



Convention on the Rights of Persons with Disabilities

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Committee on the Rights of Persons with Disabilities Twenty-seventh session

Summary record (partial)* of the 583rd meeting

Held at the Palais des Nations, Geneva, on Monday, 15 August 2022, at 10 a.m.

Chair: Mr. Ruskus (Vice-Chair)

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

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In the absence of Ms. Kayess, Mr. Ruskus (Vice-Chair) took the Chair.

The meeting was called to order at 10 a.m.

Opening of the session

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

Opening statement by the representative of the Secretary-General of the United Nations

2. **Ms. Rossbacher** (Office of the United Nations High Commissioner for Human Rights (OHCHR)) said that she wished to congratulate the members of the Committee who had been re-elected at the fifteenth Conference of States Parties to the Convention. When the composition of the Committee changed in 2023, it would have the second-largest number of female members of all the treaty bodies.

3. Since the Committee's previous session, there had been one new ratification of the Convention, by Equatorial Guinea. There had also been several developments in the international framework to promote the rights of persons with disabilities. The Human Rights Council had adopted three resolutions related to the rights of persons with disabilities at its forty-ninth session. Resolution 49/11 ([A/HRC/RES/49/11](#)) on the right to work and resolution 49/17 ([A/HRC/RES/49/17](#)) on adequate housing stressed the importance of protecting persons with disabilities from exploitation and discrimination. Resolution 49/12 ([A/HRC/RES/49/12](#)) covered data collection and the participation of persons with disabilities in sport and called on States to protect persons with disabilities from discrimination in access to sports and leisure activities. That resolution also requested OHCHR to prepare two reports on support systems to ensure community inclusion of persons with disabilities. At the same session, the Special Rapporteur on the rights of persons with disabilities had presented his report on artificial intelligence, in which he encouraged States to ensure that national artificial intelligence regulations prohibited discriminatory and harmful uses or impacts in relation to persons with disabilities. At its fiftieth session in July 2022, the Council had adopted further resolutions that referred to persons with disabilities, including a resolution on human rights and climate change, and had held an interactive panel discussion on violence against women and girls with disabilities.

4. The Conference of States Parties to the Convention held in June 2022 had focused on building disability-inclusive and participatory societies in the context of the coronavirus disease (COVID-19) pandemic and beyond.

5. The high-level political forum on sustainable development had addressed building back better from the COVID-19 pandemic while advancing the implementation of the 2030 Agenda for Sustainable Development. Committee members had provided written inputs on key areas that had affected the rights of persons with disabilities during the pandemic. The forum had reaffirmed international commitments to disability-sensitive education facilities, disability-inclusive disaster risk reduction policies and the empowerment of women, including women with disabilities.

6. In June 2022, the General Assembly had adopted resolution 76/273 ([A/RES/76/273](#)) on enhancing accessibility for persons with disabilities to conferences and meetings of the United Nations system. The United Nations Disability Inclusion Strategy was in its third year of implementation and a progress report published in May 2022 was available on the OHCHR webpage.

7. With regard to the treaty body strengthening process, the Chairs of the treaty bodies had endorsed a comprehensive proposal at their thirty-fourth annual meeting in June 2022. The agreement to establish a predictable schedule of State reviews, with an eight-year cycle for full State reviews and follow-up reviews in between, demonstrated the commitment of the treaty bodies to work together. The Chairs had highlighted the need to address the petitions backlog as a matter of priority to avoid the risk of denial of justice to victims, and the need for a formula for the equitable allocation of financial and human resources to the treaty bodies in line with the increase in communications. The Chairs had noted that greater

harmonization of working methods was needed, including on a reasonable accommodation policy for treaty body experts with disabilities and increased digitalization, especially for the system of individual communications. It was hoped that the agreement reached by the Chairs would provide the basis for a more sustainable allocation of resources for the treaty bodies.

Adoption of the agenda (CRPD/C/27/1)

8. *The agenda was adopted.*

Report of the Chair on activities undertaken between the twenty-sixth and twenty-seventh sessions of the Committee

9. **The Chair**, reading a statement by Ms. Kayess, said that the outcome document of the thirty-fourth annual meeting of the Chairs of the treaty bodies had been presented to the Secretary-General for his consideration and inclusion in his upcoming report on the status of the treaty body system.

