



**Convention on the Rights
of Persons with Disabilities**

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Committee on the Rights of Persons with Disabilities

Second session

Geneva, 19–23 October 2009

**Report of the Committee on the Rights of Persons
with Disabilities on its second session***

* Late submission.

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I. Organizational and other matters

A. States parties to the Convention on the Rights of Persons with Disabilities and its Optional Protocol

1. As at 23 October 2009, the closing date of the second session of the Committee on the Rights of Persons with Disabilities, there were 71 States parties to the Convention on the Rights of Persons with Disabilities and 45 States parties to its Optional Protocol. The Convention and its Optional Protocol were adopted by the General Assembly in its resolution 61/611 of 13 December 2006 and opened for signature, ratification and accession on 30 March 2007. In accordance with its article 45, paragraph 1, the Convention entered into force on 3 May 2008. In accordance with its article 13, the Optional Protocol entered into force at the same time as the Convention, in accordance with article 13, paragraph 1, of the Optional Protocol.

2. A list of States parties to the Convention and a list of States parties to the Optional Protocol are contained in annex I of this report.

B. Opening of the second session of the Committee

3. The session was opened by the Chief of the Human Rights Treaties Branch, Ibrahim Salama, who emphasized the important focus of the work of the Committee on the Rights of Persons with Disabilities, particularly the adoption of the core documents, and assured the members of his commitment, and of that of his Office, to fully comply with the spirit of the Convention. He encouraged them to continue the momentum of the Convention, which he considered a key to guaranteeing equal protection to the rights of the persons with disabilities.

4. The Chair of the Committee, Mohammed Al-Tarawneh, delivered an opening speech, welcoming everyone to the second session, and he spoke about the importance of finalizing the core documents of the Committee to prepare for the arrival of the reports of States parties in 2011. He also emphasized the importance of working together: civil society, the many United Nations agencies and States parties alike, for the full implementation of the Convention.

C. Adoption of the agenda and organization of work

5. The Committee reviewed and adopted the provisional agenda (CRPD/C/2/1), to include key issues relating to its work. The Committee also adopted the report on its first session (CRPD/C/1/1).

D. Intersessional activities

6. The Committee reviewed and adopted the report of intersessional activities, including the report of the Chairperson on the activities undertaken between the first and the second sessions and the draft reporting guidelines prepared by the working group on the reporting guidelines for States parties.

E. Membership of the Committee

7. The Committee on the Rights of Persons with Disabilities was established in accordance with article 34, paragraph 1, of the Convention, with the first 12 members of the Committee being elected by the Conference of States Parties on 3 November 2008; second midterm elections are expected in September 2010.

8. A list of members of the Committee, indicating the duration of their terms of office, is contained in annex II of the present report. All members attended the session.

II. Action taken during the second session

A. Reporting guidelines

9. The Committee used the following as its working languages: English, Spanish, Arabic, Chinese and French.

10. The Committee completed its discussion of various issues related to the reporting guidelines, and approved the final text with some amendments (see CRPD/C/2/3).

B. Day of general discussion

11. On Wednesday 21 October, a day of general discussion was held at the Palais des Nations on the topic of article 12 of the Convention, equal recognition before the law. The discussion was attended by representatives of States parties, civil society, and other interested parties.

12. The day of general discussion was opened with a speech by the Chief of the Human Rights Treaties Branch, Ibrahim Salama. He welcomed all attendees, and expressed his support for the proceedings.

13. Opening remarks were then given by the Chair of the Committee, Mohammed Al-Tarawneh, who mentioned the importance of article 12, and looked forward to the constructive dialogue facilitated by the day of general discussion.

14. Presentations throughout the day were given by five non-governmental organizations (NGOs), the list of which is contained in the annex to the present document.

15. At the end of the day of general discussion, the Committee welcomed the participating entities in the day of general discussion, recognizing the valuable contributions of civil society, and expressed the hope that non-governmental organizations would continue to work with the Committee to promote further ratification and accession to the Convention and to its Optional Protocol.

