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**Promotion and protection of all human rights, civil,  
political, economic, social and cultural rights,  
including the right to development**

## **Rights of persons with disabilities**

### **Report of the Special Rapporteur on the rights of persons with disabilities, Heba Hagrass\***

#### *Summary*

In the present report, submitted to the Human Rights Council pursuant to Council Resolution 53/14, the Special Rapporteur on the rights of persons with disabilities, Heba Hagrass, provides an overview of activities undertaken in 2023, takes stock of the work and achievements of the mandate during the 10 years since it was created in 2014 and describes her vision of the mandate during her tenure.

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\* Agreement was reached to publish the present report after the standard publication date owing to circumstances beyond the submitter's control.



## I. Introduction

1. The Special Rapporteur on the rights of persons with disabilities, Heba Hagrass, submits the present report to the Human Rights Council, pursuant to Council resolution 53/14. It is the first report prepared by the current mandate holder since she took up her functions in November 2023. It contains a description of the activities undertaken by her predecessor, Gerard Quinn, between 1 January and 31 October 2023, and of her own activities since November 2023. In the report, the Special Rapporteur reflects on the framing and work of the mandate during the 10 years since its creation in 2014 and outlines her priorities during her tenure.

## II. Activities of the Special Rapporteur

### Country visits

2. The previous Special Rapporteur carried out a country visit to Georgia in September 2023 and he is grateful to the Government for their cooperation during the visit. The report on the visit will be presented at the fifty-fifth session of the Human Rights Council.<sup>1</sup> His scheduled visit to Botswana in April 2023 had to be cancelled for health reasons.

### Engagement with stakeholders

3. In March 2023, during the fifty-second session of the Human Rights Council, the previous Special Rapporteur presented his thematic report on the transformation of services for persons with disabilities<sup>2</sup> and his reports on two country visits, one to the European Union and one to Jordan.<sup>3</sup> In October 2023, he presented his final thematic report, on peacebuilding and the inclusion of persons with disabilities, to the General Assembly.<sup>4</sup> The two country visit reports and the final report to the General Assembly are available in accessible formats.<sup>5</sup>

4. In 2023, the previous Special Rapporteur participated in numerous conferences and meetings organized by United Nations entities, States, civil society organizations and others. In February, he travelled to Nepal, at the invitation of the National Federation of the Disabled, for an academic visit with a focus on inclusive education. Also in February, he participated in a regional conference on the theme of transition towards independent living within the community for persons with disabilities, organized by the Economic and Social Commission for Western Asia, with the support of the Government of Malta and the Ford Foundation. Further activities included the Human Rights Council annual interactive debate on the rights of persons with disabilities, which he moderated; a side event in the margins of the Human Rights Council session on care and support, co-organized by the Office of the United Nations High Commissioner for Human Rights (OHCHR) and the Special Rapporteur, in March 2023; the launch event of the guidance on mental health, human rights and legislation, issued by the World Health Organization (WHO) and OHCHR in October 2023; and a side event during the fifty-fourth session of the Human Rights Council on the theme of artificial intelligence, disability and the right to health, also in October 2023. In addition, from 13 to 15 June 2023, he participated in the sixteenth Conference of States Parties to the Convention on the Rights of Persons with Disabilities, making opening and closing remarks on a video link.

5. In relation to engaging with different stakeholders when relevant issues for persons with disabilities were being discussed, in February 2023, the previous Special Rapporteur made remarks before the Department of Foreign Affairs of Ireland on the inclusion of persons with disabilities in foreign policy and testified before the Constitutional Court of Indonesia in relation to a judicial review of article 433 of the Indonesian Civil Code, which deals with conservatorship. In August 2023, together with the Independent Expert on the enjoyment of

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<sup>1</sup> A/HRC/55/56/Add.1.

<sup>2</sup> A/HRC/52/32.

<sup>3</sup> A/HRC/52/32/Add.1 and A/HRC/52/32/Add.2.

<sup>4</sup> A/78/174.

<sup>5</sup> See <https://www.ohchr.org/en/special-procedures/sr-disability/annual-thematic-reports>.

all human rights by older persons, the previous Special Rapporteur submitted a contribution to the discussions on the European Commission proposal for a regulation and decision of the Council of the European Union governing the Convention on the International Protection of Adults.

6. In March 2023, following his work on persons with disabilities along the peace-conflict continuum, the previous Special Rapporteur participated in an event co-organized by the mandate and the International Committee of the Red Cross, to build on the recommendations of his second report to the General Assembly on the protection of the rights of persons with disabilities in the context of military operations.<sup>6</sup> In October 2023, he convened a side event in the margins of the presentation of his thematic report to the General Assembly on the theme of “Armed conflict and disability – from inclusive protection to peacebuilding”, which brought together representatives of Member States, United Nations officials, organizations of persons with disabilities and academics to discuss the unique contribution of persons with disabilities to inclusive and sustainable peace processes.

7. Since she assumed the mandate in November 2023, the Special Rapporteur has held a number of meetings and bilateral consultations with organizations of persons with disabilities, civil society, representatives of States and partners from the United Nations system. In particular, in November she attended the induction session for newly appointed mandate holders and addressed a session, co-sponsored by the mandate, of the Forum on Business and Human Rights on broadening the discussion on disability rights as part of business and human rights. In December 2023, she participated on a video link in an event on better protecting children with disabilities in armed conflict that was organized by the Special Representative of the Secretary-General for Children and Armed Conflict. In December 2023, she also participated in a regional conference on sexual and reproductive health issues for persons with disabilities, organized by the Coptic Evangelical Organization for Social Services in the United Arab Emirates.

