



# Convention on the Rights of Persons with Disabilities

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

### Summary record of the 298th meeting

Held at the Palais des Nations, Geneva, on Monday, 20 March 2017, at 3 p.m.

*Chair:* Ms. Degener (Vice-Chair)  
*later:* Mr. Nowosad (Chief, Groups in Focus Section, Office of the United Nations  
High Commissioner for Human Rights)  
*later:* Ms. Degener (Chair)

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*The meeting was called to order at 3.10 p.m.*

### **Opening of the session**

1. **The Chair** declared open the seventeenth 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. **Ms. Gilmore** (United Nations Deputy High Commissioner for Human Rights), congratulating the new members on their election, said she was concerned that the States parties to the Convention, at their most recent conference, had elected only one woman to the Committee's ranks. Such a state of affairs was fundamentally inappropriate, and she therefore wished to urge States parties to rectify the situation at the next elections. Much could still be achieved despite the virtual absence of women from the Committee. Members must, however, ensure that a strong gender-based approach was taken in the Committee's work and that the voice and experience of girls and women resonated in their deliberations.

3. She noted with satisfaction that, since the Committee's previous session, Belarus, the Central African Republic, the Democratic People's Republic of Korea, Iceland, the Federated States of Micronesia and Samoa had ratified the Convention, bringing the total number of States parties to 172 and the Convention a step closer to universal ratification.

4. Highlights of the Committee's work in recent months included the adoption of general comment No. 3 (2016) on women and girls with disabilities and general comment No. 4 (2016) on the right to inclusive education. The Committee had also begun work on a general comment on article 19, on living independently and being included in the community, which was one of the pillars of the Convention. The Committee's general comments were of great value not only to States, but also to organizations of persons with disabilities, civil society actors, national human rights institutions and courts in understanding the spirit and intent of the Convention. In that connection, she wished to emphasize the important role played by civil society and national human rights institutions in disseminating the work of the Committee; one example was the development of a sign language version of the general comment on the right to inclusive education.

5. A range of activities had taken place to mark the tenth anniversary of the Convention in 2016, including the Committee's day of general discussion on article 19 and the General Assembly's high-level panel discussion. A number of important General Assembly resolutions had recently been adopted relating to the rights of persons with disabilities, including texts on inclusive development for persons with disabilities, disaster risk reduction, and information and communications technologies for development. The Human Rights Council had also adopted relevant resolutions and had recently held its annual interactive debate on the rights of persons with disabilities, focusing on article 5, on equality and non-discrimination.

6. In December 2016, the General Assembly had adopted a resolution encouraging all stakeholders to continue their efforts to ensure the full implementation of its resolution 68/268 on strengthening and enhancing the effective functioning of the human rights treaty body system. In 2017, the Assembly would decide on the allocation of resources to the treaty bodies for 2018-2019; for the Committee, that should, in principle, result in the granting of additional meeting time. The pilot project funded by the European Union to provide webcasting and video archiving of treaty body meetings had been extended until 2018 at least. For the Committee's meetings, sign language interpretation had been secured in two languages.

7. The tenth Conference of States Parties to the Convention, in June 2017, would focus on the second decade of the Convention, in particular on the theme of inclusion and full participation of persons with disabilities and their representative organizations in implementing the Convention. She and her colleagues would be holding further discussions in the coming weeks on the issue of accessibility for persons with disabilities within the United Nations. Issues under discussion at the forthcoming meeting of the Chairs of the human rights treaty bodies would include the development of a common treaty body

approach to engaging national human rights institutions, and treaty bodies and the Sustainable Development Goals. As the Committee had already pointed out in its concluding observations and lists of issues, the Goals were strategically linked to the Convention. She wished to strongly encourage the Committee to continue advocating for the implementation of the Goals as part of a universal human rights agenda that left no one behind.

8. She wished the Committee success for the busy session ahead. The Committee's valuable work would be important in any era but had particular poignancy and urgency at a time when human rights could be said to be under pressure. The Committee's leadership was key and its courage was necessary.

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

9. **The Chair** said that, in addition to the achievements just outlined, in 2016 the Committee had adopted guidelines on independent monitoring frameworks and on periodic reporting; carried out activities related to the tenth anniversary of the Convention; completed the first inquiry procedure; considered 14 initial State party reports; adopted views on several communications; campaigned for universal ratification of the Convention; continued to implement General Assembly resolution 68/268; and increased interaction with the Inter-Agency Support Group on the Convention.

10. Since the previous session, the former Chair, Ms. Cisternas Reyes, and several members of the Committee had participated in the Social Forum convened by the Human Rights Council in October 2016, followed by a workshop on inquiry procedures. Also in October, the former Chair had taken part in the High-level Forum on Disability Inclusion and Accessible Urban Development in Quito and had represented the Committee in the Third Committee of the General Assembly. In November 2016, former member Ms. Quan-Chang had represented the Committee in the regional consultations on the strengthening of the human rights treaty body system for Latin America, and in December, Mr. Babu had attended a global meeting of the Academic Network on the 2020 Treaty Body Review. The Committee had been represented by Mr. Basharu at the annual interactive debate of the Human Rights Council earlier that month, at which the group of friends of the Convention had called on the United Nations to be more inclusive of persons with disabilities and had asked for reasonable accommodation to be funded for all Committee members. She had represented the Committee at a workshop on interaction between the treaty bodies and national human rights institutions earlier in March. The Committee's working group on article 19 had completed the first draft of general comment No. 5, which would be discussed at the current session and, if endorsed, posted on the Committee's website for comment. The working group on confidentiality had also produced a text for discussion at the current session. The Committee planned to adopt up to eight lists of issues under the simplified reporting procedure.

