

Committee on the Rights of Persons with Disabilities

Contribution to the 2030 Agenda for Sustainable Development in response to call for inputs to the thematic review of the High-level Political Forum on Sustainable Development (HLPF) in 2022

The theme of the High-Level Political Forum is “Building back better from the coronavirus disease (COVID-19) while advancing the full implementation of the 2030 Agenda for Sustainable Development.” It is common knowledge that the COVID-19 pandemic has disrupted the way we live, work, interact, commute and view the world. The imposition of restriction measures, such as total or partial lockdowns, closure of international borders, curfews and physical distancing, have affected all aspects of life, taking a toll on peoples’ livelihood, which has manifested in loss of income, disruption of market and supply chains and inadequate access to social services. Unfortunately, persons with disabilities have been disproportionately impacted by the effects of the COVID-19 pandemic and have been widely excluded from government response and recovery policies due to the persistent challenges they are facing, including inadequate data collection systems, inaccessible health care infrastructures, systemic, institutional and attitudinal barriers, and difficulty to access information about the COVID-19 pandemic. The 2030 Agenda for Sustainable Development promotes the principle of Leaving No One Behind, which is deeply anchored in human rights and is meant to guide States in implementing national, regional and international development policies and strategies to achieve the Sustainable Development Goals (SDGs). The UN Convention on the Rights of Persons with Disabilities (CRPD), as a human rights and a development tool, is inherently connected to the Agenda 2030 for Sustainable Development and the SDGs. It is stated strongly that:

“The Convention on the Rights of Persons with Disabilities is not only an instrument for persons with disabilities. Its principles and provisions benefit the entirety of the human family because it strengthens our responses against exclusion, and segregation and indeed, like the Sustainable Development Goals, it illustrates that reaching the furthest behind first is the key to leaving no one behind.”¹

Although persons with disabilities were already facing multiple discrimination and stigma before the COVID-19 pandemic, we note that the pandemic has created serious difficulties and challenges for persons with disabilities. Discrimination, exclusion and poverty have significantly increased as a result of the crisis. Access to quality and appropriate health care has been limited and inclusive education has not been equally available as teaching went online without due consideration for children with disabilities. Moreover, many blind persons were left without their assistants and many deaf persons had no sign language interpreters to assist them. In addition, gaps in supporting and funding persons with disabilities and their representative organizations through international cooperation and foreign aid (as provided for in SDG 17) have also increased during the pandemic.

¹ [Michelle Bachelet](https://www.ohchr.org/en/issues/disability/pages/disabilityindex.aspx), United Nations High Commissioner for Human Rights, December 3, 2018, International Day of Persons with Disabilities (<https://www.ohchr.org/en/issues/disability/pages/disabilityindex.aspx>)

Overall, the “COVID-19 has exacerbated existing inequalities resulting in persons with disabilities dying at higher rates, being pushed further into poverty, and excluded from pandemic response measures.² “

With the support of the UN Partnership on the Rights of Persons with Disabilities Multi Partner Trust Fund, the OHCHR undertook eight case studies which aimed at examining the disability specific socioeconomic impact of the pandemic on persons with disabilities in various countries³. Guidance based on the CRPD on key common themes identified across the case studies is provided to support field presences and organizations of persons with disabilities (OPDs) in their advocacy to States and donors to ensure inclusive COVID-19 response and recovery efforts. The case studies confirmed that persons with disabilities have been disproportionately affected by the pandemic and are facing major obstacles in accessing their rights on an equal footing with persons without disabilities. In this regard, eight areas of particular concern were highlighted, namely health, education, social protection, data collection, participation, accessible information on COVID-19, impact on persons with disabilities living in institutional settings and inclusion in the international aid response.

The CRPD urges States to address the disability specific impacts of the COVID-19 pandemic across all SDGs, taking into account their integrated, indivisible and interlinked nature. More specifically, and in relation to the SDGs under review in the HLPF 2022, the CRPD identified a number of action points and policy recommendations in areas which have been greatly affected during the pandemic:⁴

Data

In accordance with article 31 of the CRPD, data, disaggregated by disability, on access to health care, including treatments and vaccines, essentials, such as food and medical provisions, and education and social protection is essential to understand the impact that the COVID-19 pandemic and the responses put forward by States have had on the rights of persons with disabilities. Effective policies and strategies to mitigate the disproportionate impact that persons with disabilities have experienced during the pandemic cannot be developed without collecting, analyzing and making disaggregated data available. Through the use of disability-inclusive indicators, disability markers and disability-disaggregated data, States should also monitor international aid programs to ensure that barriers faced by persons with disabilities in accessing their rights under the CRPD are adequately identified and remedied.

