**INTERNATIONAL DISABILITY ALLIANCE – IDA**

**CRPD Committee Opening of its 22nd session, August 26 2019.**

**Ana Lucia Arellano, Chair of the International Disability Alliance (IDA)**

Thank you Chairperson.

Distinguished Committee experts, distinguished representative of the High Commissioner on Human Rights Michelle Bachelet, dear all.

It is my honour to deliver this statement on behalf of the International Disability Alliance – IDA, of which I am currently the Chair. IDA is an alliance of 8 global and 6 regional networks of organizations of persons with disabilities, comprising all the diversity of constituencies of persons with disabilities, through approximately 1100 organizations of persons with disabilities and their families in more than 180 countries. Through our Secretariat, we provide technical and financial support to organizations of persons with disabilities in most countries during their review processes driven by the CRPD Committee and other treaty bodies, as well as in the High Level Political Forum, the Human Rights Council and many other processes within the UN system.

IDA welcomes the CRPD Committee for its implementation of the 22nd session, acknowledging serious challenges that it faces in its future, due to the treaty body strengthening process and system-wide UN reform. In particular, we are profoundly concerned that the significant advancements that this Committee has had in its first decade, will slow down considerably and lose momentum, which can pose high risks for retrogression by States parties. We have identified difficulties in implementing some CRPD articles and the high standards developed by the CRPD Committee jurisprudence, particularly regarding the full recognition of legal capacity, widespread and prevailing forced institutionalization, failure to achieve conditions for persons with disabilities to live independently, among others. Adding to those, in some regions, such as the Latin American one , where I come from, there are serious pushbacks to the rights of women, particularly sexual and reproductive rights, through the adoption of fundamentalist views by governments and policies about women’s role in the family and community, which may have consequences in the very slow advancements in the recognition of the rights of women and girls with disabilities.

We strongly ask the Committee to build on its General Comment no. 3 adopted in 2016 on these rights, as well as on its joint CRPD-Cedaw Committees statement on sexual and reproductive health and rights of women with disabilities, and continue recommending States parties to uphold all rights of persons with disabilities, with a particular focus on strengthening the rights of women and girls with disabilities and ending all forms of gender based violence. In addition, to step up its efforts to agree on harmonization of interpretation standards with the CEDAW and CRC Committees, and of course, with the other treaty bodies as well.

Regarding the CRC Committee, we are very much looking forward to the outcomes of the joint working group’s next meeting to take place on September 14. As the world celebrates the 30th anniversary of the adoption of the Convention on the Rights of the Child, we see again with much concern that there are serious contradictions between the mainstream children rights movements and the CRPD, as children with disabilities continue to be seen as “needed of special care or attention”, meaning that these special treatments shall be provided within institutional settings. This consideration is particularly concerning for children with disabilities with no parental care, many of whom are forcibly institutionalized, either directly as the only alternative care for children with no parental care, of those who do live in family settings, forced to be provided disability-specific services within these institutions. We fully endorse the Committee’s General Comment no. 5 adopted in 2017, particularly the statement that *“alternative care provided on the grounds of disability would be discriminatory”*. In addition, the Committee has expressed that:

*“Large or small group homes are specially dangerous for children, for whom there is no substitute for the need to grow up in a family. “Family-like” institutions are still institutions and are no substitute for care by a family”*.

We ask the Committee to continue calling out to States parties for the urgent adoption of de-institutionalization processes, and that these pay particular attention to providing equal opportunities for children with disabilities to grow up in a family and to be fully included in their communities, as do other children.

We also look forward to a soon update of the CRC Committee’s General Comment no. 9 on children with disabilities adopted in 2006.

Regarding the treaty body strengthening process and the reduction of sessions time and work, IDA is worried by the slowing down by the Committee of its rhythm in the drafting and adoption of general comments. The international disability community is eager to receive more jurisprudence from the CRPD Committee, given that the countries’ governments have almost stopped advancements in their CRPD implementation processes, due to what we have mentioned above, rights retrogression, aggravated in practice by an increasing tendency for cuts in social assistance and protection schemes. As inequalities among diverse population groups broaden, persons with disabilities are being left even further behind, with very little or no progress in their inclusion in the sustainable development goals. We ask the Committee to continue with its strong recommendations to States parties, particularly in those where these retrogressive measures are taking place, and reminding governments of their commitments and obligations towards CRPD implementation.

In addition, IDA strongly encourages the CRPD Committee to continue its work towards developing more general comments. In particular, we are very much looking forward to contributing to the drafting of a general comment on article 11, also given the current humanitarian crisis, environmental disasters and global warming in different parts of the world which are disproportionately impacting persons with disabilities and, particularly, women, children and indigenous persons with disabilities. This general comment is a necessary guiding tool for governments, national and international civil protection entities, non-governmental organizations and organizations of persons with disabilities and their families. IDA hopes to hear more about this General Comment’s drafting process very soon.

IDA also reiterates its concern about prevailing mental health laws which reflect the old medical model of disability and which allows forced institutionalization and forced treatments, particularly psychiatric interventions, including electro-convulsive treatments, and the existence of prayer camps where many grave human rights violations have been documented. Among the countries with which the Committee will hold interactive dialogues in the following weeks, we ask the Committee to strongly call out to States parties, to immediately abolish these practices and engage the design of de-institutionalization policies, in close consultation with persons with disabilities and organizations representing them.

IDA is aware of the gigantic work load ahead of the Committee, and we fully support all that has been done so far and will continue supporting this great effort to advance with the development of human rights of persons with disabilities standards.

Finally, but not less important, IDA wishes to thank the Committee Secretariat for its wonderful collaboration in supporting the participation of organizations of persons with disabilities coming to Geneva to meet with the Committee; we also thank UN Conference Services and the full UNOG engaged in making these sessions so successful and inclusive.

We thank you for the opportunity given to IDA to salute all Committee experts, the Secretariat, UN agencies, civil society and organizations of persons with disabilities, and wish you a very fruitful 22nd session and 12th pre-session.

Thank you very much for your kind attention.