



# Convention on the Rights of Persons with Disabilities

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## Committee on the Rights of Persons with Disabilities

### Eleventh session

#### Summary record (partial)\* of the 122nd meeting

Held at the Palais des Nations, Geneva, on Monday, 31 March 2014, at 10 a.m.

*Chairperson:* Ms. Cisternas Reyes

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

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

### **Opening of the session**

1. **The Chairperson** declared open the eleventh session of the Committee on the Rights of Persons with Disabilities.

### **Opening statement by the United Nations Deputy High Commissioner for Human Rights**

2. **Ms. Pansieri** (United Nations Deputy High Commissioner for Human Rights) said that the remarkable increase in the number of ratifications of the Convention and its Optional Protocol naturally led to an increase in the Committee's workload. It was to be hoped that the outcome of the treaty body strengthening process would enable the Committee to better address the challenges posed by that situation.

3. It was important to ensure that the rights of persons with disabilities, as codified in the Convention, were mainstreamed in the goals, targets and indicators of the development agenda that would succeed the Millennium Development Goals and that persons with disabilities were included in that development framework, not just as beneficiaries, but as full-fledged actors. The High-level Meeting on Disability and Development held in New York in September 2013 had provided a landmark opportunity to advocate for that inclusion. The focus should be on the elimination of barriers that hindered the participation of persons with disabilities and on ensuring that persons with disabilities would be meaningfully involved in the design and implementation of the sustainable development framework. The outcome document of the High-level Meeting had reflected many of those proposals. Those promising developments had also been echoed at the eighth session of the Open Working Group on Sustainable Development Goals in February.

4. Another welcome development since the Committee's last session was the strengthening of the United Nations machinery for the promotion and protection of the rights of persons with disabilities. In December 2013, the Secretary-General had appointed Mr. Lenín Voltaire Moreno Garcés, former Vice-President of Ecuador, as his Special Envoy on disability and accessibility. In February 2014, the Commission for Social Development, noting that the mandate of its Special Rapporteur on disability would expire in December 2014, had decided to explore the possibility of establishing another monitoring mechanism to promote the mainstreaming of disability in social development efforts. The Human Rights Council was also looking at the possibility of establishing a specific mandate related to persons with disabilities.

5. The Office of the United Nations High Commissioner (OHCHR) had continued to step up its work on the rights of persons with disabilities, with particular emphasis on the right to inclusive education. OHCHR had organized an expert meeting on the right of persons with disabilities to inclusive education in Madrid in December 2013, and the results of that meeting had informed the thematic study on the right to inclusive education which OHCHR had prepared for the twenty-fifth session of the Human Rights Council. At the country level, OHCHR had continued to raise awareness of the importance of aligning national anti-discrimination legislation with the Convention, to promote ratification and implementation of the Convention and its Optional Protocol, and to support States parties' efforts to comply with their reporting obligations.

6. The draft resolution on strengthening and enhancing the effective functioning of the human rights treaty body system (A/68/L.37), which had recently been approved by the Fifth Committee for submission in plenary for final adoption, provided for additional meeting time and resources for capacity-building. She encouraged the members of the Committee to study the resolution and start reflecting on its implementation. Paragraph 29

of the resolution was particularly noteworthy, inasmuch as it presented a request to the Secretary-General to ensure the progressive implementation of relevant accessibility standards with regard to the treaty body system, as appropriate, particularly in connection with the strategic heritage plan being developed for the United Nations Office at Geneva, and to provide reasonable accommodation for treaty body experts with disabilities to ensure their full and effective participation. That provision would serve as a firm basis for the full application of the Convention's provisions on accessibility and reasonable accommodation.

7. The High Commissioner had repeatedly emphasized how much she valued the contribution of the treaty bodies and their chairpersons to the strengthening process. The joint statement prepared by the chairpersons of the treaty bodies and the co-facilitators during informal consultations had had a very significant impact. It was essential for the treaty bodies to speak with one voice, as their strength lay in their unity, and the extent of their impact was determined by the degree to which members trusted and empowered their chairs. That was why she valued the "Poznan formula", as contained in the Dublin II chairpersons' statement, which captured the right balance between autonomy and unity within the treaty body system. The fact that the treaty body chairs had collectively taken the lead in Addis Ababa in 2011 to establish their own standards of conduct demonstrated that the treaty bodies were increasingly acting as a unified system.