C. Re-election of the Committee Chairperson and its Bureau

16. With reference to the election of the Committee Chairperson and its Bureau during the first session (CRPD/C/1/2, paras. 13 and 14), and the subsequent request by the Chairperson for legal advice by letter dated 10 March 2009, the Chairperson of the Committee, Mr. Al-Tarawneh, provided a letter from the High Commissioner for Human Rights, dated 22 April 2009 which stated, in accordance with advice received from the Office of Legal Affairs, that according to the definition of a simple majority as expressed in rule 14 of the Committee's draft provisional rules of procedure, no single candidate had

obtained the majority required to be elected as Chair within the meaning of those rules during the previous elections on 24 February 2009. Moreover, it reflects the view of the Office of Legal Affairs that the agreement reached by the members in February 2009, to the effect that Mohammed Al-Tarawneh would act as the Committee's Chairperson during the first year and Ana Pelaez-Narvaez would act as the Chairperson during the second year, with both serving as Vice-Chairperson during the second and first year, respectively, was inconsistent with rules 14 and 15. Nevertheless, the advice indicated that it was ultimately for the Committee to decide on the future course of action. The Committee decided to conduct a second ballot between the two members who had received the most votes during the last elections.

17. After three rounds of balloting which each resulted in a tie, the Committee broke into informal consultations which resulted in the proposal to present a third candidate, Ronald McCallum, whose designation as Chairperson would command consensus, in tandem with the simultaneous withdrawal of both previous candidates.

18. By acclamation, Ronald McCallum was elected as Chairperson of the Committee on the Rights of Persons with Disabilities, effective at the beginning of its third session, on 22 February 2010.

19. Following the re-election process the Bureau was selected by consensus of the Committee. In recognition of their withdrawal, candidates Mr. Al-Tarawneh and Ms. Pelaez-Narvaez were chosen as Vice-Chairpersons, in addition to Ms. Jia Yang. Edah Maina was chosen as Rapporteur. All positions will be filled at the commencement of the third session on 22 February 2010. The members of the Bureau will thus be as follows:

| | |
|-------------------|------------------------------|
| Chairperson: | Ronald McCallum (Australia) |
| Vice-Chairperson: | Mohamed Al-Tarawneh (Jordan) |
| Vice-Chairperson: | Ana Pelaez-Narvaez (Spain) |
| Vice-Chairperson: | Jia Yang (China) |
| Rapporteur: | Edah W. Maina (Kenya) |

D. Other decisions

20. The Committee took a number of other decisions, which are listed below and in annex IV.

21. The Committee decided to adopt general remarks at the conclusion of the day of general discussion on article 12, and to return to the discussion of the issue at its third session.

E. Future sessions

22. In accordance with the calendar of conferences adopted by the General Assembly, the CRPD confirmed the date of its third session, from 22 to 26 February 2010 in Geneva.

23. The Committee again requested the secretariat to explore the possibility of holding some of its sessions in New York.

24. For its third session, the Committee decided on a provisional list of matters to be placed on the agenda (see annex V).

F. International Day of Persons with Disabilities

25. The Committee recognized the upcoming international day of persons with disabilities on 3 December 2009, and expressed its support and interest in providing letters encouraging action on the part of States around the world, NGOs and individuals to celebrate the occasion.

III. Conference of States Parties

A. Second session of the Conference of States Parties

26. From 2 to 4 September 2009, the Committee held the second session of its Conference of States Parties in New York. Six members of the Committee attended the session: Mr. Al-Tarawneh, Ms. Pelaez-Narvaez, Ms. Maina, Mr. Choudhury, Ms. Cisternas Reyes and Mr. Ursic.

B. Schedule of work of the second session of the Conference of States Parties

27. The Conference of States Parties allowed two round-table discussions to be held, the first on accessibility and reasonable accommodation, and the second on equal recognition before the law, access to justice and supported decision-making.

