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### Third Committee

#### Summary record of the 30th meeting

Held at Headquarters, New York, on Tuesday, 27 October 2015, at 3 p.m.

*Chair:* Mr. Hilale ..... (Morocco)  
*later:* Mr. Mohamed (Vice-Chair)..... (Guyana)

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*The meeting was called to order at 3.05 p.m.*

**Agenda item 72: Promotion and protection of human rights (continued)**

- (b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (continued)** ([A/70/56](#), [A/70/111](#), [A/70/154](#), [A/70/166](#), [A/70/167](#), [A/70/203](#), [A/70/212](#), [A/70/213](#), [A/70/216](#), [A/70/217](#), [A/70/255](#), [A/70/257](#), [A/70/258](#), [A/70/259](#), [A/70/260](#), [A/70/261](#), [A/70/263](#), [A/70/266](#), [A/70/270](#), [A/70/271](#), [A/70/274](#), [A/70/275](#), [A/70/279](#), [A/70/279 Corr.1](#), [A/70/285](#), [A/70/286](#), [A/70/287](#), [A/70/290](#), [A/70/297](#), [A/70/303](#), [A/70/304](#), [A/70/306](#), [A/70/310](#), [A/70/316](#), [A/70/334](#), [A/70/342](#), [A/70/345](#), [A/70/347](#), [A/70/361](#), [A/70/371](#), [A/70/405](#), [A/70/414](#), [A/70/415](#), and [A/70/438](#))
- (c) Human rights situations and reports of special rapporteurs and representatives (continued)** ([A/70/313](#), [A/70/332](#), [A/70/352](#), [A/70/362](#), [A/70/392](#), [A/70/393](#), [A/70/411](#), [A/70/412](#), [A/C.3/70/2](#), [A/C.3/70/4](#), and [A/C.3/70/5](#))

1. **Ms. Cisternas Reyes** (Chair, Committee on the Rights of Persons with Disabilities) said that the rights of persons with disabilities were considered throughout the 2030 Agenda for Sustainable Development and were expressly stated in Goals 4, 8, 10, 11 and 17. All the other Goals included the rights of persons with disabilities in a cross-cutting fashion. Progress in achieving the Goals could not be measured only in relation to gross domestic product but must take into account broader indicators of social progress such as equality, non-discrimination, justice and security. The rights of persons with disabilities must be linked to an inclusive, accessible and sustainable form of development. The accountability of the public and private sectors must be taken into account.

2. The Committee on the Rights of Persons with Disabilities had arguably led the way in the modernization of the working methods of the human rights treaty bodies, through the full implementation of General Assembly resolution 68/268. It had received 84 initial reports from States Parties and had produced 33 concluding observations, which represented a productivity rating for 2015 of 2.1 reports per week. It had also received 33 communications and issued 11 decisions. The Committee's volume of work suggested the need to increase the number of its

sessions and possibly make provision for it to work in two chambers. The Committee was working on various general observations, on inter alia, women and girls with disabilities and the right to inclusive education. She wished to highlight the statement adopted by the Committee at its 14th session regarding article 14 of the Convention on the Rights of Persons with Disabilities.

3. The Committee had developed close cooperation with the Conference of States Parties to the Convention on the Rights of Persons with Disabilities; at the 8th Conference, it had made four statements in the official panels, organized two side events and given presentations in 13 side events organized by other interested parties. The Committee had invited the President of the Conference of States Parties to its fourteenth session, at which it had considered the issue of poverty affecting persons with disabilities, 80 per cent of whom lived in developing countries. Furthermore, 20 per cent of the world's poorest people had disabilities.