#### **Report of the Chairperson on activities undertaken between the tenth and eleventh sessions of the Committee**

8. **The Chairperson** said that, as the current session marked five years since the Committee had started its work, it was an opportunity to reflect on the Committee's history and development. With the number of States parties to the Convention having reached 143, universal ratification was drawing closer. Eighty States had also ratified the Optional Protocol, thus recognizing the competence of the Committee to consider individual communications. The Committee had already prepared draft general comments on articles 9 and 12, and a working group had been established to draft a general comment on women with disabilities.

9. The Committee had prepared important statements on the link between the human rights of persons with disabilities and social development for the High-level Meeting on Disability and Development in September 2013 and the Open Working Group on Sustainable Development Goals. She had represented the Committee at the High-level Meeting, where she had stressed the importance of the universal, indivisible and interdependent human rights of persons with disabilities as a basic requirement for inclusive, sustainable and accessible social development. Emphasis had also been placed on the need for the post-2015 agenda to include indicators of the extent of States parties' compliance with their legal obligations in relation to the rights of persons with disabilities. Human-rights-based indicators should also be developed to measure social development, and the full diversity of persons with disabilities should be recognized. The Committee's statement at the High-level Meeting had highlighted the importance of ensuring accessibility and the full exercise of legal capacity as basic components of social development and had drawn attention to the need for multidirectional international cooperation to that end. The Committee had come to be regarded as an authoritative expert voice on the connection between human rights and social development.

10. The Committee had strengthened its cooperation with the Conference of States Parties to the Convention and had proposed issues for examination by the Conference that it considered to be of particular importance. At the sixth session of the Conference, held in July 2013, the Committee on the Rights of Persons with Disabilities and the Committee against Torture had held a side event on the intersectionality of the two conventions, and in 2014 a similar event would be organized with the Committee on the Elimination of

Discrimination against Women to highlight issues in relation to the rights of women with disabilities. She had also participated in various meetings with the Secretary-General, the United Nations High Commissioner for Human Rights and other United Nations officials on mainstreaming the rights of persons with disabilities.

11. Since the Committee's last session, members of the Committee had visited Tajikistan with officials from the United Nations Children's Fund (UNICEF) to promote the ratification and implementation of the Convention in Central Asia. In cooperation with UN-Women, a seminar on women and girls with disabilities had been held in Panama in December 2013. The Committee had also been involved in organizing a seminar on access to justice for persons with disabilities in Chile. Quite recently, she had participated in a seminar on articles 12 and 13 of the Convention convened by the European Consortium of Foundations on Human Rights and Disability in Brussels. Other members of the Committee had participated in the sessions of the Human Rights Council and the Human Rights Committee and in various international and regional events. It was therefore clear that the Committee was not working in isolation but was instead fully involved in mainstreaming the provisions of the Convention in a variety of areas.

12. The Committee had played an active part in the consultations and meetings of chairpersons concerning the treaty body strengthening process. The chairpersons of the 10 treaty bodies had agreed on five principles that should guide the treaty body strengthening process. First, the process should reinforce the protection for human rights afforded by the treaty body system. Second, it must offer a comprehensive, sustainable means of meeting the challenges faced by the treaty bodies. Third, any cost savings resulting from efficiency measures should be reinvested in the treaty bodies. Fourth, the independence of the treaty bodies and the treaty body members must be preserved. The fifth principle was that accessibility should be ensured for all, which meant that it did not apply only to the Committee on the Rights of Persons with Disabilities but was instead universal.

13. The Committee would now have to meet the challenge posed by the introduction of additional meeting and pre-session meeting weeks. The extra time was nonetheless a positive development, since it would allow the Committee to enhance its productivity. The Committee hoped to adopt 10 sets of concluding observations in 2014, and there would be further increases in 2015 once the new system was implemented. The Committee's work was certainly not going unnoticed, as attested to by the fact that it had recently received an award from the Repsol-Telefónica Foundation. The conviction, cohesion, commitment, rigorousness, independence, impartiality and teamwork of the members of the Committee were key factors in its successful performance to date and would ensure that it was able to meet the upcoming challenges.

#### **Adoption of the agenda (CRPD/C/11/1)**

14. **The Chairperson** drew attention to the provisional agenda (CRPD/C/11/1), which also contained the programme of work.

15. *The agenda was adopted.*

#### **Organizational matters**

##### **Adoption of the report of the tenth session of the Committee**

16. **The Chairperson** drew attention to the report of the tenth session of the Committee.