8. On 1 December 2023, the Special Rapporteur issued a statement, jointly with the Chair of the Committee on the Rights of Persons with Disabilities, the Independent Expert on the enjoyment of human rights by persons with albinism and the Special Rapporteur on the elimination of discrimination against persons affected by leprosy (Hansen’s disease) and their family members, to mark the international day of persons with disabilities on 3 December 2023 and remind all relevant stakeholder of the importance of putting the rights of persons with disabilities up front in discussions related to sustainable development and the post-2030 development agenda.<sup>7</sup> She also issued a statement concerning the situation of persons with disabilities in the Gaza Strip to reiterate calls for them to have unconditional and unrestricted access to humanitarian aid.<sup>8</sup>

### Communications

9. Summaries of communications sent and replies received during the period covered by the present report are available in the communications reports of the special procedures<sup>9</sup> and in the OHCHR communications database.

## III. Taking stock of the first 10 years of the mandate

10. Before looking ahead to her future priorities, the Special Rapporteur wishes to recognize and take stock of the work and achievements of the mandate holders since the mandate was created a decade ago. Looking back over the past 10 years shows how far the mandate has come and provides direction on where to go next. The Special Rapporteur particularly wishes to acknowledge the immense contribution made by her two predecessors,

<sup>6</sup> A/77/203.

<sup>7</sup> See <https://www.ohchr.org/en/statements/2023/12/armed-conflict-puts-human-rights-people-disabilities-and-all-civilians-peril-un>.

<sup>8</sup> See <https://www.ohchr.org/en/press-releases/2023/11/gaza-un-expert-demands-unconditional-humanitarian-access-and-relief-people>.

<sup>9</sup> A/HRC/53/3, A/HRC/54/3 and A/HRC/55/3.

Catalina Devandas Aguilar and Gerard Quinn, who built a strong body of thematic and country-specific work and made the mandate a key actor in promoting and advancing the rights of persons with disabilities at the international, regional and national levels.

## **A. Mandate of the Special Rapporteur**

11. The mandate of the Special Rapporteur on the rights of persons with disabilities was established in 2014, pursuant to Human Rights Council resolution 26/20. Since then, the Human Rights Council has renewed the mandate three times, in 2017 in resolution 35/6, in 2020 in resolution 44/10 and in 2023 in resolution 53/14, each time the resolutions were adopted by consensus and with strong cross-regional support from member States.

12. From the outset, the Convention on the Rights of Persons with Disabilities was the guiding standard for the work of the mandate, in conjunction with all other relevant human rights instruments. In its resolutions on the rights of persons with disabilities, the Human Rights Council has consistently recalled the universality, indivisibility, interdependence and interrelatedness of all human rights and fundamental freedoms. In that spirit, the mandate holders have applied the whole of the United Nations regulatory framework to the issue of persons with disabilities.

13. The broad scope of the mandate remains the same in 2024 as in 2014, providing opportunities for engagement with relevant processes at the international, regional and national levels, and with United Nations entities and mechanisms. In addition to annual reporting to the Human Rights Council and the General Assembly, the mandate connects the work of the Special Rapporteur with other special procedure mandate holders, treaty bodies, especially the Committee on the Rights of Persons with Disabilities, and relevant United Nations agencies, funds and programmes, including the United Nations Partnership on the Rights of Persons with Disabilities, the Special Envoy of the Secretary-General on Disability and Accessibility, the Conference of States Parties to the Convention on the Rights of Persons with Disabilities and the Commission for Social Development.

14. The successive resolutions of the Human Rights Council on the rights of persons with disabilities reflect developments that are of particular relevance for those rights, starting with the reference to the 2030 Agenda for Sustainable Development and the commitment to leave no one behind that was adopted in 2015, shortly after the mandate was established. The mandate follows a dual and interlinked approach, whereby the 2030 Agenda is unequivocally grounded in human rights for everyone and the Convention on the Rights of Persons with Disabilities includes a development perspective to protect and achieve the human rights of all persons with disabilities in all parts of the world. The added value the mandate holders bring is to promote and work towards a disability-inclusive development agenda from a human rights-based perspective. Human rights and sustainable development go hand in hand and represent the solution to the everyday challenges persons with disabilities face across the world.

15. Following the development and adoption of the United Nations Disability Inclusion Strategy in 2019, in which the first Special Rapporteur played an instrumental role, in resolution 44/10, the Human Rights Council requested the Special Rapporteur to closely contribute to the implementation of the Strategy and other efforts, in order to ensure that the United Nations system was fit for purpose in relation to disability inclusion. As a result, the mandate holders have regularly engaged with the Executive Office of the Secretary-General, which coordinates and guides the implementation of the Strategy, and with other parts of the United Nations through their thematic and country-specific work.

16. In resolution 44/10, the Council acknowledged the adoption of Security Council resolution 2475 (2019), which addresses the disproportionate impact of armed conflict and related humanitarian crises on persons with disabilities, and of the Sendai Framework for Disaster Risk Reduction 2015–2030, which promotes disability-inclusive and accessible disaster risk reduction practices. Security Council resolution 2475 (2019) and the Sendai Framework signalled a commitment to disability inclusion in agendas addressing global challenges and the Special Rapporteur was requested to consider humanitarian situations

when identifying, exchanging and promoting good practices relating to the realization of the rights of persons with disabilities and their participation in society as equal members.

17. Over the past 10 years, the Special Rapporteurs have utilized the broad framing of the mandate to build strong connections with other stakeholders and the mandate has become a highly recognized and visible tool to advocate for the rights of persons with disabilities, a source for developing guidance and recommendations on key human rights concerns for persons with disabilities and a platform to connect the disability perspective with wider global agendas. As such, the focus has been strongly on systemic change, so that the paradigm shift embodied by the Convention on the Rights of Persons with Disabilities generates a practical impact on the lives of persons with disabilities across the world, and on bringing a disability perspective, based on human rights, to different fields of work. To implement the broad mandate, with many opportunities for engagement and collaboration at different levels, the mandate holders have undertaken a considerable workload, coupled with strategic prioritization of areas where they could bring added value. The mandate has enjoyed significant support from States, partners and other stakeholders, thus reaffirming their commitment to the promotion and protection of the rights of persons with disabilities. The current mandate holder hopes that she will benefit from continuing support to implement her mandate effectively.

