



Convention on the Rights of Persons with Disabilities

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First session

New York, 31 October and 3 November 2008

Summary record of the 1st meeting

Held at Headquarters, New York, on Friday, 31 October 2008, at 10 a.m.

Temporary President: Mr. Sha Zukang

(Under-Secretary-General for Economic and Social Affairs)

President: Mr. Heller (Mexico)

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The meeting was called to order at 10.15 a.m.

Opening of the Conference of States Parties by the representative of the Secretary-General

1. **The Temporary President**, speaking as representative of the Secretary-General, said that on the occasion of the first session of the Conference of States Parties to the Convention on the Rights of Persons with Disabilities, it was worth recalling that the Convention was the result of many years of dedicated work by Member States and the United Nations system, in close collaboration with civil society and, particularly, with organizations of persons with disabilities.

2. The significance of the Convention could not be overstated, for the Convention recognized and sought to reinforce the fundamental interdependence between human rights and development, and provided a powerful framework for developing effective policies and strategies to bring persons with disabilities into the mainstream of all development processes. Given that there were some 650 million such persons in the world, it was important to fully exploit the momentum that had been built through the Convention process so as to bring about real change in their lives. He therefore called upon those Member States who had not yet signed or ratified the Convention to do so swiftly.

3. That first session would pave the way for the future work of the Conference, in policy and legislative development to support implementation of the Convention for, under article 40 of the Convention, the Conference would consider any matter with regard to the implementation of the Convention.

4. He reaffirmed the commitment of the Department of Economic and Social Affairs to serving as secretariat for the Conference, and said that it would continue to work closely with all stakeholders by providing normative and policy guidance, technical assistance and capacity development, and by promoting effective strategies to ensure the full participation of persons with disabilities in all aspects of society, and their inclusion in the global development agenda. In that respect, the Department and the Office of the High Commissioner for Human Rights continued to guide the United Nations Inter-Agency Support Group for the Convention on the Rights of Persons with Disabilities, which sought to ensure, for example, that all country-

level activities of the United Nations system were inclusive and accessible.

5. Finally, he said that it was important to strengthen the linkages between global efforts and regional frameworks, and to develop options for interregional cooperation; together, they would support national action and reinforce global normative frameworks.

Video message from the High Commissioner for Human Rights

6. **Ms. Pillay** (High Commissioner for Human Rights), addressing a message by video link, said that although the world was about to celebrate the sixtieth anniversary of the Universal Declaration of Human Rights, the experience of more than half a billion persons with disabilities was far removed from the vision of a world in which the civil, political, economic, social and cultural rights of all human beings were realized without distinction. Indeed, in many cases, they faced a situation of exclusion and indignity, as illustrated by the fact that, in the developing world, only 2 per cent of children with disabilities received any formal education, and that in all parts of the world, a disproportionate number of persons with disabilities lived in poverty, underscoring the direct link between disability and the denial of economic rights.

7. Persons with disabilities had remained invisible in human rights discourse and had gained few benefits from the system crafted to promote and protect the human rights of all. Nevertheless, the speedy elaboration of the Convention and its Optional Protocol, and their rapid entry into force attested to the international community's firm commitment to transforming human rights into a legal framework which was inclusive and truly universal.

8. The Convention confirmed persons with disabilities as full and active members of society, with rights and entitlements, rather than as people dependent on goodwill or charity. As such, the Convention was about change. It asserted the right of persons with disabilities to live independently in the community, and make their own choices, in particular by affirming their right to enjoy legal capacity on an equal basis with others. Through its principle of reasonable accommodation, the Convention made it possible to identify the many barriers to the inclusion

of persons with disabilities as full participants in society, while outlining the steps that States were legally bound to take to provide the conditions in which women, men, girls and boys could access the full range of human rights. Moreover, by recognizing the specific experience of women and children with disabilities, the Convention acknowledged that discrimination on the ground of disabilities could be compounded by other factors.

9. It was imperative that the obligations under the Convention be implemented at the national level. While changes in law, policies and programmes would be required, a change in attitude was also necessary. The obligation for implementation fell to States parties, but it was the responsibility of all to make the oversight mechanisms provided by the Convention and its Optional Protocol widely known.

