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### Third Committee

#### Summary record of the 30th meeting

Held at Headquarters, New York, on Friday, 21 October 2022, at 3 p.m.

*Chair:* Ms. Al-thani (Vice-Chair) ..... (Qatar)

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*In the absence of Mr. Blanco Conde (Dominican Republic), Ms. Al-thani (Qatar), Vice-Chair, took the Chair.*

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

**Agenda item 68: Promotion and protection of human rights (continued)**

**(a) Implementation of human rights instruments**

*(continued)* (A/77/40, A/77/44, A/77/228, A/77/230, A/77/231, A/77/279, A/77/289 and A/77/344)

**(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (continued)**

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**(c) Human rights situations and reports of special rapporteurs and representatives (continued)**

(A/77/149, A/77/168, A/77/181, A/77/195, A/77/220, A/77/227, A/77/247, A/77/255, A/77/311, A/77/328 and A/77/356)

**(d) Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action (continued)** (A/77/36)

1. **Mr. Quinn** (Special Rapporteur on the rights of persons with disabilities), introducing his report (A/77/203), said that peace was an essential precondition for the enjoyment of human rights. Conflict was not a legitimate course of action to resolve political disputes; nevertheless, conflict continued in the present day. His report focused on how international humanitarian law and the Convention on the Rights of Persons with Disabilities could work together better. There had long been norms which dealt with civilian protection, including the protection of persons with disabilities, but they had remained largely dormant. The disability community was calling for those protections to become visible and to be applied equally and effectively in response to the real-life circumstances

experienced by persons with disabilities in situations of armed conflict.

2. The Convention on the Rights of Persons with Disabilities helped to refresh international humanitarian law and compelled key actors to truly see persons with disabilities and take their needs into account. The Convention also revealed profound problems stemming from the invisibility of persons with disabilities. It was necessary to address such problems, which included the inability to communicate effective warnings to persons with disabilities, non-inclusive evacuation processes and the indiscriminate use of ordnance with a disproportionately traumatizing effect on persons with disabilities. The Convention helped to increase the visibility of persons with disabilities within international humanitarian law by promoting a new human rights-based model of disability. Such a model ensured that the accumulated disadvantages faced by persons with disabilities were evident and were incorporated into both doctrine and practice.

3. The report also contributed to the goals of Security Council resolution 2475 (2019) and the analysis it contained was consistent with the valuable work already done by organizations such as the International Committee of the Red Cross, the Geneva Academy of International Humanitarian Law and Human Rights and the Diakonia International Humanitarian Law Centre. The recommendations made in the report were directed at key actors including States, military authorities, regional security bodies, the United Nations system, humanitarian bodies and civil society organizations.

4. The report had been produced through close cooperation with international human rights organizations. Regional meetings bringing together military authorities and organizations representing persons with disabilities had also been convened and had directly enriched and informed the analysis and recommendations contained in the report.

5. The aim of the report was not to achieve a more inclusive form of warfare but to reduce the lethality of conflict and address the plight of civilians with disabilities. The next report in the series would focus on the positive moral agency and voice of persons with disabilities in peacebuilding processes.

6. **Mr. Shaked** (Israel) said that persons with disabilities faced heightened risks in conflict situations. For example, persons with physical disabilities could not always quickly evacuate in the case of emergencies and children with disabilities might not understand the immediacy of emergencies. Israel had developed several important practices to assist persons with disabilities during emergencies. The Israel Defense Forces prepared

the public for emergency situations, including via a special branch for persons with disabilities, and text message alerts of incoming rocket fire were sent to ensure that hearing impaired persons were protected. Regulations on accessibility had also recently been updated to ensure that, in times of emergency, services for persons with disabilities could be adjusted, health care for persons with disabilities continued to be available and accessibility arrangements for evacuation to temporary emergency accommodation could be made.

7. He asked the Special Rapporteur what measures were recommended to ensure that services for persons with disabilities were both accessible and effective during times of conflict.

8. **Ms. Romulus Ortega** (Mexico) said that her country wished to know how capacity-building on the rights and needs of persons with disabilities could be incorporated into peacebuilding and peacekeeping operations. Mexico recognized that the risks posed to persons with disabilities during conflict were increased by weakened systems and insufficient responses. As such, the disproportionate impact of armed conflict on persons with disabilities needed to be made more visible and addressed accordingly. The norms of international humanitarian law should respond to the needs of persons with disabilities and Member States should guarantee the full, effective and meaningful participation of persons with disabilities and the organizations representing them in humanitarian responses.

9. **Mr. Lammar** (Luxembourg), speaking also on behalf of Belgium and the Netherlands, said that persons with pre-existing disabilities faced increased risks during conflicts and compounding vulnerabilities led to intersecting forms of discrimination. In that connection, their countries strongly condemned all unlawful attacks on civilian facilities, including the reported attacks by Russian armed forces on homes and schools where persons with disabilities lived and learned.

10. Noting that article 11 of the Convention on the Rights of Persons with Disabilities established an obligation to ensure the protection and safety of persons with disabilities in situations of armed conflict, their countries encouraged all States to ratify, accede to and fulfil their obligations under the Convention and its optional protocol. Although the increased attention being brought to disability inclusion in the area of civilian protections was welcome, the impact of armed conflict on children with disabilities regrettably continued to be underreported.

11. **Mr. Bunch** (United States of America) said that disability-inclusive decision-making and implementation were particularly critical in humanitarian contexts.

Women and children with disabilities were especially at risk and faced increased gender-based violence, harassment and persecution, which hindered their meaningful participation in preventing conflict and promoting stability.

