



## Convention on the Rights of Persons with Disabilities

Distr.: General  
23 August 2016

Original: English

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### Committee on the Rights of Persons with Disabilities Sixteenth session

#### Summary record (partial)\* of the 268th meeting

Held at the Palais Wilson, Geneva, on Monday, 15 August 2016, at 10 a.m.

*Chair:* Ms. Cisternas Reyes

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\* No summary record was prepared for the rest of the meeting.

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*The meeting was called to order at 10.05 a.m.*

**Opening of the session**

1. **The Chair** declared open the sixteenth session of the Committee on the Rights of Persons with Disabilities.

**Opening statement by the representative of the United Nations High Commissioner for Human Rights**

2. **Mr. Nowosad** (Chief, Groups in Focus Section, Office of the United Nations High Commissioner for Human Rights (OHCHR)) said that, since the fifteenth session of the Committee, three countries, namely, the Comoros, Finland and the Netherlands, had ratified the Convention, bringing the total number of parties to 166.

3. During the twenty-eighth meeting of the Chairs of the human rights treaty bodies, held in June 2016 in New York, the Chairs had reiterated their commitment to reviewing good practices in the area of working methods and rules of procedure, recalling the General Assembly's encouragement to them to continue enhancing their role in relation to the harmonization of working methods. The Chairs had called on States to work towards the universal ratification of human rights instruments and urged those States facing capacity constraints to solicit the technical assistance available from the treaty body capacity-building programme and to accept the simplified reporting procedure. They had also called on States to put in place national mechanisms for the submission of reports to the treaty bodies and follow-up to their recommendations. The Chairs had assessed the implementation of the guidelines on the independence and impartiality of members of the human rights treaty bodies (Addis Ababa Guidelines) and the Guidelines against Intimidation or Reprisals (San José Guidelines). They had considered possibilities for harmonizing methods of work concerning remedies and inquiries and had decided that, at their twenty-ninth meeting, they would consider a common approach to engagement with national human rights institutions. In addition, the Chairs had decided to continue to follow closely the accountability framework for the implementation by States of the commitments made in the 2030 Agenda for Sustainable Development.

4. The first biennial report of the Secretary-General on the status of the treaty body system, covering the period from April 2014 to June 2016 (A/71/118), had recently been issued in all the United Nations official languages. In it, the Secretary-General concluded that the state of implementation of General Assembly resolution 68/268 on strengthening and enhancing the effective functioning of the human rights treaty body system was globally positive, and reaffirmed the importance and relevance of the treaty body system for the protection and promotion of human rights, which demonstrated its dynamic and responsive nature. The Secretary-General noted the significant increase in individual complaints submitted to treaty bodies, and the establishment of the capacity-building programme on engagement with the treaty bodies and the programme's implementation by OHCHR, with encouraging reactions from States.

5. Turning to recent developments concerning the rights of persons with disabilities, he noted that the Charter on Inclusion of Persons with Disabilities in Humanitarian Action, launched in May 2016 at the World Humanitarian Summit, had been endorsed by several States, United Nations agencies, intergovernmental organizations and civil society organizations, including organizations of persons with disabilities. In June 2016, the ninth Conference of State Parties to the Convention had debated, under the theme "Implementing the 2030 development agenda for all persons with disabilities: Leaving no one behind", the elimination of poverty and inequality, the promotion of the rights of persons with mental and intellectual disabilities, enhanced access to information and technology, and inclusive development. The Conference had been preceded by a high-level meeting convened by the

President of the General Assembly to discuss follow-up to the High-level Meeting on Development and Disability, held in September 2013, and mainstreaming disability into the development agenda. On 30 June 2016, Canada had acceded to the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled, bringing the number of ratifications up to that required for the Treaty to enter into force.