Annexes

Annex I

States parties to the Convention and the Optional Protocol at the time of the second session

| <i>Participant</i> | <i>Signature</i> | <i>Formal confirmation^c, accession^a, ratification</i> |
|----------------------------------|------------------|---|
| Algeria | 30 March 2007 | |
| Andorra | 27 April 2007 | |
| Antigua and Barbuda | 30 March 2007 | |
| Argentina | 30 March 2007 | 2 Sept. 2008 |
| Armenia | 30 March 2007 | |
| Australia | 30 March 2007 | 17 July 2008 |
| Austria | 30 March 2007 | 26 Sept. 2008 |
| Azerbaijan | 9 Jan. 2008 | 28 Jan. 2009 |
| Bahrain | 25 June 2007 | |
| Bangladesh | 9 May 2007 | 30 Nov. 2007 |
| Barbados | 19 July 2007 | |
| Belgium | 30 March 2007 | 2 July 2009 |
| Benin | 8 Feb. 2008 | |
| Bolivia (Plurinational State of) | 13 Aug. 2007 | 16 Nov. 2009 |
| Bosnia and Herzegovina | 29 July 2009 | |
| Brazil | 30 March 2007 | 1 Aug. 2008 |
| Brunei Darussalam | 18 Dec. 2007 | |
| Bulgaria | 27 Sept. 2007 | |
| Burkina Faso | 23 May 2007 | 23 July 2009 |
| Burundi | 26 April 2007 | |
| Cambodia | 1 Oct. 2007 | |
| Cameroon | 1 Oct. 2008 | |
| Canada | 30 March 2007 | |
| Cape Verde | 30 March 2007 | |
| Central African Republic | 9 May 2007 | |
| Chile | 30 March 2007 | 29 July 2008 |
| China | 30 March 2007 | 1 Aug. 2008 |
| Colombia | 30 March 2007 | |
| Comoros | 26 Sept. 2007 | |
| Congo | 30 March 2007 | |

| <i>Participant</i> | <i>Signature</i> | <i>Formal confirmation^c, accession^a, ratification</i> |
|----------------------------|------------------|---|
| Cook Islands | | 8 May 2009 ^a |
| Costa Rica | 30 March 2007 | 1 Oct. 2008 |
| Côte d'Ivoire | 7 June 2007 | |
| Croatia | 30 March 2007 | 15 Aug. 2007 |
| Cuba | 26 April 2007 | 6 Sept. 2007 |
| Cyprus | 30 March 2007 | |
| Czech Republic | 30 March 2007 | 28 Sept. 2009 |
| Denmark | 30 March 2007 | 24 July 2009 |
| Dominica | 30 March 2007 | |
| Dominican Republic | 30 March 2007 | 18 Aug. 2009 |
| Ecuador | 30 March 2007 | 3 April 2008 |
| Egypt | 4 April 2007 | 14 April 2008 |
| El Salvador | 30 March 2007 | 14 Dec. 2007 |
| Estonia | 25 Sept. 2007 | |
| Ethiopia | 30 March 2007 | |
| European Community | 30 March 2007 | |
| Finland | 30 March 2007 | |
| France | 30 March 2007 | |
| Gabon | 30 March 2007 | 1 Oct. 2007 |
| Georgia | 10 July 2009 | |
| Germany | 30 March 2007 | 24 Feb. 2009 |
| Ghana | 30 March 2007 | |
| Greece | 30 March 2007 | |
| Guatemala | 30 March 2007 | 7 April 2009 |
| Guinea | 16 May 2007 | 8 Feb. 2008 |
| Guyana | 11 April 2007 | |
| Haiti | | 23 July 2009 ^a |
| Honduras | 30 March 2007 | 14 April 2008 |
| Hungary | 30 March 2007 | 20 July 2007 |
| Iceland | 30 March 2007 | |
| India | 30 March 2007 | 1 Oct. 2007 |
| Indonesia | 30 March 2007 | |
| Iran (Islamic Republic of) | | 23 Oct. 2009 ^a |
| Ireland | 30 March 2007 | |
| Israel | 30 March 2007 | |
| Italy | 30 March 2007 | 15 May 2009 |
| Jamaica | 30 March 2007 | 30 March 2007 |
| Japan | 28 Sept. 2007 | |
| Jordan | 30 March 2007 | 31 March 2008 |
| Kazakhstan | 11 Dec. 2008 | |