10. Finally, recalling that, during the negotiations for the Convention, organizations of persons with disabilities had coined the phrase “Nothing about us without us” and that the Convention called on States parties to consider the importance of representation of persons with disabilities, she said that she was encouraged to see that many of the names that had been put forward for membership in the soon-to-be-established Committee were themselves persons with disabilities. She pledged her Office’s full support of the work of the Conference and the committee.

Election of the President and other officers of the Conference

11. *Mr. Heller (Mexico) was elected President of the Conference by acclamation.*

12. *Mr. Dumisani Kumalo (South Africa), Mr. Mohammed F. Al-Allaf (Jordan), Mr. Gábor Bródi (Hungary), and Ms. Rosemary Banks (New Zealand) were elected Vice-Presidents by acclamation.*

13. *Mr. Heller (Mexico) took the Chair.*

14. **The President**, after thanking the former bureau of the ad hoc committee, especially Costa Rica and the Czech Republic, whose contributions had been essential to the successful conclusion of the drafting of the Convention, said that the latter would help consolidate a cultural change and foster new attitudes in society on how to address the situation of persons with disabilities, who were now recognized as full

subjects of rights and as active members of society, having the autonomy and freedom to make decisions.

15. Finally, he paid tribute to Mr. Gilberto Rincón Gallardo of Mexico, who, in 2001, had proposed the creation of a wide-ranging international convention to protect disabled persons, and expressed the hope that the Conference would achieve the goals he had envisioned.

Adoption of the agenda (CRPD/CSP/2008/2)

16. *The agenda was adopted.*

Adoption of the rules of procedure for the Conference (CRPD/CSP/2008/3)

17. *The provisional rules of procedure were adopted.*

18. **The President** clarified, in relation to rule 25, 5 (c) of the rules of procedure, that the Conference would continue to abide by the principle of non-objection to the circulation of requests for participation of non-governmental organizations issued in time to be given due consideration by States parties.

19. **Mr. Abdelaziz** (Egypt) drew attention to the need, when electing members of the committee, to comply with rule 17, which referred to equitable geographical distribution, representation of the different forms of civilization and of the principal legal systems, balanced gender representation and participation of experts with disabilities.

Matters related to the implementation of the Convention

(a) Interactive panel discussion on the theme “The Convention on the Rights of Persons with Disabilities as a human rights instrument and a tool for achieving the Millennium Development Goals”

20. **Ms. Connors** (Office of the United Nations High Commissioner for Human Rights) said that the Convention was part of a new generation of human rights treaties, both in substance and procedure. In substance, it not only affirmed that persons with disabilities were full holders of rights, but it also entrenched innovative principles and obligations. The principles included not only the well-known principles of respect for inherent dignity and individual autonomy but also new principles such as respect for difference and acceptance of persons with disabilities as part of

human diversity and humanity. States parties' obligations had also been expanded to include universal design, promotion of research and promotion of training. The Convention put emphasis on the fact that measures necessary to accelerate or achieve de facto equality of persons with disabilities did not constitute discrimination and on the elimination of stereotypes. It also highlighted the multiple discrimination that women and children with disabilities faced.

21. The Convention was innovative in delineating the obligations of States parties in a clear and detailed manner: States were required to make steady progress and to take specific action, regardless of resource constraints. Such obligations included that of developing time-bound plans of action focusing on persons with disabilities, ensuring that adequate and proportionate levels of funding were allocated to the realization of those rights and that existing funds were used efficiently and effectively, and the obligation to seek help from the international community when needed.

22. As regards accountability, the Convention stated clearly that, at the national level, States were required to provide remedies for failure to implement it, while also providing accountability mechanisms for the national and international levels.

23. The Convention emphasized national level implementation and monitoring, requiring States parties to designate focal points for matters relating to implementation, to consider the establishment or designation of a coordination mechanism, and to maintain or establish a framework to monitor implementation of the Convention. It also called for the full involvement and participation of civil society, in the national monitoring process.