11. While the composition of the Committee had become more diverse in some ways, members faced the challenge of advancing the views of constituencies that were not represented or were underrepresented in the current membership, such as persons with psychosocial disabilities and women with disabilities. The Committee must continue to liaise with other treaty bodies and human rights mechanisms, further strengthen its ties with the Bureau of the Conference of States Parties, continue to promote accessibility across the United Nations and build partnerships with organizations of persons with disabilities. The current global threats to democracy and human rights would inevitably also affect persons with disabilities. As the High Commissioner for Human Rights had said, without a commitment to fundamental human rights, to the dignity and worth of the human person and to the equal rights of men and women and of nations large and small, the world would become chaos, misery and warfare.

#### **Solemn declaration by the newly elected members of the Committee**

12. **The Chair** said that a member of the secretariat would preside over the following part of the meeting, during which the Chair and other officers would be elected.

13. *Mr. Nowosad (Chief, Groups in Focus Section, Office of the United Nations High Commissioner for Human Rights (OHCHR)) took the Chair.*

14. **The Chair** invited the six new members of the Committee, whose mandates had commenced on 1 January 2017, to make the solemn declaration provided for in rule 14 of the Committee's rules of procedure.

15. **Mr. Alsaif, Mr. Chaker, Mr. Ishikawa, Mr. Kabue, Mr. Martin and Mr. Rukhlev** made the following solemn declaration: "I solemnly declare that I will perform my duties and exercise my powers as a member of the Committee on the Rights of Persons with Disabilities honourably, faithfully, impartially and conscientiously."

#### **Election of the Chair and other officers of the Committee**

16. **The Chair** recalled the provisions of rules 15 to 17 of the rules of procedure (CRPD/C/4/2/Rev.1) concerning the conduct of elections and invited nominations for the office of Chair.

17. **Mr. Langvad** nominated Ms. Degener.

18. **Mr. Pyaneandee** seconded the nomination.

19. *Ms. Degener was elected Chair by acclamation.*

20. **The Chair** invited nominations for the three offices of Vice-Chair.

21. **Ms. Degener** nominated Mr. Basharu, Mr. Tatić and Mr. Pyaneandee.

22. **Mr. Buntan** seconded the nominations.

23. *Mr. Basharu, Mr. Tatić and Mr. Pyaneandee were elected Vice-Chairs by acclamation.*

24. **The Chair** invited nominations for the office of Rapporteur.

25. **Ms. Degener** nominated Mr. Kim Hyung Shik.

26. **Mr. Buntan** and **Mr. Lovász** seconded the nomination.

27. *Mr. Kim Hyung Shik was elected Rapporteur by acclamation.*

28. *Ms. Degener took the Chair.*

#### **Adoption of the agenda (CRPD/C/17/1)**

##### **Organizational matters**

29. **The Chair** drew attention to the provisional agenda and the tentative programme of work, which were contained in document CRPD/C/17/1 and the annex thereto.

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

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

31. **Mr. Araya** (Secretary of the Committee) said that, since the Committee's sixteenth session, initial reports had been received from Indonesia, Mongolia and Mauritania, bringing the total number of reports received to 102. There was a backlog of 52 reports pending consideration.

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

32. **Ms. Devandas Aguilar** (Special Rapporteur on the rights of persons with disabilities) said that equal representation of women with disabilities on the Committee was crucial. In the current situation, all Committee members must commit to integrating a gender perspective into all aspects of their work and addressing the aggregated forms of discrimination faced by women and girls with disabilities. The promotion of gender equality and the empowerment of women and girls with disabilities were among her

priorities, and she would be submitting a report on the sexual and reproductive health rights of women and girls with disabilities to the General Assembly later in 2017.

33. The Committee and the Special Rapporteur each enjoyed certain comparative advantages and could thus mutually reinforce one another's efforts. For example, under her mandate, she was tasked with looking into the human rights situation of persons with disabilities around the world, which allowed her to legitimately engage with Governments that had not yet ratified the Convention, including through the provision of technical assistance. In one case, such engagement had been a crucial factor in a State's decision to become a party to the instrument.

34. In her first report to the Council, she had identified three priority areas of concern. The first was promoting citizenship, and she had prepared thematic reports on the participation of persons with disabilities in public decision-making processes and on support services for persons with disabilities to enable their inclusion and participation in society. She attached great importance to engaging with and consulting persons with disabilities and their representative organizations when identifying priorities and drafting her reports. Her next two reports would focus on equal recognition before the law and on disability-specific forms of deprivation of liberty.

35. Her second priority was combating poverty among persons with disabilities. She had produced reports on the rights of persons with disabilities to social protection and on disability-inclusive policies. While the Sustainable Development Goals were a key tool to promote the inclusion of persons with disabilities, efforts to implement them must be consistent with the Convention. Furthermore, data needed to be collected and disaggregated by disability in order to be able to measure the progress made at country level.

