



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

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COMMITTEE ON THE RIGHTS OF PERSONS WITH DISABILITIES

First session

SUMMARY RECORD OF THE 9th MEETING

Held at the Palais des Nations, Geneva,
on Friday, 27 February 2009, at 10 a.m.

Chairperson: Mr. AL-TARAWNEH

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

ELECTION OF OFFICERS (continued)

1. Mr. McCALLUM proposed that a fifth post of Vice-Chairperson should be created, to be shared by Ms. Yang Jia and Mr. Chowdhury, so that all regions would be represented by Vice-Chairpersons. Rapporteur functions could be shared between one general rapporteur and one rapporteur for the Optional Protocol. He and Ms. Al Suwaidi could assume those roles. As a result, all Committee members would have a post on the Bureau. He requested the Secretariat to draft a note explaining that those arrangements should not be regarded as a precedent for future elections. He expressed the hope that, by 2011, the Committee would be operating according to normal United Nations procedures, with one Chairperson and two Vice-Chairpersons.
2. Ms. YANG Jia, referring to the issue of regional representation, said that the Convention was a human rights instrument that applied to everyone. Asia, the most populous region in the world, should not therefore have been overlooked in the nominations previously made for Vice-Chairperson posts.
3. Mr. McCALLUM agreed that all regions must be represented on the Bureau. That was the reason for his nomination of Ms. Yang Jia and Mr. Chowdhury.
4. Mr. KÖNCZEI said that the Committee's original intention had been to elect only three Vice-Chairpersons, in accordance with its rules of procedure. The fact that such a course of action would have led to the exclusion of an entire region from the Bureau was unfortunate, and he therefore supported the sensible proposal to create a fifth post of Vice-Chairperson.
5. The CHAIRPERSON said that the principle of solidarity required that no region should be overlooked. However, all Committee members, regardless of whether they had been elected to the Bureau, would be involved in all Committee decisions since they had to be taken by consensus.
6. Mr. BEN LALLAHOM expressed support for the proposal to create a fifth post of Vice-Chairperson, since a country as large as China should be represented on the Bureau.
7. The CHAIRPERSON said that he took it that the Committee wished to appoint two Rapporteurs, one for the Convention and the other for the Optional Protocol, each to serve for a full two-year term.
8. It was so decided.
9. Mr. CHOWDHURY said that, in principle, he was against the idea of creating more positions within the Bureau than was customary in other treaty bodies. He requested clarification of the proposed rotation formula for Vice-Chairpersons.
10. The CHAIRPERSON said that each Vice-Chairperson post would be rotated halfway through the two-year term.

11. Mr. McCALLUM clarified that he was proposing a shared Vice-Chairperson role, and that both Vice-Chairpersons would retain their titles for the full two-year term. One Vice-Chairperson would attend Bureau meetings and deal with Bureau matters for the first year of the two-year term, and the other Vice-Chairperson would do so for the second year.

12. Mr. KÖNCZEI and Mr. BEN LALLAHOM reiterated their support for the proposal under discussion.

13. Mr. TORRES CORREA, speaking on a point of order, said that the Committee would waste valuable time and place itself in a bad light internationally if it did not quickly reach a decision by consensus.

14. Ms. YANG Jia said that the Bureau would be more balanced in terms of geographical representation if there were five Vice-Chairpersons. China could not be categorized in regional terms and its input should not be weakened by rotation. It had the largest population of persons with disabilities and their human rights must not be ignored.

15. The CHAIRPERSON suggested that the meeting should be suspended briefly for further consultations on the matter under consideration.

The meeting was suspended at 11.05 a.m. and resumed at 11.30 a.m.

16. The CHAIRPERSON recalled that it had already been decided that he and Ms. Peláez Narváez would alternate as Chairperson and Vice-Chairperson: he would serve as Chairperson for the first year and Vice-Chairperson for the second year of a two-year term; Ms. Peláez Narváez would serve as Vice-Chairperson for the first year and Chairperson for the second year of a two-year term.