17. *The report of the tenth session of the Committee was adopted.*

**Submission of reports by States parties under article 35 of the Convention**

18. **Mr. Araya** (Secretary of the Committee) said that the Committee had received 59 reports from States parties to date, 49 of which were pending consideration, and that 9 States parties had agreed to use the simplified reporting procedure. Since the tenth session, another 9 States parties had ratified the Convention and 3 had ratified the Optional Protocol.

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

19. **Mr. Araya** (Secretary of the Committee), speaking on behalf of the Special Envoy on disability and accessibility, Mr. Moreno Garcés, said that issues related to disability were a common denominator in all United Nations bodies, and it was imperative for Governments to work to improve the situation of persons with disabilities. The international community's commitment to mainstreaming disability in social development efforts and in the post-2015 development agenda had been reflected at the High-level Meeting on Disability and Development and at the fifty-second session of the Commission for Social Development, where the need to take advantage of synergies with existing United Nations mechanisms had been highlighted. The Special Envoy had submitted a proposed workplan to Secretary-General Ban Ki-moon which centred on promoting the social inclusion of persons with disabilities through the implementation of the Convention, furthering the development of technologies that would enhance accessibility and inclusion for persons with disabilities, and making information, creativity and culture more accessible to persons with disabilities.

20. Speaking on behalf of the Special Rapporteur on disability of the Commission for Social Development, Mr. Chalken, he said that, in the course of the Rapporteur's country missions, Mr. Chalken had repeatedly found that there was a lack of clarity regarding the implementation and monitoring of the Convention in accordance with article 33. States parties needed to have a better understanding of that article, and further attention should be paid to the establishment of monitoring mechanisms, which were vital for the full application of the Convention.

21. **Ms. Krista Orama** (Focal point on human rights and disability, OHCHR) said that at the High-level Meeting on Disability and Development, Member States had acknowledged the need to fully implement the international framework on disability and development and to ratify the Convention. Member States had also been called upon to ensure that the right to education was respected and that all children had equal access to a quality education. The outcome of that meeting had paved the way for OHCHR to continue to work towards a disability-inclusive post-2015 development agenda that would mainstream the rights of persons with disabilities in the agenda's goals and indicators and to develop a proposal for a specific goal dealing with inclusive, quality education and lifelong learning. OHCHR and the Committee should work in close cooperation on their proposals concerning the agenda. OHCHR wished to encourage the Committee to provide further guidance to States parties regarding the concepts of inclusive education and reasonable accommodation. The latest annual thematic study of OHCHR centred on the right of persons with disabilities to education and defined an inclusive education system as one in which children with disabilities were welcomed, respected and valued. The study should serve to promote inclusive education within the post-2015 development framework. Thanks were due to Ms. Palález Narváez for her insightful remarks during the annual panel debate of the Human Rights Council on the rights of persons with disabilities.

22. Progress had also been made in the Human Rights Council, which had, for example, published an accessibility guide and had modified the conference registration form so that participants with disabilities could specify their accessibility requirements. The Special

Envoy would be supported by OHCHR and other United Nations agencies in his efforts to fulfil his mandate, and the Human Rights Council was considering the possibility of establishing a special procedure on the rights of persons with disabilities.

23. **The Chairperson** thanked Ms. Paláez Narváez for her contribution to the Council's panel debate.

24. **Mr. Mandini** (World Intellectual Property Organization (WIPO)) said that WIPO was supporting the entry into force of the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled, which had been signed by 60 member States, and was providing legislative advice to a number of countries concerning the alignment of their laws with the Treaty in order to pave the way for its ratification. He looked forward to the international community's support for the implementation of the Treaty. WIPO had also developed a platform, together with key stakeholders such as the World Blind Union, for building capacity in developing and least developed countries for the production of educational materials in formats which were accessible to persons with visual impairments. In addition, the Enabling Technologies Framework, which was an inclusive publishing project, provided information and resources for publishers that wished to produce material for both print-disabled and non-print-disabled audiences. WIPO was currently preparing a patent landscape report on assistive technologies for persons with visual and hearing impairments which would be released in the second half of 2014. A scoping study would also be conducted on other disabilities that were subject to copyright limitations and exceptions clauses in the legislation of WIPO member States.

