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COMMISSION ON HUMAN RIGHTS
Sub-Commission on Prevention of
Discrimination and Protection
of Minorities
Forty-seventh session
Agenda item 16 (b)

PROMOTION, PROTECTION AND RESTORATION OF HUMAN RIGHTS
AT NATIONAL, REGIONAL AND INTERNATIONAL LEVELS:
HUMAN RIGHTS AND DISABILITY

Mr. Alfonso Martínez, Mr. Ali Khan, Mr. Chernichenko,
Mr. Eide, Mr. El-Hajjé, Mr. Fan Guoxiang, Mr. Genot,
Mr. Guissé, Mrs. Gwanmesia, Mr. Hakim, Mr. Hatano,
Mr. Khalifa, Mrs. Koufa, Mr. Lindgren Alves, Mrs. Mbonu,
Ms. Warzazi and Mr. Yimer: draft resolution

1995/... Human rights and disability

The Sub-Commission on Prevention of Discrimination and Protection of
Minorities,

Recalling its resolutions 1993/22 of 20 August 1993 and 1994/10 of
19 August 1994 and the reference therein to the Vienna Declaration and
Programme of Action, adopted by the World Conference on Human Rights, which
reaffirm that persons with disabilities should be guaranteed equal opportunity
through the elimination of all barriers, be they physical, financial, social
or psychological, which exclude or restrict full participation in society,

Noting the report prepared by the Secretary-General (E/CN.4/Sub.2/1994/35) pursuant to the request of the Sub-Commission in resolution 1993/22 for information on the coordination endeavours, and their results, undertaken by the various United Nations organs and bodies concerned with the protection of persons with disabilities,

Noting also that the Commission on Human Rights, in its resolution 1995/58 of 3 March 1995, reaffirmed its commitment to ensuring that the rights of persons with disabilities and their concerns for full participation in community affairs would continue to be addressed in all its work,

Recognizing that the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96, annex) in themselves do not contain legal clauses that obligate States to respect pertinent provisions of the International Bill of Human Rights and other human rights instruments, such as the Convention on the Rights of the Child,

Mindful of its continuing responsibility, under Commission on Human Rights resolution 8 (XXIII) and Economic and Social Council resolution 1235 (XLII), to study, each year, situations which reveal a consistent pattern of violations of human rights and fundamental freedoms set out in the International Bill of Human Rights and in pertinent United Nations treaties,

1. Requests the Secretary-General to report in 1996 to the Sub-Commission regarding coordination endeavours which affect persons with disabilities, with emphasis on activities of the other United Nations organizations and bodies that deal with alleged violations of the legal obligations of States under the International Bill of Human Rights and United Nations treaties that protect persons with disabilities;

2. Encourages all the human rights treaty-monitoring bodies to respond positively to invitations from the Sub-Commission and the Commission to monitor the compliance of States with their commitments under the relevant human rights instruments in order to ensure the full enjoyment of those rights by persons with disabilities and that they respond in writing;

3. Requests the Secretary-General, in continuing response to the concern of the General Assembly expressed in its resolution 48/99 of 20 December 1993 regarding the need to give higher priority and viability to disability issues, to help ensure wide distribution of the report of the

Special Rapporteur, Mr. Leandro Despouy, entitled Human Rights and Disabled Persons (United Nations publication, Sales No. E.92.XIV.4), in which international mechanisms for the protection of persons with disabilities, such as a moderator or ombudsman, are proposed;

4. Recognizes 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;

5. Decides to remain seized of the question and to consider it at its forty-eighth session under the same agenda item.
