urges that, during the reconstruction of these homes that were partially damaged or totally destroyed by the earthquake and tsunami, persons with disability are provided with dignified and accessible living spaces and of daily use according to their needs. During this time, it must be made sure that persons with disability come together with their families;

8. Calls for the reconstruction plans in areas affected by the earthquake and tsunami in Chile, in coordination with contributions from the international community, considered as a priority the different aspects of accessibility to physical space, to information, communications, transportation, products and services for use by persons with various disabilities;

9. Deems appropriate that the contributions made by the United Nations for purposes of reconstruction, specify, as per the statement by the Secretary-General dated 6 March 2010, the importance of meeting the needs of persons with disabilities in humanitarian emergency;

10. Recognizes the efforts of the State of Chile to attend to the emergency, but recommends that the adoption of measures of various kinds needs to take into account the particular needs of persons with different forms of disabilities in warning procedures, evacuation and information and communications. In the latter case, messages sent to the public by television shall be given priority sign language and captioning, timely information for deaf persons, in accordance with the requirements in article 21 of the Convention. Such measures are essential to addressing similar situations of emergency that may arise in future.

The Committee calls on the Office of the United Nations High Commissioner for Human Rights to ensure that this declaration is disseminated as widely as possible in the official languages of the United Nations and in accessible formats.

## Annex XIII

### **Statement of the Committee on the Rights of Persons with Disabilities in connection with the earthquake in Qinghai, China**

23 April 2010

1. The Committee on the Rights of Persons with Disabilities expresses its deepest sympathy and solidarity to the government and people of China affected by the devastating earthquake of 14 April 2010 in Qinghai, China. The Committee notes that Qinghai Province is a mountainous area mostly inhabited by members of the Tibetan ethnic minority of China.
2. The earthquake which hit Qinghai, China, has caused untold suffering, tremendous hardship, injury and loss of life among the general population, as well as incalculable material damage. Whilst relief workers are struggling to provide aid to the people in the affected areas of China and whilst the situation remains difficult for everyone, persons with disabilities are particularly affected by the crisis.
3. Considering that China is a State party to the Convention on the Rights of Persons with Disabilities, the Committee notes that, under article 11 of the Convention, States parties should take, “in accordance with their obligations under international law, including international humanitarian law and international human rights law, all necessary measures to ensure the protection and safety of persons with disabilities in situations of risk, including situations of armed conflict, humanitarian emergencies and the occurrence of natural disasters”.
4. Given the specific environment in which the humanitarian crisis is unfolding, the Committee urges the Government of China to ensure the delivery of urgent humanitarian aid. The needs of the most vulnerable should be considered, including women, children, the elderly and persons with disabilities. This earthquake has created an emergency situation which necessitates immediate rescue efforts to save lives and to prevent victims from becoming persons with disabilities. These rescue efforts must include the provision of medical support and related assistance to meet the basic needs of those in distress with food, water, clothing, temporary shelter and basic sanitation.
5. While recognizing the efforts of the Government of China in this emergency situation, the Committee recommends that relief measures also take into consideration the special needs of persons with different forms of disabilities. It is essential that warning procedures, evacuation instructions, other related information and general communications are made in the languages spoken in the region. It is also essential that, in accordance with article 21 of the Convention, all “information intended for the general public” be made available in “accessible formats and technologies appropriate to different kinds of disabilities”, including “sign languages, Braille, augmentative communication”, including video captioning and all other accessible means of communication.
6. The Committee calls on the international community as a whole to assist China to overcome this natural disaster.

## Annex XIV

### **Joint statement by the Chairpersons of the Committee on the Rights of Persons with Disabilities, the Committee on the Rights of the Child and the Committee on the Elimination of Discrimination Against Women, on the Pakistan floods**

27 October 2010

1. Pakistan has recently been gravely affected by the worst monsoon flooding in a century. At least 1,600 persons have died and over 2,000 persons injured. The number of people directly affected by the floods stands at 20.2 million, with over 1.9 million houses reportedly damaged or destroyed, and women and girls comprising 85 per cent of the persons displaced by the floods. The Committee on the Rights of the Child, the Committee on the Elimination of Discrimination against Women and the Committee on the Rights of Persons with Disabilities express profound concern about the impact of the floods in Pakistan on the enjoyment of human rights and extend their deepest sympathy for the victims of the floods.

