

**Human Rights Council****Fifty-fifth session**

26 February–5 April 2024

Agenda item 3

**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development****Resolution adopted by the Human Rights Council
on 3 April 2024****55/8. Support systems to ensure community inclusion of persons with
disabilities***The Human Rights Council,**Reaffirming* the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto,*Recalling* the universality, indivisibility, interdependence and interrelatedness of all human rights and fundamental freedoms and the need for persons with disabilities to be guaranteed the full enjoyment of their human rights and freedoms without discrimination,*Reaffirming* all of its previous resolutions on the rights of persons with disabilities, the most recent of which was resolution 49/12 of 31 March 2022 on participation of persons with disabilities in sport, and statistics and data collection, and welcoming the efforts of all stakeholders to implement those resolutions,*Recalling* its resolution 54/6 of 11 October 2023 on the centrality of care and support from a human rights perspective,*Recalling also* General Assembly resolution 78/195 of 19 December 2023 entitled “Implementation of the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto: situations of risk and humanitarian emergencies”,*Reaffirming* that disability is a social construct and that impairments must not be taken as a legitimate ground for denial or restriction of human rights,*Reaffirming also* that discrimination against any person on the basis of disability is a violation of the inherent dignity and worth of the human person, while reaffirming further that the adoption of specific measures, including reasonable accommodations, that are necessary to accelerate or achieve de facto equality of persons with disabilities shall not be considered discrimination,*Noting with deep concern* the disproportionate negative impact of global pandemics, including the coronavirus disease (COVID-19) pandemic, on persons with disabilities, while recognizing that they face a greater risk of COVID-19 infection and have higher mortality rates, and face aggravated barriers in their access to timely and quality health services, which has an impact on their human rights,

Expressing concern at the adverse impact of climate change on all persons with disabilities and in particular individuals with multiple vulnerability factors, including women and girls with disabilities, those living in small island developing States and those living in contexts of poverty and conflict, and emphasizing the need for States to take and to support adequate measures to address their specific needs and to ensure participation and leadership in disaster response planning for emergency situations and evacuations, humanitarian emergency response and health-care services,

Reaffirming the need to mainstream gender and age perspectives and to take disability-inclusive measures to address multiple, aggravated and intersecting forms of discrimination, including ableism and ageism, in all efforts to promote gender equality and the full and equal enjoyment of all human rights and fundamental freedoms by persons with disabilities,

Recalling the general principles enshrined in the Convention on the Rights of Persons with Disabilities, namely, non-discrimination, full and effective participation and inclusion in society, respect for difference and acceptance of persons with disabilities as part of human diversity and humanity, individual autonomy and independence of persons with disabilities, gender equality and respect for the evolving capacities of children with disabilities,

Recalling also that article 19 of the Convention on the Rights of Persons with Disabilities obliges States parties to recognize the equal right of all persons with disabilities to live in the community, with choices equal to others, and to take effective and appropriate measures to facilitate full enjoyment by persons with disabilities of this right and their full inclusion and participation in the community, including by ensuring that community services and facilities for the general population are available on an equal basis to persons with disabilities and are responsive to their needs,

Noting that assistive technologies, both digital and non-digital, can enable and promote the inclusion, participation and engagement of persons with disabilities in all areas of society, including the political, economic and social spheres,

Recalling the Universal Declaration of Human Rights, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child, the International Convention on the Elimination of All Forms of Racial Discrimination and all other relevant international human rights instruments,

Taking into account the fact that human rights-based support and care systems, comprising disability-inclusive policies, persons, products and services, are essential for persons with disabilities to participate fully and effectively in society, on an equal basis with others, to live with dignity, autonomy and independence, and to live independently in the community, as recognized in the Convention on the Rights of Persons with Disabilities,

Noting that “support” encompasses a wide range of formal and informal interventions, including unpaid support work, products, services and infrastructure, and enables persons with disabilities to carry out activities of daily living and actively participate in their communities with choice, control, agency, autonomy and independence,