6. The Human Rights Council had concluded its thirty-second session in July 2016, having adopted several resolutions of relevance to persons with disabilities. In its resolution on mental health and human rights, the Council recognized the need for States to take active steps to fully integrate a human rights perspective into mental health and community services, particularly with a view to eliminating all forms of violence and discrimination in that context. In its resolution on the role of the family in supporting the protection and promotion of the human rights of persons with disabilities, the Council called on States to recognize in their policy and legal frameworks the important role played by families in caring for and supporting persons with disabilities; it would convene a one-day intersessional seminar on the issue. In its resolution on the right to education, it called on States to take all necessary measures, including the provision of sufficient budgetary allocations, to ensure inclusive, equitable and non-discriminatory quality education and to promote learning opportunities for all, paying particular attention to girls, marginalized children and persons with disabilities.

7. In July 2016, in Surabaya, Indonesia, at the third preparatory meeting for the United Nations Conference on Housing and Sustainable Urban Development (Habitat III), which would be held in Quito in October 2016, the final draft of the New Urban Agenda had been adopted. It included numerous references to persons with disabilities. From 3 to 5 October, the 2016 meeting of the Social Forum of the Human Rights Council would focus on the promotion and full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities in the context of the tenth anniversary of the adoption of the Convention.

8. Lastly, he paid tribute to the valuable work undertaken by the women members of the Committee and expressed concern that there were no women among the new members elected to join the Committee in 2017. That was particularly disappointing, given the emphasis that the Convention placed on equality between men and women. It was to be hoped that the Committee would continue to give visibility to the key role played by women in its work.

#### **Report of the Chair on activities undertaken between the fifteenth and sixteenth sessions of the Committee**

9. **The Chair** said that, as the current session would be the last in which many members would participate, she would take stock of the Committee's eight years of work. It had done much substantive work on complex issues, such as its jurisprudence on equal recognition before the law, the right to liberty and security of person, freedom from torture or cruel, inhuman or degrading treatment or punishment, freedom from exploitation, violence and abuse, and protection of the integrity of the person. The Committee had not been afraid to innovate in its contributions to the international system of protection and promotion of human rights. It had accomplished much in the area of freedom of expression and access to information and communication, highlighting the need for the media, modes and formats of communication of all persons with disabilities to be totally accessible. The Committee had taken a firm stance against any attempts to deny persons with disabilities the right to vote, and had insisted on the right to inclusive, quality education and to inclusive, accessible working environments. It had also emphasized the right to health, including from a gender perspective, to sexual and reproductive health for persons with

disabilities, and to social protection and a decent standard of living. It had worked on contributory and non-contributory pension schemes, and had highlighted the need to ensure that persons with disabilities had access to culture, sport, leisure and entertainment. The Committee had made strong recommendations to States parties based on the Convention's innovative approaches to rehabilitation and to the right to independence and to inclusion in the community. It had worked hard to mainstream the Convention into the human rights framework and put it on an equal footing with the other human rights treaties.

10. The Committee was committed to implementing the provisions of General Assembly resolution 68/268 and had strived to achieve harmonization with the other treaty bodies and effective and efficient working methods. To date in 2016, it had considered 2.15 State party reports per week of meetings and was thus well on the way to meeting the productivity target set in resolution 68/268 of 2.5 reports per week. The Committee would have adopted views on three cases during 2016. In 2017, in addition to initial reports, it would begin consideration of periodic reports, the majority of which would be submitted under the simplified reporting procedure. It hoped to adopt revised guidelines for periodic reporting, including under the simplified procedure, during the current session. The Committee had followed the recommendations on consultation with civil society in the elaboration of general comments and hoped to have adopted all four of its general comments in an average of 1.5 years each. The Committee was proud of its achievements in the areas of capacity-building and follow-up to its concluding observations and views.

