

Disability Rights Bulletin

November 2012

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- International meeting on indigenous persons with Disabilities
- General Assembly 67th Session
- Disabilities and inequalities online discussion
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A Publication of the International Disability Alliance

GLOBAL NEWS

• CRPD ratifications reach 126

The ratification of the Convention on the Rights of Persons with Disabilities (CRPD) and its Optional Protocol (OP) by Afghanistan on 18 September 2012 brings a total of 126 States Parties to the CRPD, while the OP has 76 ratifications.

The signature of the CRPD by Singapore on 30 November 2012 brings a total of 155 signatures to the CRPD, while the OP has 91 signatures.

List of signatories and States Parties

• International expert meeting on indigenous persons with disabilities

The expert meeting, organized in Madrid from 20 to 21 November 2012 by members of the UN Permanent Forum on Indigenous Issues (UNPFII), the International Disability Alliance (IDA) and the Disability Rights Advocacy Fund (DRAF) brought together Indigenous persons with disabilities and other experts on indigenous peoples and persons with disabilities to work on a report that will be presented to the UNPFII during its next session in May 2013. The report will highlight many concerns facing indigenous persons with disabilities and identify recommendations for key stakeholders, including UN entities, indigenous peoples, States and others.

Press Release elaborated by IDA on the International Expert Meeting on Indigenous Persons with Disabilities

NEW YORK NEWS

General Assembly

The Third Committee of the 67th session of the General Assembly has adopted during this session two specific resolutions on the rights of persons with disabilities:

Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto, (Draft, A/C.3/67/L.25 PDF version), sponsored by Sweden, New Zealand and Mexico and adopted at the meeting of the 3rd Committee of the General Assembly on Monday, 19 November. With this resolution, from 2014 onwards the Committee will have two extra weeks as well as two pre-sessional weeks connected with the main sessions:

Realizing the Millennium Development Goals and other internationally agreed development goals for persons with disabilities towards 2015 and beyond, (Draft, A/C.3/67/L.10/Rev.1 PDF version), IDA advocated successfully for a specific link to be made between the High Level Meeting on Disability and Development outcome document and the post-MDG

framework negotiations and advocated also against many references to the outdated World Programme of Action (WPA). The final resolution, while still including some reference to the WPA, is reasonably good.

There is a notable new tendency in the work of the Third Committee to refer to vulnerable groups as a whole instead of mentioning specific groups by name. Despite this new trend, this year the Committee adopted more resolutions with specific disability references than in the past. Disability analysis of resolutions adopted by the Third Committee Related Reports:

- Status of the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto (A/67/281)
- Report of the Secretary-General: Realization of the Millennium Development Goals and internationally agreed development goals for persons with disabilities: a disability-inclusive development agenda towards 2015 and beyond (A/67/211)

Disabilities and Inequalities Online Discussion

To ensure that inequalities are addressed in the post-2015 agenda, the Global Thematic Consultation on Addressing Inequalities (co-led by UNICEF and UN Women) is holding a series of online, moderated discussions to gather views from a broad range of stakeholders on what the post-2015 development agenda should look like.

The discussion on Persons with Disabilities & Inequalities has been co-moderated by UNICEF and the International Disability

Alliance (IDA). The discussion began on 14 November and closed on 5 December. The contributions have been diverse and broad-based. Participants agreed that one of the most significant barriers for persons with disabilities is the lack of equal opportunities to participate in society and to make informed decisions. Participants noted barriers such as poverty, transportation, inability to access and afford assistive devices, lack of universal design, access to health, violence and environmental sustainability. The final summary of the discussion will be posted shortly.

International Day of Persons with Disabilities

On 3 December 2012 the world celebrated the International Day of Persons with Disabilities with the purpose of increasing awareness and understanding of the rights of persons with disabilities. IDA was invited to speak at a two-hour event, organized by UN DESA at the UN Headquarter, New York, which was focused on seeking views for the High Level Meeting on Disability and Development and the post-MDG framework.

Press release elaborated by IDA on the International Day of Persons with Disabilities

GENEVA NEWS

Treaty Bodies

• Lithuania, Portugal, Qatar, Serbia and Jordan have recently presented its national reports to the Committee on the Rights of Persons with Disabilities. For the moment, the reports are only available in English for

Lithuania, Portugal and Serbia and in Arabic for Qatar and Jordan. Please click the link to access the CRPD Committee website section where you can find all reports presented so far to the CRPD Committee.

The Concluding Observations adopted at the 8th session of the Committee on the Rights of Persons with Disabilities (on China, Hungary and Argentina) held in September 2012 are now available in all UN languages.

- The Human Rights Committee's lists of issues linked to the reviews to be conducted at their upcoming session in March 2013 are now available on their website. The Human Rights Committee also adopted a paper on its relationship with National Human Rights Institutions (NHRIs).
- Related documents:
- IDA's disability-relevant analysis of the adopted list of issues
- Paper on the relationship between the Human Rights Committee and NHRIs
- The Committee against Tortu**re** met for its 49th session from 29 October - 23 November in which it examined the reports of Gabon, Mexico, Norway, Peru, Qatar, Russian Federation, Senegal, Tajikistan, and Togo. Live webcasts of these reviews were conducted by the International Rehabilitation Council for Torture Victims (IRCT) and have been archived and are available for download and viewing. The Committee also adopted the lists of issues on Bolivia, UK and Uzbekistan which will shortly be available on the Committee website.