2. The Committees have noted with alarm the reported gaps in provision of relief and registration of the affected families for financial assistance. They note that members of minority communities, Afghan refugees, women, children and persons with disabilities, particularly those living in rural areas, were already among the most vulnerable in Pakistani society. The floods have disproportionately affected them.

3. The Committees commend the authorities and relief agencies for their extraordinary efforts to bring relief to the victims and, at the same time, urge them to strengthen the human rights-based approach of their efforts, in order to prevent further victimization of the affected population. This calls for special measures to prevent discrimination and protect the most vulnerable, active vigilance regarding human rights violations and the establishment of channels of participation for all affected persons in the decisions now being taken towards long-term recovery.

4. In particular, the Committee on the Elimination of Discrimination against Women notes with alarm that 85 per cent of persons displaced by the flood are women and children. Of that percentage, 500,000 women are pregnant. Each day 1,700 women go into labour and hundreds will experience complications requiring lifesaving medical intervention. Maternal mortality is high in Pakistan and the numbers will rise due to lack of medical facilities (over 200 hospitals and clinics in the effected areas have been destroyed), and the absence of female health-care workers (many Pakistani women will not receive care from a male medical worker owing to cultural and religious beliefs). In addition, a lack of proper nutrition and clean water in the camps for internally displaced persons will have dire effects on women, especially those breast-feeding, and on their children. As the floodwaters rise, they are at acute risk from starvation, exposure, disease, sexual assault, violence and trafficking. The Committee calls upon the Pakistani authorities and relief agencies to take concrete measures with respect to all of the Committee's concerns, including measures to prevent sexual and physical abuse and trafficking of girls and women. The Committee also urges authorities and aid agencies to combat any constraints women and girls may face from accessing basic services or humanitarian aid, including cultural barriers.

5. The Committee on the Rights of the Child expresses concern about the very high infant and under-5 mortality rates in Pakistan, with an estimated 500,000 under-5 infant deaths each year due to preventable causes. It is deeply concerned that the floods are

worsening infant and child mortality. The Committee on the Rights of the Child is further concerned at the breakdown of communication and infrastructure in the north-western area of Pakistan's Khyber Pakhtunkwa province, an area of pre-existing conflict, where women and especially girls are known to have been denied access to basic health and education services. The Committee expresses deep concern at the heightened risk that girls be discriminated against, sexually abused and trafficked. The Committee urges authorities and all persons involved with relief and humanitarian assistance to heighten their efforts to reach the youngest children and those most difficult to reach. Girls and children with disabilities should be the utmost priority.

6. The Committee on the Rights of the Child calls for special measures to be taken to ensure that the poor birth registration rate in Pakistan, which was noted by the Committee in 2009, does not further prevent children from accessing relief aid, health, education and other essential services. The Committee stresses that the children now being born must not be denied their right to birth registration due to the requirement on the parents to first prove Pakistani citizenship. The Committee urges authorities and all persons involved with relief and humanitarian assistance to heighten their efforts to reach the youngest, the most hard to reach children, girls and children with disabilities as their utmost priority.

7. Special attention must be paid to particularly vulnerable persons. Among them, persons with disabilities are often a part of society that is kept invisible, even under normal circumstances and more so in times of emergency. The Committee on the Rights of Persons with Disabilities calls upon the authorities to ensure the full rights of persons with disabilities to security and protection, in accordance with the Convention on the Rights of Persons with Disabilities, including by: urgently locating affected persons with physical, sensory, intellectual and psychosocial disabilities; facilitating reunification with their families; and ensuring access to water, food, medical services, technical assistance, and rehabilitation, as well as to information during the emergency so allow the normalization of their lives as soon as possible. The Committee calls upon Pakistan to address accessibility requirements in the reconstruction of housing and public spaces, in the resumption of education processes, and in the integration of persons with disabilities in the labour force and in social security schemes. In this regard, the Committee also calls for international cooperation (art. 32 of the Convention) toward the realization of these objectives, in favour of persons with disabilities.

8. Pakistan is a party to the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women. It is a signatory to the Convention on the Rights of Persons with Disabilities. The expert committees monitoring these conventions issued this joint statement during their respective sessions held simultaneously in Geneva in October 2010.