36. Her third priority was promoting changes in perceptions about persons with disabilities. Through her campaign on embracing diversity, her activism on social media and the celebration of the International Day of Persons with Disabilities, she was working to tackle negative perceptions of persons with disabilities and to promote awareness of their positive contributions to society.

37. To date, she had conducted three official country visits. A review of the Committee's documentation on the Republic of Moldova and Paraguay had been invaluable in identifying critical issues prior to her visits to those countries. She hoped that her report on her visit to Zambia would encourage the Government to submit its initial report and facilitate the Committee's subsequent review of the situation in that country. She planned to visit Kazakhstan and France in 2017.

38. Another tool at her disposal was the communication procedure, which enabled her to act on information regarding alleged violations of the rights of persons with disabilities and engage in confidential discussions with States. She believed that there was unexploited potential for cooperation in that regard, as the Committee could play a role in the follow-up to communications concerning the most serious violations — once they became public — by raising the related cases with States when it considered their reports.

39. While all persons with disabilities faced barriers in exercising their rights on an equal basis with others, certain groups were at a higher risk of discrimination, marginalization and exclusion. She wished to encourage the Committee to pay particular attention to the situation of indigenous persons with disabilities; women and girls with disabilities; older persons with disabilities; persons with psychosocial disabilities and autistic persons; persons with intellectual disabilities and deaf-blind persons. Much work remained to be done to advocate for reform, accountability for violations and concrete action from States to truly implement the Convention. However, by working together and optimizing the use of resources, the Special Rapporteur and the Committee could contribute to enhancing the promotion and protection of the rights of persons with disabilities.

40. **Ms. Fuentes** (Office of the United Nations High Commissioner for Human Rights), speaking on behalf of the Independent Expert on the enjoyment of human rights by persons with albinism, Ms. Ero, who was unable to attend, said that the Independent Expert was grateful to the Committee for its work on persons with albinism, particularly its concluding observations on Kenya, Uganda and Ethiopia. The Independent Expert's mandate had been

created primarily in response to gross violations of the rights of persons with albinism. She had received information on over 600 reported cases of violations committed in 27 countries over the past decade, including murder, mutilation and grave robbery. Such actions were fuelled by beliefs that the body parts of persons with albinism had magical properties and could be used in witchcraft rituals, potions and amulets. Persons with albinism were targeted for several key reasons, including their hypervisibility in their communities owing to their colouring, a historical lack of awareness of the condition, and culturally entrenched erroneous perceptions about albinism. Since 2013, a number of resolutions had been adopted by the Human Rights Council, the General Assembly and the African Commission on Human and Peoples' Rights condemning attacks on and discrimination against persons with albinism.

41. It was important to raise awareness of and document the issues faced by persons with albinism. To that end, the Independent Expert had produced thematic reports on the root causes of their plight and on the impact of witchcraft on their human rights. The issues affecting persons with albinism were at the intersection of disability and colour, and as such had also been addressed by the Committee on the Elimination of Racial Discrimination, including in its dialogue with South Africa in 2016. She had visited Malawi and Mozambique in 2016 and had been invited to the United Republic of Tanzania, Kenya and Fiji in 2017. Together with various stakeholders in Africa, she was developing a regional action plan based on existing recommendations made by human rights bodies, including the Committee. She was planning an expert meeting in Geneva later in 2017, in conjunction with other special procedures mandate holders and African and Asian experts.

42. Attacks against persons with albinism continued. In 2017 alone, three countries had reported attacks. Given that the response plans developed by countries with high numbers of attacks were often threatened by a lack of resources, there was a dire need to seek assistance for such States. Health also remained a serious concern. One of the most serious health implications of albinism was vulnerability to skin cancer. Statistics on the issue were mostly from Africa, and some reports indicated that most persons with albinism in the region were likely to die from skin cancer between the ages of 30 and 40. Indeed, the Committee had recommended the inclusion of persons with albinism in the cancer policy of Uganda. Another major issue was discrimination, mainly based on the appearance of persons with albinism and their vision impairment, although the expression and severity of the discrimination varied from region to region. In western countries, for example, it often took the form of mockery or bullying of school-age children, while in sub-Saharan Africa and South Asia it could take more extreme forms, leading to isolation and exclusion, family abandonment for both the child with albinism and the mother, and even infanticide. Persons with albinism also faced a lack of reasonable accommodation for their vision impairment, which was caused by insufficient melanin in the eyes and could often not be completely corrected with glasses or other medical intervention. In some countries, persons with albinism were categorized as legally blind. Because many persons with albinism did not complete their education — often dropping out due to bullying and lack of reasonable accommodation — they were forced to work outdoors, which in turn exposed them to greater risk of skin cancer. Discrimination in access to employment had been reported worldwide, including in India and Spain.

43. Since most organizations serving persons with albinism were young, collaborative efforts were required to provide them with training so that they could better engage with the Committee and all relevant human rights mechanisms. The open-ended approach to disability in the Convention meant that persons with albinism were no longer in the grey area of the “almost but not quite disabled” and had a solid normative framework for reasonable accommodation and other protections. It had been said that the Sustainable Development Goals would leave no one behind and that efforts would begin with those furthest behind; persons with albinism were in that category. The Independent Expert was encouraged by the Committee's ongoing work on the issue and looked forward to continued joint efforts.

