



Concept Note

Webinar

Impact of COVID-19 Restrictive Measures on Persons with Disabilities

Thursday, 17 March 2022

10:00 – 11:30 (CET)

Way Forward: For the better protection of the Rights of Persons with Disabilities during the pandemic

The disproportionate impact of the COVID-19 pandemic on persons with disabilities has been widely recognized at international and national levels all around the world, however, less had been done for the restoration of equality in practice.

Throughout 2 years of the world pandemic, persons with disabilities were affected not just by the pandemic itself but more so by the social and economic impact deriving from restrictive measures put in place to control its transmission.

While the COVID-19 pandemic threatens all members of society, persons with disabilities are disproportionately affected due to attitudinal, environmental and institutional barriers that are reproduced in the COVID-19 response. During the COVID-19 crisis, persons with disabilities who are dependent on support for their daily living and especially, those living in institutions, may find themselves isolated and unable to survive during lockdowns, thus particularly vulnerable. Barriers for persons with disabilities in accessing health services and information are intensified. Persons with disabilities also continue to face discrimination and other obstacles in accessing livelihood and income support and also when seeking protection from violence.¹

Use of facemasks, ban of public transport, restriction of movement and gatherings, closure of schools, suspension of daycare and other rehabilitation services, including personal assistance are among other few

¹ “COVID-19 AND THE RIGHTS OF PERSONS WITH DISABILITIES: GUIDANCE”, OHCHR, April 2020, available at: [https://www.ohchr.org/Documents/Issues/Disability/COVID-19 and The Rights of Persons with Disabilities.pdf](https://www.ohchr.org/Documents/Issues/Disability/COVID-19%20and%20The%20Rights%20of%20Persons%20with%20Disabilities.pdf) >, last accessed [09.12.2021].

restrictive measures which caused additional barriers to persons and children with disabilities. Particularly noteworthy is the legal status of persons with disabilities living in large institutions.

Article 11 of the UN CRPD establishes that States Parties shall take all possible measures to ensure the protection and safety of persons with disabilities in the national response to situations of risk and humanitarian emergencies. This, by all means, includes protection from the negative social, economic and human rights outcome following the crisis. The measures to ensure protection against negative attitudes, isolation, and stigmatization that may arise in the midst of the crisis is also crucial. However, crisis management national plans, which do not consider individual needs and interests of persons with disabilities undermine implementation of the mentioned article and leave persons with disabilities behind.

The COVID-19 pandemic has revealed that the UN CRPD has not been comprehensively implemented by the countries that have ratified it.² Persons with disabilities report being left behind in countries regardless of their level of development, across both wealthy and developing states. One of the most common faults has been the failure to genuinely include persons with disabilities in the collective response – both at national and global levels. Policymakers at many levels appear to have reverted to treating persons with disabilities as objects of care or control, undermining many of the gains of recent years to enhance citizenship, rights, and inclusion of persons with disabilities. If we are to have any hope of bringing the pandemic under control, it is crucial that states base their responses on human rights which are genuinely inclusive of all persons with disabilities.³

In order to act in compliance with human rights standards and the UN CRPD, states must ensure that persons with disabilities, through their representative organizations, are closely consulted with and actively involved in the planning, implementation and monitoring of COVID-19 prevention and containment measures; economic hardship during the crisis must be also addressed with respect to persons with disabilities who may face the loss of jobs and additional obstacles to meet basic essential needs. During the ongoing COVID-19 pandemic, States should prevent discriminatory denial of health care or life-saving services, food or fluids on the basis of disability especially in quarantine regimes. The range of support in the community, including home-care and personal assistance support, and rehabilitation services, when necessary, must be ensured and not discontinued as they are essential for the exercise of the rights of persons with disabilities.⁴

States must also consider the specific needs of women with disabilities during the pandemic, since, among others, the barriers to accessing information, goods, and services on sexual and reproductive health (SRH) and exercising bodily autonomy for women and girls with disabilities have increased during the COVID-19 pandemic. Women and girls with disabilities worldwide faced increased risk factors of gender-based violence (GBV) and compounded barriers to accessing GBV support services, police, and justice mechanisms.⁵

² “Months in fear, anxiety and confusion: the life of people with disabilities in COVID-19”, June 2020, available at <<https://bit.ly/3EALmaX>>, last accessed [25.11.2021].