18. In accordance with the mandate, the core of the Special Rapporteur's work consists of three interrelated activities:

(a) Gathering, requesting, receiving and exchanging information and communications from and with States and other relevant sources, including persons with disabilities and their representative organizations, and other civil society organizations, on violations and abuses of the rights of persons with disabilities and on draft and existing legislation and policies that do not comply with international human rights standards. As of December 2023, the mandate holders had initiated and joined 215 communications since 2014;<sup>10</sup>

(b) Submitting annual reports and thematic studies to the Human Rights Council and the General Assembly. The previous mandate holders produced 16 thematic studies and 2 vision reports;<sup>11</sup>

(c) Conducting country visits at the invitation of Governments, in order to assess the enjoyment of the rights of persons with disabilities, in accordance with the Convention on the Rights of Persons with Disabilities and relevant international human rights standards. Twelve country visits have been conducted over the past decade.<sup>12</sup>

## **B. Supporting practical implementation of the Convention on the Rights of Persons with Disabilities**

19. The mandate was established eight years after the adoption of the Convention, which has had an overwhelmingly positive reception, a trend that has continued, with 189 States having ratified the Convention as of December 2023. Ten years ago, the main question was how States would respond practically to the Convention and how the wide-reaching acceptance would translate into concrete change in the lives of persons with disabilities across the world. For that a real understanding and internalizing of the core message of the Convention, namely embracing human difference and positively accommodating it in different spheres, were required as a precondition for law- and policymaking.

20. In that sense, an early achievement of the mandate was to elaborate on the key principles of the Convention to provide for better understanding by policymakers and other stakeholders on how to practically implement a rights-based approach to disability, with the goal that persons with disabilities could enjoy their rights equally with others; and how to remove the legacy of the past, namely the perception of disability as a medical issue and

<sup>10</sup> See <https://spcommreports.ohchr.org/TmSearch/Results?page=1>.

<sup>11</sup> See <https://www.ohchr.org/en/special-procedures/sr-disability/annual-thematic-reports>.

<sup>12</sup> See <https://www.ohchr.org/en/special-procedures/sr-disability/country-visits>.

persons with disabilities as objects of charity, from laws, policies and institutions that have often been built over long periods of time precisely on that perception. A cross-cutting and key element in that respect is the effective and meaningful participation of persons with disabilities in political and public life, especially in all matters affecting them, as elaborated in one of the first thematic reports.<sup>13</sup>

21. The mandate holders have addressed the core principles of the Convention through thematic reports and country visits, convening expert groups, commissioning research and providing expert testimony and submissions in relevant judicial reviews and policy processes. A particular focus has been the policy tools and support systems that are required to restore the full voice, choice and control over their own lives to persons with disabilities, with support as needed and requested, in line with article 12 of the Convention on equal recognition before the law and article 19 on the right to live independently. In that way, the guidance produced by the mandate holders has complemented the work of the Committee on the Rights of Persons with Disabilities, whose general comment No. 1 (2014) covered article 12, while general comment No. 5 (2017) addressed article 19.

22. In a number of thematic reports, the Special Rapporteurs have considered how policy, support and service systems can and should promote active citizenship, social inclusion and community participation in line with the Convention. In successive reports on social protection,<sup>14</sup> disability-inclusive policies, access to rights-based support for persons with disabilities<sup>15</sup> and the transformation of services for persons with disabilities<sup>16</sup> the Special Rapporteurs have outlined the wide range of evolving policy tools available to promote the full, equal and effective participation of persons with disabilities in their communities. The key themes arising from those reports are the importance of robust anti-discrimination frameworks, including the concept of reasonable accommodation; the meaningful participation of persons with disabilities in the design, monitoring and evaluation of policies; the accessibility of programmes and services for all persons with disabilities and especially those most at risk of being left behind; and the availability of services and support systems for the autonomy and inclusion of persons with disabilities in different areas of life.

23. The issue of legal capacity has also been prominent in the work of the mandate, given its centrality in achieving equal recognition before the law and thus enabling the exercise of all other human rights and fundamental freedoms. As elaborated in a thematic report in 2017, the Convention enshrines the universal recognition of legal capacity and the provision of the support needed to exercise it, and States must undertake legislative reforms to guarantee that right.<sup>17</sup>

24. Since the adoption of the Convention in 2006, the discussion around universal legal capacity has evolved, with substitute decision-making regimes becoming increasingly challenged, while a growing number of countries have adopted supported decision-making schemes. That said, in all 11 countries visited by the Special Rapporteurs over the last decade, some forms of guardianship regimes were observed, often in conjunction with efforts towards supported decision-making. The denial of legal capacity has mostly had an impact on persons with intellectual and psychosocial disabilities. As is made evident in a study commissioned by the previous Special Rapporteur and in his related statements, some normative and policy developments risk locking in outdated concepts of “protection”, including in the form of guardianship, potentially undermining the shift towards autonomy and personhood in the Convention.<sup>18</sup>

25. By concentrating on autonomy, choice and agency, the paradigm shift of the Convention aims to leave behind the legacy of segregation, invisibility and coercion that has historically been experienced by persons with disabilities worldwide. The mandate holders

<sup>13</sup> [A/HRC/31/62](#).

<sup>14</sup> [A/70/297](#).

<sup>15</sup> [A/HRC/34/58](#).

<sup>16</sup> [A/HRC/52/32](#).

