

## 15th Annual Meeting of Special Procedures

### Note on the Convention on the Rights of Persons with Disabilities and its Optional Protocol



#### Update on the Convention on the Rights of Persons with Disabilities

The Convention on the Rights of Persons with Disabilities (CRPD) and the Optional Protocol were adopted on 13 December 2006. Both instruments entered into force on 3 May 2008. As of 19 May 2008, 26 Countries have ratified the Convention and 129 States have signed it, while 15 States have ratified the OP and 71 have signed it.

Before the end of the year, the Conference of States Parties will be convened and States parties will elect the members of the new treaty body established under the Convention. OHCHR will serve as the Secretariat of the future Committee.

#### Special Procedures and the rights of Persons with disabilities

In its last session, the Human Rights Council adopted a resolution on the human rights of persons with disabilities (A/HRC/7/L.25). In its paragraph 4, the Council “welcomes the attention that several special rapporteurs have paid to the rights of persons with disabilities in carrying out their mandates, and requests special procedures, in carrying out their mandates to take into account the full and equal enjoyment of all human rights by persons with disabilities.”<sup>1</sup>

#### OHCHR support to Special Procedures to mainstream the rights of persons with disabilities in their work

OHCHR is assisting Special procedures to mainstream the rights of persons with disabilities in their work. To this end the Office has organized two expert seminars, one in 2006 on “The right to education of persons with disabilities” for the SR on the right to education; The second one in 2007 on “Freedom from torture and other cruel, inhuman and degrading treatment and punishment and persons with disabilities” for members of the Committee Against Torture and the Special Rapporteur on Torture. Subsequently, both Special Rapporteurs have devoted particular attention to the rights of persons with disabilities within their mandates, including in the drafting of thematic reports, and in their fact finding missions.<sup>2</sup>

<sup>1</sup> See as well HRC See A/HRC/6/L.44 resolution encouraging the Special Rapporteur on the right to health “to pay due attention to the rights of persons with disabilities in the context of the realization of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health”.

<sup>2</sup> See the report of Mr. Muñoz on the right to education of persons with disabilities A/HRC/4/29, and the report on his fact finding mission to Morocco A/HRC/8/10/Add.2. The Special Rapporteur on torture will report in autumn 2008 to the General Assembly on the question of torture and persons with disabilities.

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## **OHCHR work on CRPD and its OP**

OHCHR work on human rights and disabilities goes beyond the future servicing of its Committee. The Office is mandated to promote and protect the enjoyment and full realization of the rights of persons with disabilities.

During the elaboration of the Convention, OHCHR efforts focused on providing technical advice during the negotiations. After its adoption and recent entry into force, OHCHR is working to assist States, civil society and national human rights institutions implement the Convention. OHCHR work on human rights and disability takes place within the wider framework of the High Commissioner's Plan of Action.

In promoting **more synergy in the relationship between OHCHR and the various UN human rights bodies**, and besides assisting special procedures and treaty bodies, the Office is providing relevant inputs on the rights of persons with disabilities through the new Universal Periodic Review Mechanism and is supporting the Human Rights Council efforts to mainstream the rights of persons with disabilities in its programme of work. As mandated by resolution A/HRC/7/L.25, the Office will prepare a thematic study on key legal measures for ratification and effective implementation of the Convention, in preparation for the annual interactive debate that the HRC has decided to hold on this topic during its 10<sup>th</sup> session.

OHCHR promotes as well an **enhanced leadership role for the High Commissioner** in the area of human rights and disability through the elaboration of publications and other information tools on the Convention and its OP such as the "Handbook for Parliamentarians", and supporting the High Commissioner in her continued role of advocator for the ratification and implementation of the Convention by States Parties.

Equally important, in the context of promoting **greater country engagement**, the Office has significantly increased its work on human rights and disability with countries. At the country level, activities of UN human rights field presences have ranged from raising awareness about the Convention, reviewing legislation, undertaking country research, strengthening partnerships with other IGO's NGOs.

OHCHR is establishing **closer partnerships with civil society** and in particular with organizations of persons with disabilities as well as with other **United Nations agencies**, such as with the Department of Economic and Social Affairs, with whom the Office co-chairs and co-organizes the Inter-agency Support Group (IASG) to the Convention.