Date: […]

**MEMORANDUM**

For the attention of: Ms. Heba Hagrass, Special Rapporteur on the rights of persons with disabilities

Subject: Department of Social Rights submission to the call for inputs on the 2030 Agenda

The Department of Social Rights of the Council of Europe (“the Department”) welcomes the opportunity to provide comments on the forthcoming thematic report of the Special Rapporteur on the rights of persons with disabilities, concerning the involvement and participation of persons with disabilities in the follow-up and review of the 2030 Agenda for Sustainable Development, in current debates at the international level on this issue, and on the future of Sustainable Development or Post-2030 agenda.

The Department recalls that Article 15 of the European Social Charter (“the Charter”) concerns the right of persons with disabilities to independence, social integration, and participation in the life of the community. However, all provisions of the Charter are applicable to persons with disabilities, including the non-discrimination clause in Article E of the Charter.

The European Committee of Social Rights (ECSR) has stated that Article 15§3 of the Charter requires inter alia that persons with disabilities should have a voice in the design, implementation and review of coordinated disability policies aimed at achieving the goals of social integration and full participation of persons with disabilities.[[1]](#footnote-1) While the consultation requirement included under Article 15§3 of the Charter would presumably extend to questions regarding the follow-up and review of the 2030 Agenda for Sustainable Development, this has not so far been raised before the ECSR.[[2]](#footnote-2) The Charter also includes extensive consultation and participation requirements in the context of other provisions, such as Article 3 (the right to safe and healthy working conditions), Article 16 (the right of the family to social, legal and economic protection), Article 17 (the right of children and young persons to social, legal and economic protection), or Article 30 (the right to protection against poverty and social exclusion).

The Department further notes that the ECSR supervises the implementation of the Charter through the examination of State Party reports and collective complaints. The Charter system offers opportunities for the involvement and participation of persons with disabilities through the collective complaints, comments, or observations that relevant civil society organisations can submit in the framework of these procedures.[[3]](#footnote-3)

1. Conclusions 2020, Serbia and Conclusions 2005, Norway. [↑](#footnote-ref-1)
2. The ESCR’s conclusions, decisions and findings are available on its HUDOC database, available here: <http://hudoc.esc.coe.int/>. [↑](#footnote-ref-2)
3. These possibilities are set out in the publication *How can (I)NGOs engage with the European Committee of Social Rights under the monitoring procedures of the European Social Charter*, available at <https://www.coe.int/en/web/european-social-charter>. [↑](#footnote-ref-3)