



## **Elections 2024**

**Committee on the Rights of Persons with Disabilities (CRPD)**

**Committee on the Elimination of Discrimination Against Women (CEDAW)**

**Human Rights Committee (HRCttee)**

**Committee on the Rights of the Child (CRC)**

### *Questionnaire for candidates*

Six UN Treaty Bodies (Committee on the Rights of Persons with Disabilities (CRPD), Committee on the Elimination of Discrimination Against Women (CEDAW), Human Rights Committee (HRCttee), Committee on the Rights of the Child (CRC), Committee on Economic, Social and Cultural Rights (CESCR) and Subcommittee on Prevention of Torture (SPT)) will have elections organised in 2022.

In order to strengthen the treaty bodies, the International Disability Alliance, Child Rights Connect and IWRAW Asia-Pacific – as part of [TB-Net](#), the NGO network on the UN Treaty Bodies – seek to promote quality, independence and diversity of treaty body membership through transparent and participatory nomination and elections processes.

This questionnaire, which is sent to all nominated candidates and is based on the criteria set forth in the relevant treaties and in the General Assembly Resolution 68/268, will enable all States and other stakeholders to better understand the skills, experiences and motivation of running candidates to CRPD, CEDAW, HRCttee, CRC and CESCR in advance of the elections.

The written responses to the questionnaires will be made available on the website [www.untbelections.org](http://www.untbelections.org), while the video responses will be shared on a dedicated [YouTube page](#).

*This initiative does not imply that we support or oppose any individual candidates.*

## Questions for all treaty bodies candidates

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1. Name: Mara Gabrielli

2. Nationality: Brazilian

3. Current position: Senator

4. Are you currently holding, or have you previously held any position on behalf of, or for, your Government (Executive branch) that may compromise your actual or perceived independence and impartiality? If so, please give details:

No. I have never held positions representing or on behalf of the Government of my country.

5. Please indicate any current or potential conflict of interest that may prevent you from exercising independence and impartiality in your work as a member of a UN treaty body:

There is no conflict of interest that could prevent me from carrying out my work independently and impartially on UN committees such as the CRPD.

6. Was the nomination process for your candidacy a transparent and participatory process? Was civil society or other relevant stakeholders involved?

During the campaign for the 2018 CRPD election, in which I was elected for a term from 2019 to 2022, I sought to involve civil society throughout the process, including asking for suggestions from civil society to compose my proposals. I participated in meetings with civil society organizations, the largest and most impactful being with representatives of the 71 organizations that make up the *São Paulo Forum of Entities for People with Disabilities*, from which I had full support and encouragement.

An example of this involvement was when I invited the participation of Brazilian civil society in a regional CRPD consultation to prepare a guide for Brazilian states on deinstitutionalization and there was massive participation from Brazilian organizations.

After serving a mandate at the CRPD, I was a natural candidate for the Brazilian government to seek a new mandate for the committee. I have support not only from the Ministry of Foreign Affairs, but also from the Ministry of Human Rights and Citizenship, through our National Secretariat for the Rights of People with Disabilities.

7. During your possible mandate as a Committee member, what other positions or professional activities do you intend to engage in?

I will continue to develop my work as a Senator in Brazil until 2026.

8. The commitments as a Committee member are very time-consuming during and outside session time. How will you ensure to have the capacity to dedicate the necessary time to the work of the Committee, both in person and online?

I managed to dedicate enough time to work for the Committee throughout my first term as a member of the CRPD, as well as to my mandate as Senator in Brazil and I am willing to dedicate as much time if I am re-elected.

9. What are the current and main challenges that you see for the treaty body system and what are your ideas for improvement?

One of the biggest challenges is the budget allocation for this UN human rights system. Unlike other committees, CRPD has only two sessions per year. This creates a huge backlog in monitoring countries and evaluating individual petitions. One of my ideas would be increasing it to 3 sessions per year, with the possibility of one or two of them being carried out remotely or partially remote to reduce costs. This would guarantee greater speed in preventing the CRPD from accumulating reports.

Furthermore, the majority of the CRPD experts have disabilities and, therefore, need personal assistants to fully carry out their tasks, on equal terms with others. The fact that personal assistants do not receive financial compensation beyond the DSA makes it difficult for them to spend weeks in Geneva away from their jobs in their countries.

10. Given the current situation of the COVID-19 pandemic worldwide and the disruption of in person meetings of treaty bodies, will you be willing to adapt to undertake online work during your mandate, as an increasing way of functioning of the Committees?