12. The United States Agency for International Development advanced disability inclusion in all development and humanitarian assistance programming, supported the leadership of persons with disabilities in humanitarian and human rights decision-making processes and funded initiatives to strengthen best practices for disability-inclusive humanitarian action.

13. He asked how the lessons in the Special Rapporteur's report could be applied to the planning and response processes for other humanitarian crises.

14. **Mr. Almansouri** (Qatar) said that his delegation drew special attention to the recommendation in the report that the United Nations should support the Special Representative of the Secretary-General for Children and Armed Conflict to ensure that children with disabilities were taken into account in the implementation of that important mandate, as that was a matter of great importance to Qatar. The country also provided support to the Analysis and Outreach Hub of the Office of the Special Representative of the Secretary-General for Children and Armed Conflict, which had opened in Doha the previous June. That entity would play an important role in improving data collection, supporting the capacity-building of stakeholders and raising awareness of important issues. Qatar had long thought it important to protect children with disabilities in armed conflict by focusing on educational programmes implemented in cooperation with the United Nations Children's Fund. In addition, programmes funded by the Qatar Fund for Development in conflict zones, such as the Sheikh Hamad Hospital in Gaza had provided 61 smart prosthetics to persons with disabilities. Qatar reiterated the need to intensify efforts to protect civilians with disabilities in military and peacekeeping operations in a manner in line with international humanitarian law and international human rights law.

15. **Ms. Heifetz** (United Kingdom) said that the United Kingdom continued to be a strong advocate for inclusive humanitarian action and called for any action undertaken to include the meaningful participation of all affected persons with disabilities. In that regard, the United Kingdom had recently published a strategy on disability inclusion and rights. The United Kingdom also called for States to use platforms such as the Global Action on Disability Network to share learning on how

to best engage and support persons with disabilities impacted by armed conflicts.

16. She wished to know what lessons the international community could learn from the experiences of persons with disabilities during the humanitarian crisis in Ukraine.

17. **Ms. Haapea** (Finland), speaking on behalf of the Nordic and Baltic countries (Denmark, Estonia, Finland, Iceland, Latvia, Lithuania, Norway and Sweden), said that, given recent challenges, it was paramount to ensure that persons with disabilities were protected during armed conflicts and that obligations and commitments under international humanitarian and human rights law were respected. Women and children with disabilities faced multiple and intersecting forms of discrimination, placing them at higher risk during armed conflict.

18. She asked how States could ensure that the planning and implementation of military and peacekeeping operations reflected all obligations to protect persons with disabilities under international humanitarian and human rights law.

19. **Mr. Kuzmenkov** (Russian Federation) said that the decision by the Special Rapporteur to dedicate three detailed reports to the issue of the protection of the rights of persons with disabilities in the context of military operations seemed irrational considering that persons with disabilities faced difficulties in all spheres of life, such as work, education, health care and social services. He advised the Special Rapporteur to focus more closely on improving the general quality of life of persons with disabilities by offering tangible measures to States instead of engaging in academic discussions of issues that did not fall directly within his remit and creating a hierarchy of vulnerability. In the present report, attempts to link the issue with international humanitarian law were inappropriate. The Geneva Conventions of 1949 and the protocols additional thereto clearly divided participants in military conflicts into combatants and non-combatants and defined the founding principles for warfare in order to minimize civilian casualties and, as suggested in article 11 of the Convention on the Rights of Persons with Disabilities, the provisions of those instruments also applied to persons with disabilities. The same could be said for the Special Rapporteur's focus on intersectional factors.

20. **Ms. Pongor** (Hungary) said that Hungary had opened its borders to all those fleeing the ongoing war in Ukraine, including persons with disabilities, who had been provided with support according to their needs and rights. The importance of involving representative organizations in humanitarian responses had been illustrated by the exemplary mobilization of an

organization which had provided deaf and hard-of-hearing refugees with information, temporary accommodation and personalized assistance. Many residential institutions were currently empty due to the deinstitutionalization process regarding persons with disabilities in Hungary and had been repurposed to provide accommodation, meals, health care and administrative services to refugees from Ukraine.

21. **Ms. Mozgovaya** (Belarus) said that, while recognizing the indisputable importance of the issue detailed in the Special Rapporteur's report, she wished to draw his attention to a situation which, in the view of her Government, was a flagrant violation of the Convention on the Rights of Persons with Disabilities and the commitment to leaving no one behind. The International Paralympic Committee had taken the decision to exclude Belarusian and Russian Paralympians from competing in the Beijing 2022 Paralympic Winter Games. Regrettably, neither the Committee on the Rights of Persons with Disabilities nor the special procedures of the Human Rights Council had dedicated due attention to the issue. The exclusion of sportspersons with disabilities on political grounds had received no expert assessment at all.

22. She asked the Special Rapporteur to share his views on the situation and to comment particularly on whether discrimination against persons with disabilities for political reasons was admissible.

23. **Ms. Allan** (Australia) said that armed conflict had a disproportionately high impact on persons with disabilities. Recent events, such as the unilateral, illegal and unprovoked attack on Ukraine by Russia, had highlighted how dire the situation was. The negative impacts of current conflicts demonstrated an urgent need to advance dialogue on the issue. Australia was developing new development policy underpinned by a commitment to address multidimensional vulnerability, including through disability inclusion.

24. She asked what steps States could take to help ensure that their approach to development, human rights and humanitarian action was coherent and fully inclusive of persons with disabilities.

25. **Ms. Buist-Catherwood** (New Zealand) said that building a better understanding of the challenges faced by persons with disabilities was critical to finding solutions to current overlapping crises. New Zealand was proud to co-lead the biennial resolution on the implementation of the Convention on the Rights of Persons with Disabilities. In 2022, New Zealand had also established the world's first ministry dedicated to persons with disabilities, which worked closely with

civil society and persons with disabilities to ensure that their voices could be heard.