11. The Committee's meeting time had increased from 2 weeks in 2009 to 6.5 weeks in 2016, in addition to the 2 weeks of pre-sessional meetings, commensurate with the increase in the number of parties to the Convention and the Optional Protocol. By the end of the current session, the Committee would have considered a total of 47 State party reports. Nonetheless, a backlog of reports was building up. She urged members to bear in mind that resolution 68/268 provided for additional meeting time to prevent backlogs and that the effectiveness of the human rights treaty body system would be reviewed six years from the date of the resolution's adoption. That provided two significant opportunities to demonstrate to the General Assembly the need to increase the Committee's meeting time, or for it to work in dual chambers, as members saw fit.

12. The Committee had enjoyed an unprecedented degree of participation by civil society in its work and had taken a pioneering approach in developing guidelines on such participation, recognizing its significant value. In addition, national human rights institutions and other national monitoring mechanisms had cooperated with the Committee, which hoped to adopt during the current session draft guidelines on such cooperation approved by the Global Alliance of National Human Rights Institutions. The Committee had developed strong links with all the stakeholders in the Conference of States Parties to the Convention, enabling it to have a strong presence at the opening of the Conference, in the interactive dialogue and on the panel of experts. Members of the Committee had participated in side events on the intersectionality between the Convention and six other United Nations human rights instruments. Indeed, in 2015, when the President of the Conference had addressed the Committee, he had highlighted its cooperation with the other treaty bodies.

13. The Committee had developed a close working relationship with the General Assembly, participating in events in 2013 and 2016. It also worked with the Human Rights Council, in particular its Task Force on secretariat services, accessibility and use of information technology, and had provided input to the Strategic Heritage Plan for the Palais des Nations. The Committee cooperated with the Special Rapporteur on the rights of persons with disabilities and the Special Envoy of the Secretary-General on Disability and Accessibility. Cross-cutting activities had included involvement with the World

Humanitarian Summit and the International Disaster and Risk Conference. The issue of the election of persons with disabilities to other treaty bodies had been consistently raised.

14. In 2016, a programme of events was planned to celebrate the tenth anniversary of the adoption of the Convention. The Committee should continue to encourage ratification of the instrument by countries in all regions. In addition, the Committee should build on its contribution to the Sustainable Development Goals and the 2030 Agenda for Sustainable Development. The keys to future success in promoting substantive progress on the rights of persons with disabilities were to pursue efforts to place the Committee on an equal footing with other treaty bodies; to rigorously maintain the Committee's independence and impartiality; and, given the Committee's rich diversity, to remain united in difference. While there was concern with regard to the future gender balance of the Committee's membership, she wished to provide an assurance that those women who were leaving the Committee would continue to offer their help.

15. She paid tribute to the commitment and wisdom of the United Nations High Commissioner for Human Rights and the hard work of Committee members, their assistants and the secretariat during her time as Chair of the Committee, and extended her gratitude to all who had contributed to the Committee's development.

#### **Adoption of the agenda (CRPD/C/16/1)**

##### **Organizational matters**

16. **The Chair** drew attention to the provisional agenda and the tentative programme of work, which were contained in document CRPD/C/16/1 and the annex thereto.

17. *The agenda and the programme of work were adopted.*

#### **Submission of reports by parties to the Convention under article 35**

18. **Mr. Araya** (Secretary of the Committee) said that, since the Committee's fifteenth session, initial reports had been received from France, Georgia, the Lao People's Democratic Republic, Singapore, Switzerland and Togo. In total, 99 reports had been received, 40 of which had been considered by the Committee.

##### **Cooperation with other United Nations bodies, specialized agencies, organizations of persons with disabilities and other competent bodies**

19. **Ms. Lange** (Office of the United Nations High Commissioner for Refugees (UNHCR)), speaking on behalf of the Inter-Agency Support Group on the Convention on the Rights of Persons with Disabilities (IASG), said that the Group had worked with a coalition of States and civil society partners to launch the Charter on Inclusion of Persons with Disabilities in Humanitarian Action at the World Humanitarian Summit. The Charter had since been endorsed by more than 140 stakeholders. Work was under way to develop guidelines to translate into action the commitments made in the Charter and further the implementation of the Convention.

