# Committee on the Rights of Persons with Disabilities

# 29th session (14 August- 8 September 2023)

# Statement of the Chair of the Committee at the closing of the panel on deinstitutionalization held on 18 August 2023, in Room XVII, Palais de Nations, Geneva.

In September 2022, at the closing of its 27th session, the CRPD announced the adoption of its Guidelines on deinstitutionalization, including in emergencies (Guidelines on Deinstitutionalization). These guidelines were crafted to complement the essence of General Comment No. 5 on Article 19, which pertains to the right to live independently and be included in the community, as well as the Guidelines on Article 14, focusing on the right to liberty and security of the person. The Guidelines on Deinstitutionalization are the result of a two-year long collaborative consultation process sparked by the repercussions of the Covid-19 pandemic on individuals with disabilities who were residing in institutions. They focus on including the voices of these individuals, who had been silenced for so long.

The guidelines are the result of a participatory process, which included seven regional consultations organized by the Committee, and over 500 participants who courageously shared their stories. The Committee engaged in expansive consultation with both individuals with psychosocial disabilities and individuals with intellectual disabilities in the year 2021— pivotal precedent that graciously paved the path for the emergence of the Guidelines on Deinstitutionalization.

As we mark the first anniversary of the United Nations CRPD Guidelines on Deinstitutionalization, we cannot help but be reminded of the transformative journey on which we have embarked to uphold the rights and dignity of persons with disabilities. The Guidelines hold within them the power to reshape societies and create a more just and inclusive world for all. But we must remember that their potential lies not merely in their existence, but in the actions that we take to implement them, and in the voices we involve in the conversation.

In its inaugural year alone, the Guidelines on Deinstitutionalization have already proven to be a groundbreaking tool, igniting a profound and far-reaching impact that has set the stage for transformative change across nations and communities alike.

The Committee extends heartfelt gratitude to the courageous voices that have shared their narratives as survivors of institutionalization, to those resilient individuals who continue to navigate through unjust discrimination, and to the esteemed experts of the Committee, who tirelessly champion the unequivocal right of persons with disabilities to autonomous decision-making across every facet of existence.

I would like to take the time now to highlight the essence of our dialogue and reiterate the fundamental messages and prevailing themes that have shaped the course of our panel’s discussion today:

Transformational Services

Paragraphs 22 and 75 of the Guidelines on deinstitutionalization urges states parties to develop a range of high-quality, individualized support and inclusive mainstream services in the community. Let us pledge to eliminate delay and embrace this transformation. We must champion a future where every person with disabilities is afforded the necessary support to fully participate in daily life and society. Personalized support services must encompass a wide spectrum, from personal assistance to assistive technology, from housing to healthcare. In the pursuit of transformative services, let us recognize and empower the pivotal role of States Parties as catalysts for change, driving the vision of inclusive communities to fruition. Individual empowerment should be the bedrock of our approach, allowing each person to exercise their legal capacity, add in allowing for choice and control, manage their own support, and lay their own path to independence.

Reparations

Paragraph 115 of the Guidelines on Deinstitutionalization underlines the violation of rights inherent in institutionalization. Today, we call for commitments to recognition, redress, and reparation. It is not enough to merely close institutions; we must also acknowledge the harm that they have caused and take meaningful steps towards healing. Reparations extend beyond financial compensation – they encompass restitution, habilitation, and rehabilitation. Let us work towards legislating against disability-based detention and institutionalization, while establishing mechanisms that empower survivors, with a voice free from perpetrators' influence. Together, we can establish truth commissions, educating society about historical injustices and closing the deep wounds of institutionalization.

Intersectionality

Paragraph 39 of the Guidelines on Deinstitutionalization reminds us that the identities of persons with disabilities are multifaceted and interconnected. We cannot achieve true deinstitutionalization without addressing intersectionality. Discrimination and segregation know no bounds – they infiltrate communities as well. Therefore, our commitment must extend to inclusive practices that account for diverse characteristics such as race, gender adage. By adopting an intersectional approach, we ensure that our efforts are comprehensive and all-encompassing and all embracing.

Conclusion and Call to Action

The CRPD continues to call on States parties, stakeholders, and organizations to initiate or resume dialogue and constructive collaboration in order to ensure deinstitutionalization and include persons with disabilities in the community.

In the face of this collective imperative, we are entrusted with a profound societal duty - an obligation that beckons us to swiftly engage and diligently oversee the realization of the Guidelines on Deinstitutionalization. These guidelines bear the weight of urgency, particularly in moments of crisis, underscoring the undeniable truth that time can no longer be squandered. The days of neglecting the rights of individuals with disabilities have reached their expiration. Together, we must forge ahead, united in our commitment to a future where the principles enshrined within these guidelines take root and flourish, and where no one is left behind. Let us dismantle this system together and use its pieces to build a new one based on the principles of human dignity, healing, and inclusivity.

As we conclude this panel, I implore each one of you to take these talking points beyond this room, beyond this anniversary. Let us rally behind these guidelines as instruments of change, as tools that demand our unwavering attention and action. Together, we can create a world where the rights of every person with disabilities are upheld, where communities are truly inclusive, and where the scars of institutionalization are replaced with the power of restoration and empowerment. The first anniversary is not an end; it is just the beginning.

\_\_\_\_\_\_\_\_