26. She wished to know more about the Special Rapporteur's specific recommendations for United Nations peacekeeping missions to ensure that they sufficiently prioritized and integrated the rights of persons with disabilities.

27. **Ms. Lula** (Poland) said that the Security Council had adopted resolution [2475 \(2019\)](#) on the initiative of Poland. The resolution, like the report of the Special Rapporteur, emphasized the need to involve persons with disabilities in humanitarian action and responses to conflict, as well as the need to expand knowledge of the needs of persons with disabilities in peacekeeping missions and to ensure their access to justice, basic services and humanitarian assistance. The Government of Poland had also implemented a number of programmes to ensure that persons with disabilities had equitable access to health care, education, housing and other protections.

28. She asked what more States could do to ensure the full implementation of Security Council resolution [2475 \(2019\)](#) and other instruments aimed at ensuring disability-inclusive peacebuilding processes.

29. **Ms. Yu Kaili** (China) said that China called for greater focus on persons with disabilities and for the protection of their rights and interests. Governments should ensure that health care was accessible, affordable and inclusive in order to guarantee basic medical services and mental health support for persons with disabilities. Her Government faithfully implemented the Convention on the Rights of Persons with Disabilities and over 90 pieces of legislation helped to effectively guarantee their rights and interests. Measures had been taken to promote employment and income generation for persons with disabilities, including workshops specifically for women with disabilities and, in 2022, China had successfully hosted the Winter Paralympics. It had also accepted the review of its periodic report by the Committee on the Rights of Persons with Disabilities.

30. **Ms. Stanciu** (Romania) said that her country supported the advancement of policies aimed at ensuring that the rights of persons with disabilities were observed and, in 2022, her country had submitted its periodic report to the Committee on the Rights of Persons with Disabilities.

31. She wished to know what solutions had been envisaged for the challenges faced by persons with disabilities in the context of the illegal, unprovoked and

unjustified military aggression of the Russian Federation against Ukraine.

32. **Mr. Finlay** (Ireland) said that human rights concerns must be included in work on peace and security. Dialogue was key to addressing the invisibility of persons with disabilities. Ireland supported the engagement of persons with disabilities and their representative organizations in the development of law and policy and through relevant consultative mechanisms. Ireland also joined the Special Rapporteur's call for greater coherence between international humanitarian law and the Convention on the Rights of Persons with Disabilities.

33. He wished to know more information about possible innovative methods of promoting international humanitarian law through digital and other means.

34. **Mr. Kim Nam Hyok** (Democratic People's Republic of Korea) said that, in the light of current challenges, and in order to achieve the Sustainable Development Goals, it was essential to formulate the right strategies and policies for the protection and promotion of the rights of persons with disabilities. The Democratic People's Republic of Korea provided persons with disabilities with stable and comfortable working and living environments. It respected the personality of persons with disabilities and provided them with equal social and political rights and freedoms. The Democratic People's Republic of Korea carried out its obligations as State Party to the Convention on the Rights of Persons with Disabilities and promoted international dialogue and cooperation for the protection of their rights.

35. **Mr. Nyman** (Representative of the European Union, in its capacity as observer) said that the Special Rapporteur's report was an important tool for the full implementation of the Convention on the Rights of Persons with Disabilities, as well as Security Council resolution [2475 \(2019\)](#). The report clearly indicated that there was still much that needed to be done, including introducing further measures under international law to fulfil article 11 of the Convention. In order to improve the situation for persons with disabilities, recognition of the increased risk of discrimination and violence faced by them in military operations, particularly by those facing multiple and intersecting forms of discrimination, and the adoption of necessary measures would also be critical. The European Union stressed the importance of paying attention to children and young people in conflict and post-conflict situations and, noting that persons with disabilities were not a homogenous group, called for a human rights-based

approach to ensure that measures were adapted to individual needs.

36. **Mr. Harland** (Observer for the International Committee of the Red Cross) said that, in consultations for the preparation of the Special Rapporteur's report, persons with disabilities had spoken about seeing death, suffering ill-treatment and being unable to access shelter or protection. The invisibility of persons with disabilities in the implementation of international humanitarian law obligations was therefore more than just a theoretical discussion. The International Committee of the Red Cross called on States to integrate the specific risks and barriers faced by persons with disabilities in armed conflict into their military manuals and into the agendas of their international humanitarian law committees and to develop channels of communication with persons with disabilities and their representative organizations.

37. **Mr. Quinn** (Special Rapporteur on the rights of persons with disabilities), welcoming the positive policy and legal developments mentioned by delegations and of the positive trends happening worldwide, said that the key drivers for change with regard to the protection of persons with disabilities were article 11 of the Convention on the Rights of Persons with Disabilities and Security Council resolution [2475 \(2019\)](#). Although the title of the resolution had a very narrow scope, the resolution itself was much broader and deeper and covered conflict prevention, conduct of hostilities, peacekeeping and, crucially, peacebuilding. It was therefore more than warranted to explore those areas in the series of reports being prepared and to draw attention to many different points along the peace continuum.

38. It was clear that the distinction between civilian and military objects in international humanitarian law was particularly important for persons with disabilities, who depended on public services for their survival and well-being. Another lesson learned was that the institutionalization of persons with disabilities created needless and heightened vulnerability or situations of vulnerability. The intersectional impact mentioned by several delegations was also critically important, such as for children with disabilities, women with disabilities and older persons with disabilities.

