



Draft General Comment on Article 6 of the Convention on the Rights of Persons with Disabilities Comments by the Government of Finland

27 July 2014

Finland considers the General Comments adopted by the UN Treaty Bodies as a useful additional tool for developing the implementation of human rights treaties. The General Comments provide new perspectives on the implementation, for responding to challenges of today. The Government welcomes this opportunity to contribute to the preparation of a General Comment on Article 6 of the Convention on the Rights of Persons with Disabilities on women with disabilities. The Government also welcomes the efforts in promoting the position of women and girls with disabilities, as well as combatting discrimination against women and girls.

The Government of Finland would like to provide the following comments:

The Government of Finland supports the Committee's view in underlining the mainstreaming of multiple discrimination throughout the Convention for often national legislation and its implementation is based on one discrimination ground and not necessarily recognizing multiple discrimination and its implications on individuals. The Draft pays well attention to all forms of violence against women with disabilities, which is of utmost importance since violence against women is one of the most serious human rights violations worldwide.

However, the Government of Finland would like to draw the Committee's attention to certain issues in the Draft General Comment for its possible further consideration.

Firstly, the Draft could be considered relatively lengthy and there might be room for further compression especially with special attention to the target group of the General Comment, including persons with disabilities, some of whom experience difficulties in reading complex texts. Therefore it could be useful to consider particular efforts to be taken by the Committee in order to ascertain the general clarity of the General Comment and to facilitate the accessibility of the Convention materials. The Committee may wish to consider issuing the General Comment also in sign and plain languages.

As regards the language and terminology, the Draft uses, for example, the term "intersectional discrimination" in several parts while the Convention uses the term "multiple discrimination". The Draft would benefit if these concepts and different types of discrimination were explained. In case of the absence of significant reasons supporting the use of new language, the Convention terms should be used.

The Government of Finland would also like to draw the Committee's attention to one certain issue which came up in preparing these comments, i.e. the subtle difference in interpreting Article 6.1 and 6.2. in relation to immediate and unconditional obligation of results upon the States parties, namely "shall take measures" and "shall take all appropriate measures".

The Government of Finland would finally like to raise the necessity and profitability of including the text from chapter 34 onwards into this general comment since these provisions can be seen likely to be the subject of individual General Comments in the future. In the annex some general suggestions are drafted in track change mode to ease the reading for the Committee's possible further consideration.

Annex: Draft General Comment