² *COVID-19 Disability Rights Monitor*, ‘Disability rights during the pandemic’, September 2020 available at www.internationaldisabilityalliance.org; EDF, European Human Rights Report Impact of COVID-19 on Persons with Disabilities, Issue 5 (2021).

³ Argentina, Belarus, Ecuador, Democratic Republic of Congo, Montenegro, Niger, South Africa, and United Kingdom

⁴ The Socioeconomic Impact of COVID-19 on Persons with Disabilities

Participation

In line with Art. 4(3), persons with disabilities and their representative organizations must actively and effectively participate as well as being meaningfully consulted on the development, implementation and monitoring of all aspects of COVID-19 response and recovery policies.

Access to information

It is important that information in accessible formats, including captioning and sign interpretation, are made available to all categories of persons with disabilities. Public information on COVID-19 should be made in accessible formats to ensure that they are accessible to all persons with disabilities, including persons with intellectual disabilities.

Disability- and gender-based violence

Predating the pandemic, the levels of disability- and gender-based violence were already very high, in particular against women and girls with disabilities. Lockdowns, during which victims were confined at home with their abusers, and the lack of avenues to seek help and support during the pandemic, have considerably heightened the risks for women and children with disabilities to experience domestic violence and abuse. Moreover, persons with disabilities often do not report such cases to the public authorities due, inter alia, to the lack of accessibility of police stations, communication barriers and the lack of appropriate training of police officers on disability- and gender-based violence.⁵

Protecting the safety of persons with disabilities, in particular women and girls with disabilities, from violence should be a priority of the State at all times and especially during the pandemic when the risk increases. Safe shelters and other emergency response services should remain open and be accessible to all persons with disabilities. Police and other first responders should be trained on the rights of persons with disabilities and on how to ensure their safe access to reporting abuse. Complaint mechanisms and investigations must be accessible, gender-responsive and disability-inclusive and enable the possibility to file complaints on the basis of multiple and intersecting forms of discrimination.⁶

Disability- and gender-based violence is intrinsically related to SDG 5 on gender equality and SDG 16 on peace, justice and strong institutions. Therefore, efforts should be strengthened to ensure that States duly take into account their obligations under article 6 (on women with disabilities) and article 16 (freedom from exploitation, violence and abuse) of the CRPD in order to achieve disability inclusive development in the implementation of the 2030 Agenda for Sustainable Development.

⁵ The Socioeconomic Impact COVID-19 on Persons with Disabilities, Case Study South Africa, Annex III, page 23, May 2021

⁶ See OHCHR, *Policy Guidelines for Inclusive Sustainable Development Goals: Goal 5 Gender Equality*, available at www.ohchr.org SDG-CRPD resources page. The guidelines aim to support policymakers in the development of laws, policies and programmes following the SDGs and under the guidance of the CRPD.

Social protection

Essential financial support to persons with disabilities, such as the disability allowance, must be ring-fenced so that funds allocated to them are not impacted by crises and cover costs of disability-related expenses. Ensuring that persons with disabilities have continued access to social protection must be a priority to reduce the likelihood of them being pushed further into poverty⁷ and being left without access to essentials, including food, sanitation and medical supplies.

Health

Persons with disabilities have the right to access health care, including COVID-19 treatments and vaccines, on an equal basis with others. Triage policies that deny access to lifesaving treatment on the basis of disability amount to unlawful discrimination and should be immediately repealed.

Free COVID-19 testing should be provided in the community and be fully accessible to all persons with disabilities. Test results should be provided in accessible formats and adequate support provided to persons with intellectual disabilities that may need assistance in understanding the results and their consequences.

To prevent a decline in both physical and mental health, all efforts should be made to ensure that regular access to medication, medical supplies, healthcare professionals, including therapists, and assistive devices is maintained.