Yes, I am willing to work remotely during my term. In fact, during 2020-2021 there were CRPD online sessions and we were able to fully carry out our duties. The Covid-19 pandemic did not prevent the organization from continuing its activities remotely.

Link to your full resume:

<https://www.ohchr.org/sites/default/files/documents/hrbodies/crpd/elections2024/crpd-cv-ms-mara-gabrilli-en.docx>

## Questions for candidates to the UN Committee on the Rights of Persons with Disabilities (CRPD)

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*Please provide responses that are as precise as possible and in no more than **200 words per question**.*

### ***Your motivation, experience and qualifications to become a member***

1. What do you think are the core values and key functions of the Committee on the Rights of Persons with Disabilities in protecting and promoting their rights?

The CRPD's main values are the protection and promotion of dignity, the full and equitable exercise of all human rights and fundamental freedoms for all people with disabilities.

Another essential function is to contribute to correcting the profound disadvantages and social inequalities to which people with disabilities are constantly subjected, as well as promoting their participation in economic, social and cultural life, on equal opportunities with other people.

Furthermore, the CRPD also plays a fundamental role in enabling the active participation of people with disabilities themselves in monitoring policies that concern them and in ensuring international cooperation to improve the living conditions of people with disabilities in all countries.

2. What motivates you to be a member of the CRPD Committee?

My motivation to be a member of the CRPD once again is to continue fighting for the fundamental right of people with disabilities to be able to get out of their homes or institutions and fully exercise their citizenship. The mission of removing people with disabilities from systematic invisibility whilst ensuring the regulation and respect of their rights is challenging yet very enriching and rewarding.

3. Do you have lived experience as a person with disability or as a family member or close associate of any person(s) with disabilities?

I have been quadriplegic for 30 years, since I was in a car accident in 1994. Three years after the accident, I founded a non-profit organization, which is still active, aimed at improving the quality of life of Brazilians with disabilities. The non-profit develops programs for the inclusion and defense of the rights of people with disabilities, promotes Universal Design and encourages para-sports projects, inclusive culture and scientific research. The Cadê Você? project is a highlight of the non-profit, locating people with disabilities in poor communities and offering multidisciplinary care to improve their quality of life. This project has already reached around two thousand families in several Brazilian states.

4. Please indicate areas of your expertise and experience relevant to CRPD and the work of the CRPD Committee. What would be particular values that you can add / bring as a member of the Committee? In which areas of the CRPD do you feel you have the strongest understanding or expertise? Please describe. **(video option)**

Over 3 decades, I have accumulated a lot of experience as an activist in defense of the rights of people with disabilities to access and expand health resources, rehabilitation and assistive technologies, as well as policies for educational and professional inclusion, and to encourage sports, leisure and culture, accessibility and sustainable urban mobility.

In 13 years as a parliamentarian in the Brazilian National Congress, I had the opportunity to be the author of the final text of the Brazilian Law on the Inclusion of Persons with Disabilities (Law 13,146, of July 6, 2015), which is based on the Convention on Rights of Persons with Disabilities and their Optional Protocol. There are 127 articles that ensure free expression, movement, accessibility, political participation, health, work and employment, education, culture, leisure, sports, housing, and also combat any form of discrimination.

I worked as an expert at the CRPD from 2019 to 2022. During this period, I improved my expertise mainly through the preparation of General Comment No 8 on the right to decent work and an Unpublished Guide for deinstitutionalization.

As a member of the Working Group on girls and women with disabilities, I defended the inclusion of gender as a structural agenda in all UN collegiate bodies. I have also proposed actions in relation to situations of risk and humanitarian emergencies. The consequences of armed conflicts and climate change is also considered in this discussion.

5. Have you had the opportunity to use or apply the CRPD and/or other human rights instruments in your work? Please describe your experience and direct us to any documents that evidence this application.

In my work as a Senator in Brazil, I am very active in ensuring that any approved project or law is always inclusive, that it contemplates universal accessibility and complies with the Convention. In fact, as already mentioned, when I was a federal deputy I had the honor of being the rapporteur and author of the final text of the Brazilian Law on the Inclusion of Persons with Disabilities, which regulated the UN Convention on the Rights of Persons with Disabilities in Brazil.

Access to the Brazilian Law on the Inclusion of Persons with Disabilities (in Portuguese only):  
[https://www.planalto.gov.br/ccivil\\_03/\\_ato2015-2018/2015/lei/l13146.htm](https://www.planalto.gov.br/ccivil_03/_ato2015-2018/2015/lei/l13146.htm)

6. Have you advocated for the adoption and/or implementation of the CRPD or other human rights instruments in your work? Please describe your experience, referring in particular to activities to publicise, defend or strengthen the CRPD implementation at the national, regional or international level.