4. While it was important to have a good relationship with the Conference of States Parties, the Committee also needed to participate in other processes and maintain links with other actors. For example, she had had a meeting with the Secretary-General on accessibility within institutions, and the Committee had taken part in a meeting on the Sendai Framework for Disaster Risk Reduction. The Committee's synergic, cross-cutting approach to the rights of persons with disabilities helped to mainstream that sector of the population. She had attended meetings of the Working Group on Enforced or Involuntary Disappearances and the Committee had also contributed to the draft general comment of the Committee on Economic, Social and Cultural Rights on sexual and reproductive health; the Basic Principles and Guidelines on Remedies and Procedures on the Right of Anyone Deprived of His or Her Liberty by Arrest or Detention to Bring Proceedings Before Court, elaborated by the Working Group on Arbitrary Detention; and comments on the Standard Minimum Rules for the Treatment of Prisoners. The Committee maintained a close relationship with the Special Rapporteur on the Rights of Persons with Disabilities and the Special Envoy of the Secretary-General on Disability and Accessibility.

5. In preparation for the 10th anniversary of the adoption of the Convention by the General Assembly,

in 2016, the Committee was preparing a programme of work with the objective of promoting universal ratification of the Convention, for which activities would be organized in the countries which had not yet ratified the Convention. A second objective was to address the challenges of implementation. The Committee considered that full accessibility worldwide should be added to the list of Sustainable Development Goals. The 18 experts on the Committee had produced a video on that topic, which would be disseminated in their various languages to ensure that it would have a global reach.

6. Regarding the selection of candidates for the group of experts, article 34 of the Convention required that members of the Committee served in their personal capacity and should be of high moral standing and recognized competence and experience in the field covered by the Convention. Those considerations were taken into account alongside any disabilities and the applicant's gender. It was concerning that only 6 of the 18 current experts were women. States Parties must analyse candidate's profiles and hold an election that would enable the Committee to maintain its standards regarding the quality and quantity of its work.

7. **Mr. Cepeda** (Mexico) said that, in 2014, Mexico had had the opportunity to have an interactive dialogue with the Committee in regard to its initial report; the dialogue had been constructive and would help Mexico implement the Convention in the best possible manner. His Government had undertaken a broad review of existing legislation at the federal, state and local levels to make the necessary modifications to implement the Committee's observations. In July, Mexico had ratified the Marrakesh Treaty to Facilitate Access to Published Works for Persons who are Blind, Visually Impaired or Otherwise Print Disabled, and was complying with the related recommendations. He asked what main actions were considered relevant to overcoming obstacles in areas such as the political participation of persons with disabilities, recognition of their legal capacity, and equal representation before the law; and what good practices had been identified and lessons learned in regard to the participation of persons with disabilities in accordance with the Convention.

8. **Ms. Cisternas Reyes** (Chair, Committee on the Rights of Persons with Disabilities) said that obstacles to implementation of the Convention arose from a lack of knowledge. Action must be taken to raise awareness in order to replace outdated implementation models

with a rights-based approach. Certain countries had safeguards and experience in that area; it would be useful to have a bank of good practices which could be shared with other countries. Argentina, Costa Rica and Sweden had made particular progress in that regard.

9. **Mr. Barkan** (Israel) said that, after ratifying the Convention, his country had introduced major legislation mandating non-discrimination and full accessibility to all public places for persons with disabilities. To implement that legislation, an Israeli commission for equal rights had been established. Israel had since been trying to improve accessibility in all public and private buildings, both old and new, and other measures had been taken, including the use of sign language in many Israeli television broadcasts and the improvement of access to court proceedings, schools and public transportation.

10. **Ms. Cisternas Reyes** (Chair, Committee on the Rights of Persons with Disabilities) said that Israel had contributed a great deal to the Convention. She congratulated Israel on its initiatives and looked forward to reading that country's initial report.

11. **Ms. Simenstad** (Norway), speaking in her national capacity and on behalf of Denmark, said that Denmark and Norway largely agreed with general comment No. 1 on article 12 of the Convention. However, they did not agree that the Convention required States Parties to repeal substitute decision-making regimes or abolish legislative provisions that allowed for the forced treatment of persons with serious mental disabilities on an individual basis, when considered necessary as a last resort and subject to safeguards. The principle of self-determination must be interpreted in light of and weighed against other human rights. The Committee had observed in its general comment No. 1 that there was a general misunderstanding of the exact scope of the obligations of States Parties under article 12. Denmark and Norway were concerned about the Committee's uncompromising view that interpretation of the Convention was in conflict with the general understanding among the States that had drafted, adopted and become parties to the Convention. They encouraged the Committee to engage in constructive dialogue with States Parties, organizations for persons with disabilities, and other relevant actors, which should focus on limits and safeguards to reach a common understanding.