10. Along with other members of the Committee, Ms. Kayess had participated in the fifteenth session of the Conference of States Parties to the Convention, at which good practices and innovative approaches to implementing the Convention had been shared. She had engaged with a range of stakeholders, including government delegations and civil society organizations. She welcomed the outcome of the election of the members of the Committee, particularly the fact that gender parity had been maintained.

11. Ms. Kayess had been invited to speak at events on deinstitutionalization held by the Norwegian Directorate for Children, Youth and Family Affairs and the European Society for Disability Research. She had also participated in a panel discussion at the World Congress of Psychiatry to outline the transformation required to eliminate coercive treatment and forced confinement and to de-medicalize understandings of mental health and well-being.

12. She wished to acknowledge the passing of former Committee member Mr. Gábor Gombos, who had been instrumental in shaping the understanding of the rights of persons with disabilities. He had been integral to the drafting of the Convention and the Committee's general comment No. 1 on equal recognition before the law.

Submission of reports by parties to the Convention under article 35

13. **Mr. Araya** (Secretary of the Committee) said that, since the Committee's twenty-sixth session, initial reports had been received from Romania, Kyrgyzstan, the Federated States of Micronesia and Zimbabwe. Combined second to fourth periodic reports had been received from Qatar and Honduras. A total of 77 State party reports were pending consideration by the Committee and 19 lists of issues prior to reporting were pending adoption. With the meeting time and human resources currently available, the Committee would need six years to clear the backlog.

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

14. **Mr. Berkat** (Chair, Committee on Victim Assistance under the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction) said that the 164 States parties to the Anti-Personnel Mine Ban Convention understood that victim assistance lay within the broader context of disability. Victim assistance efforts therefore promoted the development of services, infrastructure and policies to address the rights and needs of all persons with disabilities, regardless of the cause of their impairment.

15. The Committee's focus on employment and deinstitutionalization was encouraging. The COVID-19 pandemic had revealed the disproportionate impact of emergency situations on persons with disabilities and the importance of ensuring equal opportunities. The Oslo Action Plan required States parties to the Anti-Personnel Mine Ban Convention to ensure that the needs and rights of mine victims were effectively addressed through national policy and legal frameworks in line with the provisions of the Convention on the Rights of Persons with Disabilities. The international community needed to better prepare itself to ensure the safety

and protection of persons with disabilities in conflict situations, and the Committee had a critical role to play in that regard.

16. The Committee on Victim Assistance would hold a meeting of experts in November 2022 and a global conference in 2023. He would like to invite all members of the Committee to attend those events as part of continued collaboration between the Committee on Victim Assistance and the Committee on the Rights of Persons with Disabilities.

17. **Mr. Tromel** (International Labour Organization (ILO)) said that the ILO had adopted a policy on disability and inclusion in line with the United Nations Disability Inclusion Strategy that had received strong support from ILO stakeholders.

18. Significant progress had been made in the collection of data on the employment of persons with disabilities. New data revealed that persons with disabilities experienced lower levels of labour market participation and worse conditions than persons without disabilities. Persons with disabilities were more likely to be working in the informal economy, and young persons with disabilities were twice as likely as their peers not to be in employment, education or training.

19. On a more positive note, there were growing opportunities for employment in the digital economy and ILO was working to discover how it could be ensured that persons with disabilities had the necessary skills to have access to those jobs. ILO was also advocating for new jobs in the green economy to be made available for persons with disabilities.

20. The fact that little information was available on the impact of the COVID-19 pandemic on persons with disabilities showed that disability inclusion was not being systematically addressed in emergency contexts. The data that were available showed that the pandemic had negatively affected young persons and women with disabilities in particular. Efforts to build back better following the pandemic must therefore focus on young people and women with disabilities and gaining a better understanding of the informal economy. Formalization of employment was important, but conditions in the informal economy also needed to be improved for those who were not able to move into formal employment.

21. He wished to thank the Government of Indonesia for putting persons with disabilities on the employment agenda of the Group of 20. ILO would continue to provide technical assistance to Governments for the implementation of article 27 of the Convention on work and employment.

22. **Mr. Evangelista** (World Intellectual Property Organization (WIPO)) said that the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled had been ratified by 89 contracting parties, making it the fastest-growing WIPO treaty in recent history. The Accessible Books Consortium was a public-private partnership initiative that aimed to implement the Marrakesh Treaty at an operational level and increase the number of books available in an accessible format. The Consortium provided training and technical assistance to equip organizations in developing countries to produce accessible education materials. More than 17,500 educational books had been produced with funding from the Consortium. The initiative had established a global online catalogue of books in accessible formats with more than 750,000 titles in over 80 languages. The Accessible Books Consortium also worked with publishers to promote the publication of accessible works at the same time as the works for sighted persons.

