**52nd session of the Human Rights Council**

**Annual interactive debate on the rights of persons with disabilities

Theme: Support systems to ensure community inclusion of persons with disabilities, including as a means of building forward better after the COVID-19 pandemic**

*Concept note (as of 16 February 2023)*

|  |  |
| --- | --- |
| **Date and venue:** | **Monday, 13 March 2023, 4 to 6 p.m. Room XX, Palais des Nations, Geneva and online platform (Zoom)** *(will be broadcast live and archived on* [*https://media.un.org/en/webtv*](https://media.un.org/en/webtv)*)* |
| **Objectives:** | This panel discussion will address the development of care and support systems to achieve community inclusion under the obligations of the Convention on the Rights of Persons with Disabilities (hereinafter “Convention”), including as a means of building forward better after the COVID-19 pandemic. The objectives are:* **To analyse** the framework on care and support systems for community inclusion of persons with disabilities, including as a means of building forward better after the coronavirus disease (COVID-19) pandemic;
* **To bring greater understanding** to how care and support systems allow persons with disabilities to participate in the community on an equal basis with others and enjoy all their human rights;
* **To discuss the role of** cross-cutting implementation measures to ensure comprehensive support and care systems;
* **To share experiences** in the construction and further implementation of proposals for effective legal and policy frameworks as well as institutional frameworks for community inclusion;
* **To propose** **strategies** to consolidate gender-responsive and disability-inclusive support and care systems.
 |
| **Chair:**  | **H.E. Mr. Asim Ahmed**, Vice-President of the Human Rights Council |
| **Opening statement:**  | **Ms. Nada Al-Nashif**, United Nations Deputy High Commissioner for Human Rights |
| **Moderator:** | **Mr. Gerard Quinn**,Special Rapporteur on the rights of persons with disabilities |
| **Panellists and themes:** | * **Ms. Natalia Gherardi**, Executive Director of the Latin American Team for Justice and Gender

*A new framework of care and care systems: new proposals in Latin America** **Ms. Rose Achayo Obol**, Chair of the Board of Directors, National Union of Women with Disabilities of Uganda

*Support systems for the full, active, and meaningful participation of persons with disabilities in society with choices equal to others* * **Ms. Alison Barkoff**,Acting Administrator and Assistant Secretary for Aging, Principal Deputy Administrator, Administration for Community Living, U.S. Department of Health and Human Services