44. **Ms. Cieza** (World Health Organization (WHO)), speaking on behalf of the Inter-Agency Support Group on the Convention on the Rights of Persons with Disabilities, said that the Group had been working to ensure the inclusion of persons with disabilities in the

implementation of the 2030 Agenda for Sustainable Development, to strengthen approaches to the implementation of article 11 of the Convention, to uphold the rights of persons with disabilities in situations of risk and humanitarian emergencies, and to build a common approach to the rights of women and girls with disabilities. A major success had been the endorsement, at the World Humanitarian Summit, of the Charter on Inclusion of Persons with Disabilities in Humanitarian Action; a working group on article 11 was now helping to develop the corresponding guidelines.

45. A working group on community initiatives to implement the Convention had recently been created, with two objectives: defining mechanisms that facilitated the mainstreaming of disability into existing community strategies, and coordinating actions among United Nations agencies and organizations when they carried out community initiatives that contributed to the implementation of the Convention. The Committee would be welcome to join that working group. It was also invited to participate in the Inter-Agency Support Group's annual meeting, to be held in Geneva on 24 and 25 April 2017.

46. **Ms. Kopaçi-Di Michele** (Council of Europe) said that the Council had adopted a new disability strategy for the period 2017-2023, entitled "Human rights: a reality for all", with the overall goal of achieving equality, dignity and equal opportunities for persons with disabilities. That required ensuring independence, freedom of choice, and full and active participation in all areas of life and society. The strategy did not create legal obligations but, rather, was aimed at guiding and supporting efforts by the Council, its member States and other stakeholders to implement the Convention.

47. The strategy identified five cross-cutting issues to be taken into account by the Council and member States: participation, cooperation and coordination; universal design and reasonable accommodation; gender equality; multiple discrimination; and education and training. The strategy also had five rights-based priority areas, each corresponding to an individual article of the Convention: equality and non-discrimination; awareness-raising; accessibility; equal recognition before the law; and freedom from exploitation, violence and abuse. Action in the priority areas would be consistent with the Convention, the evolving body of decisions, guidelines and general comments of the Committee, and the developing case law of the European Court of Human Rights.

48. Implementing the strategy would involve cooperation with government representatives on the Ad Hoc Committee of Experts on the Rights of Persons with Disabilities and with national focal points, coordination mechanisms and independent frameworks as they were established under article 33 of the Convention, as well as with civil society. There would be a twin-track approach to implementation: one track would involve specific projects, campaigns and training activities organized by member States at the national level, for which the Council could provide support, while the other would entail mainstreaming disability-related issues into all the work of the Council of Europe. A disability perspective had been integrated into the Council's new Strategy for the Rights of the Child, and the same would be done for the strategy on gender equality. Training on issues related to the rights of persons with disabilities would be provided as needed and requested by different sectors. Follow-up to the strategy would focus on strengthening cooperation in the field of disability. The Ad Hoc Committee of Experts would report to the Council biennially on the progress made.

49. Lack of political commitment leading to insufficient financial and human resources was a general risk factor that applied to all priority areas. Accordingly, a risk analysis had been prepared for each area of the strategy, underlining the expected impact or ultimate goal at beneficiary level and presenting possible risk factors that could negatively affect the achievement of those outcomes as well as mitigating actions. The Council of Europe would seek to enhance cooperation with the Committee and other regional and international organizations and global actors in order to facilitate full access to and enjoyment of all human rights by persons with disabilities.

50. **Ms. Blomberg** (UN-Women), providing an update on the work of the sub-working group on women and girls with disabilities of the Inter-Agency Support Group on the Convention on the Rights of Persons with Disabilities, said that, in November 2016, the Economic Commission for Latin America and the Caribbean (ECLAC) had organized an

expert group meeting on advancing the rights and perspectives of women and girls with disabilities in development and society, which had resulted in the adoption of a set of recommendations intended to support the implementation of the 2030 Agenda for Sustainable Development in a manner that took into account the needs and perspectives of women and girls with disabilities. ECLAC expected to publish a report on the situation of women and girls with disabilities in Latin America in July 2017, in which it would examine the sociodemographic characteristics of that population group, analyse national legislation and programmes intended to advance the rights and inclusion of women with disabilities in the region and make a number of relevant recommendations.

51. The Economic and Social Commission for Western Asia (ESCWA) was expected to issue a disability-related publication in December 2017, which would include a section on social protection for persons with disabilities in the Arab States and a section on the indicators most relevant to those States. It was hoped that the publication would generate a better understanding of the different types of social protection available to persons with disabilities in the region and the challenges they faced, and bring about improvements in disability policies.

52. The International Labour Organization (ILO) had begun the process of establishing a standard to address violence against women and men in the world of work and had held a Meeting of Experts on the subject in Geneva in October 2016. The United Nations Population Fund (UNFPA) had supported the rights of persons with disabilities through country programmes intended to improve the collection and analysis of data on disability and to broaden access to sexual and reproductive health rights and associated health-care services. The United Nations Children's Fund (UNICEF) was in the process of developing guidance on including children with disabilities in humanitarian action. Furthermore, several UNICEF offices were working to include more adolescent girls with disabilities in UNICEF menstrual hygiene programmes. The United Nations Development Programme (UNDP) would refer to persons with disabilities in its forthcoming gender equality strategy, which was due to be published by the end of the year.

