



Human Rights Council

Tenth Session

Resolution 10/7. Human rights of persons with disabilities: national frameworks for the promotion and protection of the human rights of persons with disabilities

The Human Rights Council,

Reaffirming its resolution 7/9 of 27 March 2008, continuing a framework for the Council's consideration of the rights of persons with disabilities, and welcoming the efforts of all stakeholders to implement the resolution,

Reaffirming also its commitment to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities, to promote respect for their inherent dignity and to eliminate discrimination against persons with disabilities,

Stressing the importance of effective national legislative, policy and institutional frameworks for the full enjoyment of rights by persons with disabilities,

1. *Welcomes* the entry into force of the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto on 3 May 2008, as well as the convening of the first meeting of the Conference of States parties and of the Committee on the Rights of Persons with Disabilities;
2. *Also welcomes* the fact that, to date, 139 States and 1 regional integration organization have signed and 50 have ratified the Convention, and that 82 have signed and 29 have ratified the Optional Protocol, and calls upon those States and regional integration organizations that have not yet done so to consider ratifying or acceding to the Convention and the Optional Protocol as a matter of priority;
3. *Encourages* States that have ratified the Convention and have submitted one or more reservations to the Convention to implement a process to review regularly the effect and continued relevance of such reservations, and to consider the possibility of withdrawing the reservations;
4. *Takes note with appreciation* of the thematic study on key legal measures for the ratification and effective implementation of the Convention prepared by the Office of the United Nations High Commissioner for Human Rights (A/HRC/10/48), and invites all stakeholders to consider the study when designing and implementing measures for the promotion and protection of the rights of persons with disabilities, including the establishment of national frameworks to this effect;

5. *Encourages* States to undertake promptly a review of all legislation and other measures so as to identify and modify or abolish existing laws, regulations, customs and practices that constitute discrimination against persons with disabilities;
6. *Calls upon* States to take all appropriate measures to prohibit by law and eliminate any form of discrimination on the basis of disability and to ensure equal and effective legal protection to persons with disabilities from discrimination on all grounds;
7. *Encourages* States to exchange information and experiences on legislative measures and models that guarantee the human rights of persons with disabilities, on an equal basis with others, including on measures for accessibility, reasonable accommodation, equal recognition before the law, access to justice and supported decision-making;
8. *Calls upon* States to take specific measures to give practical effect to the principle of non-discrimination on the basis of disability and to the provision of reasonable accommodation, including in the administrative, justice and education sectors and, where appropriate, special measures to enhance the effective implementation of the Convention and the Optional Protocol thereto;
9. *Encourages* States to adopt or strengthen policies and programmes to promote awareness of and increase expertise in the rights of persons with disabilities in all branches of government, including through training programmes for public officials and agents, taking into account multiple or aggravated forms of discrimination experienced by persons with disabilities;
10. *Calls upon* States to take measures to guarantee the enjoyment of political rights of persons with disabilities and to promote actively an environment in which persons with disabilities can effectively and fully participate in the conduct of public affairs, on an equal basis with others, and to promote their participation in the formulation of policies and programmes;
11. *Also calls upon* States to monitor the effectiveness of steps taken to eliminate discrimination on the basis of disability by any person, organization or enterprise in, inter alia, the housing, transport, health, labour and education sectors and, in so doing, to develop methodologies for ensuring compliance with the principles of non-discrimination and accessibility, taking duly into account the need to consult closely with and actively involve persons with disabilities and their representatives in such processes;
12. *Further calls upon* States to ensure that persons with disabilities have effective access to justice and to effective remedies and redress, on an equal basis with others, including administrative and judicial remedies for persons with disabilities whose enjoyment of human rights is denied;
13. *Encourages* States, in consultation with relevant stakeholders, to collect and compile disaggregated data to measure national progress and to identify barriers that prevent or undermine the full enjoyment by persons with disabilities of their human rights, and to formulate appropriate steps to remove such barriers;
14. *Acknowledges* the important role that national monitoring mechanisms, including independent mechanisms such as national human rights institutions, play in protecting and promoting the rights of persons with disabilities;

15. *Decides* to continue to integrate the rights of persons with disabilities into its work, in accordance with its resolution 7/9;

16. *Also decides* that its next annual interactive debate on the rights of persons with disabilities will be held at its thirteenth session, and that it will focus on the structure and role of national mechanisms for the implementation and monitoring of the Convention on the Rights of Persons with Disabilities;

17. *Requests* the Office of the United Nations High Commissioner for Human Rights to prepare a study to enhance awareness on the structure and role of national mechanisms for the implementation and monitoring of the Convention on the Rights of Persons with Disabilities, in consultation with relevant stakeholders, including States, regional organizations, civil society organizations, including organizations of persons with disabilities, and national human rights institutions, and requests that the study be available on the website of the Office of the High Commissioner, in an accessible format, prior to the thirteenth session of the Council;

18. *Also requests* the Office of the High Commissioner to continue to elaborate and disseminate training and awareness-raising material on the rights of persons with disabilities and the implementation of the Convention, and to continue to contribute, as required, to national efforts in the development of tools to mainstream the rights of persons with disabilities, taking into consideration good practices;

19. *Requests* the Secretary-General to continue to ensure that the mandate of the Office of the High Commissioner on the rights of persons with disabilities is adequately resourced for the fulfilment of its tasks;

20. *Encourages* organizations of persons with disabilities, national monitoring bodies and human rights institutions to participate actively in the session referred to in paragraph 16 above, as well as in regular and special sessions of the Council and its working groups.

*42nd meeting
26 March 2009*

[Adopted without a vote.]