39. The resilience and continuity of services was important and he thanked the Israeli delegation for its input on inclusive evacuation procedures, which would be factored into a report that was currently being prepared on the transformation of services for persons with disabilities worldwide and how those services might be augmented during periods of tension and crisis.

40. The lessons that could be learned for peacekeeping and peacebuilding would be the subject of his next report. He had a strong feeling, complemented by anecdotal evidence, that persons with disabilities had played a monumental role in peacebuilding processes around the world; however, the peacebuilding infrastructure and peacekeeping apparatus of the United Nations system was not yet sufficiently open and accessible to persons with disabilities.

41. **Ms. Kayess** (Chair of the Committee on the Rights of Persons with Disabilities), speaking via videolink, said that the Committee had returned to in-person sessions since March 2022 and had made significant progress on its work programme. It had adopted general comment No. 8 (2022) on the right of persons with disabilities to work and employment (document [CRPD/C/GC/8](#)) and guidelines on deinstitutionalization, including in emergencies (document [CRPD/C/5](#)), two important pieces of work that would contribute to the ongoing implementation of the principles and standards of the Convention on the Rights of Persons with Disabilities. Together with the Committee on the Rights of the Child, her Committee had adopted a joint statement on the rights of children with disabilities and, alongside the United Nations Office for Disaster Risk Reduction, it had also issued a joint statement on the situation of persons with disabilities affected by flooding in Pakistan. Furthermore, in the report on its twenty-seventh session, the Committee had set out its views regarding the serious situation of persons with disabilities in Ukraine. Acknowledging recent challenges relating to article 11 of the Convention, including the coronavirus disease (COVID-19) pandemic, armed conflict and disasters resulting from the effects of climate change, the Committee had committed to developing a general comment on situations of risk and humanitarian emergencies.

42. Despite such progress, the Committee continued to face critical challenges. Unlike committees monitoring conventions of a status similar to that of the Convention on the Rights of Persons with Disabilities, which tended to meet three times annually for a total of 12 weeks, the Committee met just twice annually for a total of nine weeks. Similarly, the Committee's level of human resources in the Secretariat was static, despite increases in State party reviews and a growing backlog. Another issue was the lack of reasonable accommodation policies or protocols within the United Nations system; the introduction thereof could facilitate individual requests for necessary modifications and adjustments enabling persons with disabilities to participate on an equal basis with others. In fact, certain existing protocols and decisions impeded the consistent

provision of accessible meeting space, information and communications. Such a state of affairs affected the Committee's members, as well as its ability to engage with people with disabilities more broadly, and would be exacerbated once online and hybrid meetings were no longer supported.

43. To help to address those challenges, Member States could strengthen the treaty body system by ensuring predictable schedules for reviews, harmonizing working methods and raising digital capabilities. Such measures, which would include the provision of reasonable accommodation for experts with disabilities to participate on an equal basis with others, would render the treaty body system more cost-effective and sustainable. She therefore urged Member States to meet the treaty body system's resource requirements, which were critical to its future.

44. **Mr. Nyman** (Representative of the European Union, in its capacity as observer) said that the European Union and its member States remained steadfast in their support for the Committee on the Rights of Persons with Disabilities and encouraged all States to ratify, accede to and fulfil their obligations under the Convention on the Rights of Persons with Disabilities. The European Union and its member States had enshrined the rights of persons with disabilities in article 17 of the European Pillar of Social Rights and, cognizant of the key importance of the experiences and knowledge of persons with disabilities for the creation of disability-inclusive policies, supported European Union-wide organizations of persons with disabilities as well as related non-governmental organizations.

45. Persons with disabilities were disproportionately affected by barriers hindering their full, equal and meaningful participation in society. As strong advocates for the full enjoyment of all human rights by persons with disabilities, the European Union and its member States would continue to combat all forms of discrimination against persons with disabilities, promote and protect their human rights and ensure their full and meaningful inclusion in society.

46. He asked how States and United Nations bodies alike could improve their engagement with civil society to ensure that all voices, including those of persons with disabilities, were heard.

47. **Ms. Romulus Ortega** (Mexico) said that her Government recognized the valuable contributions of the Convention on the Rights of Persons with Disabilities and the Committee on the Rights of Persons with Disabilities and looked forward to studying the guidelines on deinstitutionalization, including in emergencies. She welcomed the re-election of Amalia

Gamio Rios to the Committee and reaffirmed her Government's continued commitment to collaborating with the Committee.

48. The right to equality and non-discrimination was enshrined in article 1 of the Constitution of Mexico and numerous measures had been implemented to ensure inclusion, including a legal framework to guarantee equal opportunities for all, specialized legal instruments in each of the 32 federal entities to ensure the protection of the rights of persons with disabilities, and access to well-being and social security programmes that prioritized marginalized and vulnerable groups.

49. **Ms. Gashu** (Japan) said that her country placed great importance on the holistic empowerment of individuals, including persons with disabilities, and had been working to remove social barriers to fostering an inclusive society where everyone could enjoy their human rights fully. She welcomed the engagement by the Committee on the Rights of Persons with Disabilities during its review of the first report submitted by Japan since its ratification of the Convention on the Rights of Persons with Disabilities in 2014 and reaffirmed her country's commitment to further implementing the provisions of the Convention.

50. She asked the Chair of the Committee to share her vision of the Committee's role in strengthening its cooperation with States parties to the Convention.

51. **Ms. Von Ernst** (Iceland), reiterating her country's steadfast support for the Committee on the Rights of Persons with Disabilities and its work, said that her Government was committed to fully implementing the provisions of the Convention on the Rights of Persons with Disabilities. To that end, her Government had taken the decision to fully incorporate the provisions of the Convention into national legislation and had begun preparations for a new national plan on the rights of persons with disabilities.