24. The Convention provided for international monitoring through a reporting procedure, while the Optional Protocol allowed for petitions and inquiries. It was crucial that those procedures be considered as a process of dialogue between the Committee and the States parties. The Convention's strength lay in its substance and in the fact that it provided a space — through its monitoring and implementation mechanisms — where those whom it sought to benefit could participate.

25. **Ms. Mayanja** (Assistant Secretary-General and Special Adviser on Gender Issues and Advancement of

Women) said that the Convention had been specifically drafted to integrate human rights and development. It was an essential tool not only for achieving the Millennium Development Goals, but also for developing policies and programmes aimed at mainstreaming the rights of persons with disabilities in society and in development.

26. There was increasing recognition that persons with disabilities must be included in all areas of society and development. Their participation must be an integral part of ongoing efforts to realize internationally agreed development goals, such as the Millennium Development Goals. To that end, the rights of persons with disabilities must be mainstreamed in all aspects of development and Governments must be made accountable.

27. Progress on a number of Millennium Development Goals was closely related to progress on issues affecting persons with disabilities. With respect to Goal 1, there was a strong link between poverty and disability; persons with disabilities often experienced higher rates of poverty, illiteracy and unemployment. With respect to Goal 2, the overwhelming majority of children with disabilities in developing countries did not attend school. With regard to Goal 4, children with disabilities in poor countries often had little or no access to health care. With regard to Goal 5, many maternal health facilities did not have staff who were trained or knowledgeable about caring for pregnant women with disabilities; accordingly, the latter's reproductive health needs might be totally overlooked. Often, efforts to combat HIV/AIDS, malaria and other diseases, as per Goal 6, did not include interventions accessible to persons with disabilities, and even simple health education materials were not available in accessible formats.

28. She recalled that not only was a gender perspective mainstreamed throughout the Convention, but the latter also had a stand-alone article on women with disabilities. Experience suggested that in order to make meaningful progress in addressing the Convention's goals, the international community must begin addressing challenges immediately.

29. Finally, she said that the Department of Economic and Social Affairs was committed to working closely with national and regional leaders to develop options for promoting policies and programmes aimed at advancing the rights of persons with disabilities in the

context of development. Best practices on mainstreaming disability in development must be shared at all levels in order to provide the basis for evidence-based strategies to guide international cooperation. She expressed the hope that States parties to the Convention would highlight such best practices in their reports and that, in their country reports on the Millennium Development Goals, States would address the rights of persons with disabilities. That implied that persons with disabilities and their respective organizations should be included in the preparation of such reports.

30. **Ms. McClain Nhlapo** (World Bank), accompanying her statement with a computerized slide presentation, said that the Convention presented a comprehensive and pragmatic framework for achieving the Millennium Development Goals. With its inclusive development mandate, it stood to trigger the social inclusion of people with disabilities into mainstream society. Most development practices currently excluded such people. The Millennium Development Goals were a tool for measuring results. Disability, though directly related to their attainment, was not mentioned in any of the Goals or in the related targets or indicators.

31. As to how the Convention could serve as a tool for achieving the Millennium Development Goals, she said that Goal 1, on eradicating extreme poverty and hunger, could be addressed by considering article 28, paragraph 2 (b), and article 32, paragraph 1 (a), of the Convention. The preamble to the Convention highlighted the fact that the majority of persons with disabilities lived in conditions of poverty. Disability was strongly associated with poverty; of the estimated 650 million persons with disabilities, 70 per cent lived in developing countries and 82 per cent lived below the poverty line. Disability impacted not only the individual, but also the family; potentially over 2 billion people worldwide could be affected. Moreover, failure to address the barriers that prevented persons with disabilities from escaping poverty would seriously undermine the effectiveness of anti-poverty programmes.

32. Goal 2, regarding universal primary education, would not be achieved unless an effort was made to reach out to children with disabilities. Of the 150 million children not attending primary school in the developing world, an estimated 40 million had a disability. Article 24 of the Convention stressed the rights of persons with disabilities to education.