<sup>17</sup> [A/HRC/37/56](#).

<sup>18</sup> See <https://www.ohchr.org/sites/default/files/documents/issues/disability/olderpersons/Annex-Joint-Submission-Towards-Greater-Coherence-International-Law.pdf> and [https://www.ohchr.org/Documents/Issues/Disability/Hague-CRPD\\_Study.docx](https://www.ohchr.org/Documents/Issues/Disability/Hague-CRPD_Study.docx).

have shone a spotlight on practices perpetuating those historic violations of the human rights of persons with disabilities and made related recommendations. In a report in 2019, the Special Rapporteur studied disability-specific forms of deprivation of liberty, their underlying causes and adverse consequences, and formulated recommendations to end the deprivation of liberty based on actual or perceived disability, as required by the Convention.<sup>19</sup>

26. Equal and fair access to justice is closely linked to the right to hold and exercise legal capacity and is critical for the enjoyment and fulfilment of all human rights by persons with disabilities. The Convention proved innovative by recognizing access to justice as a stand-alone right (article 13) for the first time in international human rights law. Identifying a need to uncover and systematize the procedural adjustments, accommodations and remedies that were needed for the right of access to justice to be implemented in practice, the first Special Rapporteur, in close cooperation with the Committee on the Rights of Persons with Disabilities and the Special Envoy of the Secretary-General on Disability and Accessibility, undertook significant research and consultations, culminating in the publication of the International Principles and Guidelines on Access to Justice for Persons with Disabilities in 2020. The Principles and Guidelines represent a first tool of their kind, with comprehensive and practical guidance on how to ensure access to justice for persons with disabilities on an equal basis with others, and have also been endorsed by the United Nations Development Programme, the International Commission of Jurists and the International Disability Alliance.

### C. Increasing the visibility of disability rights in response to global challenges

27. Since the creation of the mandate, the mandate holders have aimed to make the voice and perspective of persons with disabilities more visible and included in multilateral frameworks tackling global challenges. That has not been purely a matter of advocating for mainstreaming, but ensuring that all efforts for inclusion are based on human rights and that the voices of persons with disabilities are taken seriously.

28. The coronavirus disease (COVID-19) pandemic made it clear that the cultural shift embodied by the Convention is not yet an acquired reality, given that responses to the crisis treated persons with disabilities as invisible. Both previous Special Rapporteurs strongly engaged in advocacy about and awareness-raising of the impact of the responses to the COVID-19 pandemic on the rights of persons with disabilities: for example, the relative inaccessibility of preventive measures, the fragility of service and support systems and increasing isolation, neglect and abuse, especially in institutions. The Special Rapporteurs also contributed to guidance materials on the rights of persons with disabilities in the context of the pandemic.

29. The mandate holders have also focused on fundamental shortcomings in mental health services and support across the world, which particularly affect the rights of persons with psychosocial disabilities. They have notably highlighted abuses and violations of the rights of persons with disabilities in the context of involuntary deprivation of liberty, forced treatment and forced medication in mental health facilities, as well as in other situations.<sup>20</sup> In a number of communications and during country visits, the Special Rapporteurs have also addressed mental health legislation and related reforms, including concerns over enduring coercive practices incompatible with the Convention.<sup>21</sup> The new guidance on mental health, human rights and legislation and practice issued by WHO and OHCHR and to which the previous Special Rapporteur contributed, does include a strong disability rights perspective and offers opportunities for law and policy reform in accordance with the Convention.<sup>22</sup>

<sup>19</sup> [A/HRC/40/54](#).

<sup>20</sup> [A/HRC/40/54](#).

<sup>21</sup> In particular in relation to articles 12 (equal recognition before the law) and 14 (liberty and security of the person).

<sup>22</sup> WHO and OHCHR, *Mental Health, Human Rights and Legislation. Guidance and Practice* (2023).

30. The effects of new technological and scientific developments on human rights represent another global conversation, into which the mandate holders have striven to infuse a disability perspective. Advances in scientific research and medical practice and technology raise ethical and policy dilemmas, owing to entrenched ableism. As developed in a report in 2020, interventions aimed at “preventing” and “fixing” impairments or making them less apparent to society are increasingly available, which risks validating the message that the lives of persons with disabilities are not worth living.<sup>23</sup> The transformation from the medical model to embracing disability as a positive aspect of humanity remains a core issue for ensuring that scientific and medical innovation supports rather than undermines the rights of persons with disabilities.

31. Similarly, a report in 2022 focused on initiating and informing a debate on the challenges posed by the rapid growth and use of artificial intelligence to the rights of persons with disabilities.<sup>24</sup> New technologies can be of major benefit to persons with disabilities, for instance with respect to employment, education and independent living; however, they also present many well-documented discriminatory impacts. A strong disability voice must therefore be included in debates and policymaking processes with regard to such technologies at both the national and international levels.

32. Making persons with disabilities and their rights more visible, and therefore better protected in situations of armed conflict and the peace and security continuum more broadly, was a major priority for the previous Special Rapporteur. Over the course of three thematic reports presented to the General Assembly, underpinned by a number of expert meetings, calls for inputs and other consultations, he demonstrated the interaction between human rights treaties and the Geneva Conventions of 12 August 1949.<sup>25</sup> The Special Rapporteur pointed out that, within international humanitarian law, there are specific norms dealing with civilian protection for persons with disabilities, but that they have remained largely dormant, while framed as a mainly medical issue for “the sick and infirm”. The Convention on the Rights of Persons with Disabilities has helped to refresh that framing and give visibility to persons with disabilities.