20. The Group had participated in a number of side events at the ninth Conference of States Parties to the Convention and wished to emphasize the importance of engaging civil society in that Conference, particularly organizations of persons with disabilities. She was pleased to report that the Group's sub-working group on women and girls with disabilities now included representatives from the United Nations Children's Fund (UNICEF).

21. The 2016 Social Forum, in which a number of the Group's members would participate, would offer an opportunity for dialogue on the promotion of the rights of persons with disabilities. The Group would continue its collaborative activities to promote

universal ratification of the Convention and strengthen its application, including by using it as a tool to support the 2030 Agenda for Sustainable Development and inform actions to uphold the rights of persons with disabilities in situations of risk and humanitarian emergencies.

22. **Mr. Pérez Bello** (Office of the United Nations High Commissioner for Human Rights, speaking on behalf of the OHCHR team on human rights and disability, said that, pursuant to Human Rights Council resolution 31/6, OHCHR was preparing a study on the human rights of persons with disabilities, with a focus on article 5 of the Convention, on equality and non-discrimination, and would welcome input from Committee members in that regard. He looked forward to the participation of the Committee in the 2016 Social Forum. A forthcoming OHCHR project on the implementation of the 2030 Agenda would focus on policy guidelines for implementing the Sustainable Development Goals in a manner that was consistent with the Convention. The recruitment process for that project would be completed shortly, and Committee members were invited to participate in related consultative groups. To support the development of inclusive guidelines on humanitarian action, OHCHR would train its staff so as to ensure that they were better prepared to monitor human rights violations in situations of risk and humanitarian emergencies.

23. The Office was supporting the Task Force on accessibility of the Human Rights Council and encouraged the Committee to continue providing input on the Task Force's action plan. The election, for the first time, of a Committee member with an intellectual impairment was welcome; the Committee should review its working methods to embrace the diversity of its members and uphold the principle of meaningful participation. In the light of the gender imbalance that the Committee would face from 2017, the Office called on States parties to propose a majority of women candidates for election to the Committee in 2018. The Committee should engage with States parties in that regard and monitor the submission of candidacies at country level so that the principles of gender and regional balance were upheld. The Committee must ensure that the lack of female representation did not lead to a lowering of the standards regarding women and girls with disabilities.

24. Lastly, OHCHR noted with concern that some presentations on the rights of persons with psychosocial and intellectual impairments made during the recent Conference of States Parties to the Convention had departed from the standards set by the Committee. Members were encouraged to support States parties in selecting panel discussion themes and expert speakers for the Conference and to promote the adoption of consultation procedures that would allow organizations of persons with disabilities and other stakeholders to give their views on the event's organization.

25. **The Chair** said that there was ongoing dialogue between the Committee and the Conference of States Parties and that Committee members had attended the event as experts. The Committee hoped to continue that practice to ensure that its views were represented.

26. **Mr. Ferraz Vásquez** (World Intellectual Property Organization (WIPO)) said that 20 countries had now ratified or acceded to the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled and that the Treaty would therefore enter into force on 30 September 2016. WIPO congratulated those 20 countries, which would form the first Assembly of the Marrakesh Treaty, to take place during the Fifty-Sixth Series of Meetings of the WIPO Assemblies in October 2016. WIPO was strongly committed to supporting the ratification and implementation of the Treaty by many more States and had held a number of workshops aimed at tackling specific aspects of implementation. Recent workshops had been held in Cabo Verde and Panama, for Portuguese- and Spanish-speaking countries respectively, in collaboration with the World Blind Union and the Latin American Blind Union. WIPO was working to achieve the objectives of the Marrakesh Treaty through the Accessible Books Consortium, a multi-stakeholder alliance representing persons with print disabilities,

libraries for persons with print disabilities and publishers' and authors' organizations. The Consortium organized capacity-building and inclusive publishing initiatives and maintained a database for the international exchange of accessible publications. WIPO looked forward to continued collaboration with the Committee in implementing the Marrakesh Treaty.