33. Noting that poor women and girls had the least power in society, she said that Goal 3, on promoting gender equality and empowering women, could be addressed by considering article 3, paragraph (g), and article 16, which dealt with freedom from exploitation, violence and abuse. With regard to Goal 4, on reducing child mortality, she said that children with disabilities were at greater risk of dying, in part because in many countries they were neglected or left to die. In that regard, she offered article 10 of the Convention.

34. With regard to Goal 5, on improving maternal health, and Goal 6, on combating HIV/AIDS, malaria and other diseases, she said that women with disabilities were more likely to be victims of sexual abuse and less likely to have access to public health information, making them more at risk of unwanted pregnancies and HIV/AIDS and other sexually transmitted diseases. Article 25, which dealt with the rights of persons with disabilities to access to health services, was very instructive in that regard. National HIV/AIDS councils, policies and programmes must address the issue of persons with disabilities.

35. In respect of Goal 7, on ensuring environmental sustainability, she said that natural disasters were a cause of disability. Failure to incorporate universal design — one of the terms defined in article 2 of the Convention — into post-disaster reconstruction created long-term barriers to accessibility at a time when such accessibility could in most cases be produced in a very cost-effective manner. Articles 9, 11 and 28 of the Convention were instructive in that regard.

36. Lastly, with regard to Goal 8, on developing a global partnership for development, she said that the word “partnership” highlighted the role of civil society and organizations of persons with disabilities in promoting inclusive development. Such notions were found in the preamble to the Convention, in article 4 and, most vividly, in article 32. It was clear that, if applied in accordance with the general principles, the Convention’s substantive articles could indeed act as a lever for attaining the Millennium Development Goals.

37. **Mr. Quinn** (Professor of Law and Director of the Centre for Disability Law and Policy at the National University of Ireland) said that the problem of how to translate what should be into what could be affected all treaties. An exclusive reliance on international monitoring was not enough. Fortunately, the framers of the Convention, seeing that, had added article 33. The

article was genuinely novel, since it required the existence or establishment of a domestic institutional architecture for change involving implementation, monitoring and consultation. If that domestic institutional architecture could be made to work, the Convention might well shape the law reform agenda in a meaningful way.

38. In assessing the significance of article 33, it should be borne in mind that the Convention had been necessary because of repeated failures to consider the claims of persons with disabilities as just claims. The Convention's key message was, perhaps, that persons with disabilities should be viewed not as objects to be managed, but as subjects who deserved equal respect and rights.

39. While many people saw the Convention as a magic bullet it was unlikely that the Convention would coerce recalcitrant States into doing what they would otherwise not do. It was important, therefore, to consider the Convention's persuasive value; only when the Convention's values became internalized would change become self-sustaining. Such a process had already occurred in a minority of States. However, the majority of States had yet to internalize those values. If the Convention continued to be seen as an externality, only marginal change could be expected.

40. The question, therefore, was how to accelerate the internalization process, how international monitoring could play a role in ensuring that domestic policy adjusted to the Convention's values. Whereas lawyers were inclined to value legal instruments according to whether or not they were useful in challenging unjust laws and policies, it would be a mistake to assess the Convention's potential on that basis alone. Its real potential lay in its ability to transform the domestic political process that had brought about those laws in the first place. The true test, therefore, was whether the Convention would be able to reshape "normal" politics to the point where consideration of the just claims and rights of persons with disabilities became a natural reflex, rather than an afterthought.

41. The key to ensuring that the Convention became an engine for domestic law reform lay in article 33. Article 33, paragraph 1, was unusual in that it specifically required States parties to designate one or more focal points within Government for matters relating to implementation. Such a provision was

clearly intended to correct the tendency of all systems to place disability issues in a wide range of Government departments with no coordinating mechanism. That same paragraph went on to require that States parties put in place a coordination mechanism within Government. That provision was genuinely novel. While there was a wide diversity of legal cultures around the world, it was at least implicit from the obligations contained in article 4 — and explicit in the emphasis, in article 33, on a coherent focal point — that some form of national strategy must be drawn up. Moreover, article 4 required all that to be done in close consultation with persons with disabilities.