33. The previous Special Rapporteur formulated recommendations on how to consider the specific barriers that persons with disabilities face with respect to protection in situations of armed conflict and within the wider peace continuum, and how to ensure the inclusive participation of persons with disabilities and their representative organizations in related consultations at various levels. Here again, the agency and active participation of persons with disabilities are crucial for ensuring that protection measures, accountability mechanisms, conflict prevention, peacebuilding and post-conflict reconstruction are inclusive and therefore effective and legitimate. The previous Special Rapporteur, with the cooperation of different partners, convened regional meetings to bring together military authorities with organizations of persons with disabilities in a unique effort to raise the disability voice with stakeholders directly involved in the design and implementation of military doctrine and training. The extensive research, consultations and recommendations produced in relation to the three thematic reports helped to raise interest in and awareness of the specific barriers and risks faced by persons with disabilities in armed conflict among different stakeholders, including States, the United Nations and other international organizations, organizations of persons with disabilities and relief organizations. That is particularly important, given the resurgence and intensification of armed conflicts in recent years.

#### **D. Promoting system-wide change within the United Nations**

34. Promoting a process to strengthen system-wide accessibility, inclusion and mainstreaming of the rights of persons with disabilities in the United Nations has been a priority since the creation of the mandate. That has been crucial for strengthening the capacity and capability of the system to ensure disability inclusion throughout the work of the mandate

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<sup>23</sup> [A/HRC/43/41](#).

<sup>24</sup> [A/HRC/49/52](#).

<sup>25</sup> [A/76/146](#), [A/77/203](#) and [A/78/174](#).



holders, including in support of the implementation of the 2030 Agenda for Sustainable Development and its commitment to leaving no one behind, and create a framework for accessibility, mainstreaming and accountability within the United Nations.

35. The first Special Rapporteur played a pivotal role in that process of strengthening through advocacy at the highest level of the United Nations. In 2018, at the request of the Executive Office of the Secretary-General, she oversaw an extensive institutional assessment of the United Nations approach to disability inclusion, which informed the development of the United Nations Disability Inclusion Strategy launched by the Secretary-General in 2019.<sup>26</sup> The ground-breaking Strategy contains performance indicators, country-level scorecards and a requirement for annual progress reporting, and is accompanied by detailed technical and guidance notes.

36. The mandate holders have continued to contribute to the implementation of the Disability Inclusion Strategy through engagement with key stakeholders in the United Nations system and with United Nations country teams, particularly in the context of country visits. In his work on persons with disabilities in situations of armed conflict, the previous Special Rapporteur considered how United Nations entities with a mandate for peacekeeping, conflict prevention, peacebuilding and the rule of law, currently mainstream and include disability in those agendas, and made recommendations for further advancement.

37. Both previous Special Rapporteurs sought collaboration with other United Nations human rights mechanisms, especially with other special procedure mandate holders and the treaty bodies, in order to position disability as a transversal issue that required systematic inclusion in their work. The Special Rapporteurs co-hosted several expert meetings, developed joint statements with other special procedures, provided inputs to reports and guidance documents, and joined forces with others in advocacy, making the rights of persons with disabilities more visible and ensuring that they were included in the work of other human rights mandates and mechanisms. As an illustration, it is worth noting several reports issued by other special procedure mandate holders exploring the intersection between their respective mandates and the rights of persons with disabilities.<sup>27</sup>

#### **IV. Vision of the Special Rapporteur: “connecting to push forward”**

38. Based on the analysis of the work and achievements of the mandate holders over the past decade, the Special Rapporteur considers that the mandate is well positioned to “push forward” the implementation of the rights of persons with disabilities in a rapidly changing world. To that end, she intends to strengthen connections with persons with disabilities, their representative organizations and other stakeholders; promote the rights of persons with disabilities in key frameworks at different levels; consolidate and continue the work of her predecessors; and focus on thematic issues that are significantly influencing the ability of persons with disabilities to enjoy their rights. The Special Rapporteur wishes to have close interaction with persons with disabilities from all regions of the world and to make the mandate as reachable and accessible as possible, in order to maximize the participation and inclusion of persons with disabilities in her work. What follows is a description of her vision and her priorities going forward, although they are necessarily open-ended in order to accommodate emerging changes and issues as they arise.

##### **A. Guiding principles**

39. To continue with the established methods of work of the previous mandate holders, the Special Rapporteur is committed to be guided in her work by the overarching principles

<sup>26</sup> See <https://www.ohchr.org/en/special-procedures/sr-disability/strengthening-inclusion-rights-persons-disabilities-united-nations-undis>.

<sup>27</sup> See, for example, [A/HRC/44/41](#) and [A/72/128](#). There is also an upcoming report by the Special Rapporteur on the rights of indigenous peoples on the issue of indigenous person with disabilities, see <https://www.ohchr.org/en/calls-for-input/2024/call-inputs-indigenous-persons-disabilities>.

derived from the Human Rights Council resolutions on the mandate, and in alignment with the spirit of the Convention on the Rights of Persons with Disabilities, namely:

(a) **Participation.** Reflecting the participatory nature of the disability movement, the mandate holders have consistently striven to ensure the broad and inclusive participation of persons with disabilities, their representative organizations and other stakeholders, in all their activities. That is evidenced by the systematic issuance of calls for inputs for thematic studies, the holding of expert consultations and outreach and dialogue with civil society and organizations of persons with disabilities, particularly during country visits. Having a strong connection to the disability rights community is key to the credibility and legitimacy of the work of the Special Rapporteur;

(b) **Inclusiveness and diversity.** In line with the mandate, the Special Rapporteur will integrate a cross-disability, age and gender perspective into her work and address the multiple, intersecting and aggravated forms of discrimination faced by persons with disabilities. It is a fundamental concern for the Special Rapporteur to include and consider persons with all kinds of impairment, especially in contexts where some might be at higher risk of exclusion and discrimination, such as persons with intellectual and psychosocial disabilities. Equally, the Special Rapporteur recognizes that the intersection of disability with other characteristics can create multiple layers of barriers to the enjoyment of human rights and will be attentive to those specific situations and concerns. The Special Rapporteur is committed to embracing the concept that persons with disabilities are part of human diversity;

