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Fifty-ninth session
Agenda item 14 (d)

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

**Albania*, Algeria, Andorra*, Angola*, Australia, Austria, Bangladesh*,
Belarus*, Belgium, Bosnia and Herzegovina*, Brazil, Bulgaria*, Cameroon,
Canada, Costa Rica, Croatia, Cyprus*, Czech Republic*, Chile, Denmark*,
Ecuador*, Finland*, France, Georgia*, Germany, Greece*, Guatemala,
Hungary*, Iceland*, Italy*, Japan, Liechtenstein*, Luxembourg*, Malta*,
Mexico, Morocco*, Netherlands*, New Zealand*, Nicaragua*, Norway*,
Panama*, Philippines*, Poland, Portugal*, Romania*, San Marino*, Senegal,
Serbia and Montenegro*, Slovenia*, South Africa, Spain*, Sudan, Sweden,
Switzerland*, Thailand, Tunisia*, Turkey*, United Kingdom of Great Britain
and Northern Ireland and Uruguay: draft resolution**

2003/... Human rights of persons with disabilities

The Commission on Human Rights,

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,

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

the Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Discrimination against Women and the 1983 Convention concerning vocational rehabilitation and employment (disabled persons) (No. 159) of the International Labour Organization,

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,

Recalling General Assembly resolutions 48/96 of 20 December 1993, by which it adopted the Standard Rules on the Equalization of Opportunities for Persons with Disabilities, and 56/115 of 19 December 2001 on the implementation of the World Programme of Action concerning Disabled Persons,

Recalling also General Assembly resolution 56/168 of 19 December 2001, in which the Assembly established 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, and resolution 57/229 of 18 December 2002, in which the Assembly took note with appreciation of the report of the Ad Hoc Committee on its first session and reaffirmed the need to promote and protect the equal and effective enjoyment of all human rights and fundamental freedoms of persons with disabilities, aware of the contribution that a convention could make in that regard,

Reaffirming its resolution 2002/61 of 25 April 2002 on human rights of persons with disabilities,

Noting the resolution adopted by the Commission for Social Development on 21 February 2003 on a comprehensive and integral international convention to promote and protect the rights and dignity of persons with disabilities,

Recalling the study on human rights and disability presented at the fifty-eighth session of the Commission on Human Rights,

Recognizing the considerable contribution of civil society, including non-governmental organizations, especially organizations of persons with disabilities, to the global effort to bring about full participation and equality for persons with disabilities,

Welcoming in this regard General Assembly resolution 56/510 of 23 July 2002 on accreditation and participation of non-governmental organizations in the Ad Hoc Committee and the decision on the modalities for the participation of accredited non-governmental organizations taken by the Ad Hoc Committee at its first session,

Expressing grave concern that situations of armed conflict have especially devastating consequences for the human rights of persons with disabilities,

Concerned at the extent of disabilities caused by the indiscriminate use of anti-personnel mines and other weapons which may be deemed to be excessively injurious or to have indiscriminate effects, and at the long-lasting impact of these weapons which prevent the full and effective enjoyment of human rights, particularly among civilian populations, and welcoming increased international efforts to address this issue,

Reaffirming 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,

1. *Recognizes* that any violation of the fundamental principle of equality or any discrimination or other unjustified differential treatment of persons with disabilities inconsistent with the Standard Rules on the Equalization of Opportunities for Persons with Disabilities infringes or nullifies and impairs the enjoyment of human rights by persons with disabilities;

2. *Urges* Governments to take active measures to ensure the full enjoyment by persons with disabilities of all human rights and fundamental freedoms, including by removing or facilitating the removal of barriers and obstacles to the equal and effective enjoyment of these rights, as well as by developing national policies;

3. *Takes note with appreciation* of the report of the United Nations High Commissioner for Human Rights on progress in the implementation of the recommendations contained in the report of the United Nations High Commissioner for Human Rights on progress in the implementation of the recommendations in the study on the human rights of persons with disabilities (E/CN.4/2003/88) and requests the Secretary-General to make it available to the Ad Hoc Committee established by the General Assembly in resolution 56/168;