25. **Ms. Helenius** (United Nations Children's Fund (UNICEF)) said that the new strategic plan of UNICEF set out specific indicators regarding disability within its focus areas of education, social inclusion and child protection. The Global Partnership on Children with Disabilities provided a platform for partner institutions wishing to work together on the most critical issues surrounding the rights of children with disabilities. UNICEF also played an active role in inter-agency initiatives, such as the United Nations Partnership to Promote the Rights of Persons with Disabilities and the human resources network working group on employment of persons with disabilities. Efforts to mainstream disability included the adoption of programmes on inclusive education for children with disabilities by 70 UNICEF country offices. UNICEF had developed technical guidance for the improvement of data on disability-inclusive education and had been working on strengthening the Education Management Information System. It was also working on a household survey on environmental factors that influenced school attendance and a manual on the compilation of statistics on children with disabilities, together with a toolkit for the assessment of disability in children. UNICEF had begun the process of identifying the most essential assistive technologies for the inclusion of children with disabilities in education with a view to adding those products to its supply manual. It had also been working closely with its partners to ensure that issues related to disability were prioritized in the post-2015 development agenda and with OHCHR to develop goals and indicators on inclusive education.

26. **Mr. Díaz Bataner** (International Telecommunication Union (ITU)) said that the work of ITU was particularly relevant to article 9, as ITU was actively involved in promoting accessibility within the information and communications technology (ICT) sector. Efforts to ensure that persons with disabilities had access to ICTs included the establishment of a group of rapporteurs that were focusing on such tasks as advancing the standardization of audiovisual media accessibility, publishing a progress report on the use of universal service funds for digital inclusion of persons with specific needs and working to ensure that the 2016 Paralympic Games would be fully accessible through new digital television services. The group had also made a presentation at the High-level Meeting on

Disability and Development on the advantages of using ICTs and the challenges involved in mainstreaming those technologies. Unequal access to ICTs should be the object of further attention, as should the affordability of ICTs, the need to build capacity and raise awareness of ICTs so that more people, including teachers and rehabilitators, would make use of those technologies, and the need to standardize ICTs in order to improve their interconnectivity. It was hoped that the Committee would help to address those challenges. In October 2014, the Plenipotentiary Conference of ITU would review key ICT priorities, and the Committee would be invited to make a statement on that occasion.

27. **Ms. Lee** (International Disability Alliance (IDA)), speaking on behalf of the Chair of IDA, Mr. Vardakastanis, said that IDA was playing an active part in shaping the post-2015 development agenda by engaging with all stakeholders as a participant in negotiations on the post-2015 sustainable development goals and by advocating for the incorporation of non-discrimination and equality, in line with the Convention, into those goals.

28. IDA had hosted a conference in Kenya in March 2014 that had focused on intensifying the dialogue among organizations of persons with disabilities at the international, national and regional levels. The development challenges facing persons with disabilities in Africa and the need to step up efforts to mainstream the rights of persons with disabilities at all levels had been discussed. The conference had concluded with the adoption of the Nairobi Declaration, which encouraged member States to establish a disability-inclusive post-2015 development agenda and underscored the diverse range of issues to be addressed in Africa, such as the empowerment of women and girls with disabilities and the inclusion of persons with disabilities in decision-making processes. IDA was calling on the Committee to refer to that declaration during its review of State party reports in order to highlight the development needs of persons with disabilities.

29. IDA welcomed the move to establish a new mandate for the Special Rapporteur on disability. It also welcomed the draft general comments on articles 9 and 12 and the participatory process that the Committee had introduced whereby it invited comments from States parties. The draft comment on article 9 should address accessibility as a key element for the inclusion of persons with disabilities in development, as well as focusing on a gender- and child-based perspective on disability and on ICT accessibility. The Committee should call on States parties to adopt an accessibility action plan as part of their reporting obligations. The draft guidelines on participation were also to be applauded. More detailed criteria were needed, however, for the assessment of the legitimacy and accountability of organizations of persons with disabilities. The fact that no sign language interpretation would be available during the review of Azerbaijan was a source of concern, although webcasts of many of the meetings to be held during the current session would be available.

30. **The Chairperson** said that the fact that national sign language interpretation would not be available for the forthcoming consideration of the report of Azerbaijan was the result of administrative problems that, unfortunately, lay outside the Committee's control.

31. **Ms. Minkowitz** (World Network of Users and Survivors of Psychiatry) said that her organization supported the draft general comment on article 12 of the Convention and commended the Committee upon its decision to uphold full respect for the legal and decision-making capacity of all persons with disabilities, together with its attempts to promote supported rather than substitute decision-making models. Such an approach was vital for the full legal and social equality of persons with psychosocial and/or intellectual disabilities. However, she would urge the Committee to consider amending the text to make it clear that functional and outcome-based approaches to legal capacity invariably entailed a violation of article 12 and to ensure that the detailed guidance on implementation was grounded in an inclusive model of legal capacity that respected the decisions made by persons with disabilities and provided for the full range of support options.