(c) **Gender sensitivity.** The Special Rapporteur aims to pay particular attention to the inclusion of gender issues in her work, taking into account, first and foremost, the multifaceted discrimination, marginalization and complex human rights violations that girls and women with disabilities face in most societies;

(d) **Accessibility.** The mandate holders have endeavoured to lead by example and promote accessibility in the discharge of their mandate by making consultations, events and documentation accessible to all persons with disabilities. For instance, all reports to the Human Rights Council and the General Assembly have been published in Easyread versions. Moreover, accessibility is a transversal issue and a precondition for the rights of persons with disabilities, and as such the Special Rapporteur will integrate accessibility into her substantive work;

(e) **A collaborative approach.** The mandate is located within the family of special procedures, which, as of November 2023, comprised 46 thematic and 14 country mandates. That offers a unique space for cross-fertilization, amplification and inclusion of the disability perspective in other human rights issues, and the Special Rapporteur will continue to work closely with other special procedure mandate holders. Equally important will be collaboration with other United Nations human rights mechanisms, including the treaty bodies, in particular, the Committee on the Rights of Persons with Disabilities, and other partners in the wider United Nations system.

## **B. “Connecting” with the diverse voices and perspectives of persons with disabilities**

40. Bearing in mind the slogan of the disability rights movement “nothing about us without us”, which is built into the spirit of the Convention on the Rights of Persons with Disabilities, the voices of persons with disabilities, their issues, concerns and aspirations must be included in all policy” and decision-making affecting their lives. Making the perspectives of persons with disabilities visible and their voices heard is the most effective tool for change. It is therefore of the utmost importance to have robust communication channels and participatory mechanisms for persons with disabilities, their representative organizations and civil society at the national level, as well as in the relevant regional and international bodies and mechanisms. The Special Rapporteur, therefore, wishes to concentrate particularly on extending connections with persons with disabilities and their representative organizations as a tool for systematic disability inclusion based on human rights.

41. To that end, the Special Rapporteur aims to make communication with the mandate as accessible, easy and simple as possible, in order to connect with the diverse voices of persons with disabilities. It is the connection with persons with disabilities and their representative organizations that provides the legitimacy and credibility of the mandate. As such, the focus will be on “connecting” to advance the realization of all human rights of persons with disabilities, including ensuring access to services and support systems, bridging the digital divide they encounter in multiple ways and promoting equal opportunities and non-discrimination.

42. In particular, the Special Rapporteur will seek to:

(a) Expand connections with persons with disabilities, and their representative organizations, taking into account a cross-disability, age and gender perspective and other intersectional factors, and engage in outreach to raise awareness of her mandate. A key value will be gaining an understanding of the aspirations, barriers and concerns faced by persons with disabilities throughout the world in exercising their rights;

(b) Regularly connect with civil society actors promoting and monitoring human rights at the national, regional and international levels, so that the rights of persons with disabilities are visible and lead to a cross-fertilization of different approaches and issues. The ripple effect is often visible in capacity-building for organizations of persons with disabilities in terms of advocacy and participation in decision-making;

(c) Enhance dialogue with national bodies involved in the coordination and monitoring of implementation of the Convention, identify challenges and good practices, and support those bodies with capacity-building and awareness-raising initiatives on the rights of persons with disabilities and the related obligations under the Convention;

(d) Build connections with regional intergovernmental organizations to mobilize and amplify State efforts to assist the representative organizations of persons with disabilities to bring about a collective change in disability rights.

43. To build new connections and expand existing ones, a platform is needed for the Special Rapporteur to disseminate and exchange information more widely and effectively, assist with creating links between different stakeholders, raise awareness and connect with the diverse voices of persons with disabilities and all other relevant stakeholders. The resources and capacity required to develop such a platform will need to be assessed, while support will be sought from partners. The Special Rapporteur intends to progressively build and enhance the tools needed for communication and outreach, in order to ensure that the mandate is closely connected with the disability rights community in all regions.

### C. “Push forward”

44. In accordance with her mandate, the Special Rapporteur is committed to promoting and protecting the rights of persons with disabilities at different levels. Pushing the agenda forward in a wide array of policy and normative frameworks is necessary in order to translate the paradigm shift of the Convention into reality on the ground.

45. At the international level, the 2030 Agenda for Sustainable Development with its commitment to leaving no one behind brought great promise for securing the rights and well-being of marginalized groups, including persons with disabilities. Halfway between the adoption of the 2030 Agenda in 2015 and 2030 itself, that promise is in peril, as only 12 per cent of the targets of the Sustainable Development Goals are on track and 50 per cent are only weakly or insufficiently implemented. Hunger and the number of people living in extreme poverty are on the increase.<sup>28</sup>

46. Disability-specific monitoring of progress with the Sustainable Development Goals is limited, but given that persons with disabilities represent at least 15 per cent of the global population and that they have been particularly affected by multiple global crises in recent years, the lack, and in some areas even reverse, of progress on sustainable development is

<sup>28</sup> See [A/78/80-E/2023/64](#).

particularly concerning. Without benefiting from and contributing to development, persons with disabilities will not be able to exercise their human rights. The added value of working towards sustainable development from a human rights perspective is apparent in the resolutions of the Human Rights Council on the mandate.

47. The Special Rapporteur will therefore advocate for the systematic inclusion of disability in efforts to accelerate the implementation of the 2030 Sustainable Development Agenda and for placing persons with disabilities high on the agenda in reflections on the post-2030 development agenda. In doing so, she will seek to join forces and closely collaborate with other special procedure mandate holders, human rights treaty bodies and other United Nations entities. In 2023, by endorsing the declaration of the high-level political forum on sustainable development, States committed to ensuring that persons with disabilities actively participate in and equally benefit from sustainable development efforts. That is welcome and should be translated into practical measures in the upcoming Summit of the Future and its outcome documents.