42. Article 33, paragraph 2, required States parties, *inter alia*, to maintain or establish a framework, including one or more independent mechanisms, to monitor implementation of the Convention, taking into account the principles relating to the status and functioning of national institutions for protection and promotion of human rights. The provision's underlying purpose was to provide a strong independent analogue to the implementation role of Government. The image at play, therefore, was one of a coherent Government focal point that innovated with policy on the basis of a clear understanding of the actual status of persons with disabilities and a clear policy prescription, together with an independent mechanism responsible for monitoring compliance and protecting people through appropriate judicial and administrative mechanisms. National human rights institutions had been quite active during the drafting of the Convention and, in anticipation of their important roles under article 33, were beginning to help each other build capacity.

43. Fittingly, the last paragraph of article 33 spoke directly to the need for civil society to be involved and participate fully in the monitoring process. That provision was an analogue to article 4, paragraph 3, which required such engagement on the part of Government.

44. In conclusion, he said that the Convention should be viewed as a powerful tool that would transform the political process to the point where justice and rights for persons with disabilities was seen as the primary departure point, not an annoying distraction. Civil society must develop new entrepreneurial skills with respect to the multiple layers of actors at the international level and with respect to Governments and national institutions, and come forward with

considered judgements about what was wrong and with blueprints for change. National human rights institutions, meanwhile, must assume their new responsibilities and begin to champion the rights of persons with disabilities.

45. The Convention should provide an opportunity for countries to reflect on where they were and where they needed to go. Consultation with civil society was essential in that regard, because it engendered a form of disability politics that could sustain the momentum for change through partnership. Most of all, there must be constructive interaction between Government focal points, national human rights institutions and civil society. In short, the Convention paved the way for a new dynamic of disability politics, one that promised to overcome the deficits of the past.

46. **Ms. Amegatcher** (International Disability Alliance-Convention on the Rights of Persons with Disabilities Forum), after explaining that her organization was a network of international and regional organizations of persons with disabilities that had been established to promote the swift ratification and implementation of the Convention, said that while the Millennium Development Goals were relevant to persons with disabilities they included no specific reference to them. The Goals could not be achieved unless the measures taken to achieve the goals took account of persons with disabilities.

47. With regard to Goal 1 concerning the eradication of poverty, she said that, according to World Bank estimates, approximately 20 per cent of the poorest of the poor were persons with disabilities. Moreover, persons with disabilities were more likely than others to be unemployed or underemployed. Articles 27 and 28 of the Convention recognized the rights of persons with disabilities to work and employment and to an adequate standard of living and provided guidance for Governments on what steps to take.

48. According to the United Nations Educational, Scientific and Cultural Organization (UNESCO) one third of children not in school had a disability; other studies had shown that, in developing countries, only 1 or 2 per cent of children with disabilities received an education. Clearly, Goal 2, concerning universal primary education, could not be met without giving attention to children with disabilities. Article 24 of the Convention addressed that issue.

49. The target concerning universal access to reproductive health, under Goal 5, made no mention of women with disabilities. Article 25 of the Convention addressed the need of those women for access to such services on an equal basis with other women. It also addressed the issue of HIV/AIDS, which related to Goal 6, concerning HIV/AIDS, malaria and other diseases. There was very little data on the number of persons with disabilities with HIV/AIDS, largely because they were often assumed to be asexual. In fact, initial reports suggested that many persons with disabilities were affected by HIV/AIDS.

50. With regard to Goal 7, she said that many measures to ensure environmental sustainability, required investment in new infrastructure. As stated in article 9 of the Convention, it was important to ensure that all infrastructure was fully accessible to persons with disabilities.

51. Goal 8, concerning a global partnership for development, was important for, traditionally, persons with disabilities who had been left out of poverty reduction strategies. Under article 32, States parties were required to ensure that international cooperation was inclusive of and accessible to persons with disabilities, and article 28 specified how to ensure access of such persons to poverty reduction programmes.