³ “Disability rights during the pandemic A global report on findings of the COVID-19 Disability Rights Monitor“, available at: <https://www.internationaldisabilityalliance.org/sites/default/files/disability_rights_during_the_pandemic_report_web_pdf_1.pdf> last accessed [09.12.2021].

⁴ *Joint Statement: Persons with Disabilities and COVID-19 by the Chair of the United Nations Committee on the Rights of Persons with Disabilities, on behalf of the Committee on the Rights of Persons with Disabilities and the Special Envoy of the United Nations Secretary-General on Disability and Accessibility*, available at: <<https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=25765&LangID=E>> last accessed [09.12.2021].

⁵ *THE IMPACT OF COVID-19 ON WOMEN AND GIRLS WITH DISABILITIES. A Global Assessment and Case Studies on Sexual and Reproductive Health and Rights, Gender-Based Violence, and Related Rights*, 2021, available at:

As mentioned above, article 11 of the UN CRPD sets guarantees for the equal protection of persons with disabilities' rights during emergency situations, which European countries failed to meet at the beginning of the pandemic. The first response was slow and reflected stereotypes about persons with disabilities⁶ and excluded them. However, as a result of persons with disabilities' activism and engagement of international and national actors, including NHRIs, States started to acknowledge the importance of the protection of the rights of persons with disabilities, started giving due respect to the human rights of persons with disabilities and some positive examples came up.

2020-2021 had undoubtedly been challenging for all and especially for persons with disabilities, but it also outlined the critical role of NHRIs in safeguarding the rights of persons with disabilities, perhaps more than ever before. Therefore, NHRIs working on disability issues continue to express their interest in finding ways and good practices for protecting and promoting persons with disabilities' rights during the pandemic. **Based on this background, the main objective of the event is to exchange experiences and opinions on the best practices and methodology for promoting and protecting the rights of persons with disabilities. The webinar will focus on the following topics:**

- **Vaccination process** – consideration of individual needs and requirements of persons with disabilities in the process of vaccination, guidelines and practices;
- **Lockdown and its consequences on the specific groups and situations** (e.g children with autism, blind people living alone, closure of educational and rehabilitation facilities);
- **Facemask and communication** – the obligation of using facemasks and challenges in communication for people with hearing and communication difficulties.

The invited speakers will share existing practices, recommendations and lessons learnt in their efforts to strengthen the protection of persons with disabilities' rights. The webinar will bring together NHRIs (members of the ENNHRI CRPD WG), representatives of the UN CRPD Committee, the EU Fundamental Rights Agency, the European Disability Forum, as well as other stakeholders. We believe, that the webinar will be a good way for bringing the issues forward one more time and exchange information for further promotion and protection of the rights of persons with disabilities.

<[https://www.unfpa.org/sites/default/files/pub-pdf/NEW_UNPRPD_UNFPA_WEI - The Impact of COVID-19 on Women and Girls with Disabilities.pdf](https://www.unfpa.org/sites/default/files/pub-pdf/NEW_UNPRPD_UNFPA_WEI_-_The_Impact_of_COVID-19_on_Women_and_Girls_with_Disabilities.pdf)>, last accessed [09.12.2021].

⁶*Impact of COVID-19 on persons with disabilities: European Leaders must act now Extract from the Human Rights Report 2020*, available at: <<https://www.edf-feph.org/content/uploads/2021/01/Final-final-Human-Rights-Published.pdf>>, last accessed [09.12.2021].