



Convention on the Rights of Persons with Disabilities

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Committee on the Rights of Persons with Disabilities

Report of the Committee on the Rights of Persons with Disabilities on its thirtieth session (4 March–22 March 2024)

I. States parties to the Convention and the Optional Protocol thereto

1. As at 22 March 2024, the date on which the thirtieth session closed, there were 191 States parties to the Convention on the Rights of Persons with Disabilities and 106 States parties to the Optional Protocol thereto. The lists of States parties to these instruments are available on the website of the Office of Legal Affairs of the Secretariat.

II. Opening of the thirtieth session of the Committee

2. The thirtieth session opened in a public meeting with welcoming remarks by the representative of the Secretary-General, the Chief of the Groups in Focus Section, Human Rights Treaties Branch, Human Rights Council and Treaty Mechanisms Division, Office of the United Nations High Commissioner for Human Rights (OHCHR). The welcoming remarks are available on the Committee's website.

3. The Committee reviewed and adopted the provisional agenda¹ and programme of work for the thirtieth session.

III. Membership of the Committee

4. The list of members of the Committee as at 22 March 2024, indicating the duration of their terms of office, is available on the Committee's website.

IV. Working methods

5. The Committee discussed various issues related to its working methods and decided to continue updating and streamlining its working methods during the intersessional period. It piloted the use of task forces during the dialogues with Costa Rica, Kazakhstan, Sweden and Zambia, and continued to implement its follow-up procedure related to reports on inquiries under the Optional Protocol to the Convention. The Committee amended its rules of procedure, making the simplified reporting procedure the default procedure for the submission of periodic reports and introducing the possibility for the Committee to adopt reports on follow-up to inquiries.²

¹ CRPD/C/30/1.

² CRPD/C/1/Rev.2.



V. Activities related to general comments

6. The Committee continued, in private meetings, its work on drafting a general comment on article 11 of the Convention.

VI. Activities related to the Optional Protocol

7. The Committee examined four communications submitted for its consideration under the Optional Protocol to the Convention. It found violations of the Convention in one of them: *Al-Hawali v. Saudi Arabia*,³ regarding the enforced disappearance and incommunicado detention of a person with disabilities and the lack of provision of reasonable accommodation. It found one communication inadmissible: *O.B. v. Ukraine*,⁴ concerning the rejection of a request for social assistance. It decided to discontinue its consideration of the other two communications: *J.-L.K. v. Canada*,⁵ concerning barrier-free housing, and *O.M.G. v. Sweden*,⁶ concerning removal to Afghanistan.

8. The Committee also adopted a follow-up progress report on individual communications. That report sets out information received by the Special Rapporteur for follow-up to Views between the twenty-eighth and thirtieth sessions pursuant to the Committee's rules of procedure, and the Committee's assessments and decisions concerning the follow-up.

9. The Views and decisions adopted by the Committee regarding the communications were transmitted to the parties as soon as possible and subsequently made available on the Official Document System⁷ and the Committee's website. A summary of the Views and decisions adopted at the thirtieth session may be found in annex III to the present report.

10. The Committee amended its rules of procedure pertaining to its consideration of individual communications received under the Optional Protocol.

11. The Committee considered matters related to inquiry proceedings pursuant to articles 6 and 7 of the Optional Protocol.

VII. Future sessions

12. Subject to the availability of funding, the thirty-first session of the Committee is provisionally scheduled to be held in Geneva from 12 August to 6 September 2024, and will be followed by the twentieth meeting of the pre-sessional working group, from 9 to 13 September 2024.

