

Organisation: European Federation of Hard of Hearing People (EFHOH)

Contribution to the zero draft on Intersectionality of the UN Committee on the Rights of Persons with Disabilities

Overall assessment

EFHOH welcomes the opportunity to submit comments on the Draft Guidelines on Intersectionality. The draft provides a comprehensive and timely framework for identifying and addressing the structural and differentiated forms of discrimination experienced by women, adolescents and girls with disabilities.

EFHOH particularly welcomes the draft's attention to intersectional invisibility, audism, artificial intelligence, decolonialism and the life-course dimensions of discrimination. Our comments focus on a cross-cutting gap in the current text: the diversity of hearing loss, hearing loss identities, communication preferences and accessibility requirements is not yet consistently reflected.

The draft contains important references to Deaf women and sign language. These should be maintained. At the same time, the distinct experiences of hard of hearing women, including women with invisible hearing loss who communicate primarily through spoken language, require more explicit recognition. The amendments below are intended to complement the existing text by adding a cross-cutting paragraph and concrete examples of discrimination affecting hard of hearing women in the relevant thematic sections.

1. Cross-cutting recognition of the diversity of hearing disabilities

Location in the draft Guidelines: Chapter I, Section II, "Scope and interpretation", paragraph 5, at the end of the paragraph.

Proposed action: Add the following sentences to the existing paragraph 5.

Within particular disability groups, diversity of disability-related identities, communication preferences and accessibility requirements should also be recognized. Deaf, hard of hearing and deafblind women may experience distinct and intersecting forms of discrimination shaped by their hearing-related identities, degree and visibility of hearing loss, use of spoken and/or sign languages, reliance on assistive technologies and access to communication accommodations. Hard of hearing women, many of whom have invisible disabilities and primarily use spoken language, may encounter disbelief, pressure to conceal their disability, delayed recognition of support needs, denial of reasonable accommodation and persistent communication fatigue arising from expectations that they function as hearing persons without appropriate support. These barriers may result in exclusion from education, employment, healthcare, justice and public participation despite formal equality.

Women and girls with hearing disabilities are not a homogeneous group. Deaf women, including those who identify with Deaf linguistic and cultural communities, may primarily use sign language and face barriers related to language rights, access to interpretation and recognition of Deaf identity. Hard of hearing women often communicate primarily through spoken language and may use hearing aids, cochlear implants, lipreading, captioning, assistive listening technologies or multiple forms of support. Their experiences may differ according to the degree and visibility of hearing loss, communication preferences, use of spoken or sign languages, access to assistive technologies and the availability of appropriate communication support. Hard of hearing women experience distinct forms of intersectional discrimination: pressure to conceal disability, expectations to 'pass' as hearing, denial of reasonable accommodation because they do not appear disabled, communication fatigue, and gendered stereotypes that misinterpret hearing-related barriers as personality traits. The Guidelines should explicitly refer to women with invisible disabilities, including hard of hearing women.

2. Age and hearing disability as intersecting barriers

Location: Chapter I, Section IV, *Intersectional discrimination against women and girls with disabilities*, paragraph 20.

Proposed action: Add the following sentence at the end of paragraph 20, after the proposed text concerning the non-apparent nature of hearing disabilities.

These barriers may be further compounded for older women with hearing loss, whose communication needs may be dismissed as an inevitable consequence of ageing, resulting in delayed access to hearing care and support, denial of reasonable accommodation and exclusion from information, services and participation.

3. Communication accessibility framed too narrowly

Location in the draft Guidelines: Chapter III, Section III, "General legal and policy framework", paragraph 64(a).

Proposed action: Replace paragraph 64(a) with the following wording.

Adopt comprehensive anti-discrimination laws that explicitly recognize and prohibit intersectional discrimination and the denial of reasonable accommodation, including the failure to provide communication accommodations suited to individual requirements, as forms of discrimination, and repeal discriminatory laws and practices rooted in institutionalization, denial of legal capacity and segregation;

Location in the draft Guidelines: Chapter III, Section III, "General legal and policy framework", paragraph 64, after subparagraph (k).

Proposed action: Add a new subparagraph (l).

(I) Ensure that communication accessibility and reasonable accommodation measures respond to the individual language and communication requirements of women, adolescents and girls with hearing loss, including real-time captioning, Communication Access Real-Time Translation (CART), speech-to-text services, hearing loops, FM systems and other assistive listening technologies.