52. She noted that members of the Committee had a crucial role in ensuring that the rights of persons with disabilities were taken fully into consideration in the search for rights-based solutions to new challenges, such as the impacts of climate change and the COVID-19 pandemic. In that connection, she asked the Chair of the Committee where, in her view, the widest protection gap existed in the countering of such challenges.

53. **Mr. Mohd Zim** (Malaysia) said that, in line with the principle of leaving no one behind, persons with disabilities must be afforded equal access to rights and opportunities. As Malaysia was a State party to the Convention on the Rights of Persons with Disabilities



that was committed to upholding their rights, his Government had guaranteed the protection of those rights under national legislation; supported programmes and initiatives in collaboration with civil society organizations to enhance the enjoyment by persons with disabilities of their rights; and had launched an action plan aiming at improving access for persons with disability to information, transportation, education, health and social and other services, thereby further promoting social integration.

54. He asked how States could accelerate the implementation of their obligations under the Convention to ensure the protection of the rights of persons with disabilities.

55. **Mr. Guerra** (Portugal) said that his country had approved a five-year national strategy for the inclusion of persons of disabilities that had been developed in close cooperation with representatives of organizations for persons with disabilities and was inspired by the Convention on the Rights of Persons with Disabilities and the European Union Strategy for the Rights of Persons with Disabilities 2021–2030.

56. As an unwavering promoter of economic, social and cultural rights, Portugal was particularly concerned by obstacles preventing children and young persons with disabilities from enjoying their right to education, which was key to the enjoyment of all other human rights. His country was firmly committed to guaranteeing universal, free and inclusive education for all by ensuring that schools and other educational facilities provided reasonable accommodation for students with disabilities. He asked what the primary challenges were in that regard.

57. While digital technologies could enable persons with disabilities to enjoy their human rights in many areas, including work, education and health, they equally had the potential to accentuate the vulnerabilities of persons with disabilities if training on their safe use was inadequate. Furthermore, the digital gap was more pronounced for persons with disabilities, particularly those living in poverty and in rural areas. What were the primary opportunities and risks associated with digital technologies used by persons with disabilities and how was the Committee approaching the issue more generally?

58. **Ms. Dabo N'diaye** (Mali) said that, as a State party to the Convention, her country had made efforts to support the social development and inclusion of persons with disabilities. Measures of particular note included specialized education systems for persons with disabilities, the provision of free specialized equipment and, in collaboration with civil society and technical and

financial partners, support for persons with disabilities, particularly women, in engaging in economic activities.

59. She asked the Chair of the Committee on the Rights of Persons with Disabilities to outline possible measures for addressing communication challenges in the context of digital technologies, with a view to better supporting persons with disabilities.

60. **Mr. Kezas** (Greece) said that his Government would continue to promote policies and enact legislation promoting the rights of persons with disabilities. In that field, it had already established an independent body to advise the Prime Minister on accessibility issues and an institution to ensure the implementation of the provisions of the Convention on the Rights of Persons with Disabilities in the private sector. The Government had also adopted its first national plan for the rights of persons with disabilities. Furthermore, Greece would be a member of the 2023–2024 Bureau of the Conference of States Parties to the Convention on the Rights of Persons with Disabilities, in which role it would provide unwavering support to the Chair of the Committee.

61. Lastly, he emphasized that the inclusion and active participation of civil society in relevant discussions was central to designing policies that considered top-down and bottom-up perspectives. In that regard, he commended the Greek Chair of the International Disability Alliance for his commitment to promoting the rights of persons with disabilities.

62. **Ms. Mozgovaya** (Belarus) said that her country was a responsible State party to the Convention on the Rights of Persons with Disabilities. As such, her Government continued to implement its national plan aimed at giving effect to the provisions of the Convention and had introduced new legislation in 2022 on the rights and social integration of persons with disabilities.

63. She noted with deep regret that the members of the Committee on the Rights of Persons with Disabilities had not dedicated due attention to the exclusion by the International Paralympic Committee of Belarusian and Russian sportspersons with disabilities from the Beijing 2022 Paralympic Winter Games. Such an oversight created the impression that, in the view of the members of the Committee on the Rights of Persons with Disabilities, the provisions of the Convention did not apply to persons with disabilities from Belarus and Russia. She urged that Committee to issue an unprejudiced assessment of the discriminatory decision taken. Lamenting the fact that the Special Rapporteur on the rights of persons with disabilities had not responded to her request to share his opinion on the matter, she would be grateful to hear the personal opinion of the



Chair of the Committee on the Rights of Persons with Disabilities.

64. **Mr. Kouakou** (Côte d'Ivoire) said that, guided by the principle that all human beings were born free and equal in dignity and rights, his country adhered to all international standards for persons with disabilities and had introduced legislation and institutional measures to facilitate access by such persons to justice, health care, education, financing for self-employment and decent work. Furthermore, as part of measures to address the impact of the COVID-19 pandemic, his Government had distributed health kits to persons with disabilities, who, in addition, had benefited from financing from a special solidarity and humanitarian emergency support fund. Nevertheless, persons with disabilities – especially the vast majority who lived in developing countries – continued to face difficulties.

65. One such difficulty was limited access to equipment designed to assist persons with disabilities, especially sporting equipment, which was often expensive. He asked whether the Committee on the Rights of Persons with Disabilities had taken any initiatives improve the accessibility of such equipment in accordance with the provisions of the Convention on the Rights of Persons with Disabilities.