VIII. Accessibility of the Committee's meetings

13. The thirtieth session of the Committee was held in Geneva, with Committee members and delegations of States parties participating in person. In the dialogue with Costa Rica, the State party requested that some members of its delegation participate online, which was granted by the conference services. Stakeholders including organizations of persons with disabilities, civil society organizations, national human rights institutions, specialized agencies and other United Nations bodies participated in person. International Sign interpretation, national sign language interpretation (during the dialogues with Costa Rica, Kazakhstan and Zambia) and remote captioning were available. As the United Nations Office at Geneva had ceased servicing all hybrid or virtual meetings on any platform, system or tool, the two online meetings that the Committee held to guarantee inclusivity and participation of civil society organizations and other United Nations partners that could not participate in

³ CRPD/C/30/D/84/2020.

⁴ CRPD/C/30/D/54/2018.

⁵ CRPD/C/30/D/76/2020.

⁶ CRPD/C/30/D/80/2020.

⁷ See <https://documents.un.org/>.

person in Geneva were not supported. Public meetings were webcast. No plain language or Easy Read versions of documents were available during the session. The software used for the registration of participants for the meeting was not fully accessible for participants with visual impairments. Current protocols for vehicles entering the Palais des Nations continued to pose barriers for participants with disabilities who required accessible transportation. Reasonable accommodation, including in the organization of travel for Committee members with disabilities, continued to be developed.

IX. Cooperation with relevant bodies

A. Cooperation with United Nations organs and specialized agencies

14. At the opening meeting of the session, the Committee was addressed by the Permanent Representative of Timor-Leste to the United Nations Office and other international organizations in Geneva. It also heard statements by the Coordinator of the treaty body capacity-building programme, Human Rights Treaties Branch, Human Rights Council and Treaty Mechanisms Division, OHCHR; the Chair of the Committee on Victim Assistance under the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction; the Special Rapporteur on the rights of persons with disabilities; the Special Rapporteur on the elimination of discrimination against persons affected by leprosy (Hansen's disease) and their family members; and the Independent Expert on the enjoyment of human rights by persons with albinism. During the session, the Committee heard statements by representatives of the United Nations Office for Disaster Risk Reduction and disability experts in disaster risk reduction. Led by its working group on women and girls with disabilities, the Committee met with the Chair of the Committee on the Elimination of Discrimination against Women to discuss matters related to the advancement and empowerment of women and girls with disabilities, including the intersectional nature of gender and disability. The Committee held discussions with a representative of the Office of the Special Representative of the Secretary-General for Children and Armed Conflict and with a senior adviser on children in armed conflict of the United Nations Children's Fund, on matters related to children with disabilities in situations of armed conflict.

B. Cooperation with non-governmental organizations and other bodies

15. At the opening meeting of the session, the Committee was addressed by the Rapporteur on the Rights of Persons with Disabilities of the Inter-American Commission on Human Rights; the Technical Lead for Disabilities of the World Health Organization; the President of the International Disability Alliance; representatives of the Spanish National Organization for Blind Persons (ONCE); professors from the School of Law and Criminology of Maynooth University and the Institute of Law, Politics and Development of Sant'Anna School of Advanced Studies; a representative of Red Latinoamericana de Vida Independiente; and a self-advocate from Colombia. The Committee held discussions with a representative of Human Rights Watch on matters related to children with disabilities in situations of armed conflict.

16. Representatives of the independent monitoring mechanism of Sweden participated in the Committee's public review of the report of the country.

17. At the closing meeting of the session, the Committee heard a statement by a representative of RedEsfera Latinoamericana de la Diversidad Psicosocial and issued a joint statement with the Committee for the Elimination of All Forms of Discrimination against Persons with Disabilities.

X. Consideration of reports submitted in accordance with article 35 of the Convention

18. The Committee held six constructive dialogues, all of which were held in person. The Committee considered the initial reports of Kazakhstan and Zambia;⁸ the combined initial and second periodic reports of Bahrain;⁹ and the combined second and third periodic reports of Azerbaijan, Costa Rica and Sweden.¹⁰ The Committee also considered the initial and second and third periodic reports of Nicaragua in the absence of a delegation of the State party.¹¹ It adopted concluding observations in relation to those reports.¹² A list of States parties whose initial reports are more than five years overdue may be found in annex II to the present report.