53. Turning to the efforts of UN-Women, she said that, at the sixty-first session of the Commission on the Status of Women, it had arranged for women with disabilities to speak at formal meetings and side events and had hosted a youth forum on gender equality and women's economic empowerment in the world of work. It had also co-sponsored a networking workshop to share experiences in strengthening the leadership of women with disabilities in development and social action, and a discussion on how to strengthen networks of women with disabilities in humanitarian action.

54. In addition, UN-Women was currently responsible for administering the United Nations Trust Fund to End Violence against Women on behalf of the United Nations system. Special consideration was given to programmes targeting especially marginalized populations, including women with disabilities. The call for proposals for 2017 would have a special focus on violence against women and girls with disabilities.

55. Lastly, UN-Women continued to promote the mainstreaming of a gender and disability perspective into its work and, to that end, had set up an internal disability task team to develop a strategy for gender equality and the empowerment of women with disabilities. It also remained committed to including women with disabilities in country programmes and was taking a number of steps in that direction.

56. **Ms. Kingston** (CBM) said that CBM, an international Christian development organization, was committed to improving the quality of life of persons with disabilities in the world's poorest communities and, to that end, was supporting efforts to implement the 2030 Agenda for Sustainable Development. The 2030 Agenda stipulated that the national reviews to be conducted at the high-level political forum on sustainable development were to be voluntary, State-led, undertaken by both developed and developing countries, and provide a platform for partnerships, including through the participation of major groups and other relevant stakeholders, such as persons with disabilities. Four of the States parties with which the Committee was scheduled to hold interactive dialogues, namely the Islamic Republic of Iran, Cyprus, Jordan and Honduras, were also due to undergo a voluntary national review in 2017. Six of the seven Sustainable Development Goals to be reviewed in



depth at the second high-level political forum, namely Goals 1, 2, 3, 5, 9 and 17, were inextricably and explicitly linked to articles of the Convention. In that connection, she wished to urge the Committee to broach the subject of the direct capacity development assistance that Honduras and Jordan had received from the Department of Economic and Social Affairs during the interactive dialogues with those countries.

57. **Ms. Wischniewski** (United Nations Children's Fund) said that the Fund's efforts to support the implementation of the Convention cut across many of the principles enshrined therein, including the principle that children with disabilities should be able to live free from stigma, discrimination and exclusion. There was evidence to suggest that children with disabilities found the stigma and discrimination they faced harder to bear than their disabilities themselves. For that reason, UNICEF was working to change public perceptions of children with disabilities by encouraging them to participate in events, such as the Paralympic Games, where they could showcase their abilities and increase their visibility within their communities.

58. The Fund had provided children with disabilities with an opportunity to make their voices heard by involving them in consultations at the local, national and international levels and had published a guide entitled "Take Us Seriously!" on how to promote and facilitate the participation of those children in decision-making processes. The Fund also had a mandate to protect children from violence and to guarantee their right to take part in family and community life. The Committee's efforts had enabled many children with disabilities around the world to leave institutional care and return to their families, leading to fewer children being exposed to violence.

59. Although the right to inclusive, quality education was enshrined in the Convention, children with disabilities accounted for one third of all children who were out of school worldwide. The Fund was working to guarantee those children access to education, including in humanitarian crises, and to that end, had produced new tools and resources, such as a guide on collecting data on children with disabilities who were out of school and digital textbooks for children with sensory, intellectual or developmental impairments.

60. During the process of negotiating the 2030 Agenda for Sustainable Development, UNICEF and disability rights organizations had successfully advocated for the inclusion of targets and indicators on disability in the Sustainable Development Goals, including in Goal 4 on ensuring inclusive, equitable and quality education for all.

61. During times of conflict or emergency, children with disabilities faced challenges that made them particularly vulnerable. The Fund was working with its partners to ensure that emergency programmes reached children with disabilities. Thanks to global advocacy efforts, Governments were beginning to collect the data necessary to deliver inclusive services for children with disabilities.

62. In addition to taking steps to include children with disabilities in its programmes, UNICEF was also adopting internal policies and practices to enhance its accessibility and inclusiveness. Its website, publications and social media campaigns increasingly featured children with disabilities, and its events and videos increasingly included sign language interpretation, audio description and closed captioning. Furthermore, a special innovation fund supported efforts to make UNICEF offices fully accessible to persons with disabilities.

63. **Mr. Toscano-Rivalta** (United Nations Office for Disaster Risk Reduction) said that the work of the Committee was critical to advancing the implementation of the Sendai Framework for Disaster Risk Reduction 2015-2030, of which accessibility and inclusivity were core principles. In adhering to the Sendai Framework, States agreed to make disaster risk reduction accessible. There was therefore a strong degree of complementarity between the Convention, particularly article 11, and the Sendai Framework in that the former defined the obligation to ensure the protection and safety of persons with disabilities in situations of risk and the latter articulated how that obligation might be fulfilled.