12. **Ms. Cisternas Reyes** (Chair, Committee on the Rights of Persons with Disabilities) said that there was an interactive dialogue with States Parties at each of the Committee's meetings in order to better understand the implementation of the Convention's complex standards. Autonomy was an important issue for persons with disabilities; there would be further discussion on how to apply bioethical principles. She urged Denmark and Norway to attend the Committee's next session in March 2016 in order to discuss matters further.

13. **Mr. de Bustamante** (Observer for the European Union) asked what role the Committee could play in the implementation and monitoring of the 2030 Agenda. The European Union had welcomed the adoption in April 2014 of general comment No. 2 on accessibility as it was a precondition for allowing persons with disabilities to participate fully and independently in society and the economy, and enjoy all rights and freedoms on an equal basis with other persons. He asked how States Parties could guarantee a minimum standard of accessibility to the physical environment, transportation and information technology, as well as other facilities and services, taking into account their different internal situations; and how those different circumstances might affect the right to accessibility.

14. **Ms. Cisternas Reyes** (Chair, Committee on the Rights of Persons with Disabilities) said that accessibility was a bridge to civil and political rights and should be ensured without delay. According to general comment No. 2 on accessibility, barriers to accessibility should be removed in a continuous and systematic way, gradually but steadily. That point was important as it indicated that States did not need to have all the necessary resources before beginning implementation. As to progress towards the implementation of the 2030 Agenda, the process of implementation, including its indicators, should be disaggregated from disability as progress needed to be cross-cutting and relate to all Goals. The accountability of treaty bodies, including the Committee, must be taken into account when discussing mechanisms relating to the Sustainable Development Goals, for example in high-level political forums. The Committee always considered social development and the 2030 Agenda in its recommendations in relation to article 32 of the Convention.

15. **Ms. Probst-Lopez** (Switzerland) said that her delegation welcomed the progress made in the elaboration of general comments defining the scope of the safeguards in the Convention, which was very helpful to States in their implementation of the Convention. It also welcomed the Committee's collaboration with other United Nations bodies and departments, as the promotion of and respect for the rights of persons with disabilities needed to be approached in a cross-cutting manner. Her Government supported the reforms aimed at strengthening the effectiveness of the human rights treaty bodies; in 2015, it had initiated a partnership with the Geneva Academy of International Humanitarian Law and Human Rights to support exchanges between treaty bodies. Such exchanges contributed to the consistent and effective implementation of human rights by States Parties. The rights of persons with disabilities had been neglected for too long. She asked for an evaluation of the importance of the collaboration between the Committee and other human rights treaty bodies, and asked how important that work was with regard to cases of multiple discrimination, particularly against disabled women and girls.

16. **Ms. Cisternas Reyes** (Chair, Committee on the Rights of Persons with Disabilities) said that the Committee was considering that issue from a cross-cutting perspective with various human rights treaty bodies, both within and outside the United Nations. It frequently took innovative positions and collaboration with other treaty bodies was therefore very important. Reciprocal visits were arranged with the Chairs of other human rights treaty bodies; such visits were well received and good work had been done, particularly with the Committee on the Rights of the Child and the Committee against Torture. Due to its cross-cutting nature, the issue of the rights of persons with disabilities was discussed in other committees and the Committee had connections with the Human Rights Council and in the area of social development.

17. **Ms. Moutchou** (Morocco) said that the full inclusion of persons with disabilities in society was a challenge for countries, but also a duty. The inclusion of persons with disabilities from poor backgrounds in developing countries must be taken into account in the process of follow-up to the Convention and the formulation of related indicators. The lack of viable statistics on the education of children with disabilities must be remedied. She asked what measures the

Committee planned to take in that area. The World Intellectual Property Organization (WIPO) had observed progress since the adoption in 2013 of the Marrakesh Treaty to Facilitate Access to Published Works for Persons who are Blind, Visually Impaired, or Otherwise Print Disabled; she asked what the Committee's view was on that issue.