I was the rapporteur and author of the final text of the Brazilian Law on the Inclusion of Persons with Disabilities. The writing of this law allowed the active participation of civil society. Assistive technologies and translation of the project into Brazilian Sign Language was offered from back to back. Thus, through an accessible and unprecedented virtual platform, Brazilian citizens with

disabilities, including sensory disabilities, were able to give their opinion and suggest changes to the drafting of the project autonomously.

In 2012, I was also rapporteur for the Federal Law that created the national policy for the *Protection of the Rights of People with Autism Spectrum Disorder*, which determines the right of autistic people to early diagnosis, dignified treatment and access to services that provide equality of opportunities.

Furthermore, I chair the *Subcommittee on the Rights of People with Rare Diseases* in the Brazilian Federal Senate, where the goal is to eliminate the impediments of these people who suffer from disabilities caused by rare diseases.

Since 2019, I have also worked on the Joint Committee of the National Congress on *International Migration and Refugees* to help refugees with disabilities who are victims of conflicts.

### ***Committee on the Rights of Persons with Disabilities: challenges ahead***

7. What do you think are the major issues and challenges in the implementation of the CRPD and its Optional Protocol, globally as well as in your country/region? **(video option)**

There are multiple challenges to implementing the Convention, but discrimination resulting from ignorance and lack of information, is perhaps one of the most limiting, especially with regard to recognizing the numerous capabilities of children, young people, men and women with disabilities. Promoting accessibility is another major global challenge, as cities, means of transport and communication were not planned with human diversity, people with disabilities or elderly people in mind. Lack of accessibility is a form of silent yet extremely limiting discrimination.

Another challenge is the absence of specific local legislation that guarantees all rights in accordance with the Convention. The Brazilian Law for the Inclusion of People with Disabilities is a great advance in my country, however we have not yet achieved its complete implementation.

An example of these challenges is that the medical model of disability assessment is still in force in Brazil, even when the Law determines the biopsychosocial assessment to be carried out by a multidisciplinary team. The challenge of implementing biopsychosocial assessment is common to many countries, especially because it is a model that surpasses a paradigm that has existed for many centuries and is based on the medical model.

8. What do you think are the areas where the Committee needs to strengthen its capacity and/or improve its work to advance implementation of the CRPD? What would you say is the biggest challenge the CRPD Committee faces currently?

The biggest challenge is to reduce the backlog of reports from States Parties and individual petitions pending analysis in order to ensure the Committee's efficient and prompt monitoring of the realization of the rights of persons with disabilities. It may be necessary to reform working methods.

My proposals to strengthen the capacity and improve the work of the Committee are:

- Strengthening social participation and independent monitoring of the Convention by people with disabilities through their representative organizations;
- Debating the allocation of resources so that the Committee's experts can carry out on-site visits to monitored countries, learn about local culture in close dialogue with people with disabilities;
- Encouraging States Parties and the UN System to sign agreements for tax relief on assistive technologies;
- Supporting the Parliaments of the States Parties to draft laws that incorporate the Convention into national legislation;
- Developing a policy that recognizes the increased risks of violence, barriers and multiple and intersecting forms of discrimination faced by women and girls with disabilities;
- Promoting wheelchair access to the UN General Assembly podium and improving the provision of accessible conference services and reasonable accommodations for experts and participants with disabilities at international events, meetings and sessions across the UN System.

9. What do you think are the thematic issues or areas of the rights of persons with disabilities, where the Committee should pay more attention and/or provide more guidance e.g. through General Comments?

Given the current international scenario of armed conflicts on several nations, as well as the climate change scenario, I consider of extreme importance that the Committee deepens the debate on article 11 of the Convention regarding risk situations and emergencies humanitarian, for the protection and safety of people with disabilities in situations of armed conflicts, humanitarian emergencies and natural disasters exacerbated by climate change through a General Comment.

10. How do you envision the role of the CRPD Committee with respect to the Sustainable Development Goals?

I believe that the Committee has made excellent contributions in promoting the Sustainable Development Goals (SDGs). People with disabilities are present in all of them, obviously. But we have SDG Targets that are closely linked to actions to promote the inclusion of people with disabilities and aim to ensure: the eradication of poverty; health and well-being, including with regard to the prevention of avoidable disabilities; inclusive education and learning opportunities; gender equality as girls and women with disabilities suffer multiple forms of discrimination; drinking water and sanitation, as a lack of sanitation brings diseases that can lead to serious disabilities; full, productive employment with equal pay; empowerment and social inclusion; access to public and safe transport; universal access to safe and inclusive public spaces; and the availability of reliable data.