17. He took it that the Committee wished to create four further rotating posts of Vice-Chairperson, with due regard to geographical distribution and gender balance.

18. It was so decided.

19. Ms. Maina, Mr. Torres Correa, Ms. Yang Jia and Mr. Könczei were elected Vice-Chairpersons by acclamation, on the understanding that they would serve for the first year of a two-year term.

20. Mr. Ben Lallahom, Ms. Cisternas Reyes, Mr. Chowdury and Mr. Uršič were elected Vice-Chairpersons by acclamation, on the understanding that they would serve for the second year of a two-year term.

21. Mr. McCallum and Ms. Al Suwaidi were elected Rapporteurs by acclamation, on the understanding that Mr. McCallum would act as General Rapporteur, while Ms. Al Suwaidi would act as Rapporteur for the Optional Protocol, and that they would serve concurrently for a full two-year term.

METHODS OF WORK OF THE COMMITTEE

22. Mr. CHOWDHURY said that there would not be enough time at the first session to complete discussion of the Committee's draft rules of procedure and methods of work.

23. The CHAIRPERSON suggested that four intersessional working groups, each composed of three Committee members, should be established to deal with the draft (general) rules of procedure; the draft rules of procedure on Optional Protocol issues; the draft reporting guidelines; and other working methods.

24. Mr. KÖNCZEI said that in assigning members to working groups, due account should be taken of the language skills of individual members, to reduce the requirement for translation services in the intersessional period.

25. Mr. McCALLUM agreed with the previous speaker and added that account should also be taken of individual members' interests and the time they had available in the months ahead.

26. The CHAIRPERSON said that all members must make the necessary time available to perform their duties.

27. Ms. CISTERNAS REYES said that each working group should be open to contributions from all other members. Much of the work could be conducted by e-mail.

28. Mr. TORRES CORREA said that he was willing to accept assignment to any working group and would make whatever contribution he could to its work. However, he had encountered some language barriers that had made it difficult for him to communicate his ideas.

29. Mr. McCALLUM said that, in his capacity as a lawyer, he wished to work on the rules of procedure with Ms. Peláez Narváez and anyone else who wished to do so.

30. Mr. KÖNCZEI, noting that one member was about to leave the meeting and would not be present for the remainder of the session, said that all members should be exhorted to remain until the end of every session in the future so that the Committee could avoid falling short of a quorum.

31. Ms. CISTERNAS REYES said that she wished to work on both the general rules of procedure and the rules of procedure for the Optional Protocol. She would also like to submit a study on working methods that she had written for consideration by the relevant working group.

32. Ms. PELÁEZ NARVÁEZ said that one working group should work on both the general rules of procedure and the rules of procedure for the Optional Protocol. She wished to work on reporting guidelines and recalled the proposals regarding working methods that she had submitted to the Committee.

33. Mr. URŠIĆ said that he supported the proposal to combine the two working groups on rules of procedure. It was important to specify who would be the focal point for each working group.

34. He agreed with Mr. Könczei that members should make every effort to remain present for the entire duration of Committee sessions.

35. Ms. MAINA, noting that the focal points would apparently be coordinating working group activities by e-mail, asked by what means members who were not assigned to a particular working group could contribute to its work. She herself wished to make a technical input to the work on the rules of procedure.

36. Mr. BEN LALLAHOM called for a reduction in the proposed number of working groups. Far too much time had been spent on the election of officers and other procedural matters. The populations on whose behalf the Committee served had little interest in such issues; they would be looking to the Committee for results.

37. Ms. CISTERNAS REYES, supported by Ms. PELÁEZ NARVÁEZ and Mr. BEN LALLAHOM, said that participation in the working groups should be on a voluntary basis. Any member who wished to participate would be free to do so. The members of each group could decide at a later date on a workplan, which would be circulated to all members of the Committee for its consideration, and on the person who would act as the focal point.