52. Finally, recalling that article 4 of the Convention required States Parties, inter alia, to take into account the protection and promotion of the human rights of persons with disabilities in all policies and programmes, she said that that would also apply to international cooperation programmes. Accordingly, she proposed that the United Nations Development Assistance Framework be revised to include persons with disabilities as a target group and that the Secretariat should produce a guidance document on how to include the rights of persons with disabilities in international cooperation policies, programmes and projects. Organizations representing persons with disabilities should be involved in the revision of the Framework and in the preparation of the guidance document.

53. **The President** called for questions or comments from the delegations.

54. **Mr. Al-Shami** (Yemen) announced that his country had ratified the Convention and its Optional Protocol on 18 October.

55. **Mr. MacKay** (New Zealand), noting that the Convention's effectiveness would depend on how it was implemented, asked what processes could be used to assist States in sharing best practices, especially at the important early stages of implementation.

56. **Mr. Csuday** (Hungary), referring to the exhibition featuring World Bank rehabilitation projects and services for persons with disabilities that had just opened at the headquarters of the Council of Europe, said that such projects were very important in countries with low gross domestic product. He asked whether World Bank planned to continue those projects and whether such projects would include a human rights perspective.

57. **Ms. Espinosa** (Ecuador) said that her delegation was honoured to have participated in the drafting and ratification of the Convention. In developing its own national development plan — which took account of the rights of persons with disabilities — her Government had taken the Millennium Development Goals as a point of reference. It was committed to ensuring that such persons were able to exercise their rights fully and hoped that States and non-governmental organizations would continue to work actively to further that cause.

58. **Ms. Gendi** (Egypt) asked how synergy could be achieved between the full implementation of the Convention with that of the World Programme of Action concerning Disabled Persons and how the Office of the High Commissioner for Human Rights and the Department for Economic and Social Affairs could coordinate their activities in order to implement the Convention effectively.

59. **Mr. Pirez** (Cuba) said that it was important to focus on both the human rights and the developmental aspects of the Convention in order to safeguard the rights of persons with disabilities. Cuba would continue to support programmes, inter alia, in the fields of health, education and employment, in order to ensure the rights of persons with disabilities.

60. **Ms. Abdel Jawwad** (Jordan) said that, in accordance with article 33, paragraph 1, of the Convention, Jordan had designated the Higher Council for the Affairs of Persons with Disabilities, to be the focal point mandated to coordinate disability issues within the Government. It had also developed a national strategy for the affairs of persons with disabilities. The Council was mandated to monitor

implementation of that strategy and of the Convention. The Council provided technical assistance to Government bodies and, in partnership with others, it also worked on awareness-raising.

61. Finally, she requested clarification regarding the relationship between the coordinating mechanisms referred to in article 33, paragraph 1, of the Convention, and the independent monitoring mechanisms referred to in article 33, paragraph 2.

62. **Mr. Liu Zhenmin** (China), noting that there were 83 million persons with disabilities in China, said that his Government recognized the importance of improving their situation as part of its endeavour to build a harmonious society. It had amended domestic law in order to bring it into line with the Convention. Moreover, during the recent paralympic games, Government leaders had joined athletes and representatives of organizations of persons with disabilities from all over the world in appealing to the international community for more attention to the needs of persons with disabilities and for more practical action in support of the Convention. Promotion and protection of the rights of persons with disabilities was not just a human rights issue, but also a development issue.

63. Finally, he said that his Government had nominated Professor Yang Jia, who was blind, as a candidate for membership in the Committee.

64. **Mr. Palime** (South Africa) asked what measures Governments should take with regard to setting specific indicators and targets, and with regard to monitoring, evaluation and reporting. He also wondered how best to incorporate the specific issues mentioned in the Convention into national legal frameworks and whether it would be easy to mobilize resources to implement the Convention. Finally, he urged countries that had not yet ratified the Convention to do so.

65. **Mr. Punkrasin** (Thailand), recalling that his country had been involved in the drafting of the Convention since its inception, said that participation of civil society — particularly persons with disabilities — using information and communications technologies had been encouraged from the very beginning. That participation and Internet interaction should continue. Advanced information and communications technologies were vital tools for

persons with disabilities since they made it possible for such people to participate fully in all aspects of life.