## Annex XV

**Submission of reports by States parties under article 35 of  
the Convention as at 8 October 2010**

<i>State party</i>	<i>Report</i>	<i>Date due</i>	<i>Date received</i>
Algeria	Initial	4 December 2011	
Argentina	Initial	2 September 2010	6 October 2010
Armenia	Initial	22 September 2012	
Australia	Initial	17 July 2010	3 December 2010
Austria	Initial	26 September 2010	2 November 2010
Azerbaijan	Initial	28 January 2011	16 February 2011
Bangladesh	Initial	30 November 2009	
Belgium	Initial	2 July 2011	
Bolivia (Plurinational State of)	Initial	16 November 2011	
Bosnia and Herzegovina	Initial	12 March 2012	
Brazil	Initial	1 August 2010	
Burkina Faso	Initial	23 July 2011	
Canada	Initial	11 March 2012	
Chile	Initial	29 July 2010	
China	Initial	1 August 2010	30 August 2010
Cook Islands	Initial	8 May 2011	
Costa Rica	Initial	1 October 2010	
Croatia	Initial	15 August 2009	
Cuba	Initial	6 September 2009	
Czech Republic	Initial	28 September 2011	
Denmark	Initial	24 July 2011	
Dominican Republic	Initial	18 August 2011	
Ecuador	Initial	3 April 2010	
Egypt	Initial	14 April 2010	
El Salvador	Initial	14 December 2009	5 January 2011
Ethiopia	Initial	7 July 2012	

<i>State party</i>	<i>Report</i>	<i>Date due</i>	<i>Date received</i>
France	Initial	18 February 2012	
Gabon	Initial	1 October 2009	
Germany	Initial	24 February 2011	
Guatemala	Initial	7 April 2011	
Guinea	Initial	8 February 2010	
Haiti	Initial	23 July 2011	
Honduras	Initial	14 April 2010	
Hungary	Initial	20 July 2009	14 October 2010
India	Initial	1 October 2009	
Iran (Islamic Republic of)	Initial	23 October 2011	
Italy	Initial	15 May 2011	
Jamaica	Initial	30 March 2009	
Jordan	Initial	31 March 2010	
Kenya	Initial	19 May 2010	
Lao People's Democratic Republic	Initial	25 September 2011	
Latvia	Initial	1 March 2012	
Lesotho	Initial	2 December 2010	
Lithuania	Initial	18 August 2012	
Malawi	Initial	27 August 2011	
Malaysia	Initial	19 July 2012	
Maldives	Initial	5 April 2012	
Mali	Initial	7 April 2010	
Mauritius	Initial	8 January 2012	
Mexico	Initial	17 December 2009	
Mongolia	Initial	13 May 2011	
Montenegro	Initial	2 November 2011	
Morocco	Initial	8 April 2011	
Namibia	Initial	4 December 2009	
Nepal	Initial	7 May 2012	
New Zealand	Initial	25 September 2010	
Nicaragua	Initial	7 December 2009	

<i>State party</i>	<i>Report</i>	<i>Date due</i>	<i>Date received</i>
Niger	Initial	24 June 2010	
Nigeria	Initial	24 September 2012	
Oman	Initial	6 January 2011	
Panama	Initial	7 August 2009	
Paraguay	Initial	3 September 2010	21 October 2010
Peru	Initial	30 January 2010	8 July 2010
Philippines	Initial	15 April 2010	
Portugal	Initial	23 September 2011	
Qatar	Initial	13 May 2010	
Republic of Korea	Initial	11 December 2010	
Republic of Moldova	Initial	21 September 2012	
Rwanda	Initial	15 December 2010	
San Marino	Initial	22 February 2010	
Saudi Arabia	Initial	24 June 2010	
Senegal	Initial	7 September 2012	
Serbia	Initial	31 July 2011	
Seychelles	Initial	2 October 2011	
Sierra Leone	Initial	4 October 2012	
Slovakia	Initial	26 May 2012	
Slovenia	Initial	24 April 2010	
South Africa	Initial	30 November 2009	
Spain	Initial	3 December 2009	3 May 2010
Sudan	Initial	24 April 2011	
Sweden	Initial	15 December 2010	7 February 2011
Syrian Arab Republic	Initial	10 July 2011	
Thailand	Initial	29 July 2010	
Tunisia	Initial	2 April 2010	1 July 2010
Turkey	Initial	28 September 2011	
Turkmenistan	Initial	4 September 2010	
Uganda	Initial	25 September 2010	
Ukraine	Initial	4 February 2012	