Concerned that some traditional care models, which are not human rights-based, have placed persons with disabilities as passive recipients of care, without agency, leading to a loss of autonomy, economic disempowerment, and segregation and isolation from the rest of the community or from families, and that these models can lead to paternalistic attitudes and practices that heighten the risk of violence against and exploitation and abuse of persons with disabilities and are detrimental to gender equality, and that many persons with disabilities face barriers to social inclusion owing to traditional care models predicated on social constructs that equate disability with dependence,

Noting the significance of peer support as autonomous, self-directed and separate from institutional and medical frameworks, and underlining its importance for empowerment, consciousness-raising, independent living and social participation,

Deeply concerned that women and girls with disabilities of all ages face multiple, aggravated and intersecting forms of stigma and discrimination, which constitute barriers to community inclusion not only compared to other women and girls without disabilities but also compared to men and boys with disabilities, and are also disproportionately exposed to violence, including sexual and gender-based violence and abuse, and that existing support

systems, including services, may not adequately respond to the rights and needs of women and girls with disabilities, who are both givers and receivers of care and support,

Recognizing that children with disabilities and their families require different types of care and support services, especially those relating to education and health, and that States should provide, organize or facilitate support services that foster their well-being and enable them to realize their full potential and agency,

Deeply concerned that persons with disabilities belonging to groups that have been historically discriminated against, disadvantaged or marginalized, such as Indigenous Peoples, are disproportionately affected in their access to support arrangements and services, and noting that this also impacts migrants, internally displaced persons, refugees, asylum-seekers, persons living in conflict situations, stateless persons and prisoners with disabilities,

Noting the cross-cutting nature of equality and non-discrimination in the 2030 Agenda for Sustainable Development, which has an impact across the Sustainable Development Goals and targets, and noting also in particular Goals 1, 3, 4, 5, 8, 9, 10, 11 and 16, and target 5.4, to recognize and value unpaid care and domestic work through the provision of public services, infrastructure and social protection policies and the promotion of shared responsibility within the household, as a means of establishing care and support systems that fully respect, protect and fulfil human rights, reduce poverty, promote inclusive and equitable societies for current and future generations of persons with disabilities and of ensuring that no one is left behind,

Highlighting the need to invest in the care economy and to create robust, resilient and gender-responsive, disability-inclusive and age-sensitive care and support systems that address the root causes of inequalities with full respect for human rights, with a view to recognizing, valuing, reducing and redistributing unpaid care, domestic work and support, which is primarily carried out by women and girls, including women and girls with disabilities,

Welcoming the work of the Special Rapporteur on the rights of persons with disabilities, and taking note with appreciation of the reports of the Special Rapporteur,¹

Welcoming also the work of the Committee on the Rights of Persons with Disabilities and taking note with appreciation of its general comments, and noting its guidelines on deinstitutionalization, including in emergencies,²

Welcoming further the work undertaken by the task force on secretariat services, accessibility for persons with disabilities and use of information technology,

1. *Welcomes* the fact that, to date, 186 States and one regional integration organization have ratified or acceded to the Convention on the Rights of Persons with Disabilities, and that 103 States have ratified or acceded to the Optional Protocol to the Convention, and calls upon those States and regional integration organizations that have not yet ratified or acceded to the Convention and the Optional Protocol to consider doing so as a matter of priority;

2. *Encourages* States that have ratified the Convention and have submitted one or more reservations to it to initiate a process to review regularly the effect and continued relevance of such reservations, and to consider the possibility of withdrawing them;

3. *Welcomes* the reports of the Office of the United Nations High Commissioner for Human Rights on support systems to ensure community inclusion of persons with disabilities, including as a means of building forward better after the coronavirus disease (COVID-19) pandemic³ and on good practices of support systems enabling community inclusion of persons with disabilities,⁴ and calls upon all stakeholders to consider the findings and recommendations made in those reports with a view to implementing them;

¹ A/HRC/52/32, A/78/174 and A/HRC/55/56.

² CRPD/C/5.

³ A/HRC/52/52.

⁴ A/HRC/55/34.

