



NEWS REPORT

Date: 16 July 2010
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Title: Publication of a report regarding the disability monitoring structure as set out Article 33 (2) of the UN Convention on the Rights of Persons with Disability
Country: Denmark
Context
Issue at stake: Governmental consideration on the mandate of the national monitoring regarding the implementation of the UN Disability Convention
Ground of discrimination: Disability
Source: Ministerial sources
Field: Others
Legislative provisions: UN convention on the rights of persons with disability – no domestic legislation yet

Content

Political development: Publication of a report regarding a disability monitoring structure

A report '*Rapport fra udvalget om fremme, beskyttelse og overvågning af FN's konvention om rettigheder for personer med handicap*' was published by the Ministry of Social Affairs, Ministry of Finance, the Ministry of Justice and the Ministry of Foreign Affairs in April 2010 regarding the structure and placement of the monitoring body pursuant to Article 33 (2) of the Convention which reads:

Article 33 - National implementation and monitoring
(...)

2. States Parties shall, in accordance with their legal and administrative systems, maintain, strengthen, designate or establish within the State Party, a framework, including one or more independent mechanisms, as appropriate, to promote, protect and monitor implementation of the present Convention. When designating or establishing such a mechanism, States Parties shall take into account the principles relating to the status and functioning of national institutions for protection and promotion of human rights.

(...)

The report lists various possibilities for the placement of the mandate on different relevant stakeholders, namely:

- the Danish Institute for Human Rights (Institut for Menneskerettigheder)
- Det Centrale Handicapråd

- Center for Ligebehandling af Handicappede

The report does not recommend any specific placement but assesses the advantages and disadvantages of the different placements. However, there have afterwards been strong political indications that the mandate will be placed on the Danish Institute for Human Rights, mainly due to the NHRI status of the institute. The placement will be accompanied with a transfer of some of the staff from the Center for Ligebehandling af Handicappede.

Apparently the mandate will be established as of 1 January 2011 by a decision [beslutningsforslag] of the Danish Parliament [Folketinget] expected to be passed in the fall of 2010.

Internet link source and additional information:

The report is available in Danish at:

http://www.sm.dk/data/Dokumentertilpublikationer/Publikationer_2010/Paris_pricipperne/rapport%20fra%20udvalget.pdf