



## 49th Human Rights Council session

14 March 2022

### Annual Debate on the rights of persons with disabilities

#### Statement by International Lesbian and Gay Association

*Delivered by Jose Guillermo Ricalde Perez*

Mr. President,

We welcome the discussion on statistics and data collection under article 31 of the Convention of the Rights of Persons with Disabilities. We also strongly support the efforts made by the mandate to achieve the inclusion of persons with disabilities in national data collection systems and the emphasis on the importance of collecting disaggregated data by member States.<sup>1</sup> However, there is a need for a comprehensive intersectional approach that gives more attention to LGBTI persons with disabilities in statistics and data collection processes since this intersection has not been explored extensively by the UN machinery.

Even though the LGBTI community comprises a significant part of the disability community, there is a lack of specific data on LGBTI persons with disabilities worldwide, and often the data on SOGIESC is scarce, selective, or non-existent.<sup>2</sup> For instance, the Independent Expert on SOGI has highlighted that the intersection between SOGIESC and disability in data collection storage and usage methods remains unexplored.<sup>3</sup>

We firmly believe it is crucial to ensure that disaggregated data collection also contemplates LGBTI persons with disabilities to prevent intersectional discrimination and guarantee the implementation of adequate data-driven policies and planning, including disability support, health policies, and services for these groups.<sup>4</sup>

In addition, we are also concerned that data collection methods that lack from SOGIESC lens might result in substantial risks for LGBTI persons with disabilities safety, particularly in regards to invasion of their privacy, surveillance, and further criminalization of their identities<sup>5</sup>. On this aspect, the Independent Expert on SOGI has emphasized these risks in his report on data collection and management, and it would be crucial to consider the Independent Expert's guidelines into the implementation of art. 31 of the CRPD.<sup>6</sup>

Finally, the Committee on the Rights of Persons with Disabilities has not broadly analyzed art. 31 in the context of LGBTI. However, its last concluding observations to Estonia included a direct recommendation to develop a system of disaggregated data collection by sexual orientation and gender identity while ensuring confidentiality and the right to privacy.

We recommend the mandate and the CRPD to continue developing the implementation of art 31 in the context of LGBTI persons with disabilities. In their future reports and recommendations, they must take into account the multiple factors of this intersection to comply with fundamental freedoms and ethical principles in the collection, dissemination, and use of data and statistics. We also call on States to apply art. 31 under the guidelines and recommendations from the Independent Expert on SOGI and start developing systems of disaggregated data collection by SOGIESC.



I thank you Mr. President