64. The Office welcomed the incorporation of the Sendai Framework's key tenets into the guidelines on periodic reporting to the Committee on the Rights of Persons with Disabilities, including under the simplified reporting procedures (CRPD/C/3), as that would assist States parties in ensuring that their future strategies and plans for disaster risk

reduction met the Sendai Framework's accessibility requirements by the 2020 deadline. The Office also welcomed the Committee's growing tendency to include disaster risk considerations and refer to the Sendai Framework in its concluding observations and looked forward to receiving further guidance from it in the future.

65. In 2016, the International Law Commission had adopted a set of draft articles and related commentaries on the protection of persons in the event of disasters, including a draft article on the legal duty to reduce disaster risk, and had recommended the drafting of an international instrument on that basis. In December 2016, the General Assembly had invited Member States to submit comments on the aforementioned recommendation and to discuss the matter further in 2018. The work of the International Law Commission was significant insofar as it contributed to further defining regulatory frameworks and obligations in respect of disaster risk reduction. In the future, the Committee might wish to consider adopting a general comment on article 11 in order to clarify the obligations of States parties in respect of situations of risk and the protection of persons with disabilities.

66. In February 2017, the General Assembly had endorsed the recommendations made by the open-ended intergovernmental expert working group on indicators and terminology relating to disaster risk reduction, which had included a set of global indicators for monitoring the progress made towards reaching the seven global targets of the Sendai Framework and a set of terms intended to foster coherence and a shared understanding of disaster risk reduction. The working group had recommended, *inter alia*, that Member States should begin or continue to collect data on disaster loss, disaggregated by income, sex, age and disability.

67. Lastly, it was expected that the question of accessibility would feature prominently during the session on inclusive and people-centred disaster risk reduction at the next Global Platform for Disaster Risk Reduction. The steps taken to make the event accessible included the use of robots and video screening for participants in remote locations and the provision of sign language interpretation, closed captioning and equipment to overcome physical barriers. Similarly, sign language interpretation would be provided at the European Forum for Disaster Risk Reduction, which had an accessible website.

68. **Ms. Lee** (Office of the United Nations High Commissioner for Human Rights) said that the Social Forum convened by the Human Rights Council in October 2016 had focused on the rights of persons with disabilities and had provided a platform for a vibrant multi-stakeholder dialogue on that topic. Pursuant to Human Rights Council resolution 32/23, in February 2017 a one-day intersessional seminar had been held on the role of the family in supporting the protection and promotion of the rights of persons with disabilities for the purpose of sharing good practices in that connection. Topics of discussion had included the applicable international human rights framework, the role of the family, including that of parents with disabilities, and future challenges.

69. The annual interactive debate on the rights of persons with disabilities, which had taken place in March 2017, had focused on equality and non-discrimination, pursuant to Human Rights Council resolution 31/6. The next annual interactive debate would focus on access to justice. A questionnaire had been circulated to States, national human rights institutions, regional human rights mechanisms and civil society with the aim of gathering information on relevant laws, policies and practices. Submissions should reach OHCHR by the May 2017 deadline.

70. In addition, OHCHR was pleased to announce its involvement in a project to promote the implementation of the Sustainable Development Goals, together with the European Union. The project would entail the development of a number of tools to help States and stakeholders monitor and report on their efforts to implement both the Convention and the Goals, such as human rights indicators and policy guidelines.

71. The systematic disaggregation of data was crucial for measuring the progress made towards achieving the Sustainable Development Goals. As the 2020 census round drew nearer, OHCHR was therefore calling on national statistics offices to incorporate the Washington Group short set of questions on disability into their censuses, in part in order to establish a baseline for comparing progress. It would be helpful if the Committee could remind States parties of that fact in its interactive dialogues and concluding observations.

72. While OHCHR welcomed the diversity of experience and expertise of the members of the Committee, it continued to find the stark gender imbalance in its composition regrettable. It reiterated its call for States parties to consider taking innovative measures with the aim of restoring the gender balance within the Committee, such as putting forward a majority of female candidates at future elections. The Committee should raise the issue with States parties and monitor the processes that led to the presentation of candidatures. Lastly, OHCHR encouraged the Committee to continue to mainstream a gender perspective into its work to ensure that low female representation did not undermine the progress made in realizing the rights of women and girls with disabilities.

73. **Mr. Allen** (International Disability Alliance (IDA)) said that representatives of his organization had been active participants in discussions and had hosted thematic side events at the 2016 Social Forum. On the occasion of the tenth anniversary of the adoption of the Convention, IDA had called for concrete steps to be taken towards achieving the fullest implementation of the Convention and the 2030 Agenda for Sustainable Development. The Social Forum had culminated in the adoption of numerous recommendations, including a strong call for the universal ratification of the Convention and the Optional Protocol. Attention had also been drawn to the need to guarantee the participation of persons with disabilities and their representative organizations in decision-making processes, including through the provision of unconditional support and capacity-building and technical assistance.

74. Particular attention should be paid to those States that, in addition to undergoing their national voluntary review at the second high-level political forum on sustainable development, were due to appear before the Committee in 2017. IDA continued to work to promote the implementation of the Sustainable Development Goals and the Convention. It commended the Committee on having included explicit references to the Goals in its concluding observations.