| <i>Participant</i> | <i>Signature</i> | <i>Formal confirmation^c, accession^a, ratification</i> |
|----------------------------------|------------------|---|
| Kenya | 30 March 2007 | 19 May 2008 |
| Lao People's Democratic Republic | 15 Jan. 2008 | 25 Sept. 2009 |
| Latvia | 18 July 2008 | |
| Lebanon | 14 June 2007 | |
| Lesotho | | 2 Dec. 2008 ^a |
| Liberia | 30 March 2007 | |
| Libyan Arab Jamahiriya | 1 May 2008 | |
| Lithuania | 30 March 2007 | |
| Luxembourg | 30 March 2007 | |
| Madagascar | 25 Sept. 2007 | |
| Malawi | 27 Sept. 2007 | 27 Aug. 2009 |
| Malaysia | 8 April 2008 | |
| Maldives | 2 Oct. 2007 | |
| Mali | 15 May 2007 | 7 April 2008 |
| Malta | 30 March 2007 | |
| Mauritius | 25 Sept. 2007 | |
| Mexico | 30 March 2007 | 17 Dec. 2007 |
| Monaco | 23 Sept. 2009 | |
| Mongolia | | 13 May 2009 ^a |
| Montenegro | 27 Sept. 2007 | |
| Morocco | 30 March 2007 | 8 April 2009 |
| Mozambique | 30 March 2007 | |
| Namibia | 25 April 2007 | 4 Dec. 2007 |
| Nepal | 3 Jan. 2008 | |
| Netherlands | 30 March 2007 | |
| New Zealand | 30 March 2007 | 25 Sept. 2008 |
| Nicaragua | 30 March 2007 | 7 Dec. 2007 |
| Niger | 30 March 2007 | 24 June 2008 |
| Nigeria | 30 March 2007 | |
| Norway | 30 March 2007 | |
| Oman | 17 March 2008 | 6 Jan. 2009 |
| Pakistan | 25 Sept. 2008 | |
| Panama | 30 March 2007 | 7 Aug. 2007 |
| Paraguay | 30 March 2007 | 3 Sept. 2008 |
| Peru | 30 March 2007 | 30 Jan. 2008 |
| Philippines | 25 Sept. 2007 | 15 April 2008 |
| Poland | 30 March 2007 | |
| Portugal | 30 March 2007 | 23 Sept. 2009 |
| Qatar | 9 July 2007 | 13 May 2008 |
| Republic of Korea | 30 March 2007 | 11 Dec. 2008 |

| <i>Participant</i> | <i>Signature</i> | <i>Formal confirmation^c, accession^a, ratification</i> |
|---|------------------|---|
| Republic of Moldova | 30 March 2007 | |
| Romania | 26 Sept. 2007 | |
| Russian Federation | 24 Sept. 2008 | |
| Rwanda | | 15 Dec. 2008 ^a |
| San Marino | 30 March 2007 | 22 Feb. 2008 |
| Saudi Arabia | | 24 June 2008 ^a |
| Senegal | 25 April 2007 | |
| Serbia | 17 Dec. 2007 | 31 July 2009 |
| Seychelles | 30 March 2007 | 2 Oct. 2009 |
| Sierra Leone | 30 March 2007 | |
| Slovakia | 26 Sept. 2007 | |
| Slovenia | 30 March 2007 | 24 April 2008 |
| Solomon Islands | 23 Sept. 2008 | |
| South Africa | 30 March 2007 | 30 Nov. 2007 |
| Spain | 30 March 2007 | 3 Dec. 2007 |
| Sri Lanka | 30 March 2007 | |
| Sudan | 30 March 2007 | 24 April 2009 |
| Suriname | 30 March 2007 | |
| Swaziland | 25 Sept. 2007 | |
| Sweden | 30 March 2007 | 15 Dec. 2008 |
| Syrian Arab Republic | 30 March 2007 | 10 July 2009 |
| Thailand | 30 March 2007 | 29 July 2008 |
| The former Yugoslav Republic of Macedonia | 30 March 2007 | |
| Togo | 23 Sept. 2008 | |
| Tonga | 15 Nov. 2007 | |
| Trinidad and Tobago | 27 Sept. 2007 | |
| Tunisia | 30 March 2007 | 2 April 2008 |
| Turkey | 30 March 2007 | 28 Sept. 2009 |
| Turkmenistan | | 4 Sept. 2008 ^a |
| Uganda | 30 March 2007 | 25 Sept. 2008 |
| Ukraine | 24 Sept. 2008 | |
| United Arab Emirates | 8 Feb. 2008 | |
| United Kingdom of Great Britain and Northern Ireland | 30 March 2007 | 8 June 2009 |
| United Republic of Tanzania | 30 March 2007 | 10 Nov. 2009 |
| United States of America | 30 July 2009 | |

