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**SPECIFIC GROUPS AND INDIVIDUALS: OTHER VULNERABLE GROUPS
AND INDIVIDUALS**

**Albania*, Angola*, Australia*, Austria, Bangladesh*, Belarus*, Belgium,
Bosnia and Herzegovina*, Brazil, Cameroon, Canada, Colombia*, Congo*,
Croatia, Cyprus*, Czech Republic, Denmark*, Ecuador, Equatorial Guinea*,
Finland*, France, Germany, Greece*, Guatemala, Iceland*, Ireland*,
Italy, Luxembourg*, Madagascar*, Malta*, Mauritius*, Mexico,
Netherlands*, New Zealand*, Norway*, Peru, Philippines*, Poland,
Portugal, Romania*, Slovenia*, Spain, Sudan, Sweden, Switzerland*,
Thailand, The former Yugoslav Republic of Macedonia*, Tunisia*,
United Kingdom of Great Britain and Northern Ireland:
draft resolution**

2002/... Human rights of persons with disabilities

The Commission on Human Rights,

Mindful of the pledge made by States, under the Charter of the United Nations, to take action jointly and separately, in cooperation with the United Nations, in order to promote a better quality of life, full employment, and conditions for economic and social progress and development,

* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Recalling that all persons with disabilities have the right to protection against discrimination and to full and equal enjoyment of their human rights, as laid down, inter alia, in the provisions of the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Discrimination against Women and International Labour Organization Convention No. 159 (1983) concerning Vocational Rehabilitation and Employment (Disabled Persons),

Recalling also the report of the Secretary-General to the General Assembly on the third quinquennial review and appraisal of the World Programme of Action concerning Disabled Persons (A/52/351),

Reaffirming the continuing validity and value of the World Programme of Action concerning Disabled Persons, adopted by the General Assembly at its thirty-seventh session, which provides a firm and innovative framework for promoting and protecting the human rights of persons with disabilities,

Recalling and reaffirming commitments relating to the human rights and fundamental freedoms of persons with disabilities made at the major United Nations conferences and summits since 1990 and their follow-up processes and stressing the importance of mainstreaming the disability issue in their implementation,

Reaffirming its resolution 2000/51 of 25 April 2000,

Recalling General Assembly resolution 48/96 of 20 December 1993, by which the Assembly adopted the Standard Rules on the Equalization of Opportunities for Persons with Disabilities,

Noting the resolution adopted by the Commission for Social Development on 21 February 2002 on a comprehensive and integral international convention to promote and protect the rights and dignity of persons with disabilities,

Committed to maintaining consistency with the high quality of existing international standards, and drawing the attention of the Ad Hoc Committee established in accordance with General Assembly resolution 56/168 to Assembly resolution 41/120 and to paragraph II.6 of the Vienna Declaration and Programme of Action reaffirming the guidelines relating to the elaboration of new international standards, notably on the need to consult with human rights treaty bodies on the necessity for drafting new standards,

Noting the final report of the Special Rapporteur of the Commission for Social Development on monitoring the implementation of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities for the period 2000-2002 (E/CN.5/2002/4),

Welcoming the resolution adopted by the Commission for Social Development on 21 February 2002 on further promotion of equalization of opportunities by, for and with persons with disabilities and protection of their human rights,

Welcoming also initiatives to hold international conferences relating to persons with disabilities,

Re-emphasizing the responsibility of Governments for removing or facilitating the removal of barriers and obstacles to the full integration and participation of persons with disabilities in society, and supporting their efforts to develop national policies to reach specific objectives,

Recognizing the contribution of non-governmental organizations, especially organizations of persons with disabilities, in the global effort to bring about full participation and equality for persons with disabilities and to ensure the full enjoyment of human rights by persons with disabilities,

Noting the International Labour Organization survey of the law and practice of States parties to Convention No. 159,

Noting with interest the adoption by the Organization of American States of the Inter-American Convention on the Elimination of All Forms of Discrimination against Persons with Disabilities on 7 June 1999 as one good example of regional concern and action,

Also noting with interest the changes brought about by the Treaty of Amsterdam of 1997 enabling the European Community to adopt appropriate measures to combat discrimination on the grounds, inter alia, of disability,

Concerned at the extent of disabilities caused by the indiscriminate use of anti-personnel mines, particularly among civilian populations,

