

**40th Session of Human Rights Council**  
**ITEM 3: Clustered ID with Special Rapporteur on the rights of Persons with Disabilities**  
**Statement by Action Canada for Population and Development**  
**28 February 2019**

Thank you, Mr. President. Action Canada makes this statement on behalf of the Sexual Rights Initiative.

We welcome the report of the Special Rapporteur on the rights of Persons with Disabilities on disability-specific forms of deprivation of liberty.

As the Special Rapporteur has rightly highlighted, compound stereotypes of gender and disability and stigmatization shape the way in which structures of power including families limit and oppress women and girls with disabilities. Isolation and deprivation of liberty related to disability, gender and sexuality are violations of human rights, including the rights to live independently and being included in the community, to legal capacity, and to bodily autonomy.

These structures are complex and generate uncountable impacts on the lives of women and girls with disabilities, as well as on other persons. In its analysis the report did not delve in the impacts and manifestations of these structures and missed the opportunity to issue substantive recommendations on the issue. Recently, Special Procedures have elaborated on deprivation of liberty, particularly the report of the Special Rapporteur on the Right to Health on the relationship between the rights to health and specific forms of deprivation of liberty and confinement in penal and medical regimes, as well as the upcoming report of the Working Group on the issue of discrimination against women in law and in practice on women deprived of liberty.

In this context, the mandates had a platform to do a collaborative in-depth intersectional analysis of deprivation of liberty, having the opportunity to address the ways deprivation of liberty of women and girls is used to force stereotypical understanding of social conformity. We hope all mandates can contribute to the call for submissions of the Committee on Migrant Workers for its draft General Comment on deprivation of liberty.

Mr. President, we would like to highlight that patriarchal, ableist, racist, classist and capitalist systems of oppression subject women, adolescents, sex workers, people living with HIV, lesbian, gay, bisexual, transgender, gender non-conforming and intersex persons, and anyone who is perceived to have transgressed sexual and gender norms to rights violations every day through laws, policies and practices that criminalize, stigmatize and put their lives and health at risk.

Thank you.