27. **Ms. Moodie** (United Nations Children's Fund (UNICEF)) said that UNICEF and the Washington Group had been finalizing a Child Functioning Module for use in censuses and surveys. The Module could produce internationally comparable data and would be made available in several languages from autumn 2016. A second module, the Inclusive Education Module, was also being developed to capture attitudes towards education for all children, particularly children with disabilities; evaluate the accessibility of the physical space, the curriculum and other aspects of the school environment; and gain a deeper understanding of the barriers to school participation. Cognitive and field testing of the latter module would be carried out from 2016 to 2017. Both tools would strengthen the monitoring of data by States and support reporting on the Sustainable Development Goals and the implementation of the Convention and the Convention on the Rights of the Child.

28. UNICEF had participated actively in the World Humanitarian Summit, boosting visibility for disability issues by facilitating the participation of 22 young persons with disabilities. The young persons had met high-level leaders, including the Secretary-General, to discuss disability inclusion initiatives. UNICEF fully endorsed the Charter on Inclusion of Persons with Disabilities in Humanitarian Action and had co-chaired the task team to develop guidelines for implementing the Charter.

29. Internally, UNICEF had launched a greening and accessibility fund in 2015, which had enabled various country offices to make their premises more accessible for persons with disabilities. In addition, UNICEF was finalizing agreements with suppliers of assistive technologies for its staff globally.

30. **Ms. Blomberg** (United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women)) said that, despite some progress in advancing the rights of women and children with disabilities since the adoption of the Convention 10 years earlier and the establishment of UN-Women 5 years earlier, many challenges remained. She noted, in that connection, that the agreed conclusions on the theme "Women's empowerment and the link to sustainable development", adopted by the Commission on the Status of Women in 2016, urged all actors to take all appropriate measures to protect and promote the rights of all women and children with disabilities, ensuring their full and effective participation and inclusion in society, and to address the multiple and intersecting forms of discrimination they faced.

31. At the World Humanitarian Summit, UN-Women had joined forces with others to promote the inclusion and empowerment of women and children with disabilities. It had endorsed the Charter on Inclusion of Persons with Disabilities in Humanitarian Action and was pleased to see the incorporation of gender perspectives in that document.

32. During the ninth Conference of States Parties to the Convention, UN-Women had sponsored six side events with the aim of supporting the leadership and participation of women and children with disabilities and amplifying their voices. Those side events had facilitated the establishment of a network of women with disabilities, members of which were expected to attend the 2016 Forum of the Association for Women's Rights in Development, a major international event bringing together organizations working to promote gender equality and sustainable development. As Chair of the IASG sub-working group on women and girls with disabilities, UN-Women continued to work closely with other United Nations entities to identify initiatives to empower women and girls with disabilities and opportunities for collaboration.

33. The subject of disability had been addressed at the annual meeting of the Inter-Agency Network on Women and Gender Equality, held in March 2016, creating an opportunity for exchanges between those working on women's empowerment and those working on disability issues. UN-Women looked forward to the accelerated implementation of the Beijing Declaration and Platform for Action and the full implementation of the 2030 Agenda for Sustainable Development. It would continue to support and promote the empowerment of women with disabilities with the aim of achieving their full and effective participation at all levels of decision-making in political, economic and public life. Lastly, the Committee was to be congratulated on the imminent adoption of its draft general comment on article 6.

34. **Mr. Laurie** (United Nations Mine Action Service (UNMAS)) said that UNMAS was an original member of IASG and endorsed the statement made by the representative of UNHCR on behalf of the Group.

35. Every day, globally, more than 10 persons fell victim to landmines and other explosive remnants of war. The survivors of such traumatic events faced numerous difficulties in adapting to life with severe disabilities, often in a conflict or post-conflict setting. UNMAS actively supported affected States in developing their capacity to provide survivor assistance and appropriate services.