18. **Ms. Cisternas Reyes** (Chair, Committee on the Rights of Persons with Disabilities) said that the Committee attached great importance to ratification of the Treaty of Marrakesh and had made recommendations in that regard. The Committee had held meetings with WIPO to discuss how the Committee could promote ratification and implementation of the Treaty of Marrakesh and progress had been made in various States in that regard. WIPO undertook global activities but the Committee could offer its participation through, inter alia, video conferences and visits to various regions to promote the importance of ratifying the Treaty of Marrakesh.

19. **Ms. Santamaría Ramírez** (Colombia) said that her country's recent policy and institutional reforms had included the creation of a national disability system to facilitate coordination between public institutions, organizations of persons with disabilities and civil society in policy development and implementation. Colombia had also developed social protection systems for persons with disabilities and was working to make their situation a cross-cutting issue in all its public policies and projects, including programmes for victims of armed conflict. Her Government had been implementing certain measures recommended in the report of the Special Rapporteur on the rights of persons with disabilities for some years and would continue its efforts to achieve the full inclusion of persons with disabilities and ensure that they were fully able to enjoy their rights.

20. **Ms. Cid Carreño** (Chile) said that her delegation had advocated for the inclusion in the 2030 Agenda of Goal 16 of the Sustainable Development Goals on the promotion of peaceful and inclusive societies and was now calling for progress on all of the Goals to be measured by disability-disaggregated indicators.

21. **Ms. Hubschmid** (Costa Rica) said that Costa Rica had adopted laws on equal opportunities, rehabilitation, special education, vocational training and access to public spaces for persons with

disabilities; established municipal commissions for persons with disabilities; created an institutional commission on disability and accessibility; and amended its social housing law to provide decent housing for persons with disabilities who did not have a family to support them. Costa Rica was also a party to the Inter-American Convention on the Elimination of All Forms of Discrimination against Persons with Disabilities. Holistic cooperation was needed to ensure respect for the human rights of persons with disabilities and universal implementation of the Convention; she asked what the United Nations could do to enhance implementation of the Convention.

22. **Ms. Cisternas Reyes** (Chair, Committee on the Rights of Persons with Disabilities) said that the United Nations could assist States in the implementation of the Convention by providing capacity-building assistance. The Committee often made offers of technical assistance, but proactive States such as Costa Rica should bear in mind that they could request help from any United Nations body that they felt could be of assistance. At the regional level, organizations such as the Organization of American States could draw up guidelines incorporating the standards set out in the Convention, which would both further the implementation of the Convention and prevent duplication of work.

23. **Ms. Devandas Aguilar** (Special Rapporteur on the rights of persons with disabilities), introducing her report ([A/70/297](#)), said that her mandate had been created in 2014 in response to the demand from the disability community for their rights and human dignity to be respected. It also demonstrated the international community's recognition that it must make a greater effort to clear its social debt towards persons with disabilities. The primary objective of the mandate was to provide States with concrete recommendations on how to better respect the rights of persons with disabilities, who continued to face various forms of discrimination, violence and exclusion. There was an alarming poverty gap between persons with disabilities and the general population, which must be addressed as a matter of priority. In particular, the additional costs associated with living with a disability often proved to be an insurmountable barrier to the full enjoyment of rights.