However, preliminary findings from the 2023 UN Report on Disability and Development indicate that the world is even further away from meeting several SDGs for people with disabilities.

It is known that people with disabilities are more likely to experience poverty and that worldwide 20% of the poorest people have some type of disability and 80% of people with disabilities



live in developing countries. Therefore, efforts to fulfill the SDGs for, with and by people with disabilities need to be intensified and accelerated, given that these people have historically been left on the margins of society and public policies.

Therefore, the Committee plays a fundamental role in working towards the full implementation of the Convention on the Rights of Persons with Disabilities and in giving voice to the needs and priorities of the global community of persons with disabilities in all its diversity and thus consequently advancing the implementation of the 2030 Agenda for all people with disabilities, leaving no one behind.

### ***Interaction with other key stakeholders***

11. Who are the relevant stakeholders, apart from State parties, with whom you think the Committee needs to strengthen its engagement e.g. civil society, NHRIs, UN agencies, members of the Parliament, judicial actors? And how?

Civil society participation is extremely relevant. I believe that the Committee can strengthen and encourage social participation and independent monitoring of the Convention by people with disabilities themselves and also through their representative organizations. In addition to civil society, I think that the Committee could be successful in sensitizing the UN System and the States Parties to the conclusion of bilateral and multilateral agreements to remove or reduce taxes to favor the production of assistive technologies, as well as for exchange between States Parties, of good management practices, within the scope of national budgets in favor of inclusive public policies.

12. NGOs, particularly organisations of persons with disabilities (OPDs), had an important participatory role in the negotiations of the CRPD.

a) What is your experience working within or with the disability rights movement?

I have extensive experience working with the movement for the rights of people with disabilities, starting with the founding of the organization that bears my name, the Mara Gabrielli Institute, in 1997, which supports parasports, science and the inclusion of people with disabilities in a situation of social vulnerability.

From 2007, when I took on my first parliamentary mandate as a councilor in the city of São Paulo until the present day in the Federal Senate, all my work is guided by the participation of the population, especially people with disabilities, through various organizations of civil society, who find in my work representation and a concrete means of guaranteeing the rights of people with disabilities.

While I was in charge of the first Secretariat for Persons with Disabilities in Brazil - from 2005 to 2006, in São Paulo - the largest city in Latin America, there was also intense participation from society and civil society organizations, including the Municipal Council for People with Disabilities, in preparing the projects we proposed and executed. In fact, it was as Secretary for Persons with Disabilities of São Paulo that I participated in the 1st International Conference on the Rights of Persons with Disabilities, held at the UN, in New York, in 2006 and which was attended by 192



countries. Along with activism, I fought for a series of rights, such as the guarantee of quality in inclusive education.

My biggest goal in politics has always been to give a voice to people with disabilities whose demands are often relegated to the background. Many of the laws that I managed to pass, at the municipal or federal level, were proposed based on the suggestions or needs of people with disabilities.

b) How do you envision the interaction of civil society with the Committee?

The interaction of civil society with the Committee is fundamental. The participation of IDA and other organizations and coalitions not only gives legitimacy and credibility to the work of the CRPD, but also provides essential support by sending shadow reports, which often report the true situation on the ground of compliance with the Convention by the countries that have ratified it. Without shadow reports, it is impossible for an expert to have the broadest and most realistic view of what governments have implemented in terms of the rights of people with disabilities. With government reports we glimpse a very specific part of the reality on the ground, according to an official discourse that does not necessarily cover other legitimate demands of people with disabilities in that country.

The interaction of civil society with the CRPD therefore provides us with a much more comprehensive and true context of the human rights situation in the countries assessed and, therefore, I would like this interaction to deepen even further, including through greater formalization of spaces, within the Committee's work agenda, for interaction with civil society and not just in specific moments with side events or behind the scenes and corridors of Geneva.

c) How do you think the Committee could work more effectively with civil society?

The Committee should dedicate at least 1 hour to constructive dialogues with civil society representatives per country monitored by the CRPD, along the same lines as the constructive dialogues that are carried out with each monitored country. I understand that this should be formalized and institutionalized and not done informally as is the case today, where contacts with civil society in the monitored countries are made in UN corridors and cafes.