Education

While schools and other educational establishments were closed and education was restricted to online teaching to avoid the spread of the COVID-19 pandemic, no assessment was undertaken regarding the impact this may have on children with disabilities and on the barriers they may face in accessing online education. It has been reported that children with disabilities, including blind and deaf children, were largely excluded from online education, as they were not provided with assistive devices, internet connection and adequate support in the process.⁸

All necessary measures should be taken to ensure that children with disabilities have full and equal access to education, including during periods of remote learning. In building back better, efforts should be made to move towards an inclusive education system as required by the article 24 of the CRPD and General Comment No. 4 and in line with SDG 4.⁹

⁷ Ibid. SDG-CRPD Resource Package [Policy Guidelines for Inclusive Sustainable Development Goals: Goal 1 on Eliminating Poverty](#)

⁸ The Socioeconomic Impact COVID-19 on Persons with Disabilities, Case Study Montenegro, Annex III, page 23, May 2021

⁹ Ibid. SDG-CRPD Resource Package *Policy Guidelines for Inclusive Sustainable Development: Goal 4 Quality Education.*

International Aid¹⁰

International cooperation is called for in both SDG 17 on partnerships for the goals and article 32 of the CRPD on international cooperation. According to this article, States parties should “ensure that international cooperation, including international development programmes, is inclusive of and accessible to persons with disabilities”. This article also mentioned that “States parties recognize the importance of international cooperation and its promotion, in support of national efforts for the realization of the purpose and objectives of the [present] Convention, and will undertake appropriate and effective measures in this regard, between and among States and, as appropriate, in partnership with relevant international and regional organizations and civil society, in particular organizations of persons with disabilities”.

International donor agencies and States have been quick to provide aid to developing countries to support their COVID-19 responses. By the end of September 2020, the World Bank had committed to allocate \$43 billion in aid packages for COVID-19 responses.¹¹ Aid has been used to fund activities on COVID-19 prevention, such as awareness-raising campaigns and the provision of Personal Protective Equipment and medical supplies, support services for survivors of gender-based violence and remote-learning education programs for students. However, evidence shows that persons with disabilities are not expressly included within all COVID-19 foreign aid programs and are, therefore, often excluded from this support.¹²

When providing international aid to support COVID-19 response and recovery programs, States should ensure that such programs are designed with a view to guaranteeing equal access of persons with disabilities to the support provided. Guidance to donors on disability-inclusion monitoring of international aid is offered in the OHCHR’s ‘Monitoring the inclusion of persons with disabilities in COVID-19 response and recovery funding for mainstream programs.’¹³

Noting that persons with disabilities have been disproportionately impacted by the COVID-19 crisis, States should ensure that mainstream response and recovery programs are inclusive. They should also fund disability targeted programs that seek to remedy this impact. Moreover, they should ensure that international aid is not used in a manner that contributes to violating the rights of persons with disabilities. Furthermore, they should develop and implement a disability inclusive policy that sets out how donors’ aid programs can contribute to mainstreaming disability inclusion.

¹⁰ See, OHCHR, SDG-CRPD Resource Package [Policy Guidelines for Inclusive Sustainable Development Goals: Foundations, section 8](#), and *Human Rights Indicators on the CRPD: Article 32 International Cooperation*, and the recommendations made in the report of Catalina Devandas-Aguilar, former Special Rapporteur on the rights of persons with disabilities, *Report on Disability-inclusive international cooperation* (20 July 2020) [A/75/186](#).

¹¹ World Bank, World Bank Covid-19 Response, 14 October 2020.

¹² The case study on the **Error! Reference source not found.** in annex to the Socioeconomic Impact COVID-19 on Persons with Disabilities, May 2021

¹³ **Error! Reference source not found.**

In conclusion, the CRPD would like to stress the following key messages for inclusion into the Ministerial Declaration of the 2022 HLPF:

1. Ensure the full and effective participation and consultation of persons with disabilities and their representative organizations in all phases of the implementation and the monitoring of the Agenda 2030 for Sustainable Development and the COVID-19 pandemic recovery, including by ensuring their inclusion in all relevant government bodies designed to address the pandemic and its consequences;
2. Encourage effective international cooperation in support of national efforts to advance towards the realization of the purposes and objectives of the Convention, including by strengthening partnerships with relevant international and regional organizations and civil society, especially organizations of persons with disabilities.
3. Ensure the inclusion of a disability approach in the Agenda 2030 for Sustainable Development and across the SDGs through the development and the implementation of disability inclusive legislation, policies and institutions at the national and local levels that guarantee the equal rights of persons with disabilities as enshrined in the CRPD.