4. *Notes with interest* the elaboration by the Office of the United Nations High Commissioner for Human Rights of a long-term plan in the field of the promotion and protection of human rights of persons with disabilities, in keeping with its multi-track approach, as well as the objectives of the plan set forth in the study, and looks forward to its further implementation;

5. *Calls upon* the Office of the High Commissioner for Human Rights to continue to consider in its activities implementing the recommendations that relate to it in the study on human rights and disability, as well as to continue to strengthen collaboration with other United Nations agencies and bodies;

6. *Underlines* in this regard the importance of strengthening the cooperation and coordination between the Office of the High Commissioner for Human Rights and the Department of Economic and Social Affairs of the United Nations in order to support the work of the Ad Hoc Committee established by the General Assembly in resolution 56/168;

7. *Calls upon* the Office of the High Commissioner for Human Rights to report to the Commission on Human Rights at its sixtieth session on progress in the implementation of the recommendations contained in the study on human rights and disability presented at the fifty-eighth session of the Commission and on the programme of work of the Office in relation to the human rights of persons with disabilities;

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

9. *Invites* the Special Rapporteur on disability of the Commission for Social Development to address the Commission on Human Rights at its sixtieth session on his/her experience of the human rights dimension gained by him/her and the panel of experts through monitoring the Standard Rules on the Equalization of Opportunities for Persons with Disabilities, and looks forward to a continued involvement of the Special Rapporteur in issues relating to disability within the Commission on Human Rights in order to mainstream a disability perspective;

10. *Invites* human rights treaty monitoring bodies to take into account the concerns of persons with disabilities in their lists of issues and concluding observations, to consider drafting general comments and recommendations on the full enjoyment of human rights by persons with disabilities and to integrate a disability perspective into their monitoring activities;

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

12. *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;

13. *Invites* national human rights institutions and non-governmental organizations to strengthen their work on human rights and disability, including by participating actively in the Ad Hoc Committee, and to enhance their level of contributions to the work of the treaty monitoring bodies;

14. *Encourages* Governments and relevant intergovernmental institutions to develop programmes for persons with disabilities to enable them to develop their potential to participate fully in all aspects of society and thus achieve the enjoyment of all their human rights;

15. *Reaffirms* its commitment to continue to contribute to the process established by the General Assembly in resolution 56/168 by, inter alia, providing its recommendations on the full and effective enjoyment of all human rights of persons with disabilities;

16. *Acknowledges* the contributions and support of the Office of the High Commissioner for Human Rights to the process established by the General Assembly in resolution 56/168 on a comprehensive and integral international convention to promote and protect the rights and dignity of persons with disabilities, and encourages the Office to continue to do so in accordance with Assembly resolutions 56/168 and 57/229;

17. *Recalls* the invitation by the Ad Hoc Committee to States, as well as regional commissions, intergovernmental organizations and relevant human rights treaty bodies, within their respective mandates, and non-governmental organizations, national disability and human rights institutions and independent experts with an interest in the matter, to make available to the Ad Hoc Committee suggestions and possible elements to be considered for a convention;

18. *Invites* Governments, civil society and the private sector to contribute to the United Nations Voluntary Fund on Disability, as well as to the voluntary fund established by the General Assembly in resolution 57/229, to support the participation of non-governmental organizations and experts from developing countries, in particular from the least developed countries, in the work of the Ad Hoc Committee;

19. *Calls upon* all United Nations organizations and specialized agencies and all intergovernmental institutions for development cooperation to integrate disability measures into their activities, including by addressing the problems that exist in creating equal opportunities for persons with disabilities at all levels, and to reflect this in their activity reports;

20. *Requests* the Secretary-General to include in relevant reports to the General Assembly information on the progress of efforts to ensure the full recognition and enjoyment of the human rights of persons with disabilities;

21. *Decides* to continue its consideration of this question at its sixtieth session under the same agenda item.