48. Furthermore, in line with the mandate, the Special Rapporteur emphasizes the importance of close collaboration with both the Conference of States Parties to the Convention on Persons with Disabilities and the Commission for Social Development by participating in their annual sessions, upon request, and exchanging information on policy developments, good practices and challenges in the realization of the rights of persons with disabilities.

49. While avoiding duplication of effort, the Special Rapporteur will continue to work closely with the United Nations system to achieve greater impact, in particular with other special procedure mandate holders and human rights mechanisms of the Human Rights Council, the treaty bodies, especially the Committee on the Rights of Persons with Disabilities, and the Special Envoy of the Secretary-General on Disability and Accessibility. She will seek to provide contributions from a disability rights-based perspective to the work of the human rights treaty bodies, for example in the framework of preparations of general comments and recommendations. She sees important potential in the work of human rights treaty bodies for elaborating on the way in which different rights intersect with the barriers faced by persons with disabilities.

50. The Special Rapporteur believes that regional bodies and organizations play an important role in promoting the principles and objectives of the Convention through their policies and strategies and within the relevant regional cultural, social and economic contexts. They ensure easy and swift access to people with disabilities in a large number of countries. In the light of that, the Special Rapporteur will work to build bridges of communication and joint working with regional bodies to ensure that the rights of people with disabilities are promoted and protected.

51. At the national level, the Special Rapporteur considers the inclusion of persons with disabilities in political life as a major indicator of their social empowerment and active citizenship, as well as the effective exercise of their right to participate in political and public life. Their political participation, both as voters and candidates, leads to their issues and concerns becoming more visible in political programmes. Being politically represented at different levels of government is not only symbolically important, but also means that persons with disabilities have more direct participation in decision-making and equality before the law.

#### **D. Revisiting the existing work of the mandate**

52. The Special Rapporteur consulted with both her predecessors shortly after assuming her duties, in order to explore the critical issues that need to be pushed further and followed up, and that also intersect with her vision.

53. In her discussions with her predecessors, several critical issues were identified as warranting attention. First, 2024 marks five years since the adoption of the United Nations Disability Inclusion Strategy, providing an opportunity to take stock and identify challenges, as well as opportunities to accelerate implementation. Nearly five years after the introduction

of the Strategy, there is a noticeable uptake in the number of United Nations entities that are reporting under this framework and that are meeting or exceeding its requirements. However, the desired pace of progress has not yet been reached, as 67 per cent of the requirements of the Strategy are currently not being met.<sup>29</sup> In line with her mandate, the Special Rapporteur will continue efforts to contribute to the implementation of the Strategy and stress the importance of evaluating and reviewing this system-wide framework.

54. The Special Rapporteur also intends to continue focusing on the global challenges that face all of humanity and study their differentiated impacts on the rights of persons with disabilities and how to ensure the inclusion and participation of persons with disabilities in related policies and regulatory frameworks. The impacts of climate change on biodiversity and livelihoods, and the opportunities for building more climate-friendly and inclusive environments have significant repercussions for the lives of persons with disabilities. Equally important for the rights of persons with disabilities are advances in digital technologies, including artificial intelligence, which can be harnessed for socioeconomic inclusion, but can also exacerbate pre-existing inequalities and discrimination.

## **E. Thematic priorities**

55. In order to push forward for the effective realization of the rights of persons with disabilities, the Special Rapporteur considers that several topics merit urgent attention, as they have a particularly critical impact on the lives of persons with disabilities. Those topics are also high on the global agenda and the inclusion of a disability perspective will not only strengthen the enjoyment of human rights by persons with disabilities, but also lead to generally more inclusive, legitimate and therefore effective policies and actions. As outlined above, the Special Rapporteur will be particularly attentive to including the voices of persons with disabilities in her research, while integrating cross-disability, age, gender and other perspectives, and to consulting all other stakeholders. The Special Rapporteur further notes that thematic priorities will be continuously assessed, reviewed and expanded during her tenure, in order to respond to emerging issues and developments, especially considering the global context that has been affected by multiple crises in recent years.

### **1. Climate change and persons with disabilities**

56. According to the Intergovernmental Panel on Climate Change, the poorest people will continue to experience the worst effects of climate change through loss of income and livelihood opportunities, homelessness, hunger and harmful effects on their health.<sup>30</sup> As a group that is disproportionately affected by poverty and faces multiple socioeconomic barriers in all regions, persons with disabilities are at especially high risk from the adverse impacts of climate change.

57. The Special Rapporteur considers it important to shine a spotlight on the specific and disproportionate impacts of climate change on persons with disabilities, in order to increase visibility and awareness. Wider awareness and understanding of the negative impacts of climate change on persons with disabilities, which can be further exacerbated by multiple and intersectional factors, will also accentuate the need for the engagement of persons with disabilities and their representative organizations in frameworks addressing the challenges that climate change brings. Without the inclusion and meaningful participation of persons with disabilities in the design, implementation and monitoring of climate change mitigation and adaptation measures, the adverse effects will only be further exacerbated for them.

58. Preparedness, risk reduction and the emergency response to natural disasters are closely connected with climate change. A key aspect, for example, is the availability and accessibility of effective warnings for persons with disabilities in areas likely to be affected by natural disasters as a result of climate change. Some positive policy developments are particularly relevant, such as the Sendai Framework for Disaster Risk Reduction, which calls for the integration of a disability perspective into all relevant policies and practices, while

<sup>29</sup> A/78/281, p. 9.