1. *Recognizes* that any violation of the fundamental principle of equality or any discrimination or other negative differential treatment of persons with disabilities inconsistent with the Standard Rules on the Equalization of Opportunities for Persons with Disabilities is an infringement of the human rights of persons with disabilities;

2. *Calls upon* the Secretary-General to maintain the integrity of programmes within the United Nations system relating to persons with disabilities, including the United Nations Voluntary Fund on Disability, in order to promote the rights and the equalization of opportunities and full inclusion within societies of persons with disabilities;

3. *Welcomes* the valuable work undertaken by the Special Rapporteur on disability of the Commission for Social Development as well as his report to that Commission at its fortieth session and supports his recommendations for future action and his proposal for mainstreaming of the disability issue;

4. *Invites* the Special Rapporteur of the Commission for Social Development to address the Commission on Human Rights at its fifty-ninth session on the human rights dimension of his work and also invites him to regularly provide the Commission on Human Rights with reports of experience on the human rights dimension gained by him and his panel through monitoring the Standard Rules;

5. *Recalls* the third global survey undertaken by the office of the Special Rapporteur on disability in collaboration with the World Health Organization;

6. *Calls upon* States to cooperate fully with the Special Rapporteur of the Commission for Social Development, to meet his requests for information and to provide relevant data to the Committee on Economic, Social and Cultural Rights;

7. *Welcomes* the Study on Human Rights and Disability presented at the fifty-eighth session of the Commission on Human Rights and draws the attention of Governments, United Nations bodies, non-governmental organizations and other relevant actors to its recommendations;

8. *Calls upon* the Office of the High Commissioner for Human Rights to consider in its activities implementing the recommendations that relate to it in the Study on Human Rights and Disability;

9. *Urges* Governments to consider nominating persons with disabilities for election to the treaty monitoring bodies, bearing in mind relevant existing considerations for nominations to treaty monitoring bodies;

10. *Takes note with interest* of General Assembly resolution 56/168 of 19 December 2001 establishing an Ad Hoc Committee to consider proposals for a comprehensive and integral international convention to promote and protect the rights and dignity of persons with disabilities;

11. *Recommends* that the Ad Hoc Committee take into account the relationship between the relevant human rights instruments and the Standard Rules and in so doing study carefully the report and proposals made by the Special Rapporteur on disability of the Commission for Social Development at the fortieth session of that Commission;
12. *Requests* the Office of the High Commissioner to make available to the Ad Hoc Committee the Study on the Human Rights of Persons with Disabilities presented at the fifty-eighth session of the Commission on Human Rights;
13. *Invites* States, relevant bodies and organizations of the United Nations system, including relevant human rights treaty bodies, the regional commissions, the Special Rapporteur on disability of the Commission for Social Development, as well as intergovernmental and non-governmental organizations with an interest in the matter, to make contributions to the work entrusted to the Ad Hoc Committee, based on the practice of the United Nations;
14. *Encourages* the Ad Hoc Committee to invite national institutions to make a contribution to the consideration of the issues addressed by the Ad Hoc Committee;
15. *Also encourages* the Ad Hoc Committee to adopt working methods which allow for full participation by relevant non-governmental organizations in its deliberations;
16. *Invites* the Ad Hoc Committee to consider meeting at least once in Geneva before the fifty-ninth session of the Commission on Human Rights and periodically thereafter, and to make an interim progress report to the Commission at that session;
17. *Notes with appreciation* the decision of the Office of the High Commissioner to designate a focal point within the Office whose primary purpose will be to follow questions relating to the human rights of persons with disabilities;
18. *Calls upon* the Office of the High Commissioner to report to the Commission on Human Rights at its fifty-ninth session on progress in the implementation of the recommendations contained in the Study on the Human Rights of Persons with Disabilities presented at the fifty-eighth session of the Commission on Human Rights and on the programme of work of the Office in relation to the human rights of persons with disabilities;
19. *Encourages* non-governmental organizations active in the promotion and protection of the human rights of persons with disabilities to cooperate closely with each other and to provide relevant information to the Committee on Economic, Social and Cultural Rights and to the Office of the High Commissioner for Human Rights;

20. *Also encourages* such non-governmental organizations to avail themselves of the technical assistance of the Office of the High Commissioner for Human Rights to assist them to function effectively in the human rights sphere and encourages Governments to support non-governmental organizations active in the promotion and protection of the human rights of persons with disabilities in accordance with rule 18 of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities;