32. She welcomed the Committee's clarification regarding the fact that article 14 prohibited all forms of detention on grounds of mental health and that involuntary detention or treatment infringed a person's right to be free from torture and ill-treatment and must therefore be banned. She also fully supported the Committee's comments on article 13 regarding States parties' obligation to prohibit any exemption of persons with psychosocial and/or intellectual disabilities from criminal responsibility on the basis of disability and their obligation to abolish any provision under which such persons could be required to undergo involuntary placement or treatment. She would also like to urge the Committee to make the Intergovernmental Expert Group revising the Standard Minimum Rules for the Treatment of Prisoners aware of those principles.

33. It was clear that the Human Rights Committee had made progress towards harmonizing its standards relating to persons with disabilities with those set forth in the Convention, as had been demonstrated by its recent recommendations regarding the prohibition of non-consensual medication, electroshock treatment and other restrictive or coercive practices in mental health services. Further alignment was still required, however. She therefore would like to urge the Committee to continue its outreach activities with the Human Rights Committee, particularly in regard to the draft general comment on article 9 of the International Covenant on Civil and Political Rights, along with its consultations with other treaty bodies and special procedures mandate holders.

34. Lastly, she would like to draw the Committee's attention to the observations made by the World Network of Users and Survivors of Psychiatry concerning the draft guidelines for the participation of disabled persons' organizations, civil society organizations and national human rights institutions, particularly with respect to the communications procedure and the definition of a disabled persons' organization.

35. **Mr. Murray** (World Federation of the Deaf) said that his organization had produced an International Sign translation of the Convention and provided access to a number of national sign language translations on its website. Unfortunately, however, the Convention remained inaccessible to the majority of the world's deaf communities, since, while there were 143 States parties to the Convention, only 15 of them had translated the Convention into their national sign language. In addition to access to the text, deaf persons also needed to understand the substance of the Convention's provisions in order to make effective use of them to advance the human rights of the deaf community worldwide. He therefore strongly encouraged international organizations, non-governmental organizations (NGOs) and disabled persons' organizations to provide training on the Convention in sign language and urged the Committee to call on Governments and other stakeholders to make the Convention accessible in sign language formats.

36. He supported the Committee's focus on improving deaf persons' access to inclusive education and would like to commend Ms. Peláez Narváez, in particular, for having brought the concerns of deaf persons to the fore during the recent discussion on the rights of persons with disabilities to inclusive education organized by the Human Rights Council. Sign language interpretation should not be seen as the only means of ensuring inclusive education for deaf persons, and he would urge the Committee to make it clear that it was the responsibility of States parties to make school environments more accessible to deaf persons. He also called on the Committee to ensure that the medical authorities' influence over educational choices made on behalf of deaf children did not extend beyond their area of expertise and did not encroach on the rights set forth in article 24 of the Convention.

37. The Committee was to be commended for its use of International Sign and captioning during its public sessions, and he would encourage it to extend that practice to its private sessions. He was concerned by the difficulties encountered in recruiting national sign language interpreters, as illustrated by the lack of Azerbaijani sign language interpretation during the current session, and he would urge the Committee to consider the

possibility of providing national sign language interpretation for all States parties, regardless of whether their national language was one of the United Nations official languages.

38. **Ms. Santegoeds** (Mind Rights and the European Network of Users and Survivors of Psychiatry) said that her organization had conducted a successful pilot project aimed at using the family group conferencing method to put a stop to the involuntary treatment of persons with psychosocial and/or intellectual disabilities, and it intended to trial that approach in other European countries shortly, with support from the European Network of Users and Survivors of Psychiatry. Since the implementation of the Convention had not been consistent throughout Europe, she would urge the Committee to actively engage with the Committee on Bioethics of the Council of Europe regarding its latest proposal to draft an additional protocol on the protection of human rights and dignity for persons with mental disabilities. The Committee should, in particular, seek to address the issue raised by article 5.1 (e) of the European Convention on Human Rights, which allowed for the lawful detention of persons for the prevention of the spread of infectious diseases, of persons of unsound mind, and of alcoholics, drug addicts or vagrants.