24. Social protection systems must be reformed in order to achieve inclusion and eradicate poverty, and ensure that the social investment already being made

by States contributed more substantially to advancing the rights of persons with disabilities. Social protection was a central element of modern social contracts, and its quality and scope provided an indication of the commitment of the State to the well-being of the population. However, very few social protection systems were fully inclusive of persons with disabilities. The majority had contributed to the creation and proliferation of the medical model of disability, which considered persons with disabilities to be incapable of studying, working or living independently. That approach had resulted in systems whereby persons with disabilities had to sacrifice their independence in order to receive services and benefits, which had led to greater poverty, segregation, stigmatization, institutionalization and exclusion among the population with disabilities. In contrast, well-designed systems had a fundamental role to play in combating poverty and promoting the independence, inclusion and participation of persons with disabilities in a sustainable manner. States should establish systems that ensured a stable income and access to basic services, especially education, health, social security and housing, and that promoted active citizenship, social inclusion and community participation of persons with disabilities.

25. In order to achieve those objectives, States should review their legislative and institutional frameworks to ensure that persons with disabilities had access to all mainstream social programmes as well as services designed to meet their disability-related needs. Furthermore, the right of persons with disabilities to social protection should be explicitly recognized in national legislation and States should ensure that all social protection programmes respected the principle of non-discrimination by eliminating requirements and selection mechanisms that directly or indirectly discriminated against persons with disabilities. They must also ensure that persons with disabilities had full access to information and facilities. Systems must take into account the additional costs incurred by persons with disabilities in order to have an appropriate standard of living as well as the availability of community support services needed to promote their independence and social participation. Moreover, the receipt of disability benefits must not limit the full enjoyment of other human rights and fundamental freedoms such as legal capacity or the right to work.

26. Austerity measures in some States were having a disproportionate impact on the standard of living of persons with disabilities and limiting their ability to live independently. States must take appropriate measures to the maximum of their available resources towards the full realization of the right to social protection of persons with disabilities; the obligation of progressive realization prohibited deliberate retrogressive measures in the exercise of the right to social protection.

27. Moving forward in the implementation of inclusive social protection systems would require further research, enhanced international cooperation, a greater level of support from the United Nations system and, vitally, the active participation of persons with disabilities and the organizations that represented them. The inclusion of persons with disabilities in social protection systems was not only a matter of rights but also a crucial investment in the Sustainable Development Goals. It was therefore essential to ensure that data on the indicators for the Goals was disaggregated on the basis of disability.

28. **Mr. Cepeda** (Mexico) said that his delegation welcomed the emphasis in the report on the importance of social protection for the achievement of the 2030 Agenda. His Government had developed various programmes to establish social protection floors, including in the area of health care. He asked how the rights and specific needs of persons with disabilities could be incorporated into new and existing social protection and poverty eradication efforts. Welcoming the recommendation that the United Nations system should provide additional technical guidance to States on the implementation of inclusive social protection systems, he asked what had been achieved through international cooperation, what role the United Nations had played in those successes and what could be done to maximize the effectiveness of international cooperation.

29. **Ms. Al-Temimi** (Qatar) said that her Government was working to enable persons with disabilities to enjoy their rights, live with dignity and participate in society as equals. A housing project had been launched for persons with disabilities, based on the type of disability, and equipment was provided to allow them to be self-reliant within and outside the home. Persons with disabilities were also receiving employment training and a full range of health care services free of charge. A centre for children with special needs provided rehabilitation, health care and education,

while numerous institutions trained specialists to serve persons with disabilities. Qatar was actively involved in the Special Olympics in order to promote the participation of persons with disabilities in sporting events. Upholding the human rights of persons with disabilities would remain an integral part of her country's reform process.

30. *Mr. Mohamed (Guyana), Vice-Chair, took the Chair.*

31. **Mr. Mulyadi** (Indonesia) said that his Government had taken steps to bring Indonesian laws and policies in line with the Convention on the Rights of Persons with Disabilities and planned to adopt a specific law on persons with disabilities in 2015. The recently adopted human rights action plan for the period 2015-2019 would provide the framework for Indonesian disability policies. Additionally, a social protection system had been established and was benefiting 1.7 million persons, including those with disabilities. There was also a programme in place to help persons with disabilities return to the workforce. He asked how the international cooperation framework could further develop guidelines enabling countries to establish robust social protection systems, taking into account the limited resources and capacities of some States.