21. *Recognizes* the right of persons with disabilities, individually and collectively, to form and become members of organizations of persons with disabilities and the right of such organizations to speak for and act as legitimate representatives of their members;

22. *Invites* all the human rights treaty monitoring bodies to respond positively to its invitation to monitor the compliance of States with their commitments under the relevant human rights instruments in order to ensure full enjoyment of those rights by persons with disabilities and to include disability issues, as appropriate, in their preparation of lists of issues and concluding observations and to consider drafting general comments on human rights of persons with disabilities, in addition to General Comment No. 5 of the Committee on Economic Social and Cultural Rights which could serve as a mainstreaming model on disability issues;

23. *Urges* Governments to cover fully the question of the human rights of persons with disabilities in complying with reporting obligations under the relevant United Nations human rights instruments;

24. *Invites* all special rapporteurs, in carrying out their mandates, to take into account the situation and human rights of persons with disabilities;

25. *Urges* Governments to implement, with the cooperation and assistance of relevant organizations, the Standard Rules on the Equalization of Opportunities for Persons with Disabilities, having particular regard for the needs of women, children and persons with developmental and psychiatric disabilities in order to guarantee their human dignity and integrity;

26. *Invites* Governments, civil society and the private sector to contribute to the United Nations Voluntary Fund on Disability, with a view to providing additional support for the implementation of the Standard Rules, within the context of the World Programme of Action concerning Disabled Persons;

27. *Requests* the Secretary-General to continue to ensure appropriate support for the effective functioning of the Long-Term Strategy to Implement the World Programme of Action concerning Disabled Persons to the Year 2000 and Beyond;

28. *Expresses grave concern* that situations of armed conflict have especially devastating consequences for the human rights of persons with disabilities;

29. *Welcomes* increased international efforts in various forums with respect to anti-personnel mines, and in this regard takes due note of the conclusion and entry into force of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction, as well as of the amended Protocol II to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects;

30. *Calls upon* all States and relevant United Nations bodies, including the Voluntary Trust Fund for Assistance in Mine Clearance, to contribute on an ongoing basis to international mine-clearance efforts, and urges States to take further action to promote gender- and age-appropriate mine-awareness programmes and rehabilitation, thereby reducing the number and the plight of victims;

31. *Encourages* the development of programmes for persons with disabilities to enable them to develop their potential to participate fully in all aspects of society;

32. *Requests* the Secretary-General to report annually to the General Assembly on the progress of efforts to ensure the full recognition and enjoyment of the human rights of persons with disabilities;

33. *Also requests* the Secretary-General to transmit to the Commission at its fifty-ninth session the latest report of the Special Rapporteur on disability of the Commission for Social Development on his monitoring of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities;

34. *Calls upon* the United Nations Development Programme and all intergovernmental institutions for development cooperation to integrate disability measures into their mainstream activities and to reflect this in their activity reports;

35. *Requests* all United Nations organizations and specialized agencies to address the problems that exist in creating equal opportunities for persons with disabilities at all levels and to report on how these problems are being solved;

36. *Encourages* Governments to work towards developing appropriate education policies and practices for children and adults with disabilities, to include persons with disabilities in strategies and plans aimed at eradicating poverty, promoting education and enhancing employment, and to take account of the right of persons with disabilities to housing, health care, shelter, transport and supportive equipment;

37. *Invites* the International Labour Organization, in cooperation with Governments and intergovernmental bodies, to take the lead internationally in formulating policies and strategies that will lead to equal job opportunities;

38. *Invites* Governments and non-governmental organizations to collect and collate appropriate information and data on the situation of persons with disabilities to assist in the formulation of effective policies to address issues of equality;

39. *Recommends* that the Office of the High Commissioner for Human Rights take account of information on legislation affecting the human rights of persons with disabilities which has been collected by the Special Rapporteur on disability of the Commission for Social Development;

40. *Invites* multilateral development agencies, in the light of the Standard Rules, to pay due regard to the question of access and related disability rights issues in connection with the projects they sponsor and fund;

41. *Reaffirms* its commitment to ensuring that the human rights of persons with disabilities and their concerns for full participation in all aspects of society continue to be addressed in all of its work;

42. *Decides* to continue its consideration of this question at its fifty-ninth session under the same agenda item.