The draft recognises sign language interpretation as an essential form of accessibility for Deaf sign language users. However, sign language interpretation does not address the communication requirements of all women and girls with hearing disabilities under the CRPD. Many hard of hearing women communicate primarily through spoken language and may instead require real-time captioning, CART, speech-to-text services, hearing loops, FM systems, assistive listening technologies, written communication, accessible telecommunication and other communication supports based on individual preference.

4. Invisible hearing loss as an intersectional dimension

Location in the draft Guidelines: Chapter I, Section IV, paragraph 20, after the sentence ending "distinct, unique and compounded patterns of disadvantage".

Proposed action: Replace the final sentence of paragraph 20 with the following text.

Anti-discrimination frameworks should recognize the diversity of women with disabilities, **including disabilities that may not be immediately visible**, and pay particular attention to the most marginalized, such as women who are deafblind and women with intellectual and/or psychosocial disabilities. **Hearing disabilities are often invisible, particularly in the case of hard of hearing women, which may result in disbelief, pressure to conceal their hearing loss, delayed recognition of communication and support requirements, denial of reasonable accommodation and persistent communication fatigue.**

The Guidelines discuss intersectional invisibility in policymaking but not invisible disabilities themselves. Women with invisible hearing disabilities frequently experience disbelief, delayed recognition of accommodation needs, pressure to conceal disability and chronic communication fatigue. A paragraph recognizing invisible disabilities as a distinct source of intersectional discrimination would significantly strengthen the text.

5. Healthcare

Location in the draft Guidelines: Chapter II, Section III, paragraph 41, after the first sentence ending "adequately trained medical personnel".

Proposed action: Insert the following two sentences into paragraph 41.

Women with hearing disabilities may also face barriers where telehealth is not captioned, hospital announcements are only audible, accessible written information is not provided, or appropriate communication support is unavailable during childbirth and emergencies. These barriers may prevent effective communication and undermine free and informed consent.

Additional location: Chapter III, Section H, paragraph 75(e), after the words "for women and girls with disabilities".

Proposed action: Insert the following phrase into the existing sentence.

with communication accessibility and reasonable accommodation provided according to individual requirements,

The health section should more clearly recognise the diversity of communication requirements among women with hearing disabilities and address inaccessible communication in healthcare, including lack of captioned telehealth, inaccessible hospital announcements, failure to provide written information, communication barriers during childbirth, inaccessible emergency communication and failures of informed consent resulting from ineffective communication.

6. Freedom from violence, exploitation and abuse

Location in the draft Guidelines: Chapter II, Section I, paragraph 29, immediately after the example concerning a Deaf girl who was denied access to communication and justice.

Proposed action: Insert the following explicit example into paragraph 29.

Hard of hearing women may also experience abuse where partners, family members or caregivers hide or damage hearing aids, control access to communication devices, withhold information, refuse communication accommodations or exploit communication barriers as a form of coercive control.

Additional location: Chapter III, Section C, paragraph 69.

Proposed action: Replace the words "ensuring accessible, gender- and disability-inclusive protection and support services" with the following wording.

ensuring accessible, gender- and disability-inclusive protection and support services, including emergency hotlines, shelters and reporting mechanisms available through multiple communication formats

The violence section should recognize that abusive partners often exploit communication barriers by withholding information, hiding hearing aids, controlling communication devices, refusing communication accommodations and using communication barriers as a form of coercive control. Domestic violence services and emergency hotlines should be accessible through multiple communication formats and should respond to the individual communication requirements of women with hearing loss.

7. Legal capacity and access to justice

Location in the draft Guidelines: Chapter II, Section II, paragraph 34.

Proposed action: Replace the words “absence of sign language and interpretation” with the following wording.

absence of communication accommodations suited to individual requirements, including sign language interpretation, real-time captioning, speech-to-text services, assistive listening systems, accessible written information and appropriate acoustic conditions

Additional location: Chapter III, Section F, paragraph 72, final sentence beginning “They should also provide procedural and reasonable accommodation...”.

Proposed action: Replace the final sentence of paragraph 72 with the following text.

They should also provide procedural and reasonable accommodation and guarantee physical, communication and digital accessibility, particularly in police stations, shelters, courts and complaint bodies, including through sign language interpretation, real-time captioning, hearing loops or other assistive listening systems and written procedural information, according to individual requirements. Sign language interpretation is an essential accommodation for sign language users but does not meet the accessibility requirements of hard of hearing women who do not use sign language. Without appropriate communication accommodations, hard of hearing women may miss or misunderstand information and risk being wrongly perceived as inconsistent or unreliable.