| <i>Participant</i> | <i>Signature</i> | <i>Formal confirmation^c, accession^a, ratification</i> |
|--------------------|------------------|---|
| Uruguay | 3 April 2007 | 11 Feb. 2009 |
| Uzbekistan | 27 Feb. 2009 | |
| Vanuatu | 17 May 2007 | 23 Oct. 2008 |
| Viet Nam | 22 Oct. 2007 | |
| Yemen | 30 March 2007 | 26 March 2009 |
| Zambia | 9 May 2008 | |

Annex II

Membership of the Committee on the Rights of Persons with Disabilities and terms of office

| <i>Name of member</i> | <i>State party</i> | <i>Term of office Expires on 31 December</i> |
|--|--------------------|--|
| Ms. Amna Ali Al Suweidi | Qatar | 2012 |
| Mr. Mohammed Al-Tarawneh | Jordan | 2012 |
| Mr. Lotfi Ben Lallohom | Tunisia | 2010 |
| Mr. Monsur Ahmed Chowdhuri | Bangladesh | 2012 |
| Ms. Maria Soledad Cisternas-Reyes | Chile | 2012 |
| Mr. György Könczei | Hungary | 2010 |
| Ms. Edah Wangechi Maina | Kenya | 2010 |
| Mr. Ronald McCallum | Australia | 2010 |
| Ms. Ana Peláez Narváez | Spain | 2012 |
| Mr. Germán Xavier Torres Correa | Ecuador | 2010 |
| Mr. Cveto Uršič | Slovenia | 2010 |
| Ms. Jia Yang | China | 2012 |

Annex III

Provisional agenda for the second session of the Committee

1. Opening of the session and adoption of the agenda.
2. Adoption of the report of the first session of the Committee.
3. Report of the Chairperson on intersessional activities.
4. Ways and means of expediting the work of the Committee:
 - (a) Draft rules of procedure;
 - (b) Draft reporting guidelines and other working methods.
5. Day of general discussion on article 12.
6. Provisional agenda for the third session.
7. Adoption of the report of the second session.
8. Other matters.

Annex IV

Decisions adopted by the Committee during its second session

1. The Committee decided to adopt the draft reporting guidelines subject to a number of amendments, and send the text to all States parties and civil society at the same time.
2. The Committee decided to request the secretariat to assist in the preparation of materials to interface between United Nations bodies, States parties, and NGOs for the International Day of Disability on 3 December 2009.
3. The Committee decided to request again the secretariat to explore the possibility of holding a future Committee meeting in New York.
4. The Committee proposed and adopted the decision to assign a certain amount of time for follow-up discussions on the status of implementation of its previous decisions.
5. The Committee decided to discuss at its forthcoming third session the possibility of assigning a focal person for networking with the different treaty bodies.
6. The Committee requested the secretariat to consider the possibility to have access to public relations support when the situation requires.
7. The Committee decided to carefully study the comments and recommendations that were made during the day of general discussion, in particular the suggestion for the formulation and adoption of a general comment on article 12.
8. The Committee decided on the matters to be placed on the provisional agenda of the third session of the Committee.

Annex V

Draft agenda of the third session of the Committee

1. Opening of the session and adoption of the agenda and organization of work.
 2. Adoption of the report of the Committee on its second session.
 3. Report of the Chairperson on activities undertaken between the second and the third session of the Committee.
 4. Ways and means of expediting the work of the Committee:
 - (a) Draft rules of procedure;
 - (b) Draft working methods.
 5. Follow-up on previous decisions of the Committee.
 6. Follow-up on the day of general discussion on article 12 and preparation for the second day of general discussion.
 7. Provisional agenda for the fourth session.
 8. Other matters.
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