*Transformation of the care agenda, towards human rights-based, gender-responsive and disability-inclusive support and care systems* |
| **Outcome:** | The debate seeks to bring greater understanding of the importance of care and support systems for community inclusion of persons with disabilities, including as a means of building forward better after the COVID-19 pandemic, namely by: exposing how traditional care models do not recognize or enable the autonomy of persons with disabilities; analysing the transition to a new framework of care and support systems; and strengthening a cross-sectoral institutional framework on care and support. The debate will explore the cross-cutting obligation to support as set out in the Convention and the elements of a framework to achieve community inclusion through care and support systems. In addition, the discussion will also elucidate the links between the care agenda and the historical demands of persons with disabilities for the provision of supports that recognize their dignity and promote their autonomy. An informal summary of the interactive debate will be prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) and posted on the OHCHR website and Extranet. |
| **Mandate:**  | In its resolution [49/12](https://undocs.org/A/HRC/RES/49/12), the Human Rights Council decided that the annual interactive debate on the rights of persons with disabilities to be held at its fifty-second session would focus on support systems to ensure community inclusion of persons with disabilities, including as a means of building forward better after the COVID-19 pandemic, and would have international sign interpretation and captioning. The Council requested the OHCHR to prepare the annual study on the rights of persons with disabilities for its fifty-second session on support systems to ensure community inclusion of persons with disabilities, including as a means of building forward better after the COVID-19 pandemic, in consultation with States and other relevant stakeholders, regional organizations, the Special Rapporteur on the rights of persons with disabilities, civil society organizations, including organizations of persons with disabilities, and national human rights institutions, requiring contributions to be submitted in an accessible format, and requested that such stakeholder contributions, the study and an easy-to-read-version of it, be made available on the website of the Office, in an accessible format, prior to the session. To this end, OHCHR invited States and all the aforementioned stakeholders to provide responses to a set of questions concerning existing legislation and policies on care and support systems. OHCHR received 25 responses from States, 2 from intergovernmental organizations and 8 responses from civil society organizations.[[1]](#footnote-1) These responses informed the report of OHCHR on support systems to ensure community inclusion of persons with disabilities, including as a means of building forward better after the coronavirus disease (COVID-19) pandemic (document [A/HRC/52/52](http://undocs.org/A/HRC/52/52)). |
| **Format:**  | The annual debate will be limited to two hours. The opening statement and initial presentations by the panellists will be followed by a two-part interactive discussion and conclusions from the panellists. A maximum of one hour will be set aside for the podium, including the opening statement, panellists’ presentations and their responses to questions and concluding remarks. The remaining hour will be reserved for two segments of interventions from the floor, with each segment consisting of interventions from 12 States or observers, 1 national human rights institution and two non-governmental organizations. Each speaker will have two minutes to raise issues and to ask panellists questions. Panellists will respond to questions and comments during the remaining time available. The list of speakers for the discussion will be established through the online inscription system and, as per practice, statements by high-level dignitaries and groups of States will be moved to the beginning of the list. Delegates unable to take the floor due to time constraints will be able to upload their statements on the online system to be posted on the HRC Extranet. |
| **Accessibility:** | In an effort to render the Human Rights Council more accessible to persons with disabilities and to promote their full participation in the work of the Council on an equal basis with others, the interactive debate will be webcast and made accessible. International sign interpretation and real-time captioning in English will be provided and webcast during the debate. Participants can access live English captioning on the StreamText web page (<https://www.streamtext.net/player?event=CFI-UNOG>) during the event itself. Hearing loops are available for collection from the Secretariat desk. Oral statements may be embossed in Braille from any of the six official languages of the United Nations, upon request and following the procedure described in *The accessibility guide to the Human Rights Council for persons with disabilities* (<https://www.ohchr.org/EN/HRBodies/HRC/Pages/Accessibility.aspx>). |
| **Background:** | Full inclusion of persons with disabilities, of all ages, requires ensuring the necessary support and care systems to live independently in their communities. Support and care systems are essential for the full, active and meaningful participation of persons with disabilities in society with choices equal to others, and to live with dignity, autonomy and independence as recognized by the Convention. They enable persons with disabilities, for example, to attend school, work, and participate in family and community activities. For those with high support needs, support and care systems are an indispensable pre-condition to carry out activities of daily living such as bathing, dressing and getting in and out of bed. Without these systems, persons with disabilities are at risk of falling into poverty and exclusion, violence, exploitation and abuse; living in isolation or being institutionalized. Access to support and care systems is entrenched in international human rights law. It is an obligation arising from various rights recognized in human rights treaties. In particular, the Convention provides a comprehensive framework for the implementation of support and care systems by articulating a range of specific obligations related to support. Support is part of several rights in the Convention, including equal recognition before the law (article 12); access to justice (article 13); freedom from exploitation, violence and abuse (article 16); living independently in the community (article 19); personal mobility (article 20); freedom of expression and opinion, and access to information (article 21); respect for home and the family (article 23); education (article 24); habilitation and rehabilitation (art 26); work and employment (article 27); adequate standard of living and social protection (article 28); and participation in cultural life, recreation, leisure and sport (article 30). The COVID-19 pandemic catalyzed a longstanding discussion on the framework of support and care systems. It brought attention to the precarious and neglected conditions of unpaid and underpaid care workers, disproportionally borne by women, as well as to the conditions of persons relying on care and support networks and services. In particular, persons with disabilities living in institutions faced extreme situations of abandonment, violence and isolation, particularly older persons with disabilities. New conversations on the reconfiguration of care and support systems, including as a means of building forward better after the COVID-19 pandemic, are proposing a shift in traditional care models recognizing care-receivers as rights holders, a long-standing claim of persons with disabilities. These frameworks are based on a model of social co-responsibility between families, communities, markets and the State, with an equal gender distribution of care responsibilities. States play a fundamental role in organizing the distribution of care work through legislation, creating regulatory frameworks and incentives to guide for profit and non-profit quality support services, and assigning context-specific roles to all stakeholders.The new frameworks provide a blueprint to develop transformative support and care systems with an intersectional, intercultural and human rights perspective. To this end, States, United Nations entities, civil society and international development partners must ensure the meaningful participation of persons with disabilities, older persons, children and youth and all rights-holders in the construction of new care and support systems. |
| **Background documents:** | * [Human Rights Council resolution 49/12](http://undocs.org/A/HRC/RES/49/12) of 31 March 2022 on participation of persons with disabilities in sport, and statistics and data collection
* Report of OHCHR on support systems to ensure community inclusion of persons with disabilities, including as a means of building forward better after the coronavirus disease (COVID-19) pandemic ([A/HRC/52/52](http://undocs.org/A/HRC/52/52)) and an easy-to-read version in English (forthcoming)
* Video recording of the [panel discussion on human rights-based and gender-responsive care and support systems](https://media.un.org/en/asset/k1u/k1uga01xmd) held during the annual full-day discussion on the human rights of women at the 50th session of the Human Rights Council
* [Human Rights Council resolution 7/9](http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/RES/7/9) of 27 March 2008 on human rights of persons with disabilities
* OHCHR web page with [studies, reports and papers on the rights of persons with disabilities](http://www.ohchr.org/EN/Issues/Disability/Pages/StudiesReportsPapers.aspx)
 |

1. See <https://www.ohchr.org/EN/Issues/Disability/Pages/CFI-statistics-data-collection.aspx> [↑](#footnote-ref-1)