To ensure effective and equal participation of hard of hearing women, the section on access to justice should also refer to captioned hearings, speech-to-text services, hearing loops, courtroom acoustics, microphones and written procedural information. Without these accommodations, hard of hearing women may miss or misunderstand information and risk being wrongly perceived as inconsistent or unreliable.

8. Education

Location in the draft Guidelines: Chapter II, Section V, paragraph 45, after the first sentence.

Proposed action: Insert the following example into paragraph 45.

Hard of hearing girls in mainstream education may be misidentified as inattentive, excluded from classroom discussions, experience communication fatigue or bullying related to speech differences, and participate less fully despite formal inclusion.

Additional location: Chapter III, Section G, paragraph 74, sentence beginning “They should also provide reasonable accommodation...”.

Proposed action: Replace that sentence with the following wording.

They should also provide reasonable accommodation and gender-responsive individualized support, including, for girls with hearing disabilities, real-time captioning, hearing loops or assistive listening systems, written materials and sign language where required, according to individual requirements.

The education chapter should recognize the mainstream educational experiences of many hard of hearing girls, including being labelled inattentive, exclusion from classroom discussions, communication fatigue, bullying related to speech differences and reduced participation despite physical inclusion.

9. Work and Employment

Location in the draft Guidelines: Chapter II, Section VI, paragraph 48, after the sentence ending "lack of disability-inclusive complaint mechanisms".

Proposed action: Insert the following example into paragraph 48.

Hard of hearing women may also be excluded by telephone-centred workplaces, inaccessible meetings, hybrid work without captioning, informal networking in noisy environments, and denial of assistive listening systems or other communication accommodations. Sustained listening and lipreading without adequate support may also cause significant communication fatigue and affect equal participation and career progression.

Additional location: Chapter III, Section I, paragraph 76.

Proposed action: Replace the words "guarantee reasonable accommodation and accessible workplaces" with the following wording.

guarantee reasonable accommodation and accessible workplaces, including communication accessibility based on individual requirements

The employment chapter should address inaccessible meetings, telephone-centred workplaces, hybrid work without captioning, exclusion from informal networking in noisy environments, lack of appropriate assistive listening systems, denial of promotion based on communication stereotypes and exhaustion caused by sustained listening and continuous lipreading. Reasonable accommodation should be based on individual communication requirements.

10. Artificial intelligence

Location in the draft Guidelines: Chapter II, Section I.1, paragraph 31, at the end of the paragraph.

Proposed action: Add the following sentences to paragraph 31.

Automatic speech recognition and AI-based captioning may perform less accurately for multilingual speakers, women with atypical speech and different tones of voice, and users of hearing technologies, creating additional barriers for hard of hearing women. The accessibility and accuracy of these systems should be assessed with the active involvement of diverse users.

Additional location: Chapter III, Section III, paragraph 64(i), at the end of the subparagraph.

Proposed action: Add the following sentence to the existing subparagraph.

States parties should also require AI-enabled communication technologies to be tested with diverse users, including hard of hearing women, and ensure that such tools complement, rather than automatically replace, qualified human support where effective communication is essential.

The AI section could acknowledge that automatic speech recognition systems frequently perform poorly for women with atypical speech, multilingual speakers and hearing-aid users, thereby creating new forms of exclusion. AI-enabled captioning and speech recognition, but their accuracy, accessibility, transparency and suitability should be assessed in consultation with users. They should complement, rather than automatically replace, professional human support where effective communication is crucial.

11. Humanitarian settings, disaster risk reduction and climate change

Location in the draft Guidelines: Chapter II, Section VIII, paragraph 53, after the first sentence.

Proposed action: Insert the following example into paragraph 53.

Hard of hearing women may miss evacuation announcements, public warnings, shelter instructions and information about humanitarian assistance when these are delivered only through audible communication.

Additional location: Chapter II, Section IX, paragraph 59, at the end of the paragraph.

Proposed action: Add the following sentence to paragraph 59.

Early-warning and emergency communication systems should therefore provide information simultaneously through multiple accessible formats, including visual and text-based alerts, captioning, accessible mobile notifications, sign language where required and assistive listening technologies.

Additional location: Chapter III, Section E, paragraph 71(b), at the end of the subparagraph.

Proposed action: Add the following sentence to the existing subparagraph.

Protection and response measures should also ensure that early-warning systems, evacuation information, shelter instructions and humanitarian communications are provided through multiple accessible formats and respond to individual communication requirements.