36. Within the United Nations system, UNMAS had led the update of the 2003 United Nations Policy on Victim Assistance in Mine Action, with contributions from various members of the Inter-Agency Coordination Group on Mine Action. The 2016 Policy reflected developments in mine action and international humanitarian law in the past decade, promoted an effective and coordinated rights-based approach to support for victims, and responded to the increasingly varied nature of explosive threats to civilians, including improvised explosive devices.

37. At the World Humanitarian Summit, UNMAS had endorsed the Charter on Inclusion of Persons with Disabilities in Humanitarian Action. The adoption of the Charter was an important step towards ensuring non-discrimination and recognition of the diversity of persons with disabilities. UNMAS was committed to contributing to the efforts of the Inter-Agency Standing Committee to develop guidelines on the inclusion of persons with disabilities in humanitarian action. It would continue to represent the survivors of explosive hazards and urged all Convention stakeholders to take the specific needs of those persons fully into account in their work.

38. **Mr. Chowdury** (International Strategy for Disaster Reduction (UNISDR)) said that there were still gaps and shortcomings in ensuring accessibility and inclusivity in disaster risk reduction. Persons living with disabilities were among the most excluded in society and their plight was exacerbated when disaster struck, while their potential contributions to policymaking and planning with respect to disaster risk reduction continued to be overlooked. The Sendai Framework for Disaster Risk Reduction 2015-2030 marked an important paradigm shift in that it recognized the shared responsibility of all stakeholders, including persons with disabilities, in those areas. Under the Framework, States had committed to various targets to increase the number of States with disaster risk reduction strategies by 2020, to mainstream disaster risk reduction into their legislation and policies, and to adopt and implement national and local disaster risk reduction strategies and plans.

39. Implementation of the Sendai Framework was instrumental to States parties' fulfilment of their obligations under article 11 of the Convention, as it contained specific guidance on the measures necessary to ensure the protection and safety of persons with disabilities in situations of risk. At the same time, implementation of the Convention and the Committee's guidance in that regard was critical to the implementation of the Framework and to the integration of disaster risk into national and local policies and



practices across all relevant emergency and development sectors. UNISDR therefore welcomed the Committee's work to revise its guidelines for periodic reporting. The revision of those guidelines in the light of the Sendai Framework would play a major role in steering States to adopt disaster risk reduction strategies that took fully into account the rights and needs of persons with disabilities.

40. UNISDR appreciated and supported the synergy between article 11 of the Convention and the draft articles on the protection of persons in the event of disasters adopted by the International Law Commission in June 2016, in particular article 9 on the legal duty to reduce the risk of disasters. The draft articles would strengthen the application of the Convention and the implementation of the Sendai Framework. UNISDR was committed to supporting the Committee's future endeavours and appreciated the close cooperation with the Committee to date.

41. **Ms. Kountouri** (Human Rights Council Task Force on secretariat services, accessibility and use of information technology) said that the Task Force had been established to study the accessibility of the Human Rights Council for persons with disabilities and to submit concrete recommendations on enhancing accessibility, in accordance with international standards. The Task Force had recommended, for example, that an accessibility plan should be developed for the United Nations Office at Geneva, in coordination with OHCHR and persons with disabilities, and that implementation of the plan should be funded from the United Nations regular budget. The Council would also be able to seek financial, technical and in-kind assistance from States under the plan. The plan was being drawn up in close cooperation with colleagues working on the Strategic Heritage Plan, the Inter-Departmental Task Force on Accessibility at the United Nations Secretariat, IASG, the Special Envoy on Disability and Accessibility, and the Special Rapporteur on the rights of persons with disabilities.

42. The priority areas in the plan had been identified through a questionnaire, which had been widely disseminated at the beginning of the year to States, United Nations entities and persons with disabilities, among others. The Task Force would like to thank the Committee for its written contribution to the plan. Specific measures had been identified to enhance accessibility on the occasion of the forthcoming Social Forum, which would provide an opportunity to map successes and challenges in the area of accessibility. The draft plan would be shared with all relevant stakeholders at that event. Feedback would be requested from them with a view to subsequently finalizing the plan.