66. Article 9 of the Convention, concerning accessibility, was particularly important. He urged States Parties to increase investment in infrastructure and to promote educational and employment opportunities for persons with disabilities and expressed the hope that the Convention would eventually be universally ratified by all States.

67. **Mr. Sow** (Guinea) said that it would not be possible to achieve the Millennium Development Goals unless particular emphasis was placed on promoting the interests of persons with disabilities. Since no progress could be made without resources, the soon-to-be-elected Committee should be given the necessary budgetary support.

68. Noting that the procedure for selecting members of the Committee was outlined in article 34 of the Convention, he said that Guinea hoped to be represented in the Committee and had nominated Mr. Diop, president of the Panafrican Federation of the Disabled. Mr. Diop was deaf.

69. **Ms. Beauchamp** (Australia), noting that the panel had highlighted how robust the Convention was with regard to the achievement of the Millennium Development Goals, particularly in the areas of monitoring, policy design and accountability, said that the Convention was a tool that focused on “duty” and “obligation”, whereas the Goals focused on “will” and “commitment”. States Parties should ensure that the Goals were being achieved for all and that persons with disabilities were not being left behind. A development approach was needed together with a rights-based approach.

70. Her delegation looked forward to working with other States Parties, civil society and the Committee to improve the situation of persons with disabilities. Noting that, in order to do the latter, it was necessary to provide access to services and opportunities and that such services and opportunities must be supported by appropriate resources — which might be difficult to do in developing environments — she asked what could be done to ensure that the needs of persons with disabilities were included in development activities in situations of conflict or where the normal delivery of services had been disrupted.

71. **Mr. Lotulya** (Kenya) said that Kenya was committed to improving the well-being of persons with disabilities and had ratified the Convention. Furthermore it had nominated a candidate for the Committee to be established under article 34 of the Convention.

72. If the Convention was to be a tool for the achievement of the Millennium Development Goals, all countries should ratify it as quickly as possible. Moreover, developing countries required assistance in collecting data on the number — and the development needs — of persons with disabilities; such data would, in turn, guide Governments in making appropriate plans and policies.

73. **Ms. Viotti** (Brazil), noting that it was the first time her Government had ratified a convention whose provisions were already reflected in the Constitution, said that Brazil continued to make important strides in promoting the rights of persons with disabilities through affirmative action and other policies. Her Government was committed to the Goals of the Convention and had nominated a candidate for the new the Committee.

74. **Ms. Peláez** (Spain) said that the Convention was key to mainstreaming the rights of persons with disabilities in all aspects of human rights. Since women and children with disabilities suffered more from discrimination than others, their needs should be taken more fully into account. While articles 6 and 7 and others did contain references to gender and children, article 27 did not. That was unfortunate, for not only did women with disabilities find it particularly difficult to get a job, but children who worked under terrible conditions often ended up with disabilities. Finally, she asked the panellists how the issue of persons with disabilities could be extended to other international human rights conventions.

75. **Mr. Jrsic** (Slovenia) said that, from the beginning, Slovenia had supported the idea of the Convention and had been among the first countries in the European Union to ratify it. The Convention would be helpful in developing policies and structures to ensure the mainstreaming of persons with disabilities and was an essential tool for achieving the Millennium Development Goals. He expressed support for the proposals put by the various panellists.

76. **Mr. Al-Shaf** (Qatar) said that Qatar attached great importance to the rights of persons with

disabilities, particularly in connection with development. It had already ratified the Convention and amended its domestic legislation to bring it into line with the Convention.

77. **Ms. Ochoa** (Mexico) asked whether the World Bank had a framework for financing programmes and projects for people with disabilities, adding that it would be important to create synergies in order to facilitate multilateral cooperation and to mobilize resources. She echoed previous speakers' calls for the speedy ratification of the Convention and suggested that a promotion campaign be launched for that purpose.