39. **Mr. Huck** (Swedish Disability Federation) said that, on the whole, Swedish society showed a high regard for persons with disabilities, but more could be done to support persons with complex psychosocial and/or intellectual disabilities. There were several private care providers in Sweden that offered alternative support measures and had achieved encouraging results. However, the Swedish Government had not yet recognized the right of persons with complex psychosocial and/or intellectual disabilities to choose where and with whom they wished to live. It had thereby failed to fulfil its obligation under the Convention to recognize the rights of persons with disabilities to develop their human potential and to access legal support. He therefore urged the Committee to encourage the State party to change its stance towards persons with complex psychosocial and/or intellectual disabilities and to incorporate articles 12, 19 and 24 of the Convention into Swedish law.

40. **Ms. Lachowska** (Disability Council International) said that she fully supported the requests made by other disabled persons' organizations for follow-up on the implementation of the Committee's recommendations in El Salvador and Paraguay. Her organization, in partnership with other national disabled persons' organizations, had established a sign language training centre in El Salvador to offer parents and relatives of persons with hearing impairments the opportunity to learn Salvadoran sign language. Work was also moving forward on the establishment of a centre in Paraguay to help persons with disabilities obtain the basic skills required for independent life in society. Disability Council International continued to partner with local disabled persons' organizations in order to assist them to prepare their submissions to the Committee and had provided support for persons with disabilities so that they could attend the current session.

41. **Ms. Rau Barriga** (Human Rights Watch) said that she supported the statement made by the representative of the International Disability Alliance. Human Rights Watch had established a dedicated team to address the situation of persons with disabilities around the world. Her organization also continued to work in close partnership with various disabled persons' organizations and had achieved encouraging results over the last few years. It had recently drawn attention to the lack of accessibility in a number of cities in the Russian Federation in the lead-up to the Sochi Olympics and Paralympics, and that effort had resulted in the introduction of a national bill aimed at providing a more accessible environment for persons with disabilities. The Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Mr. Juan Méndez, had very recently submitted a report to the Human Rights Council in which he had echoed the findings of a 2012 Human Rights Watch study on persons with mental disabilities in Ghana. That study

had revealed the dire situation facing thousands of persons with psychosocial disabilities who were being involuntarily detained in psychiatric hospitals and institutions, often in overcrowded and unsanitary conditions. The situation in Ghana was representative of the harsh conditions faced by many persons with psychosocial or intellectual disabilities, especially those who had been placed in institutions. Given the seriousness and pervasiveness of involuntary detention and treatment, she urged the Committee to provide further guidance to States parties on how best to safeguard the rights and dignity of persons with psychosocial or intellectual disabilities.

42. Human Rights Watch had recently carried out research on violence against women and girls with psychosocial or intellectual disabilities in India and had found that women with disabilities were in many cases subjected to violence throughout their lives, whether at home, in the community or in institutions. Her organization had also interviewed numerous persons with different disabilities in Zambia in order to gain a better understanding of the barriers they faced in accessing HIV education, testing and treatment. Research had shown that there was a double stigma associated with disability and HIV and that women with disabilities often avoided HIV testing and even antenatal care for fear that their partners would find out what their HIV status was.

43. With respect to the issue of the inclusion of persons with disabilities in national humanitarian and emergency responses, Human Rights Watch would continue to focus on the particular challenges facing refugees with disabilities fleeing the Syrian conflict. The Committee was to be commended for its statement regarding the situation in Syria; she hoped that efforts to support the Syrian population would continue and, more broadly, that provision would be made for the needs of persons with disabilities in all humanitarian and emergency responses in future.

44. She welcomed the Committee's draft general comment on accessibility and urged the Committee to encourage States parties to establish suitable mechanisms for the enforcement of national accessibility laws, including training for local government officials and penalties for private and State agencies that failed to comply with those laws. States parties should be asked to consider how general national shortages, such as a shortage of school buses, could have a disproportionate impact on the rights of persons with disabilities to education, health and inclusion in society, and they should be encouraged to take proactive steps to counter the effects of such shortages by, for example, prioritizing access for persons with disabilities.

45. In regard to the draft general comment on equal recognition before the law, she called on the Committee to provide specific guidelines on the implementation of supported decision-making models, with particular emphasis on persons who needed high levels of support. Such guidelines should cover safeguards and the assessment of support measures pursuant to articles 12, paragraphs 3 and 4, of the Convention. It would also be helpful for the Committee to acknowledge the existence of de facto restrictions on decision-making by persons with disabilities, regardless of their legal status.

46. **The Chairperson** thanked the participants for their helpful and constructive comments. The Committee remained committed to working closely with disabled persons' organizations and civil society and greatly valued their contributions to the Committee's work.

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