

Kaukab Stewart MSP, Convener Equalities, Human Rights and Civil Justice
Committee
Scottish Parliament
Edinburgh
EH11 SP1

Via email: ehrcj.committee@parliament.scot

17 August 2023

Dear Convener

Follow-Up Procedure of the United Nations Committee on the Rights of Persons with Disabilities

Today, the UK Independent Mechanism (UKIM) - a group made up of the Equality and Human Rights Commission (EHRC), the Scottish Human Rights Commission (SHRC), the Equality Commission for Northern Ireland (ECNI) and the Northern Ireland Human Rights Commission (NIHRC) - [published a report](#) assessing the rights of disabled people across the UK. This report was submitted to the UN Committee on the Rights of Persons with Disabilities (the Committee) in July, as part of the review of its inquiry into the UK, taking place this month.

The report forms part of the Committee's Follow-Up procedure examining its 2016 inquiry finding of 'grave and systemic' violations of disabled people's human rights in the UK. The Committee made eleven recommendations to ensure compliance with the UN Convention on the Rights of Persons with Disabilities.

By ratifying the UN CRPD, the UK is bound by international law to respect, protect and fulfil the rights it contains. Responsibility for implementing UN human rights treaties lies with both the UK-wide and devolved institutions, including the Scottish Government. The ongoing Follow-Up Procedure, which will include a meeting at the United Nations on 28th August 2023 and continue into 2024, will consider how the findings of the inquiry have been addressed in all parts of the UK.

Through the development of UKIM's report, the EHRC and SHRC examined the particular evidence in respect of progress in Scotland. In Scotland, the EHRC's mandate is equality and the SHRC's mandate is human rights. Our organisations share the view that there has been insufficient and sometimes no progress across all eleven recommendation areas. While some areas of progress could be identified – for example, the rollout of devolved social security – this has been insufficient to

safeguard the rights of disabled people in the context of austerity, COVID-19 and the present cost-of-living-crisis.

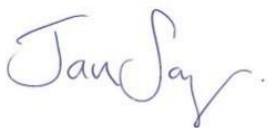
The SHRC has also published a report it commissioned from the Scottish Independent Living Coalition (SILC) to inform its submission to the UN Committee on the Rights of Persons with Disabilities, which highlights the profound concerns of disabled people and Disabled People's Organisations (DPOs). The SHRC is also currently undertaking focused work exploring the human rights concerns in respect of disabled people in institutional care in Scotland, which will publish in early 2024. Later this year the EHRC will publish the next in its series of statutory reports, the *Equality and Human Rights Monitor: Is Scotland Fairer*. These reports monitor the progress of equality and human rights in Scotland including an update on the issues faced by disabled people.

The Scottish Parliament and in particular the Equality, Human Rights and Civil Justice Committee, have an important role in ensuring the accountability of the Scottish Government for its actions to protect and realise international human rights domestically. International principles and best practice encourage Parliamentary bodies to work closely with National Human Rights Institutions and expert bodies to strengthen our shared interests in promoting and supporting human rights.

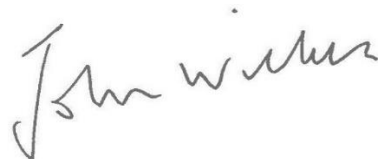
The EHRC and the SHRC - as the Equality Body and National Human Rights Institution respectively in devolved areas – strongly encourage the Committee to convene a meeting with the Scottish Government, our organisations and Civil Society experts to assess the findings of the UKIM report and the Scottish Government's response to the UN CRPD inquiry findings.

In addition to this session, the Committee may consider it necessary to explore the current state of disabled people's human rights in Scotland across all parts of the convention.

Yours sincerely,



Jan Savage
Executive Director
Scottish Human Rights Commission



John Wilkes
Head of Scotland
Equality and Human Rights
Commission