23. **Mr. Barrett** (World Health Organization (WHO)) said that 2021 World Health Assembly resolution 74.8 on the highest attainable standard of health for persons with disabilities provided momentum to the Organization's commitment to promote the inclusion of persons with disabilities in the health sector. The resolution called on WHO to prepare a global report on the highest attainable standard of health for persons with disabilities, which would include recommendations and guidance for Governments. The report would be based on reviews of evidence and data and consultations with relevant stakeholders, including representative organizations of persons with disabilities. Preliminary findings revealed that persons with disabilities faced a range of health inequities, which had not improved since the 2011 WHO and World Bank World Report on Disability. In order to address the contributing

factors to those inequities, WHO recommended that States should adopt a human rights-based approach to health, strengthen health systems and ensure that health emergency management included and protected persons with disabilities. In addition, data disaggregated by disability were needed to inform the development of health systems.

24. The launch of the report in December 2022 would serve as an opportunity to galvanize States parties to work towards achieving an inclusive health sector in line with article 25 of the Convention. The leadership and support of the Committee was fundamental to ensuring the highest attainable standard of health for persons with disabilities.

25. **Ms. Grandjean** (United Nations Children's Fund (UNICEF)), speaking in a pre-recorded video message, said that UNICEF was finalizing its disability inclusion policy and strategy, with the aim of ensuring that all children and their families lived in inclusive communities in which persons with disabilities were embraced and helped to realize their rights and participate fully in society.

26. In December 2021, at the Fourth Biennial International Conference on Alternative care for Children in Asia, civil society organizations had reiterated the call for the deinstitutionalization of children with disabilities and support for community-based inclusive rehabilitation practices. UNICEF estimated that over 770,000 children lived in residential care in the East Asia and Pacific region, many of whom were likely to have disabilities; such children were particularly vulnerable to a wide variety of forms of abuse. Since children with disabilities were at greater risk of being left behind when care institutions were evacuated during emergencies, UNICEF was working with institutions across the East Asia and Pacific region on draft multisectoral emergency response plans that were inclusive of children with disabilities. Between 2019 and 2021, UNICEF work on disability inclusion in the region had included strengthening minimum standards for alternative care in Cambodia, revising parenting support intervention materials in Malaysia and preventing the abandonment and institutionalization of children with disabilities in Viet Nam.

27. **Mr. Vardakastanis** (International Disability Alliance), speaking in a pre-recorded video message, said that the International Disability Alliance welcomed the Committee's decision to hold a meeting with civil society organizations concerning the situation of persons with disabilities affected by the war in Ukraine. The Alliance had established a Disability-Inclusive Emergency Response Mechanism, which would identify major gaps in the inclusion of persons with disabilities in the responses to a wide range of emergency situations and suggest ways of filling those gaps.

28. The Alliance looked forward to the Committee's new guidance on deinstitutionalization, which it hoped would encourage States parties to accelerate deinstitutionalization measures, including the urgent development of support services that respected the will and preferences of persons with disabilities, and to consult persons with disabilities and their representative organizations.

29. It was regrettable that the United Nations Office at Geneva had initially allocated a room that was too small and insufficiently accessible for the Committee's session. While a more suitable room had eventually been allocated for the first two weeks of the session, the Alliance also noted that limitations on remote participation would restrict the participation of organizations of persons with disabilities. The Alliance hoped that the increased digitalization being promoted by OHCHR would eliminate any such restrictions in future.

30. Lastly, the Alliance was grateful for the Committee's leadership and support in securing suspension of the adoption of the draft additional protocol to the Convention for the Protection of Human Rights and Dignity of the Human Being with regard to the Application of Biology and Medicine. Organizations of persons with disabilities would participate in the next steps, which would include the preparation of a draft recommendation promoting the use of voluntary measures in mental health.

31. **Mr. Matthew** and **Ms. Moulam** (International Communication Rights Alliance), speaking via video link, said that they would deliver their statement jointly. It was important to highlight that, for persons with comprehensive communication needs caused by disability, shared meaning-making could be affected not only by impairment, but also by other factors, including communication partners' skills and attitudes. In States parties' reports to the

Committee, “communication” typically referred to unidirectional information for persons with disabilities. In their reports, States parties tended to address the communication needs of certain groups, such as deaf persons, but persons with more complex and diverse needs must also be considered to ensure that the communication rights of all were upheld.

