



# Convention on the Rights of Persons with Disabilities

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

### Summary record (partial)\* of the 718th meeting\*\*

Held at the Palais des Nations, Geneva, on Friday, 22 March 2024, at 3 p.m.

*Chair:* Ms. Fefoame

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

\*\* No summary records were issued for the 711th to 717th meetings.

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*The discussion covered in the summary record began at 5 p.m.*

**Other matters** (*continued*)

1. **Ms. Jacobs** said that, at its thirtieth session, the Committee had adopted concluding observations in relation to the initial reports of Kazakhstan and Zambia, the combined initial and second periodic reports of Bahrain, the combined initial, second and third reports of Nicaragua, and the combined second and third periodic reports of Sweden, Azerbaijan, and Costa Rica, respectively. The Committee regretted that Nicaragua had not sent a delegation to engage with it in a constructive dialogue. The Committee had considered four individual communications submitted under the Optional Protocol to the Convention; it had found violations in one of them, discontinued two and declared one inadmissible. The Committee had also held two follow-up dialogues on inquiries, adopted follow-up reports on communications and inquiries and considered matters related to inquiries pursuant to the Optional Protocol.

2. The Committee had continued the process of drafting a general comment on article 11 of the Convention. It had held discussions with United Nations agencies and partners on persons with disabilities affected by disasters and on children with disabilities affected by armed conflicts. The Committee had amended its rules of procedure in matters related to communications, the simplified reporting procedure and follow-up to inquiries. It had decided to adopt the methodology of task forces for the preparation and conduct of constructive dialogues with States parties as the default methodology for all dialogues.

3. The Committee had decided to continue engaging with the United Nations Office at Geneva and the Office of the United Nations High Commissioner for Human Rights (OHCHR) with a view to improving the provision of accessible conference services and reasonable accommodation to members of the Committee and participants with disabilities at its meetings. The Committee had adopted a statement on achieving gender and equitable geographical representation in the 2024 elections of members of the Committee.

4. The Committee welcomed the recent ratifications of the Convention and its Optional Protocol, which had brought the number of States parties to 191, making the Convention the second most ratified human rights treaty. However, that status was not reflected in the meeting time and resources allocated to the Committee. The Committee called on the competent United Nations bodies to rectify the situation by granting it a third session of at least three weeks of meeting time. Additional meeting time and resources would enable the Committee to address the backlog of State party reports pending consideration. The Committee called upon States parties whose reports were long overdue to submit them as expeditiously as possible. Together with the OHCHR treaty body capacity-building programme, the Committee had decided to engage actively with States parties whose reports were more than 10 years overdue. Lastly, the Committee had adopted the report on its thirtieth session, subsequently to be issued as document CRPD/C/30/2.

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

5. **A representative of the International Disability Alliance** said that his organization, in coordination with its members and partners, had provided support to national organizations of persons with disabilities engaged in five State party reviews at the current session. The International Disability Alliance appreciated the new methodology piloted by the Committee for the reviews of Kazakhstan, Zambia and Sweden and now adopted as the default for future dialogues. While some adjustments would be useful, for example in relation to time management and technical issues, the methodology seemed well suited to ensuring that State party delegations were made immediately aware of their shortcomings in the understanding of the concepts of the Convention and of their implementation at the national level. The new methodology would make the dialogue more specific, immediate and constructive and would also allow for a more straightforward connection with the concluding observations.

6. The International Disability Alliance, like many others in the human rights community, was deeply concerned by the ongoing financial situation of the United Nations and OHCHR, which had resulted in a lack of sufficient resources for basic operations.

Although he understood that there were plans to ensure that the Committee's thirty-first session would be held as expected, the situation remained precarious. The financial situation also further reduced the possibility that the Committee would be able to clear the backlog of 68 pending initial State party reviews.

7. The International Disability Alliance would continue to advocate for increased resources within the United Nations system for timely human rights monitoring and the accessibility of all procedures to persons with disabilities, in line with the conclusions of the Chairs of the human rights treaty bodies on the accessibility of human rights treaty body work and reasonable accommodation, adopted in 2023. In the lead-up to the adoption by the General Assembly of its resolution on human rights and the treaty body system in December 2024, the International Disability Alliance would join with partner human rights organizations and other stakeholders to increase advocacy for a well-resourced treaty body system to ensure human rights monitoring and to allow increased engagement by national organizations of persons with disabilities.

8. Ahead of the Committee's elections at the Conference of States Parties to the Convention in June, his organization would contact candidates to seek their collaboration to increase the visibility and transparency of the elections by replying to a written questionnaire and producing a short video to share their motivations for continuing as or becoming Committee members, which would be made publicly available. The International Disability Alliance would also contact Permanent Missions to the United Nations in relation to the elections, highlighting the current gaps in terms of geographical representation and the need to ensure gender equality.