XI. Other decisions

19. The Committee adopted the present report on its thirtieth session.

20. The full list of the decisions adopted by the Committee is available in annex I to the present report.

⁸ CRPD/C/KAZ/1 and CRPD/C/ZMB/1.

⁹ CRPD/C/BHR/1-2.

¹⁰ CRPD/C/AZE/2-3 and CRPD/C/AZE/2-3/Corr.1, CRPD/C/CRI/2-3 and CRPD/C/SWE/2-3.

¹¹ CRPD/C/NIC/1, CRPD/C/NIC/2 and CRPD/C/NIC/3.

¹² CRPD/C/AZE/CO/2-3, CRPD/C/BHR/CO/1-2, CRPD/C/CRI/CO/2-3, CRPD/C/KAZ/CO/1, CRPD/C/NIC/CO/1-3, CRPD/C/SWE/CO/2-3 and CRPD/C/ZMB/CO/1.

Annex I

Decisions adopted by the Committee at its thirtieth session

1. The Committee adopted concluding observations in relation to the initial reports of Kazakhstan and Zambia, the combined initial and second periodic reports of Bahrain, the combined second and third periodic reports of Azerbaijan, Costa Rica and Sweden, and the initial and second and third periodic reports of Nicaragua. The Committee regrets that Nicaragua did not send a delegation to engage with the Committee in a constructive dialogue.
2. The Committee considered four individual communications submitted for its consideration under the Optional Protocol to the Convention. It found violations of the Convention in one of them, declared the third inadmissible and decided to discontinue the other two. A summary of the Views and decisions of the Committee may be found in annex III to the present report. The Views and decisions were transmitted to the parties as soon as possible and were subsequently made public.
3. The Committee adopted a follow-up progress report on individual communications.
4. The Committee held two dialogues and adopted reports on follow-up to inquiries.
5. The Committee considered matters related to inquiries pursuant to the Optional Protocol.
6. The Committee continued the process of drafting its general comment No. 9, on article 11 of the Convention. It held discussions with United Nations agencies and partners with regard to persons with disabilities affected by disasters and children with disabilities affected by armed conflict.
7. The Committee amended its rules of procedure in matters related to communications, the simplified reporting procedure and follow-up to inquiries.
8. The Committee decided that, subject to the availability of funding, its 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. The Committee adopted a provisional programme of work for its thirty-first session.
9. The Committee decided to adopt the use of task forces for the preparation and conduct of constructive dialogues with States parties as the default methodology for all dialogues. The Committee will continue to improve this methodology.
10. The Committee 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.
11. The Committee adopted a statement on achieving balanced gender representation and equitable geographical distribution in the elections of members of the Committee in 2024.
12. The Committee welcomed recent ratifications of the Convention and the Optional Protocol. With 191 States parties having ratified the Convention, it is the second most ratified human rights treaty. However, the high rate of ratification is not matched by meeting time and resources allocated to the Committee. The Committee therefore called upon Member States and all competent United Nations bodies to rectify the situation by increasing the meeting time and resources allocated to the Committee with a third session of at least three weeks' meeting time.
13. Remaining concerned about the increasing number of initial and periodic reports pending its consideration, the Committee called upon Member States and the bodies concerned to grant the Committee sufficient meeting time and resources to address the backlog.

14. The Committee called upon States parties with long overdue initial reports, as listed in annex II to the present report, to submit their reports as expeditiously as possible. The Committee decided to engage actively, in coordination with the treaty body capacity-building programme of the OHCHR Human Rights Treaties Branch, with States parties whose initial reports were more than 10 years overdue to build capacity for reporting.