32. The majority of the measures reported by States parties related to technology and improving access to that technology, but no guidelines defined the skills and attitudes that service providers required in order to ensure access for persons with comprehensive communication needs, for example in the context of supported decision-making. Communication rights needed to be addressed in every context in which human interaction occurred, not just in specific cases such as during elections, on public transport or in educational settings.

33. The International Communication Rights Alliance hoped that the Committee would call on States parties to start including disaggregated data and information on measures relating to persons with comprehensive communication needs in their reports. The Alliance would also appreciate the Committee’s support in raising awareness of comprehensive communication needs and of the unique and specialized competencies and assistive technologies that such needs necessitated.

34. **Mr. Montiel** (Saraki Foundation), speaking via video link, said that, since the launch of the Inclusion Dashboard in September 2021, the Saraki Foundation had been working with a wide variety of government agencies, international organizations and non-governmental organizations on improving the software. In January 2023, the Organization of American States (OAS) would start using a bespoke version of the Inclusion Dashboard to receive the country reports and shadow reports of 35 countries submitted under the Inter-American Convention on the Elimination of All Forms of Discrimination against Persons with Disabilities. That would provide both OAS and the general public with almost instant access to the data and information included in the reports. Furthermore, OAS would be able to use the web portal to manage and follow up on the recommendations made to each country and to monitor, in real time, progress in implementing each recommendation. The Government of Paraguay intended to volunteer to be the first country to use the Inclusion Dashboard, on a trial basis. The Foundation would be happy to meet with the Committee to present the software in more detail and offer it for use free of charge.

35. **Mr. Ferreyra** (Judiciary of the City of Buenos Aires) said that, since the Convention had been given constitutional status in Argentina, a robust framework for the protection and recognition of the rights of persons with disabilities had been established. Nonetheless, legal action was routinely the only means by which persons with disabilities could effectively enjoy those rights. As a result, the Judiciary of the City of Buenos Aires had established the Disability Observatory, a specialist technical body whose main purpose was to ensure that, in legal proceedings involving the rights of a person with a disability, any procedural accommodations necessary were made, to produce interdisciplinary reports and to issue a legal assessment ensuring that a comprehensive disability perspective was adopted in relation to the case.

36. The Observatory ensured the effective application of the Committee’s general comments in court judgments. For example, general comment No. 4 (2016) on the right to inclusive education had been taken into account in the judgment handed down in relation to a case of discrimination against children and adolescents with disabilities in private schools. Persons with disabilities played a leading role in the work of the Observatory, in line with the principle of “nothing about us without us”. The Judiciary of the City of Buenos Aires called on other judicial authorities to take similar measures.

37. **Ms. Alonso** (Down Syndrome Association of Argentina), accompanying her statement with a digital slide presentation, said that a survey of persons with disabilities conducted in 2018 by the National Institute of Statistics and Censuses had found that 70 per cent of Argentines with disabilities who were not active in the labour market were persons with intellectual or psychosocial disabilities. Persons with disabilities and, in particular, persons with Down syndrome had not been adequately taken into consideration in the 2022 national census. To remedy the lack of data, the Down Syndrome Association of Argentina had decided to build the world’s first dynamic, online database for registering persons with

trisomy 21. According to the information registered, 66 per cent of persons with Down syndrome had been unable to take part in training for employment and 93 per cent of those who had undergone such training had been unable to find work on the open and competitive job market. With a view to improving that situation, the Association followed a supported employment approach. In recent years, the Association had helped over 300 persons to find work, established a project encouraging persons with Down syndrome to live independently, and created bespoke training programmes for companies, from which over 6,000 persons had benefited.

38. **Ms. Da Silveira Gorman** (Disability and Data Partnership, University of York, Canada), speaking in a pre-recorded video message, said that the Disability and Data Partnership had developed prototypes of a disability wikibase and of an artificial intelligence search engine based on the Convention and the social model of disability. The Partnership would follow an intersectional approach to develop a collaborative, accessible information repository – the wikibase – that met the needs of diverse disability communities. A wikibase was useful because the dispersed and small-scale nature of literature on disability made library-based research difficult; a search algorithm was useful because, since it obtained rights-based rather than deficit-based information on disability, information could be accessed more swiftly and efficiently. The Disability and Data Partnership hoped to work with the Committee on developing the wikibase.

The discussion covered in the summary record ended at 11.40 a.m.