4. *Calls upon* all States to take appropriate measures to establish and implement support systems that respect, protect and fulfil human rights, and to ensure community inclusion of persons with disabilities, on an equal basis with others and without discrimination, applying an approach that is gender-responsive and age-sensitive, by, for example:

(a) Ensuring the meaningful involvement of persons with disabilities, through their representative organizations, in the design, implementation, monitoring and evaluation of care and support systems;

(b) Establishing effective legal, policy, institutional and administrative frameworks, including non-medical disability assessments that focus on support requirements and additional costs, cross-sectoral coordination and built-in accountability mechanisms for community participation of persons with disabilities;

(c) Measuring support and care needs through enhanced data collection and information management, including through time-use and care and support surveys that include questions relating to the disability status of persons providing and receiving care and support and persons involved in self-care;

(d) Using various financial tools, such as tax incentives, subsidies and government-sponsored procurement policies, grants, sustainable finance, international cooperation and regulatory incentives, where appropriate, to mobilize resources and support innovative, gender-responsive, age-sensitive, disability-inclusive and human rights-based care and support systems that address the root causes of inequalities and that are not predicated on social constructs that equate disability with dependence;

(e) Developing comprehensive social protection systems, covering disability-related extra costs and ensuring access to, for example, non-contributory cash-transfer schemes, to empower persons with disabilities in choosing their support services;

(f) Ensuring that “support” is included in discussions and documents relating to the care economy, reflecting disability frameworks, rights and perspectives;

(g) Investing in human rights-based support services, expanding individualized support services and strengthening community-based support networks and community resilience and sustainability;

(h) Ensuring access to support products, such as assistive technologies, including digital and new technologies, and mobility aids to strengthen support systems for persons with disabilities, while at the same time mitigating risks relating to lack of access, discrimination, privacy, data protection, safety and transparency;

(i) Ensuring access to available, affordable, accessible transport, including point-to-point transportation and paratransit options, and promoting innovations and offering concessions, subsidies and reduced fees, including for persons with disabilities and their support persons, in various transportation modes;

(j) Providing flexible funding models for support services, responding to the varied needs of individuals while respecting their autonomy and choice;

(k) Ensuring adequate, accessible and affordable housing, including through support for home acquisition, property leasing and home modifications for persons with disabilities, and infrastructure facilities that are accessible and appropriate to their needs;

(l) Raising awareness at all levels to change attitudes regarding care and support for persons with disabilities, including through adequate education and training;

(m) Cultivating and maintaining a skilled and diverse care and support workforce for quality support services, including by recognizing and developing the skills of unpaid care and support workers;

(n) Ensuring that persons with disabilities and their families, including women and girls, have access to a range of support services, information in accessible formats and education, including on how to prevent, recognize and report instances of exploitation, violence and abuse, and on how to ensure that persons with disabilities, in particular children, have a safe and supportive family environment;

5. *Also calls upon* all States to take specific actions to counter disability-based structural exclusion and discrimination in the provision of care and support systems, including services, and to develop safeguards to prevent, monitor and act on violence against and abuse of persons with disabilities, especially women and girls with disabilities, children with disabilities and persons with intellectual disabilities, providing proper means to monitor, investigate and, as appropriate, prosecute perpetrators of crimes, provide redress for victims, adopt measures of non-repetition and ensure access to justice for persons with disabilities on an equal basis with others, and to promote education campaigns on violence and abuse prevention;

6. *Encourages* all relevant business enterprises, in particular those involved in the provision of care and support services, to conduct human rights impact assessments to ensure maximal respect for the Convention and the Guiding Principles on Business and Human Rights, with the active involvement of persons with disabilities and their representative organizations;

Follow-up

7. *Calls upon* States to engage in international cooperation efforts at all levels to promote the establishment and implementation of human rights-based support systems to ensure the full inclusion and participation of persons with disabilities in the community, and to encourage the mobilization of public and private resources on a sustainable basis to mainstream the rights of persons with disabilities in development, and invites the Office of the United Nations High Commissioner for Human Rights and relevant United Nations agencies, and other donor mechanisms and partnerships, to consider ways to foster international cooperation activities in that regard, in close consultation with persons with disabilities and their representative organizations;