15. The Committee adopted the report on its thirty-first session.

Annex II

States parties whose initial reports are more than five years overdue

<i>Party</i>	<i>Due date</i>
Guinea	8 March 2010
San Marino	22 March 2010
Lesotho	2 January 2011
Yemen	26 April 2011
Syrian Arab Republic	10 August 2011
United Republic of Tanzania	10 December 2011
Malaysia	19 August 2012
Saint Vincent and the Grenadines	29 November 2012
Belize	2 July 2013
Cabo Verde	10 November 2013
Nauru	27 July 2014
Eswatini	24 October 2014
Dominica	1 November 2014
Cambodia	20 January 2015
Barbados	27 March 2015
Papua New Guinea	26 October 2015
Côte d'Ivoire	10 February 2016
Grenada	17 September 2016
Congo	2 October 2016
Guyana	10 October 2016
Guinea-Bissau	24 October 2016
Madagascar	12 July 2017
Gambia	6 August 2017
Bahamas	28 October 2017
Democratic Republic of the Congo	30 October 2017
Sao Tome and Principe	5 December 2017
Antigua and Barbuda	7 February 2018
Brunei Darussalam	11 May 2018
Comoros	16 July 2018

Annex III

Summary of Views and decisions adopted by the Committee regarding individual communications

Al-Hawali v. Saudi Arabia

1. The Committee examined the communication in the case of *Al-Hawali v. Saudi Arabia*.¹ Safar bin Abdulrahman al-Hawali was a religious scholar and a political dissident. He had impairments affecting his communication and mobility skills and his capability for self-care, including chronic apraxia of speech. He was unable to move by himself and had a broken pelvis and renal failure that required constant care. On 12 July 2018, he and one of his sons had been arrested. Other male relatives of his had been arrested around the same time. The authorities had refused to disclose his fate and whereabouts until 17 September 2018. According to the author, Mr. Al-Hawali had been arrested pursuant to the 2017 Counter-Terrorism and Financing of Terrorism Act, which had allowed for his prolonged detention without being brought before a judge, notified of the charges against him, provided with legal assistance or allowed to challenge his detention. Family visits had been denied for long periods of time. He had not been provided with any reasonable accommodation or the medical or rehabilitative care that he required as a result of his impairments, resulting in deterioration and possible exposure to the coronavirus disease (COVID-19). The author contended that Mr. Al-Hawali's detention constituted punishment for his criticism of the Crown Prince. The author claimed that the State party has violated Mr. Al-Hawali rights under articles 5, 10, 12, 13, 14, 15, 16, 17 and 25 of the Convention, read alone and in conjunction with articles 1, 3, 4, 5 (3) and 21, and under articles 10 and 25 read in conjunction with articles 11 and 14.

2. The State party contended that the communication should be found inadmissible and, on the merits, that its authorities had not breached the Mr. Al-Hawali's rights under the Convention.

3. The Committee considered that the detention and treatment of Mr. Al-Hawali and the delays in acknowledging his whereabouts and in bringing him to trial were inappropriate, unjustified and unreasonable, and therefore arbitrary. The Committee noted that no accommodation had been provided to Mr. Al-Hawali, taking into account his speech impairment. Noting the delay in acknowledging the deprivation of his liberty, the Committee considered that the State party's authorities had subjected him to enforced disappearance. The Committee considered that in the absence of measures taken to fulfil Mr. Al-Hawali's due process rights, taking into account his disabilities, the State party's authorities had breached his right of access to justice. The Committee considered that the State party had breached his right to the enjoyment of the highest attainable standard of health without discrimination on the basis of disability, and, given the degree of suffering involved in prolonged isolation, his rights to respect for his physical and mental integrity and not to be subjected to torture or cruel, inhuman or degrading treatment or punishment. The Committee therefore concluded that the State party had breached Mr. Al-Hawali's rights under articles 5 (1), (2) and (3) and 14 of the Convention, read alone and in conjunction with articles 3 (b), (c) and (f), 4 and 21; under articles 10, 12 (1), 14 and 15; under article 13, read alone and in conjunction with articles 3 (b), (c) and (f) and 4; under article 25, read alone and in conjunction with articles 3 (b), (c) and (f), 4, 5 (3) and 14 (1); and under articles 15 and 17, read alone and in conjunction with articles 3 (b), (c) and (f), 4, 5 (3) and 14 (2).