66. **Mr. Kuzmenkov** (Russian Federation) said that his delegation had noted the one-sided approach adopted by the Committee on the Rights of Persons with Disabilities towards the assessment of events in Ukraine. Although Ukraine, like the Russian Federation, had ratified the Convention on the Rights of Persons with Disabilities, there was no mention by the Committee in any of its reports or statements about the personal responsibility of the Ukrainian authorities. It must not be forgotten that numerous Western Governments were involved in the civil war that had been occurring on Ukrainian territory for eight years. Over that time, the Committee had regrettably turned a blind eye to the crimes committed by the Kyiv regime against its own citizens, who had become persons with disabilities as a result of the so-called anti-terrorist operation in the south-east of Ukraine.

67. Equally, the Committee on the Rights of Persons with Disabilities seemed unconcerned by the victims of numerous armed attacks by Ukrainians in Russian settlements. Indeed, just the previous day, Ukrainian armed forces had attacked a group of civilians trying to cross the Dnipro river in Kherson Province using the United States high-mobility artillery rocket system, resulting in deaths and injuries. The United States of America continued to participate in the murder and injury of civilians. The Russian Federation remained

committed to its obligations under the Convention and called on the Committee on the Rights of Persons with Disabilities to address issues that fell within their remit.

68. Lastly, echoing the comments made by the representative of the Republic of Belarus, his delegation considered the decision to prevent Russian and Belarusian Paralympians from competing to be entirely discriminatory and wished to hear the Committee's assessment of the matter.

69. **Mr. Altarsha** (Syrian Arab Republic) said that his country had acceded in 2009 to the Convention on the Rights of Persons with Disabilities and its Optional Protocol, which was in line with the Syrian policy on disability in general. Syrian law prohibited all forms of discrimination against persons with disabilities. Persons with disabilities were included in policymaking and law-making and made up one third of the membership of the Central Council for Persons with Disability. They were also involved in preparing the national plan on disability for 2022.

70. The terrorist war in Syria had had a significant impact on persons with disabilities. Acts of aggression and continuous shelling by several countries, especially the international coalition, had led to the destruction of entire cities, such as Raqqah, over the heads of their inhabitants. In addition, civilian lives were threatened by explosions, including landmines and unexploded ordnance left behind by terrorist organizations in the regions liberated by the Syrian Arab Army. Moreover, unilateral coercive measures were imposed on the Syrian people, disproportionately affecting persons with disabilities and increasing their numbers. He asked the Special Rapporteur for recommendations on how to overcome the destructive impact of such coercive measures on the Syrian people, in particular persons with disabilities.

71. **Mr. Tegoni** (Observer for the Sovereign Order of Malta) said that the Order was a proud champion of the cause of the rights of persons with disabilities through its work and its global relief agency, Malteser International, which included the provision of educational, psychosocial and health care support, as well as humanitarian aid.

72. **Ms. Kayess** (Chair of the Committee on the Rights of Persons with Disabilities), speaking via videolink, said, in response to the question asked by the European Union and its member States, that treaty body strengthening would increase the ability of persons with disabilities to engage with the mandate of her Committee. Access to digital platforms introduced during the COVID-19 pandemic, which had allowed her Committee to engage directly with persons with

disabilities and also with organizations of persons with disabilities at the regional level, had proved invaluable to its work. Examining the resources made available for experts with disabilities to access and be represented across the United Nations and treaty body system as a whole – not just the Committee on the Rights of Persons with Disabilities – was crucial.

73. Addressing the comments made by Mexico, she emphasized the critical importance of deinstitutionalization: persons with disabilities could develop and live their lives fully only when living within and included as part of their communities, whereas institutionalization exposed persons with disabilities to increased vulnerabilities, especially in situations of risk and emergency. As a first step towards progress, States should engage with persons with disabilities and representative organizations and consult the guidelines on deinstitutionalization, including in emergencies (document [CRPD/C/5](#)).

74. In response to the question asked by Japan about strengthening cooperation, she drew attention to the general comments developed by the Committee in areas such as education, independent living, and inclusion in the community, as well as relevant guidelines, which could inform the work of States on including persons with disabilities.

75. Addressing the question asked by Iceland about protection gaps, she noted that persons with disabilities were consistently excluded from existing structures designed to protect people in situations of risk, as well as from response and recovery mechanisms. It was critically important that persons with disabilities be included in all planning processes and be factored into State responses to situations of risk. In that connection, she recommended that States consult the reports produced by the Special Rapporteur on the rights of persons with disabilities on the issues of armed conflict, peacekeeping and peacebuilding.

76. On the issue raised by Malaysia regarding the protection by States of persons with disabilities, she noted the mention by numerous States of national strategies to further the rights of persons with disabilities. The inclusion of organizations of persons with disabilities in such strategies was highly important to ensuring non-discrimination.

77. On the matter of education raised by Portugal, she underlined the need to move away from segregated education where students with disabilities were isolated from peers and siblings and towards an inclusive education reflecting the diversity of the human condition. A similar approach should be adopted towards the development of technology and digital

platforms: they should reflect the broad repertoire of human skills and abilities and be inclusive of persons with disabilities.

78. Turning to the availability of in-country or affordable equipment, she noted that the Committee had supported States in investigating avenues for promoting the global development of affordable and effective aids and equipment, including sports equipment, for persons with disabilities. At the national level, such avenues could include the alleviation of high importation costs on mobility aids and appliances. More broadly, her Committee hoped to promote a combination of international cooperation and technical expertise on the matter.

79. Lastly, in response to the question asked by the Russian Federation, she reiterated that the views of the Committee on the situation in Ukraine had been set forth in the report on its twenty-seventh session.