32. **Ms. Marteles Gutiérrez del Alamo** (Spain) asked how Member States could gain a more in-depth understanding of the nature and implications of the dichotomy between the traditional welfare-based approach to social protection and the rights-based model embodied in the Convention; and what practical implications the adoption of the new approach would have on the daily decision-making of administrations. Noting that the establishment of social protection floors was an important first step towards the implementation of an adequate social protection system, she asked whether a detailed definition of what those floors should look like from a disability perspective would be useful and, if so, who should elaborate such a description. She also asked whether there were any good practices or positive experiences in that area that the Special Rapporteur could share. Lastly, she requested further details concerning the importance of taking the whole life cycle of persons with disabilities into account and how that priority could be translated into concrete political and administrative decisions.

33. **Mr. de Bustamante** (Observer for the European Union) said that social protection was a prerequisite for the full participation in society, independence and self-determination of persons with disabilities. Disability issues must be mainstreamed at every stage of the development and implementation of social protection and inclusion processes. It was also essential to address the multiple forms of discrimination experienced by women and girls with disabilities. He asked how the Special Rapporteur intended to take into account the diverse needs related to gender and age in the development of social protection programmes; and what the principal challenges were in the design of social protection systems and how they would best be addressed.

34. **Mr. Osboei** (Islamic Republic of Iran) said that efforts to improve social protection should be considered in the context of the availability of resources, in accordance with the Convention and International Labour Organization (ILO) recommendation No. 202. His Government had taken considerable steps to provide an adequate standard of living and social protection for persons with disabilities. Recalling the Special Rapporteur's concerns about austerity measures, he asked her to comment on the impact of sanctions and coercive measures, which had a huge impact on the daily lives of persons with disabilities in the targeted countries.

35. **Ms. Zahir** (Maldives) said that in recent years there had been a conscious shift towards the protection of the rights of persons with disabilities in the Maldives, which had included rolling out numerous programmes in cooperation with international partners and civil society to provide special education and, as far as possible, inclusive mainstream education. Particular emphasis had been placed on providing financial assistance and mainstreaming rights across the policy framework. However, ensuring full access to the physical environment was proving to be a significant challenge, owing to the inherent difficulties associated with land and urbanization. She asked how those difficulties could be addressed and, specifically, what good practices had been implemented in other States.

36. **Ms. Schneider Calza** (Brazil) said that her Government had been adopting laws and policies to establish a disability-inclusive social protection system that promoted active citizenship, social inclusion and community participation by moving towards an

approach based on human rights, autonomy and empowerment and recognizing the responsibility of the State to promote equality for persons with disabilities. While the international community had made progress since the adoption of the Millennium Development Goals, even though they did not specifically reference persons with disabilities, Brazil welcomed the explicit inclusion of persons with disabilities in the 2030 Agenda, in particular the attention that had been given to the multiple forms of discrimination faced by women and girls with disabilities. She asked what areas of convergence existed between the 2030 Agenda and the Convention and how each of those instruments could help to promote the implementation of the other.

37. **Ms. Phipps** (United States of America) said that her country had endeavoured to create social protection systems, including through the Americans with Disabilities Act, independent living programmes of the Department of Health and Human Services, and the National Council on Disability. She asked how social protection systems could be designed to ensure that women and girls with disabilities had access to all the specialized health services they required. She also asked whether the Special Rapporteur had compared her findings with those of special mechanisms dealing with other groups requiring special protection systems, such as women and girls, older persons and indigenous peoples, and whether it would be possible and desirable for Special Rapporteurs and special mechanisms to search for synergies and cross-fertilize their ideas or whether that would dilute the particular focus of each mandate.

38. **Ms. Moutchou** (Morocco) said that her country had taken various steps to help persons with disabilities, including setting job quotas of 7 per cent in the public sector and 5 per cent in the private sector and creating six regional centres for the integration of persons with disabilities. She asked what support the Special Rapporteur would need from Member States in terms of human and financial capacity in order to properly fulfil her newly created mandate.