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<i>State party</i>	<i>Report</i>	<i>Date due</i>	<i>Date received</i>
United Arab Emirates	Initial	19 March 2012	
United Kingdom of Great Britain and Northern Ireland	Initial	8 June 2011	
United Republic of Tanzania	Initial	10 November 2011	
Uruguay	Initial	11 February 2011	
Vanuatu	Initial	23 October 2010	
Yemen	Initial	26 March 2011	
Zambia	Initial	1 February 2012	

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## Annex XVI

### **Programme budget implications arising from the decision of the Committee on the Rights of Persons with Disabilities to request for additional resources**

#### **Oral statement by the secretariat in connection with the decision of the Committee on the Rights of Persons with Disabilities to be included in its first biennial report to the Economic and Social Council at its 2011 substantive session and to the General Assembly at its sixty-sixth session**

1. This statement is made in accordance with rule 22 of the rules of procedure of the Committee on the Rights of Persons with Disabilities.
2. With regard to the decision to be included in its first biennial report to the Economic and Social Council at its 2011 substantive session and to the General Assembly at its sixty-sixth session, whereby the Committee would decide to request the General Assembly to approve the holding of two sessions per year, each of two-weeks' duration to be preceded by meetings of a pre-sessional working group of one week's duration, following review of the decision, this is to inform the Committee that it would give rise to additional requirements under the United Nations regular budget.
3. The Convention on the Rights of Persons with Disabilities and its Optional Protocol entered into force in May 2008. By the end of 2008, there were 46 States parties to the Convention which increased to 76 States parties by the end of 2009. At present there are 99 States parties. Under article 35, paragraph 1, of the Convention, States parties are required to submit their initial report within two years after the entry into force of the Convention. Consequently, by the end of 2010, reports of 46 States parties were expected to be submitted and an additional 30 States parties reports are expected to be submitted by the end of 2011. At present only 14 reports of States parties have been submitted to the Committee, including the report it is examining at its current session. It should be noted that it is the Committee's first experience of examining a State party report and in view of the many inquiries received from various States parties about different aspects of the reporting requirement, it is assumed that only some 30 more reports will be submitted during 2011; bringing to a total of 44 reports anticipated to be submitted, by the end of 2011, compared to the 76 reports expected in line with article 35, paragraph 1, of the Convention.
4. Under article 39 of the Convention on the Rights of Persons with Disabilities, the Committee shall report every two years to the General Assembly and to the Economic and Social Council on its activities, and may make suggestions and general recommendations based on the examination of reports and information received from the States parties. Such suggestions and general recommendations shall be included in the report of the Committee together with comments, if any, from States parties.
5. Under article 35 of the Convention, the Committee has the mandate to consider reports from States parties on the measures taken to give effect to its obligations under the Convention. Under the Optional Protocol to the Convention on the Rights of Persons with Disabilities, the Committee can receive and consider individual communications (art. 1); and conduct inquiries into reliable information received indicating grave or systematic violation of the Convention by a State party (art. 6).

6. At present, the Committee meets for two sessions per year of one week's duration each, for which provision has been made in the programme budget for the biennium 2010–2011. In view of experience, since the establishment of the Committee, it is estimated that the Committee would review about one State party report, during each one week session, considering the time required for dialogue with representatives of the State party, drafting of the concluding observations, translation of the draft, and adoption by the Committee plenary. Thus, under current provisions, of the 13 reports presently received by the Committee (excluding the one that is currently under consideration), about two would be considered annually. It will thus take about six years for it to consider the other 13 reports before the Committee, although by the end of 2011 it should have received up to 76 reports.