Emergency response provisions should recognize that hard of hearing women may miss evacuation announcements, public warning systems, shelter instructions and humanitarian information when it is delivered only through audible communication.

12. Participation

Location in the draft Guidelines: Chapter II, Section VII, paragraph 51, after the first sentence.

Proposed action: Insert the following explanation into paragraph 51.

Hard of hearing women may experience a further form of intersectional invisibility when they may not identify as Deaf or use sign language, while also facing significant barriers in hearing environments. Their communication requirements may consequently be overlooked both in spaces where accessibility for persons with hearing disabilities is limited to sign language provision and in settings that rely solely on spoken communication without appropriate support.

Additional location: Chapter III, Section K, paragraph 79, sentence beginning "They should remove physical, communication, digital and attitudinal barriers..."

Proposed action: Replace that sentence with the following wording.

They should remove physical, communication, digital and attitudinal barriers, including by providing captioning, speech-to-text services, assistive listening systems, accessible written information and sign language where required, according to individual communication requirements; establish accessible, inclusive and safe consultation and decision-making mechanisms; and protect women, adolescents and girls with disabilities from reprisals, stigma and economic retaliation for exercising their right to participate in political and public life and in organizations of persons with disabilities.

The Guidelines should recognize that many hard of hearing women may not identify as Deaf or use sign language, while also facing significant barriers in hearing environments. As their hearing loss is often invisible and their communication requirements may not be understood, they may experience exclusion in spaces where sign language is treated as the only accessibility measure for persons with hearing disabilities, as well as in settings that rely solely on spoken communication without appropriate support. This form of double exclusion can limit their participation and should be explicitly recognised. Women with hearing disabilities may experience different forms of exclusion depending on the visibility and level of their hearing loss, their communication preferences and the accessibility of the environment. This unique form of intersectional invisibility deserves explicit recognition.

13. Data collection

Location in the draft Guidelines: Chapter III, Section II, paragraph 62(f), at the end of the subparagraph.

Proposed action: Add the following sentence to the existing subparagraph.

Data concerning hearing disabilities should, where appropriate and with respect for self-identification, distinguish Deaf, hard of hearing and deafblind persons and capture communication preferences, accessibility requirements and use of assistive technologies.

Additional location: Chapter III, Section K, paragraph 82, after the first sentence ending "national policies, budgets, and services".

Proposed action: Insert the following sentence into paragraph 82.

Data on women and girls with hearing disabilities should be sufficiently disaggregated to avoid concealing differences in lived experience, accessibility barriers and support requirements, including differences related to hearing-related identity, degree and visibility of hearing loss, communication preferences and use of accessibility support.

The data section should recommend sufficiently disaggregated data to reflect the diversity of hearing loss and communication requirements. Aggregating all persons with hearing disabilities into a single category may conceal significant differences in lived experience, accessibility barriers and support needs. Data collection should, where appropriate and with respect for self-identification, distinguish between different forms of hearing loss, such as Deaf, hard of hearing and Deafblind.

Suggested additional paragraph

Women and girls with hearing disabilities are not a homogeneous group. Deaf, hard of hearing and deafblind women experience distinct and intersecting forms of discrimination shaped by their communication preferences, hearing identities, degree and visibility of hearing loss, use of spoken and/or sign languages, reliance on assistive technologies, and access to communication accommodations. Hard of hearing women, many of whom have invisible disabilities and primarily use spoken language, frequently encounter disbelief, pressure to conceal their disability, delayed recognition of support needs, denial of reasonable accommodation, and persistent communication fatigue arising from the expectation to function as hearing persons. These barriers often result in exclusion from education, employment, healthcare, justice and public participation despite formal equality. States parties should recognize these differentiated experiences and ensure that legislation, policies, services, accessibility measures and data collection reflect the diversity of women with hearing disabilities and address the specific forms of intersectional discrimination experienced by each group.

Conclusion

The draft is among the strongest recent UN texts on intersectionality. Its principal opportunity for improvement lies in making the experiences of hard of hearing women visible throughout the document. Doing so would better reflect the diversity of persons with hearing disabilities under the CRPD and strengthen the practical implementation of intersectional equality.

About EFHOH

The European Federation of Hard of Hearing People (EFHOH), established in 1993, is a non-profit organization representing hard of hearing and late-deafened individuals across Europe. EFHOH advocates for awareness and practical actions to eliminate barriers to access affordable hearing care and rehabilitation and create an accessible society through public services and assistive technologies. Its main objective is to protect and promote the rights of individuals with hearing loss in Europe.