8. *Encourages* the Office of the High Commissioner to share its technical expertise with other United Nations agencies involved with support systems, in order to promote the integration of a human rights-based approach to persons with disabilities;

9. *Encourages* States to integrate in their reports to the high-level political forum on sustainable development the advances made with regard to the rights of persons with disabilities as reflected in laws, policies and practices developed relevant to the commitments under the 2030 Agenda for Sustainable Development, and to develop human rights indicators and collect data disaggregated by age, sex and disability to inform those indicators using a functional approach, such as the Washington Group short set of questions, for disaggregation;

10. *Calls upon* States to ensure that all international cooperation and humanitarian action is inclusive of persons with disabilities and does not contribute to creating new barriers for them;

11. *Requests* the Office of the High Commissioner to present an oral report to the Human Rights Council on the implementation of the United Nations Disability Inclusion Strategy across its programmes and operations at its fifty-ninth and sixty-second sessions, with international sign interpretation and captioning, and also requests the Office to make its report to the Secretary-General on the Strategy publicly available in an easy-to-read version and in an accessible format;

12. *Decides* that its next annual interactive debate on the rights of persons with disabilities will be held at its fifty-eighth session, and will focus on the rights of persons with disabilities and digital technologies and devices, including assistive technologies, and will have international sign interpretation and captioning;

13. *Also decides* to hold at its sixty-first session an interactive debate on the rights of persons with disabilities, which will focus on disability-inclusive infrastructure, including transport and housing, and will have international sign interpretation and captioning;

14. *Requests* the Office of the High Commissioner to prepare its next annual thematic study on the rights of persons with disabilities on the rights of persons with disabilities and digital technologies and devices, including assistive technologies, and to prepare its subsequent study on disability-inclusive infrastructure, including transport and housing, in consultation with States and other relevant stakeholders, regional organizations,

the Special Rapporteur on the rights of persons with disabilities and other relevant special procedure mandate holders, civil society organizations, including organizations of persons with disabilities, and national human rights institutions, requiring contributions to be submitted in an accessible format, and requests that such stakeholder contributions, the studies themselves and an easy-to-read-version of them be made available on the website of the Office, in an accessible format, prior to the fifty-eighth and sixty-first sessions of the Human Rights Council;

15. *Encourages* the task force on secretariat services and accessibility for persons with disabilities to report orally to the Human Rights Council on its work and on the progress made in the implementation of its accessibility plan;

16. *Urges* States to consider further integrating and mainstreaming the perspective and rights of persons with disabilities into the work of the Human Rights Council, such as by mandating international sign interpretation and captioning for all meetings of the Council;

17. *Requests* the Secretary-General to prepare and submit to the Human Rights Council, at its fifty-ninth session, a study defining the administrative procedures and budget required to make all Council resolutions accessible, including in easy-to-understand language, as accessibility resources and tools for persons with disabilities, in consultation with and ensuring the active engagement and participation of persons with disabilities and their representative organizations, as well as relevant United Nations entities, including the Office of the High Commissioner, the Department of Economic and Social Affairs of the Secretariat, the Committee on the Rights of Persons with Disabilities and the Special Rapporteur on the rights of persons with disabilities, and other stakeholders such as civil society and representative organizations;

18. *Encourages* representative organizations of persons with disabilities, civil society, national mechanisms as described in article 33 of the Convention, and national human rights institutions to participate actively in the debates referred to in paragraphs 12 and 13 above and in regular and special sessions of the Human Rights Council and its working groups;

19. *Requests* the Secretary-General, the United Nations High Commissioner for Human Rights and United Nations offices to continue to work collaboratively on the progressive implementation of standards and guidelines for the accessibility of facilities and services of the United Nations system, taking into account relevant provisions of the Convention, and underlines that the Human Rights Council, including its Internet resources, should be fully accessible to persons with disabilities;

20. *Requests* the Secretary-General to continue to ensure that the work of the Office of the High Commissioner with respect to the rights of persons with disabilities and the Committee on the Rights of Persons with Disabilities is adequately resourced for the fulfilment of their tasks;

21. *Decides* to remain seized of the matter.

*53rd meeting
3 April 2024*

[Adopted without a vote.]