39. **Mr. Elbahi** (Sudan) said that his Government had taken steps to guarantee the rights of persons with disabilities, including the establishment of a national council on disability in which persons with disabilities were represented widely and at high levels. Persons with disabilities also had the right to vote and stand for election. A national bank for prosthetic limbs supplied the needs of his country and neighbouring States.

Efforts continued to be made to integrate persons with disabilities into all aspects of programmes and plans concerning them, including the formulation thereof. He hoped that persons with disabilities as a category would receive due attention from the United Nations system as a whole.

40. **Ms. Devandas Aguilar** (Special Rapporteur on the rights of persons with disabilities) said that throughout 10 months of intense activity for her mandate, the international community's response and participation had been very positive. A comprehensive review of social protection systems would be required to determine the scope of international cooperation in social protection and the role of the international community in providing technical assistance to help Governments make social protection systems more inclusive of persons with disabilities.

41. At the international level, social protection was addressed by many agencies, in particular ILO and the World Bank. The ILO Social Protection Inter-agency Cooperation Board was responsible for providing technical assistance to States seeking to improve their social protection systems. The World Bank's Inter-Agency Social Protection Assessment Tools gave States guidance on how to do so. She had called for the Board to develop a tool on disability that would serve as a guide for States seeking to better integrate persons with disabilities into their social protection schemes. Political support from Member States was crucial to facilitating the prompt development of that tool.

42. The first element of a methodology for including persons with disabilities in all programmes should be ensuring their participation in designing policies and programmes. In addition, programmes should promote their independence, social inclusion and participation; discrimination, whether direct or indirect, in the provision of social protection benefits must be avoided. Efforts to ensure persons with disabilities had access to social protection services should cover all such services, not just services aimed at persons with disabilities, however important the latter might be. It was important to ensure a twin-track approach — encompassing both programmes targeting persons with disabilities and general social programmes. Moreover, needs throughout the entire life cycle must be considered and the absence of an effective transition between coverage at different stages of life addressed in order to ensure lifelong care. The specific challenges faced by women and children



with disabilities should receive particular attention in efforts to improve access to services.

43. Establishing links between her mandate and those of other traditionally marginalized groups, such as indigenous peoples, displaced persons and migrants, was essential to ensuring that no one was left behind and to achieving universal and inclusive social protection. She called on Member States to provide high-level support for the World Bank Group and ILO Universal Social Protection Initiative and to ensure that the issues of persons with disabilities were taken into account at the high-level meeting on the Initiative to be held in 2016. The concrete measures resulting from such initiatives would ultimately benefit States in the form of technical assistance. Investment in social protection worldwide must take persons with disabilities into account.

44. **Ms. Dandan** (Independent Expert on human rights and international solidarity), introducing her report (A/70/316) said that the ten-year anniversary of her mandate coincided with the landmark adoption of the 2030 Agenda for Sustainable Development, the forthcoming adoption of the United Nations Framework Convention on Climate Change agreement and a series of regional consultations by her mandate to elicit inputs for the proposed draft declaration on the right of peoples and individuals to international solidarity. Three consultations had already been held, with several others to follow; the outcome of the consultations would be the subject of her next report to the Human Rights Council. Broad consultations were essential to ensuring that a wide range of views was taken into account while developing and refining the current proposed text.

45. Consistent with her mandated duties, she was following closely the implementation of the 2030 Agenda and the negotiations leading to the climate change agreement, two international processes that reaffirmed the critical role of international solidarity in current world affairs. In her report, she discussed preventive solidarity and international cooperation, and the components of international solidarity in the context of the proposed draft declaration, focusing on their international normative basis and on how they were exemplified by State practice. The analysis began with a description of a framework that linked international solidarity and international law. The instruments mentioned in the framework required international solidarity for their implementation, as did

the collective goals, commitments and decisions made at United Nations conferences.

46. In her analysis, she recalled that Article 1 of the Charter of the United Nations anchored the Organization implicitly on the principle of international solidarity and that Article 56 could be understood as establishing international legal obligations regarding international cooperation, including promoting solutions to international problems and pursuing cultural and educational cooperation. The 1970 Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States articulated the duty of States to cooperate with one another and to fulfil in good faith the obligations assumed in accordance with the Charter. That declaration set forth specific obligations arising from the Charter, which was itself an instrument of international solidarity.