9. The International Disability Alliance welcomed the continued progress on draft general comment No. 9, despite the difficulties in terms of funding, and looked forward to contributing to the process as appropriate. As always, his organization remained fully committed to supporting the work of the Committee and its secretariat.

10. **A representative of RedEsfera Latinoamericana**, speaking in a pre-recorded video message, said that his organization represented people who shared a variety of "crazy", neurodivergent and "psychodissident" identities, including those who identified as persons with psychosocial disabilities, and advocated for psychosocial diversity, justice, living well and the right to delirium. The members of the Latin American collective were the victims of anti-rights policies in various countries in the region, which needed to be brought to the urgent attention of the Committee and the general public. In recent months, several national and local governments had introduced laws and policies that promoted their repression, confinement and institutionalization. There were reports of people being killed at police stations after having experienced hallucinations, people being shot by the police during a crisis caused by problematic substance use, people in street situations being deprived of their liberty, and people being involuntarily hospitalized for exercising their right to protest. Living independently in the community with support and participating in culture would not be guaranteed until people could live without fear of being involuntarily institutionalized or being subjected to forced treatment or experimentation. People deserved to be able to express themselves freely without fear that their form of expression might be considered the symptom of a mental disorder or of losing their lives as a result of forced medical practices. RedEsfera therefore requested the Committee to pay special attention to the Latin American region and to consider following up on the recommendations made to countries in the region in relation to the deinstitutionalization and deprivation of liberty of persons with psychosocial disabilities.

11. **Ms. Gamio Ríos and a representative of the Inter-American Committee for the Elimination of All Forms of Discrimination against Persons with Disabilities**, speaking jointly in a pre-recorded video message, said that the two committees had adopted a joint statement on article 29 of the Convention on participation in political and public life.

12. The statement provided that States must repeal provisions that deprived persons with disabilities of the right to equal recognition before the law, provided for interdiction, restricted decision-making processes or the expression of the will of persons with disabilities, and denied them the rights to citizenship, identity and voting. States must develop a system of support that respected the social model of disability with a human rights approach so that

persons with disabilities who wished to could exercise their right to vote or be elected to public office, or carry out political or public functions on an equal basis with others, as stipulated in article 29.

13. States must guarantee that mechanisms were in place to ensure that persons with disabilities had access to all communications and information during all stages of elections, including nominations, campaigns, training, polling and monitoring, in compliance with universal accessibility criteria, such as subtitles, sign language, audio description and Easy Read, so that they were able to exercise their political rights in a free and informed manner. States must guarantee that persons with disabilities could apply to the electoral authority to run for federal or local elected office on an equal basis with others, including through affirmative measures to ensure equal opportunities.

14. States must facilitate the right to vote for persons with disabilities by providing support mechanisms and reasonable accommodation throughout the electoral process, including through the establishment of remote voting, differentiated electronic voting systems, mobile ballot boxes, postal voting, residential voting and semi-public voting and the availability of supports and intermediaries to exercise the right to vote. States must guarantee universal accessibility, including through the use of sign language interpretation and assistive technologies that were accessible and affordable for all persons with disabilities, accessible materials, clear pictogram signage, accessible polling stations, and adapted polling booths.

15. The measures provided for in the practical guide for the establishment of supports and safeguards for the exercise of the legal capacity of persons with disabilities launched by the Inter-American Committee for the Elimination of All Forms of Discrimination against Persons with Disabilities in 2021 and in general comment No. 1 (2014) on article 12 of the Convention should be extended to the participation of persons with disabilities in their representative organizations. The participation of persons with disabilities who were from rural and remote areas, belonged to Indigenous peoples and communities, were of African descent or were part of any other vulnerable group should be encouraged.

16. The two Committees wished to reiterate the validity and binding nature of the obligations undertaken in respect of persons with disabilities under human rights treaties at the universal and inter-American levels, and the urgency of implementing the aforementioned guidelines to reduce the inequality gap in relation to the exercise of political and electoral rights by persons with disabilities.

#### **Future meetings**

17. **Ms. Jacobs** said that, subject to the availability of funding, the Committee's thirty-first session would be held in Geneva from 12 August to 6 September 2024 and would be followed by the twentieth meeting of the pre-sessional working group, from 9 to 13 September 2024.

#### **Closure of the session**

18. After the customary exchange of courtesies, the Chair declared the thirtieth session of the Committee on the Rights of Persons with Disabilities closed.

*The meeting rose at 5.30 p.m.*