The CAT Committee also adopted General Comment no 3 on Article 14 of the Convention against Torture which sets out the right to redress for victims of torture and acts of cruel, inhuman or degrading treatment or punishment.

Related documents:

- CAT Committee General Comment no 3 on Article 14
- IDA's disability-relevant analysis of the adopted Concluding Observations
- IDA's proposed recommendations for the Concluding Observations
- Joint WSO, ENUSP, WNUSP and IDA submission on Norway
- IDA's disability analysis of the state reports under review
- IDA's proposed questions for the list of issues
- IDA's disability analysis of state reports
- The Committee on the Economic, Social and Cultural Rights held its 49th session from 12-30 November 2012 in which it examined the reports of Bulgaria, Ecuador, Iceland, Mauritania, United Republic of Tanzania, Republic of Congo and Equatorial Guinea, the latter two in the absence of a state report. Live webcasts of these reviews were conducted by the International Service for Human Rights (ISHR) and will soon been archived and available for download and viewing. The Committee also adopted lists of issues on Albania, Denmark, Lithuania, Rwanda, Togo, and Niger in the absence of a state report, which will soon be available on the Committee's

In addition during this session, the Committee adopted its Provisional Rules of Procedure

under the Optional Protocol to the ICESCR which sets out the procedures for the consideration of individual communications received and the inquiry procedure under the Optional Protocol. The Chair of the CESCR Committee also issued a letter to States concerning the UN's post 2015 development agenda. The letter highlights the need for States to link their legal obligations to uphold economic, social and cultural rights under the ICESCR to development goals, and calls on States to place the individual at the centre of the post 2015 development agenda in order for the new development goals to be aligned with human rights principles and treaty standards, and in particular to be cognisant of the importance of accountability and of disaggregating data, focusing on disadvantaged and marginalized groups.

Related documents:

- IDA's disability-relevant analysis of the adopted Concluding Observations
- IDA's proposed recommendations for the Concluding Observations
- Joint OBI, EDF & IDA submission on Iceland
- IDA's disability analysis of state reports under review
- IDA's proposed questions for the list of issues
- IDA's disability analysis of state reports of Albania, Denmark, Kuwait, Lithuania, Rwanda, Togo, and Niger
- CESCR Committee Provisional Rules of Procedure under the Optional Protocol to the ICESCR
- CESCR Committee Chair's letter to States on the elaboration of the UN's post 2015 development agenda

• The Subcommittee for the Prevention of Torture held its 18th session from 12- 16 November 2012. During this session, the SPT adopted a paper on process to amend the UN Standard Minimum Rules for the Treatment of Prisoners (SMR), sharing concerns about aspects of the SMR which are relevant to the SPT's mandate. It also made public a statement on the role of judicial review and due process in the prevention of torture in prisons. Furthermore, the SPT announced that in 2013 it will visit New Zealand, Peru, Togo, Armenia and Germany, the latter two missions focusing on advising and assisting the National Preventive Mechanisms (NPMs) and strengthening their capacity and mandate for the prevention of torture and other cruel, inhuman or degrading treatment or punishment. The SPT also met with the OPCAT Contact Network, a network of NGOs working on the prevention of torture, whose members include IDA and IDA member, WNUSP.

Related documents:

- SPT paper on the UN Standard Minimum Rules for the Treatment of Prisoners
- SPT paper on judicial review and due process
- SPT announces its field visits for 2013

UPCOMING MEETINGS

• The Committee on the Elimination of Discrimination against Women (CEDAW Committee) announced that it will hold a half day of general discussion on access to justice at its upcoming 54th session on 18 February 2013 at Palais des Nations, Conference Room XVI from 10am to 1pm.

The purpose of the discussion is to elaborate a General Recommendation on access to justice in order to provide appropriate and authoritative guidance to States Parties on the measures to be adopted to ensure full compliance with their obligations to protect, respect and fulfill women's human rights to access to justice. Written submissions on the theme are welcome in English or French; they must not exceed 10 pages and should be sent electronically to rgachoud@ohchr.org no later than 1 February 2013. IDA will be presenting a submission focused on access to justice of women with disabilities. Registration and expressions of interest to make an oral intervention during the discussion must be communicated to the CE-DAW Committee secretariat by 1 February 2013. A concept note has been drafted to provide guidelines for the discussion. For further information, please visit the Committee's website.

About the IDA Disability Rights Bulletin

This bulletin is intended for experts advocating for the rights of persons with disabilities in the UN system. It is prepared by the IDA Secretariat, which also provides support to the Geneva Group of States Friends of the CRPD and to the New York informal network on States Friends of the CRPD.

For more information about IDA and its member organisations, please visit: www.internationaldisabilityalliance.org Contact us via email at: stromel@ida-secretariat.org Follow us on Facebook and Twitter.