4. The Committee requested the State party to review Mr. Al-Hawali's case to ensure that he had a fair and public trial, or to release him; to cease, investigate and establish accountability for acts of reprisal against Mr. Al-Hawali and his relatives; and to provide Mr. Al-Hawali with an effective remedy. The Committee requested the State party to take measures to prevent similar violations in the future, including reviewing the Counter-Terrorism and Financing of Terrorism Act of 2017; preventing, investigating and

¹ CRPD/C/30/D/84/2020.

establishing accountability for enforced disappearance and incommunicado detention; ensuring the provision of adequate health care and reasonable accommodation to persons with disabilities in detention; ensuring the independence and effectiveness of mechanisms for the monitoring of detention; and training law enforcement personnel on the Convention and the Optional Protocol.

O.B. v. Ukraine

5. The Committee examined the communication in the case of *O.B. v. Ukraine*.² The author, who had a disability, complained that in 2018, the State party's authorities had rejected his application for social assistance on the basis that his income over the six months preceding his application had exceeded the subsistence threshold for eligibility established under the "procedure for the appointment and payment of State social assistance to persons who are not entitled to a pension and to persons with disabilities and of State social assistance for care". The author claimed that by rejecting his application, the State party had failed to protect his right to an adequate standard of living, in breach of article 28 of the Convention. The complaints that the author had lodged in that regard had been rejected by the District Administrative Court of Kyiv, the Sixth Administrative Court of Appeal and the Supreme Court. In relation to the disability pension, the author claimed that the eligibility requirement to have work experience in order to be eligible for social assistance was discriminatory, and that the pension was insufficient to meet basic needs. The author requested that the State party be invited to review its legislation to ensure a sufficient standard of living for persons with disabilities.

6. In its observations, the State party noted that the author did not have insurance coverage for the period of time required in order to be eligible for a disability pension under article 32 of the law of Ukraine on compulsory State pension insurance. The State party also noted that in September 2018, the author had reapplied for social assistance, and as his total income for the previous six months had not exceeded the subsistence threshold, he had been granted social assistance in the amount of 1,452 hryvnias per month.

7. In its considerations on admissibility, the Committee recalled that it was generally for the courts of States parties to the Convention to evaluate facts and evidence or the application of domestic law in a particular case, unless it was found that the proceedings before the domestic courts or the evaluation had clearly been arbitrary or amounted to a denial of justice. The Committee considered that the author had failed to substantiate, for purposes of admissibility, that the rejection of his application for social assistance, on the basis of his income over the preceding six months, had been clearly arbitrary or constituted a denial of justice. The Committee noted that the author's subsequent application for social assistance had been approved, and observed that he had failed to justify that the amount received was insufficient to fulfil his right to an adequate standard of living. Regarding the author's claim that it was discriminatory to require work experience as a condition for eligibility for a disability pension, the Committee considered that the author had failed to demonstrate how he had personally been affected by that condition in justifying victim status under article 1 (1) of the Optional Protocol. The Committee therefore considered the communication to be inadmissible under article 2 (e) of the Optional Protocol, as it was insufficiently substantiated.

J.-L.K. v. Canada

8. The Committee decided to discontinue its consideration of the communication in the case of *J.-L.K. v. Canada*.³ The Committee considered that the secretariat had lost contact with the author, as she had not provided comments on the State party's observations, despite several reminders.

² CRPD/C/30/D/54/2018.

³ CRPD/C/30/D/76/2020.

O.M.G. v. Sweden

9. The Committee decided to discontinue its consideration of the communication in the case of *O.M.G. v. Sweden*.⁴ The victim – the authors' son – had been granted a residence permit in the State party and was therefore no longer at risk of being returned to Afghanistan.

⁴ [CRPD/C/30/D/80/2020](#).