75. IDA was also continuing its efforts to facilitate the participation of organizations of persons with disabilities in processes involving the treaty bodies and the Human Rights Council. It had submitted comments on the draft general recommendation on gender-related dimensions of disaster risk reduction and climate change prepared by the Committee on the Elimination of Discrimination against Women and on the draft general comment on State obligations under the International Covenant on Economic, Social and Cultural Rights in the context of business activities prepared by the Committee on Economic, Social and Cultural Rights. It was also following developments in respect of the drafting of a revised general comment on the right to life by the Human Rights Committee, which could well raise issues concerning the rights of persons with disabilities. The Committee should continue to promote its established jurisprudence and to highlight the need to involve and closely consult persons with disabilities and their representative organizations in the design and development of all initiatives and guidance directly concerning them.

76. At the opening of the previous session, IDA had lamented the serious gender imbalance in the new composition of the Committee and had called on all actors to promote gender parity across the human rights treaty body system. It encouraged all Committee members to be attentive to and to systematically address issues related to women and girls with disabilities.

77. IDA welcomed the fact that the seventeenth session of the Committee was being held at the Palais des Nations, which would serve to enhance the visibility of the Committee's work and raise awareness of the need to improve the accessibility of facilities at the United Nations. The OHCHR secretariat was to be commended on its efforts to make the proceedings more accessible, including through the provision of videoconferencing services and sign language interpretation. IDA hoped that the United Nations would webcast treaty body sessions in an accessible manner, in the language of the country concerned and with sign language interpretation. It also looked forward to reviewing the Committee's draft general comment on article 19 of the Convention.

78. **Mr. Mowbray** (International Disability and Development Consortium (IDDC)) said that, in September 2016, his organization had promoted the rights of women and girls with disabilities at the thirteenth international forum of the Association for Women's Rights in

Development in Brazil and, in October 2016, had worked in close partnership with IDA to coordinate joint side events at the 2016 Social Forum. The events had addressed topics such as the participation of women with disabilities, the high-level political forum on sustainable development, and technical cooperation to assist States in implementing the Convention. In addition, IDDC had launched a research report on the financing of inclusive education for children with disabilities, entitled “Costing Equity”, at the seventy-first session of the General Assembly. In November 2016, IDDC and IDA had delivered training on the Convention and the Sustainable Development Goals in Africa with the aim of building the capacity of self-advocates. In December 2016, IDDC had organized the first European Disability and Development Week — Together for Inclusion, which had provided a platform for discussions on independent living, the economic gains of inclusion, the benefits of inclusive education and technical and vocational training, and the need for an inclusive humanitarian framework.

79. In January 2017, at the United Nations World Data Forum, IDDC, with IDA, had organized an event to underscore the importance of collecting data on disability for the successful implementation of the Sustainable Development Goals and the Convention. The Cape Town Global Action Plan for Sustainable Development Data, which had been launched at the Forum, likewise included a reference to data on disability.

80. **Ms. Rose** (Global Alliance of National Human Rights Institutions) said that the Global Alliance recognized and valued the critical role played by the treaty bodies in monitoring the implementation by States of universal human rights standards. The Committee provided authoritative guidance on the interpretation of the Convention and benchmarks against which to assess progress. Its work was indispensable not only to States parties as the primary duty bearers, but also to rights holders and national actors working to promote the implementation of the Convention. Whether or not they were formally designated under article 33 of the Convention, national human rights institutions were uniquely placed to provide the Committee with authoritative information on the human rights situation on the ground and played an important role in supporting follow-up to the Committee’s work within countries.

81. The 2014 landmark event on monitoring the Convention at the national and international levels and the draft guidelines on independent monitoring frameworks and their participation in the work of the Committee were but two examples of the long-standing and productive cooperation between the Committee and national human rights institutions. A recent workshop organized by OHCHR, the Global Alliance and the Geneva Academy of International Humanitarian Law and Human Rights had provided an opportunity for members of the treaty bodies and national human rights institutions to exchange experiences and to discuss ways and means of strengthening their cooperation.

82. The Global Alliance was in favour of OHCHR developing and maintaining a database on international, regional and national good practices on the development of indicators and benchmarks for measuring the implementation of the Convention, as mentioned in the aforementioned draft guidelines, and encouraged the Committee to consider hosting regular meetings with independent monitoring mechanisms to facilitate the exchange of experiences in that connection.

83. **Ms. Minkowitz** (Center for the Human Rights of Users and Survivors of Psychiatry) said that, in the wake of the adoption of general comment No. 1 (2014) on article 12, relating to equal recognition before the law, and the guidelines on article 14, relating to liberty and security of person, the Committee should continue to enforce the standards in question through country reviews and the consideration of communications under the Optional Protocol. It should also ensure that the right to exercise legal capacity and the right to liberty and personal inviolability were protected in any initiative it undertook and that the paradigm shift embodied by the Convention — from a medical to a social model of disability, from substitute to supported decision-making and from the regulation of forced hospitalization and treatment to the absolute prohibition of those practices — was always borne in mind.