<sup>30</sup> See <https://www.ipcc.ch/report/ar6/wg2/>.

noting that safe rescue tools adapted to the different needs of persons with disabilities remain scarce. Implementation of the Framework, however, is not on track and disability inclusion has remained underresourced and underprioritized in all regions over the past decade.<sup>31</sup>

## 2. Disability-inclusive digital transformation

59. Digital technologies are rapidly transforming the way in which Governments, economies and societies function, while more and more people around the world spend a significant part of their lives online. Such technologies have a profound effect on access to communication and information, education, employment, trade and the delivery of services, among others, all areas closely connected with the promotion and protection of the rights of persons with disabilities. The potential of digital technologies, such as mobile devices, e-governance and digital public services, and innovations, including artificial intelligence, have been highlighted as a catalyst for achieving 70 per cent of the Sustainable Development Goals.<sup>32</sup>

60. At the same time, the risk of entrenching inequalities and discrimination, owing to digital divides, are well recognized, particularly with respect to digital access and Internet connectivity, digital literacy, data collection and innovation. The negative effects could be particularly dramatic for persons with disabilities and severely undermine the realization of the overall paradigm shift brought about by the Convention, namely to ensure the autonomy, choice and agency of persons with disabilities. Given that many persons with disabilities do not have access to basic digital technology, which is a prerequisite for making use of more advanced technologies, including artificial intelligence, the risk of being excluded is a significant concern for persons with disabilities. Barriers to the enjoyment of their human rights could become unsurmountable.

61. To prevent such risks and harness the transformative potential of digital technologies, a policy and regulatory effort is needed for technology development and digital transformation processes to be disability-inclusive. Investments in infrastructure, skills, regulation and institutions are required, in order to achieve an inclusive, affordable and accessible digital environment, and ensure that persons with disabilities are consulted and included in the design of policies and regulations.

62. Building on the existing study on artificial intelligence and persons with disabilities produced by the previous mandate holder,<sup>33</sup> the Special Rapporteur wishes to consider the wider context of digital technology to identify opportunities, risks and good practices, so that policy and regulatory development is inclusive of persons with disabilities who can fully benefit from the potential of inclusive, affordable and accessible digital technologies. That work touches on a number of critical issues, such as the digital divide in access to the Internet and digital devices; digital literacy; innovation and the availability of digital assistive technology; data protection and respect for privacy; and the inclusion and participation of persons with disabilities in developing policy and regulatory frameworks.

## 3. Families of persons with disabilities and inclusive care and support systems

63. The COVID-19 pandemic catalysed extensive discussions on the need to transform existing care and support systems to make them more sustainable, resilient, inclusive and rights-based, both for caregivers and for the recipients of care and support. The Special Rapporteur welcomes the increased attention and commitment given to the need to transform care and support systems, as illustrated in 2023 by the decision of the General Assembly to proclaim an International Day of Care and Support and a first resolution of the Human Rights Council on the centrality of care and support from a human rights perspective.<sup>34</sup> She agrees that specific attention needs to be paid to the development of gender-responsive and disability-inclusive care and support frameworks that are embedded in local and cultural

<sup>31</sup> See United Nations Office for Disaster Risk Reduction, “Global survey report on persons with disabilities and disasters” (2023).

<sup>32</sup> See United Nations Development Programme and International Telecommunication Union “SDG digital acceleration agenda” (2023).

<sup>33</sup> [A/HRC/46/27](#).

<sup>34</sup> General Assembly resolution 77/317 and Human Rights Council resolution 54/6.

contexts, while ensuring that the individuals concerned have choices about and control over the support they receive.<sup>35</sup>

64. The pivotal role of families in providing care and support to persons with disabilities needs to be integrated into these discussions. In many contexts, it has been taken for granted that families will absorb all support needs,<sup>36</sup> which negatively impacts the human rights of both persons with disabilities and those of their family members. The disproportionate impact on women is well documented, as the care and support responsibilities fall primarily on mothers, grandmothers, sisters and other female family members. In some contexts, mothers and their children with disabilities experience rejection and abandonment, owing to persistent stigma and, in the absence of support to provide care, find themselves in a vicious circle of poverty and exclusion.

65. The impact of the lack of or inadequate support for families on the rights of persons with disabilities, and particularly children with disabilities, is also severe, as the family environment and support are decisive for enabling independent living and community inclusion, and countering stigma and stereotyping. Lack of support, poverty and exclusion create conditions for unacceptable practices, such as limitation of autonomy and family separations, violence, abuse and neglect.

66. The Special Rapporteur therefore plans to pay particular attention to the voices of families of persons with disabilities and how to achieve adequate support for them, while acknowledging and addressing the disproportionate impact on women, and especially mothers of children with disabilities. In doing so, she will rely on the jurisprudence of the Committee on the Rights of Persons with Disabilities,<sup>37</sup> as well as the work of other human rights treaty bodies that have emphasized the need for support and care systems that are gender-responsive, disability-inclusive and protect the right to family life.

## V. Conclusion

67. **Building on a robust body of work and achievements accomplished over the first 10 years of the mandate, the Special Rapporteur is committed to “push forward” for the full realization of the rights of persons with disabilities, pursuant to Human Rights Council resolution 53/14. To that end she will closely connect and consult with persons with disabilities and their representative organizations, States, United Nations entities, other human rights mechanisms, academia and other stakeholders. In order to ensure the effective implementation of her mandate and in a spirit of cooperation, the Special Rapporteur calls for support for her endeavours, with the aim of ensuring that her work makes a real difference to the lives of persons with disabilities and the realization of their human rights, without discrimination and on an equal basis with others.**

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<sup>35</sup> See [A/HRC/52/52](#).

<sup>36</sup> See [A/HRC/52/32](#).

<sup>37</sup> See, for example, *Bellini et al. v. Italy* (CRPD/C/27/D/51/2018).