43. There had been various achievements in terms of accessibility as a result of the Task Force's advocacy. In particular, two panel discussions mandated by the Human Rights Council at its previous session would be made fully accessible to persons with disabilities, and accessible language had been used in the Human Rights Council resolutions convening those discussions, resolutions 32/15 and 32/16. In addition, a recommendation of the Task Force that meetings of the Human Rights Council should be made accessible had been included in the Secretary-General's forthcoming report on inclusion and accessibility for persons with disabilities at the United Nations.

44. **Ms. Lee** (International Disability Alliance (IDA)) said that there had been many developments with respect to the rights of persons with disabilities since the Committee's previous session. She wished to highlight the launching, at the World Humanitarian Summit in May 2016, of the Charter on Inclusion of Persons with Disabilities in Humanitarian Action, a historic document that called for cooperation and coordination among national authorities, United Nations agencies and other humanitarian aid actors to render humanitarian action inclusive of persons with disabilities. In addition, the first voluntary national reviews of the implementation of the 2030 Agenda for Sustainable Development had been conducted in conjunction with the High-level Political Forum on Sustainable Development, held in July 2016, and persons with disabilities had been

explicitly referred to in nine of those reviews. IDA had played an active role in the reviews and would continue working with partners to build the capacity of organizations of persons with disabilities to monitor and report on implementation of the Agenda.

45. IDA applauded the first-ever election to the Committee, in 2016, of a self-advocate, Robert Martin, and a deaf user of sign language, Valery Rukhledev, but lamented the serious gender imbalance in the Committee's new composition. It would be the treaty body with the fewest women members and possibly the worst example of gender parity in the history of such bodies. While States parties were ultimately responsible for the nomination and election of candidates, it was incumbent on all those involved to seek proactively to ensure the inclusion of women in all human rights bodies. She called on Committee members to support the GQUAL campaign for gender parity in international tribunals and monitoring bodies and to promote the nomination of women with a view to ensuring an all-women slate of candidates for the 2018 Committee elections.

46. She encouraged the Committee to finalize its general comments on articles 6 and 24 of the Convention during the current session. With regard to the draft general comment on article 24, strong guidance was needed to enable States to transform existing education systems and ensure support for all students with disabilities within a single system through training and the allocation of resources for inclusive education. Lastly, she encouraged the United Nations to continue webcasting treaty body sessions — a function previously performed by IDA — and to ensure that language and accessibility features were provided.

47. **Mr. Bergman** (World Federation of the Deaf (WFD)) said that protecting and promoting the right to education — in particular access to education in sign languages — was a key concern for his organization. WFD was finalizing a position paper on the language rights of deaf children, which might help to clear up some of the confusion surrounding the interpretation of article 24 of the Convention. That article should not be misconstrued to mean that mainstream schooling was the only modality of education for deaf children. Its intent was to allow choice in education for deaf, deaf-blind and blind children, who differed from other children with disabilities and should have the option to be educated in whatever learning environment best fitted their linguistic and social needs.

48. WFD had collected evidence that showed that deaf children learned best in bilingual environments with other deaf learners. It was concerned that there might be an ideological push towards their mass placement in mainstream schools, which could potentially deprive them of the human rights that article 24 was meant to protect, while also depriving them of their right under article 30 to a deaf cultural and linguistic identity. He urged the Committee to honour the intent of article 24, to listen to the perspectives of deaf people and to make decisions on the basis of solid research on the education of deaf children. He also called on the Committee to take into consideration the views of WFD and the World Blind Union concerning the proposed indicators for reporting to the Committee on the implementation of article 24.

49. It was a matter of great concern to WFD that no deaf persons who used sign language had been involved in drafting the general comment on article 24, as no such persons were currently members of the Committee. The Federation was prepared to strongly voice its disappointment if the general comment did not adequately uphold deaf people's right to choice in education.