80. **Mr. Salvioli** (Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence), introducing his report ([A/77/162](#)), said that people-centred transitional justice, when combined with the framework of the Sustainable Development Goals, could play an important role in breaking cycles of violence and serve as key drivers of change. Four areas were of particular importance to ensuring justice was people-centred: the recognition of individuals' and communities' lived experiences; the provision of effective, full and transformative reparation; support for movements for change; and prevention with a focus on young people. The report outlined an operational framework for transitional justice to guide the commitments of Member States in the context of the Goals, which placed a focus on work at the advocacy and programme levels. He advised States and donors to continue to follow closely guidance on Goal commitments. The Goals could only be achieved if the victims of serious human rights violations and gross violations of international humanitarian law were not left behind.

81. **Mr. Hill** (United States of America) said that his Government was committed to strengthening mechanisms to collect, preserve, protect and analyse abuses to ensure justice for victims, including through transparent, independent and impartial criminal prosecutions of atrocities and other crimes involving human rights abuses. He reaffirmed his Government's commitment to supporting calls by the Yemeni people for justice, accountability and redress for human rights violations and abuses in Yemen and his delegation was seeking to work with international partners to ensure independent reporting by the United Nations on the

human rights situation in the country as soon as possible. His Government continued to press the Government of South Sudan to advance transitional justice efforts and parties to the conflict in Ethiopia to commit to comprehensive, inclusive and transparent transitional justice processes.

82. The United States was fully committed to seeking accountability for atrocities and human rights abuses committed by Russian in Ukraine. His Government was working closely with Ukraine and their partners on several accountability and reporting mechanisms to support the compiling of evidence and the investigation and prosecution of criminals while doing no harm to survivors. In that connection, he asked the Special Rapporteur to provide more details on the recommendation in his report to establish a permanent and global mechanism at the United Nations level to collect and preserve evidence.

83. **Ms. Squeff** (Argentina) said that her country had a series of public policies on memory, truth, justice and reparations for serious human rights violations committed in the recent past. The national human rights secretariat was participating as a claimant in dozens of cases wherein crimes against humanity committed during the period of State terrorism were being investigated and prosecuted. Its participation was driven by not only the State's responsibility to meet its international human rights commitments but also the political will to bring those responsible for the darkest period of its recent history to justice.

84. Welcoming the Special Rapporteur's report, she expressed particular support for the recommendation to deliver comprehensive reparations that went beyond financial support and included rehabilitation, measures of satisfaction, restitution and guarantees of non-recurrence. Argentina had in place national reparation laws for survivors of State terrorism and, furthermore, was actively implementing memorialization policies. A clear example was the Memorial Museum, which used modern techniques to convey the facts of what victims endured and to recognize the work of human rights organizations to build collective memory.

85. She asked the Special Rapporteur to identify examples of reparations wherein the multiple and intersectional forms of discrimination suffered by the survivors had been taken into account.

86. **Ms. Lopreno** (Switzerland) said that, given the central role that victims had to play in the success of transitional justice processes, it was important for United Nations bodies and entities to take into account victims' perspectives. Responding to the Special Rapporteur's call on States to enable victims to

participate directly in national and international transitional justice mechanisms, she asked him to recommend specific measures that would improve access for victims and civil society to the United Nations bodies in Geneva and New York.

87. Transitional justice processes that were participatory, inclusive and context-specific had the potential to break cycles of violence. Switzerland had continued to work towards that goal and had recently had a new resolution adopted by the Human Rights Council calling on States to view transitional justice as a strategic tool for sustainable peace and development. Reinforcing gender-inclusive language, encouraging the participation of young people and including references to mental health and psychosocial services were areas of particular importance for Switzerland. She noted with satisfaction that those issues had been highlighted in the Special Rapporteur's report.

88. **Ms. Andrić** (Croatia) said that the importance of transitional justice for breaking cycles of violence and ensuring non-recurrence could not be overstated. She supported the focus of the Special Rapporteur on the Sustainable Development Goals, in particular Goal 16, as a valuable tool contributing to the strengthening of the rule of law, access to justice and the creation of inclusive institutions, which were integral to transitional justice.

89. To promote community reconciliation and non-recurrence, as well as more peaceful, inclusive and equitable post-conflict development, victim-centred approaches should facilitate rapprochement, community healing and access to the truth. Croatia had adopted just such an approach in the search for missing persons: its model was guided by the rights of relatives to effective investigation and justice. In addition, Croatia had developed a comprehensive legal framework upholding the rights of victims of sexual violence in war, civilian victims, war veterans and persons with disabilities.

90. As an advocate for full and open cooperation with international human rights mechanisms, Croatia had hosted a visit from the Special Rapporteur. Croatia would continue calling for transparent regional cooperation to achieve the common goal of comprehensive transitional justice and remained committed to addressing residual issues and ensuring the sustainability of the transitional justice and memorialization processes.

91. Noting the Special Rapporteur's focus on youth engagement, she asked him to advise States on how best to address the needs of youth in the context of transitional justice, beyond improving psychosocial support.

92. **Mr. Bauwens** (Belgium) said that, in the face of numerous global crises, responses to the growth of authoritarian regimes – which thrived on exclusion, division and violence – must not result in even greater pressure on democracy and civic space. Therefore, the focus in the Special Rapporteur's report on the need for a holistic approach to justice, combining the Sustainable Development Goals framework with a transitional justice perspective to address the underlying causes of conflict and human rights violations, was welcome.

93. The widening justice gap in many parts of the world was increasing impunity and impeding access to justice and reparation for victims and survivors who were affected by intersecting forms of discrimination and marginalization. Victims, survivors and young people must be involved in policy decisions. In that connection, he asked the Special Rapporteur to share good practices on establishing psychosocial support for young people that went beyond individual trauma work and included assessments of, and action on, the structural causes of violence and exclusion.