7. While the Committee is currently meeting for the first time with the full participation of its expanded membership (increase from 12 to 18 members) and the demand for meeting time will augment (for example, the more members on the Committee, the more speakers will seek to take the floor during the Committee deliberations), the rapid increase in its workload due to a high pace of ratifications and reporting obligations that accompany ratification appears to govern the Committee decision to request the General Assembly to approve the holding of two sessions of two weeks each year of meeting time. During each extended session, it is estimated that the Committee would be able to consider up to four reports and over the biennium 2012–2013, consisting of two sessions of two weeks each year, the Committee would be able to consider the reports of 16 States parties.

8. The Committee has also in accordance with rule 5 of the rules of procedure of the Committee, and in line with practice of other treaty bodies, decided to request the General Assembly to approve the holding of two pre-sessional working groups per year to enable it to formulate lists of issues and questions on the State party reports it has received.

9. The financial implications of the Committee's decision are the following: (a) meeting servicing and documentation costs will increase in the six working languages of the Committee as well as in Braille in the six languages; (b) considering that some new members of the Committee may be deaf, provision for sign language and real-time captioning might also be required during Committee sessions; (c) additional daily subsistence allowance for the members of the Committee will be required; and (d) additional conference-servicing support costs will be required.

10. The secretariat support required to provide substantive services to the Committee in its examination of States parties reports presented under article 35 of the Convention will be met initially through existing resources. Staffing requirements to undertake these as well as other associated tasks, such as engagement in the complaints or inquiry procedures, will require further review at such time as the numbers of States parties and of petitions received increase.

11. In respect of the expanded meeting time proposed, total additional resources of \$9,701,000 would be required for the biennium 2012–2013. These additional requirements which are enumerated in the table below are new and have not been taken into account in the proposed programme budget for the biennium 2012–2013, which is currently under preparation. The additional requirements are as follows:

	<i>US\$</i>
Section 2, General Assembly affairs and conference services	9 113 200
Section 24, Human Rights	553 600
Section 29E, Administration, Geneva	34 200
<b>Total</b>	<b>9 701 000</b>

12. The attention of the Committee is also drawn to the fact that the General Assembly through several resolutions, one of which is its resolution 65/200, has requested the Secretary-General to submit to the General Assembly at its sixty-sixth session concrete proposals on the human rights treaty monitoring bodies, building on the work of the Secretary-General pursuant to Human Rights Council resolution 9/8 of 24 September 2008, to increase their effectiveness and to identify efficiencies in their working methods and costs in order to better to manage their workloads and programmes of work, bearing in mind budgetary constraints and taking account of the varying burdens on each Committee.

13. In view of the aforementioned, should the draft decision be included in the Committee's report to the sixty-sixth session of the General Assembly, the related requirements that would arise would be submitted to the General Assembly for its consideration, in the form of a programme budget implications statement when it considers the draft resolution on the report. At that time, the Secretariat will review the totality of resources proposed under the programme budget for the biennium 2012–2013 and advise the General Assembly in accordance with established procedures on how they could be met.

## Annex XVII

### List of documents before the Committee at its first, second, third and fourth sessions

CRPD/C/1/1	Provisional agenda and programme of work for the first session of the Committee
CRPD/C/1/2	Report of the Committee on the Rights of Persons with Disabilities on its first session
CRPD/C/2/1	Provisional agenda and programme of work of the second session of the Committee
CRPD/C/2/2	Report of the Committee on the Rights of Persons with Disabilities on its second session
CRPD/C/2/3	Reporting guidelines
CRPD/C/3/1	Provisional agenda and programme of work of the third session of the Committee
CRPD/C/3/2	Report of the Committee on the Rights of Persons with Disabilities on its third session
CRPD/C/4/1 and Rev.1	Provisional agenda and programme of work of the fourth session of the Committee
CRPD/C/4/2	Rules of procedure of the Committee
CRPD/C/TUN/1	Initial report submitted by States parties under article 35 of the Covenant: Tunisia
CRPD/C/ESP/1	Initial report submitted by States parties under article 35 of the Covenant: Spain
HRI/CORE/1/Add.46	Core document forming part of the reports of States parties: Tunisia
HRI/CORE/ESP/2010	Core document forming part of the reports of States parties: Spain
CRPD/C/TUN/Q/1	List of issues to be taken up in connection with the consideration of the initial report of Tunisia
CRPD/C/TUN/Q/1/Add.1	Replies submitted by the Government of Tunisia to the list of issues to be taken up during the consideration of the initial report of Tunisia