47. International solidarity was frequently invoked in the aftermath of calamities and other crises; in the face of various global crises, the need for international solidarity was dramatically amplified. However, the proposed draft declaration embodied the concept that preventive solidarity was a substantive component of international solidarity as it related to the human rights standards and obligations that must inform collective initiatives. International cooperation was the operational component through which preventive solidarity initiatives were implemented. Moreover, preventive solidarity and international cooperation safeguarded the full range of human rights already codified in existing international human rights treaties. Ratification of those treaties constituted an explicit consent by States to be bound to respect, protect and uphold human rights and to prevent and put an end to violations. The true value of international solidarity resided in the processes informing collective objectives and acts of preventive solidarity, and their potential long-term outcomes. International cooperation as a duty of States was a clear recognition of their interdependence in surmounting human rights challenges.

48. It was incumbent upon States parties to the International Covenant on Economic, Social and Cultural Rights which were in a position to do so to assist developing countries in ensuring that their development policies met the minimum threshold of the rights protected by the Covenant. Those core obligations were immediate and non-derogable and

continued to exist even in times of conflict, emergencies and natural disasters. In closing, she requested full support for and cooperation with her mandate and called on Member States to recognize the value of international solidarity to United Nations operations and to participate in the regional consultations and thereby claim ownership of the draft declaration. She encouraged civil society to reach out to her on issues requiring international cooperation and solidarity such as sustainable development and environmental protection.

49. **Ms. Cantada** (Philippines) said that her delegation reiterated its support for a careful analysis of the elements and underlying principles of the draft declaration. International solidarity involved the international community becoming united towards a common, mutually beneficial goal that could be achieved through international cooperation. In that connection, she asked how international solidarity within the context of the United Nations could contribute to the successful implementation of the 2030 Agenda. She also asked what the next steps in the adoption process for the draft declaration would be after the regional consultations had been completed.

50. **Mr. Moreira Mello** (Brazil) said that his delegation welcomed the emphasis in the report on South-South and triangular cooperation. He asked how international solidarity, which was crucial to the achievement of the 2030 Agenda and the adoption of a climate change agreement in December 2015, could be mainstreamed across the United Nations system.

51. **Ms. Mouflih** (Morocco) said that global governance should evolve in such a manner as to reflect the weight of countries of the South in the global economy and on the international scene. Out of its commitment to international and humanitarian solidarity, her country was working to promote South-South and triangular cooperation centred on human development and investment in productive sectors that could generate employment and growth. She asked the Independent Expert to provide some examples of good practices in the area of humanitarian solidarity.

52. **Ms. Dandan** (Independent Expert on human rights and international solidarity) said that while her mandate had not been easy to promote and had initially met with resistance, more and more States, particularly developing countries, were supporting it. Goal 17 of the Sustainable Development Goals explicitly

articulated the need for effective partnerships among States, highlighting the role of international solidarity in the new framework. She hoped that, unlike Goal 8 of the Millennium Development Goals, which had produced some rhetoric but few results, the recognition that such partnerships were crucial to international action would allow international solidarity to assume its rightful place in world affairs.

53. After consolidating the results of regional consultations and, in particular, her discussions with stakeholders in the area of international solidarity, she would amend the proposed draft declaration and submit it, along with a commentary, to the Human Rights Council for consideration and comment by Member States.

53. International solidarity was already mainstreamed throughout the United Nations system, as its defining characteristic; what remained was a need to recognize it as such. Regional cooperation was an example of good practices in the area of international solidarity, as was the adoption of the 2030 Agenda for Sustainable Development, whose success would hinge on its effective implementation. Solidarity and the willingness to help future generations to preserve the planet would also be put to the test at the forthcoming twenty-first Conference of the Parties to the United Nations Framework Convention on Climate Change.

*The meeting rose at 5.05 p.m.*