94. **Ms. Sánchez García** (Colombia) said that her delegation recognized many of the elements that the Special Rapporteur had mentioned in his presentation and agreed that victims should be central to the design of transitional justice processes and development policies. Colombia had placed victims at the centre of the development of its transitional justice system and, in the process, had gained significant experience and lessons learned that it was willing to share. In that context, she asked the Special Rapporteur how the exchange of good practices between States could be strengthened.

95. **Mr. Kuzmenkov** (Russian Federation) said that his delegation agreed with some of the ideas outlined in the Special Rapporteur's report. Transitional justice could certainly, in some cases, contribute to wider efforts to put an end to violence and conflict. However, the link between transitional justice and the Sustainable Development Goals seemed somewhat artificial.

96. His delegation could not agree with the assessment that non-governmental organizations were playing an increasingly positive role in international criminal justice. Absolute trust should not be placed in information provided by invested institutions whose field of activity was far removed from the establishment of truth or the administration of justice, as was the case in the examples given in the report. The same could be said for politically motivated international judicial institutions: a subjective interpretation of international law allowed for the violation of the principles of sovereign equality and non-intervention in the domestic

affairs of States. Reference was made in the report to such odious institutions as the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011, the very existence of which was an affront to the concept of justice. Elsewhere, the recommendation in the report to prioritize the payment of reparations to sexual minorities was perplexing.

97. Lastly, in response to the assessment made by the representative of the United States of America of responsibility for crimes committed in various countries, in which the Russian Federation was mentioned, he said that he could only lament the fact that the United States had avoided its own responsibility for the crimes it had committed in Afghanistan and Iraq. The United States continued to support the Kyiv regime, including through the provision of weapons. As such, the United States was complicit in the atrocities and killings committed by the Kyiv regime against civilians who did not agree with the nationalist policies of the Kyiv Government.

98. **Mr. Bartels** (Representative of the European Union, in its capacity as observer) said that the adoption of a more holistic approach to transitional justice was imperative, as the involvement of victims of violence and marginalization was key to achieving not only the Sustainable Development Goals, but also peace and security. Against an increasingly volatile backdrop of armed conflicts, including Russia's aggression against Ukraine, and attempts to challenge the international system and further polarize the world, collaborative and inclusive approaches to peace and justice had never been more important.

99. As one of the largest financial contributors to transitional justice initiatives worldwide, the European Union placed a high value on addressing the increasing justice gap and integrating gender dimensions into the search for solutions. Failing to include the perspectives of persons belonging to minorities, victims and survivors in the transformation of transitional justice and peace risked perpetuating cycles of structural violence.

100. Supportive of the adoption of a rights-centred approach to seeking justice, he asked the Special Rapporteur for his views on how best to overcome sensitivities and shift the thinking of parties to conflicts towards accepting a more victim- and survivor-centred approach.

101. **Mr. Salvioli** (Special Rapporteur on the promotion of truth, justice, reparation and guarantees of

non-recurrence) said that he respectfully disagreed with the assessment of the representative of the Russian Federation that the link between transitional justice and the Sustainable Development Goals was artificial. The Goals, which represented the most important agenda of the United Nations, could not be a success without taking into consideration the victims of violations of human rights and international humanitarian law.

102. He echoed the importance placed by several Member States on adopting a holistic approach to transitional justice, emphasizing that the focus should be placed not on one but all five of its pillars: truth, justice, reparations, guarantees of non-recurrence and memorialization.

103. On the issue of impunity, he referred Member States to his report on accountability ([A/HRC/48/60](#)) for a detailed discussion on the matter while underscoring that impunity, whether *de jure* and *de facto*, was unacceptable.

104. Turning to reparations, he reiterated that States must provide comprehensive reparations that went beyond financial considerations to include other areas, such as psychosocial support and rehabilitation measures for persons who had suffered gross violations of human rights or humanitarian law. Regarding good examples of the consideration of intersectionality in the delivery of reparations, he drew the attention of Member States to the good work accomplished by Colombia in that area. Cases handled and sentences passed, including by the Inter-American Court of Human Rights, could also prove a source of helpful examples. As for gender considerations, the Special Rapporteur had considered the issue in detail in his report presented to the Third Committee in 2018 (document [A/73/336](#)).

105. He reiterated the paramount importance of listening to victims and making their voices heard, regardless of who they were. All victims deserved respect. He was concerned by the practice he had noted within some organizations and agencies wherein the accounts of victims were deliberately partially ignored for the sake of achieving results. Such behaviour was unacceptable. Victims must be listened to and taken seriously, particularly regarding the reparations they needed. Mechanisms for the provision of reparations already existed and could be exercised while fostering trust, providing psychosocial support and patiently waiting for victims to express themselves when they felt ready.

106. Turning to the issue of young people, he expressed great concern at the increase in hate speech and inflammatory rhetoric in many places. Young people were embarking on a path that could lead to a very dark

place. For that reason, intergenerational work – looking at what happened in the past and what was happening currently – was crucial. Important examples of such work included descendants of people suffering under the Franco regime in Spain and the grandmothers and mothers of Plaza de Mayo in Argentina. Young people had an important and active role to play; they must not be considered as passive subjects.

107. Lastly, on strengthening the exchange of good practices, he suggested that the General Assembly represented the best opportunity to do so. The high-level political forum on sustainable development to be held in 2023 would provide a space for discussing how to approach transitional justice in the context of the Goals and sharing good practices to that end.

*The meeting rose at 5.25 p.m.*