38. The CHAIRPERSON said that he took it that the Committee wished to combine the two working groups on the rules of procedure. Three working groups would thus be established, one on rules of procedure, one on reporting guidelines and one on working methods other than the guidelines. Participation in the work of the groups would be open to all and on a voluntary basis. The focal points of the working groups would be chosen at a later date.

39. It was so decided.

OTHER MATTERS

Draft first declaration by the Committee on the Rights of Persons with Disabilities: “Committee on the Rights of Persons with Disabilities: Looking forward” (document without a symbol distributed in the Committee room)

Preambular paragraphs 1-5

40. Mr. KÖNCZEI proposed that the words “to adopt its own Rules of Procedure, beginning” in paragraph 2 should be deleted.

41. It was so decided.

42. Preambular paragraphs 1-5, as amended, were adopted.

Operative paragraphs 1-8

43. Mr. KÖNCZEI proposed that the words “or declarations” in paragraph 1 should be replaced by “and/or declarations”.

44. It was so decided.

45. The CHAIRPERSON suggested that the words “each of these actors” in paragraph 4 should be replaced by “all stakeholders involved”.

46. It was so decided.

47. Mr. KÖNCZEI proposed that the words “disability and” should be inserted between “the” and “gender empowerment” at the end of paragraph 5.

48. It was so decided.

49. Mr. McCALLUM proposed that “CRPD” should be replaced by “Convention” in paragraph 6.

50. It was so decided.

51. Operative paragraphs 1-8, as amended, were adopted.

52. The draft first declaration by the Committee on the Rights of Persons with Disabilities, as a whole, as amended, was adopted, subject to editorial changes.

53. Ms. CISTERNAS REYES said that the Declaration should be published on the website of the Office of the United Nations High Commissioner for Human Rights.

54. Ms. PELÁEZ NARVÁEZ requested the secretariat to draft resolutions for adoption by the Committee at the final meeting of the current session. Subjects for those draft resolutions should include the need to create a cooperation fund for the Committee, the setting of accessibility standards for Committee meetings, and the Committee’s preference for holding its second session immediately before the Conference of States parties, in New York.

55. Ms. MAINA said that the Committee should be prepared to support certain States parties that had financial difficulties.

56. Mr. McCALLUM said that the United Nations calendar of meetings was set in advance. While the Committee might be able to investigate the possibility of holding its future sessions alongside the Conference of States parties, the dates and location of the second session had already been agreed and the Committee must work with the dates that it had been allocated in the United Nations calendar. It was important for the Committee to pass a resolution on accessibility for its meetings. The Committee must set a high standard in that regard.

57. Ms. CISTERNAS REYES said that she supported the proposed subjects for draft resolutions. The feasibility of linking future Committee sessions with the Conference of States parties should be further explored.

58. Mr. KÖNCZEI said that the Committee should be represented at the forthcoming United Nations General Assembly.

59. Ms. YANG Jia said that the Committee should hold its next meeting in New York, and should attend the General Assembly in order to raise awareness of the Committee's work. It was important for the Committee to raise its own profile in the United States during the first year of the new administration, in order to encourage the United States to ratify the Convention.

60. Mr. BEN LALLAHOM, supported by Mr. URŠIČ, agreed that it was important for the Committee to pass a resolution on the accessibility of its meetings. The Committee should be represented at the Conference of States parties in New York.

61. Ms. CONNORS (Office of the United Nations High Commissioner for Human Rights) explained that the United Nations calendar of conferences had already been finalized and adopted and that there was therefore no possibility of the Committee holding its second session in New York. Efforts would be made to ensure some representation of the Committee at the Conference of States parties. With regard to representation of the Committee in the General Assembly, while Committee members could attend the forthcoming General Assembly on a voluntary basis, the Committee would not be invited to report to the General Assembly until 2010. The secretariat would draft the resolutions requested by Ms. Peláez Narváez for adoption at the final meeting of the current session.

The meeting rose at 1.05 p.m.