78. **Mr. Ramadan** (Lebanon) said that Lebanon hoped to ratify the Convention in the near future. Given the link between poverty and disability, full realization of the objectives of the Convention would depend on the provision of international resources. States, too, should allocate a portion of their national budget to that purpose. He asked whether the World Bank had mainstreamed the issue of disabilities in its assistance programmes and if so, to what extent.

79. **Mr. Saadi** (Algeria) said that his Government attached great importance to the rights of persons with disabilities and to their participation in the development process. Its ratification of the Convention was in the final phases. He pointed out that, in order to achieve the noble aims of the Convention, developing countries would need both adequate resources and political will.

80. **Ms. Morgan-Moss** (Panama) underlined the importance of the election of experts to the new Committee and said that her Government had put forward a candidate who would be eminently suitable.

81. **Mr. Jokinen** (International Disability Alliance-Convention on the Rights of Persons with Disabilities Forum) said that the United Nations should take steps to ensure that the Convention was the superseding instrument with regard to all United Nations policies and programmes, particularly the United Nations development agenda. He would welcome the panellists' views on how that might be done.

82. **Ms. Tiramonti** (Argentina) said that Argentina had already taken a series of measures to implement the Convention.

83. **Ms. McClain Nhlapo** (World Bank), responding to the question put by the representative of Lebanon,

said that the World Bank had contributed to the development of a manual entitled "Making PRSP Inclusive", which provided guidance on mainstreaming the issue of disabilities and which was to be used in-country and also within the Bank. It had taken a twin-track approach, which involved mainstreaming disability throughout its work, but also developing small, specialized projects to develop best practices. Some 6.7 per cent of its programmes and projects took the issue of disabilities into account. It had also held high-level discussions on the implications of the Convention for its development work.

84. **Ms. Mayanja** (Assistant Secretary-General and Special Adviser on Gender Issues and Advancement of Women) said that best practices already existing at the regional and international levels should indeed be brought to the attention of the States Parties. Other processes that could be useful in assisting States to share best practices and to focus on disabilities included the Annual Ministerial Review of the Economic and Social Council and the Millennium Development Goals country reports. Regarding the synergies to be achieved between the Convention and the World Programme of Action concerning Disabled Persons, the Convention was the most recent legal framework agreed on by the international community and as such provided guidance on programmes and reinforced the World Programme of Action.

85. **Mr. Quinn** (Professor of Law and Director of the Centre for Disability Law and Policy at the National University of Ireland) said that the Conference of States Parties had enormous potential to become a vital agent of change, as a platform for debate, where not just challenges, but also solutions and innovative practices could be explored for individual countries. Once it had been decided whether the Conference was to become a platform for debate and which issues were a priority, then States Parties could discuss which body was most appropriate to carry the agenda forward.

86. Turning to the question put by the representative of Jordan, he said that the mechanism referred to in article 33, paragraph 1, dealt with domestic implementation of the Convention, whereas that referred to in article 33, paragraph 2, dealt with domestic monitoring. While some ambiguity remained, it was his understanding that the coordination mechanism mentioned in the first paragraph was to be part of the Government and have ministerial, not just

advisory, status. The mechanism in paragraph 2 should be completely independent from Government.

87. **Ms. Connors** (Office of the High Commissioner for Human Rights) said that both the Conference of States Parties and the Universal Periodic Review presented excellent opportunities for sharing best practices and addressing the challenges facing States in fulfilling their legal obligations under international instruments. With regard to the potential synergies between a legal instrument and a policy document, she said many excellent examples already existed, including between the Convention on the Elimination of All Forms of Discrimination against Women and the Beijing Platform for Action, in which the Platform provided guidance on the implementation of the legal obligations of the Convention.

88. Both the Human Rights Council and the soon-to-be-established Committee could help mainstream the rights of persons with disabilities in the wider human rights system.

89. **Ms. Amegatcher** (International Disability Alliance-Convention on the Rights of Persons with Disabilities Forum) said that the Convention superseded all other documents on the rights of persons with disabilities. She urged Member States and civil society representatives to educate their Governments and the general public in order to move the Convention's agenda forward.

The meeting rose at 1.10 p.m.