84. Assisting persons with psychosocial disabilities to live independently and be included in the community should not be viewed as a mental health intervention but, rather,

as an opportunity for them to decide what kind of support they required and to choose and direct supporters. General comment No. 1 was instrumental in supporting the transition from substitute to supported decision-making. She remained opposed to any coercive intervention intended to protect the best interests of an adult with a psychosocial disability, including measures taken by the State to protect such a person's life, health or safety without his or her consent. The regulatory approach to forced hospitalization and treatment allowed persons with psychosocial disabilities to be deprived of their liberty and forcibly treated by psychiatrists, provided that the procedure was governed by law. The role of legislators and the courts was to enforce the total prohibition of those practices by repealing all legislative provisions authorizing confinement and forced treatment and by upholding the right of persons deprived of their liberty in psychiatric facilities to be released immediately on request. She urged the Committee to enquire as to why certain States parties had not abolished those practices which, according to the guidelines on article 14, amounted to arbitrary detention and to acts of torture and other ill-treatment. The guidelines should be issued with an official symbol and be translated into all the official languages of the United Nations.

85. **Ms. Heyer Frigo** (Association for the Prevention of Torture (APT)) said that, in recent years, the Association had devoted more efforts to raising awareness of the risks and abuse faced by persons held in psychiatric institutions. In September 2016, it had convened a two-day symposium on monitoring practices in psychiatric institutions, which had provided an opportunity to discuss factors that might contribute to abuse against persons deprived of their liberty in such settings and ways and means of preventing such abuse. The outcome report identified a number of good practices that could serve to guide the efforts of bodies responsible for monitoring psychiatric institutions, including national preventive mechanisms.

86. The discussions held at the symposium pointed to a divergence among existing international standards regulating deprivation of liberty in psychiatric institutions and the need for a more coherent legal framework, as well as to a marked difference in the approaches taken by national preventive mechanisms to promoting alternatives to long-term institutionalization and the development of community services and, in some cases, an alarming lack of knowledge of the Convention. There had been a general consensus among participants that the principle of free and informed consent in the provision of treatment could only be circumvented in exceptional circumstances and that public policies and legislation could not be designed on the basis of such circumstances. Participants had also agreed that seclusion and the use of restraints represented a serious risk to a person's physical integrity. Practices in that regard varied from country to country and, occasionally, even within the same institution. There also appeared to be a significant divergence among the relevant international standards, which needed to be addressed. The symposium had also given national preventive mechanisms an opportunity to discuss the methodological challenges they faced.

87. The Association encouraged the Committee to continue its efforts to prevent abuse in psychiatric institutions; to provide States with examples of good practices to assist them in applying standards relating to the deprivation of liberty and freedom from torture in psychiatric institutions; to maintain a dialogue on those issues with other treaty bodies and other relevant stakeholders with a view to improving the coherence of standards; and to emphasize in its interactions with States parties the importance of introducing effective and independent oversight mechanisms for all places of deprivation of liberty, including psychiatric institutions.

88. **Ms. Fehr** (Dementia Alliance International) said that the Alliance was a global organization run by and for people living with dementia. Although framing dementia as a disability was still a novel concept, it was being discussed as a policy direction and a human rights issue. When it came to the Convention, the Alliance's goal was to ensure that persons with a cognitive impairment were afforded the same treatment as persons with other disabilities. Some progress had been made. For example, WHO had included the human rights of persons with dementia, empowerment and accountability as cross-cutting principles in the draft global action plan on the public health response to dementia, in keeping with the Convention.

89. In Canada, a group of people living with dementia had joined a coalition of disability rights groups to advocate for the inclusion of individuals with dementia in the implementation and monitoring of the Convention. Moreover, the Ontario Dementia Advisory Group had explained, in testimony before a committee of the Senate of Canada, how persons with dementia could benefit from the Convention's provisions. Although persons with dementia were covered by the definition of persons with disabilities contained in article 1 of the Convention, they were seldom included in efforts to implement the instrument. There was a pressing need to raise awareness of the importance of the human rights of persons with dementia and of the Convention as a tool that they could use to secure their enjoyment of the fundamental human rights from which they were currently excluded.

90. **Ms. Sharma** (Human Rights Watch) said she hoped that the serious gender imbalance in the composition of the Committee would not prevent it from paying particular attention to the concerns of women and girls with disabilities. Although the paradigm shift from a medical to a rights-based model of disability was well under way, stigma, paternalism and exclusion continued to prevail in many countries. Disability advocates, legal experts and Governments were increasingly being confronted with the task of interpreting the scope of many provisions of the Convention, which made the work of the Committee all the more important. Human Rights Watch espoused the principle of including persons with disabilities in all decisions and actions concerning them and worked closely with organizations of persons with disabilities at all levels. In 2017, Human Rights Watch would conduct research on such issues as barriers to humanitarian aid for refugees with disabilities in Greece and South Sudan, the neglect and abuse that persons with disabilities faced in Australian prisons, sexual violence against women with disabilities in India, the institutionalization of children with disabilities in Brazil, and the denial of access to education for children with disabilities in Afghanistan and Armenia.

91. In Armenia, many children were placed in residential institutions simply because they had a disability, despite the majority of them having at least one living parent. Even in well-funded residential institutions, children received no individual attention, had no privacy and suffered emotional distress as a result of being separated from their families. Although the Government had taken some steps to provide children with disabilities with an alternative to residential care, it had still not invested in key services, such as inclusive education.

*The meeting rose at 6 p.m.*