50. **Mr. Regueiro de Giacomi** (Inclusion International) said that millions of children with intellectual disabilities were currently not attending school. He urged the Committee to keep those children in mind as it considered its general comment on article 24. In order for such children to receive a quality education, they must be allowed to attend regular classes in regular schools with their non-disabled peers; putting them in separate, special schools

amounted to segregation and discrimination and would result in their leading lives apart from the rest of the community.

51. From a pragmatic standpoint, there would never be enough resources to create special schools for all children with intellectual disabilities, and as long as resources were being diverted towards special programmes, there would not be enough to ensure quality in mainstream schools. Moreover, a bonus of including students with intellectual disabilities in regular schools was that teachers would learn to individualize their teaching methods and respond to a diverse student body, which would improve the quality of education for all students. Inclusion International therefore strongly supported the call in the draft general comment for a process that would transform culture, policy and practice in all educational environments.

52. He urged the Committee to recognize that some groups were more likely to be excluded from education than others. Many still considered that people with intellectual disabilities should be sent to special schools or that their inclusion should be limited to art, physical education and other non-academic classes. Education could not be considered independently of other rights enshrined in the Convention, however. For students with intellectual disabilities, school was where relationships would be forged that would lead to support for their living in the community and for decision-making, as provided for in articles 9 and 12.

53. **Ms. Miranda** (European Network on Independent Living (ENIL)) said that the Convention and the Committee's concluding observations were important advocacy tools that had already yielded positive results for persons with disabilities and their supporters. Many European countries, for example, had begun to reform their social care systems, closing large residential institutions and developing community-based services. Nevertheless, some of those reforms had not led to full inclusion and participation in the community; instead, they had substituted one type of exclusion for another. Financial crises had led to cuts in public spending, which had reduced personal assistance and community services, thus exacerbating the exclusion of persons with disabilities in some countries.

54. Education was one of the pillars of independent living and social inclusion for persons with disabilities. Failure to implement article 24 undermined the implementation of the entire Convention because, without access to education, access to employment and independent living became nearly impossible. Accordingly, ENIL called on States parties to mitigate the impact of austerity measures on people with disabilities; make housing, transportation, education and health services accessible to them; provide them with access to personal assistance, peer support and a network of community support services; and raise awareness about the right of persons with disabilities to live independently, which meant ensuring that they had choices equal to those of others. ENIL had proposed a definition of "independent living", which was available on its website. The definition was supported by the European Disability Forum and could be used for the development of guidelines, policies and legislation.

55. **Ms. Woods** (International Disability and Development Consortium (IDDC)) said that her organization had set up a coordination mechanism on behalf of persons with disabilities for the High-level Political Forum on Sustainable Development and had helped to organize side events on the inclusion of persons with disabilities in the associated national review process. IDDC had also collaborated with the International Disability Alliance in organizing a side event during the ninth Conference of States Parties to the Convention on bridging the gap between the 2030 Agenda for Sustainable Development and the Convention. In addition, it had prepared a submission to the Committee on the reporting guidelines for States parties to the Convention and had contributed to the development of the terms of reference for a United Nations Development Programme evaluation of disability inclusion.

56. The Consortium's task group on the European Union, which based its work on the Committee's concluding observations on the initial report of the European Union (CRPD/C/EU/1), had contributed to a public consultation on raising awareness of the rights of persons with disabilities in the context of implementing the 2030 Agenda. Through its partnership task group, IDDC was working with other organizations of persons with disabilities to develop a cross-cutting approach to reporting on implementation of both the Convention and the Agenda. The IDDC inclusive education task group carried out advocacy and research to promote inclusive education, including research on the current state and the benefits of financing such education. The Consortium's task group on HIV/AIDS and disability was working with United Nations agencies and other stakeholders to ensure that persons with disabilities were not left behind in the global response to HIV. IDDC echoed the call for gender parity within the Committee and all other treaty bodies.

*The discussion covered in the summary record ended at 12.15 p.m.*