International Disability Alliance (IDA)
Member Organizations:
Disabled Peoples’ International, Down Syndrome International,
Federation of the Deaf, World Federation of the DeafBlind,
World Network of Users and Survivors of Psychiatry,
Arab Organization of Disabled People, European Disability Forum,
Red Latinoamericana de Organizaciones no Gubernamentales de Personas con Discapacidad y sus familias
(RIADIS), Pacific Disability Forum

TOWARDS THE FULL IMPLEMENTATION OF THE CRPD

Activities undertaken within and connected to the project supported by the
Australian Agency for International Development, Department for Disability-
Inclusive Development

Final Report

International Disability Alliance/ via European Disability Forum
AUSAID Agreement 55854

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1. Executive Summary

An increased demand for additional guidance on CRPD implementation is coming from Disabled People’s Organizations (DPOs) at country level as well as from all relevant actors involved with its implementation. To better understand how to respond to this demand, the International Disability Alliance (IDA) has held consultations and dialogue with DPOs, other civil society organizations (CSOs), international non-governmental organizations (INGOs), UN agencies, States, UN Human Rights Mechanisms, National Human Rights Institutions (NHRIs) and other relevant actors.

The dialogue promoted by IDA was part of the project supported by the Australian Agency for International Development (AusAID), with the aim of establishing an agreed process for the development of CRPD implementation guidelines.

A broad consultation process was developed to identify key issues related with the implementation of the CRPD.

In December 2010, IDA held an “Expert Meeting on Identifying Key Challenges for the Full and Effective Implementation of the CRPD”. A background discussion paper was produced and disseminated prior to the seminar on key issues related to the implementation of the Convention. In addition, an in-depth review of documents on implementation related to the CEDAW, CRC, CESCR, ICCPR and CAT, and on guidance documents on the CRPD was conducted in order to better understand existing guidelines on the CRPD and other UN human rights treaties.

The identified challenges were mainly related with needed reform of mainstream and disability-specific legislation as well as on the need to establish or modify policies in conformity with the CRPD. Furthermore, financial issues and the role of the UN system were debated during the Seminar. Beyond challenges, the Seminar highlighted new opportunities of work for IDA and DPOs, for instance, with respect to the United Nations Development Assistance Framework, OECD aid effectiveness work, disability rights budgeting and mainstreaming disability rights in the work of the UN agencies.

Another important moment was the second Civil Society Forum, held by IDA and co-organized in cooperation with the Department for Economic and Social Affairs for the UN (DESA) in September 2011 during the Fourth Conference of States Parties to the CRPD. With an interactive agenda and a diversity of participants, the Forum provided a high level of shared experiences on the implementation of the CRPD.

In November 2011, IDA hosted a second international Seminar, the “Workshop to establish a roadmap for CRPD implementation guidelines”. In addition to reviewing key issues and challenges identified so far, the aim of the workshop was to seek the inputs, experiences and views of different stakeholders on a proposed roadmap to establish implementation guidelines. There were two innovations during the workshop: the live webcast of the sessions and a special online forum, allowing virtual participants to interact and contribute to the workshop sessions.

The interactive format of the workshop facilitated participants to actively share their experiences and views regarding the main challenges of CRPD implementation as well as proposing ways to go forward, for instance, by providing gradual guidance on CRPD implementation through a series of modules, instead of through a unique guidelines document.
Thanks to the Implementation Project, IDA identified further ways to disseminate and share knowledge on CRPD implementation, for instance, IDA will be (i) newly establishing a journal on CRPD implementation, (ii) strengthening and/or establishing new thematic networks, (iv) restructuring the Civil Society Forum of the annual Conference of States Parties, and (iv) implementing the Training of Trainers, Advisors and Leaders Program (ToTAL).

The main conclusions of the Implementation Project are described throughout this report and reveal that the process itself is one of the most important aspects of the production of the guidelines. The conclusions place DPOs as key actors at the forefront of the elaboration process, as envisaged by the CRPD. The guidelines process should mainly target national DPOs allowing them to be better and further engaged in supporting CRPD implementation and in monitoring its implementation. On the other hand, DPOs should be involved throughout the entire elaboration process through broad consultation.

The elaboration of comprehensive guidelines on the CRPD implementation will be an enormous and challenging task, which requires the active participation of a diversity of stakeholders and certainly significant additional resources. The newly created Multi-Donor Trust Fund (MDTF) can and should become a source of funding for the development of such implementation guidelines.

2. Introduction

The ambition of the project was to generate a momentum to produce an internationally accepted CRPD Implementation Guidelines. The project started in April 2010 and was completed in December 2011.

In order to establish a process that should be participatory as well as empowering at the same time, IDA actively dialogue with relevant stakeholders, encouraged and facilitated exchange of information and knowledge, inspired and advocated for mainstreaming disability rights vis-à-vis UN mechanisms, and promoted capacity building of DPO representatives and other actors in a broad strategy which goes beyond this project, but is also part of it.

The structure of this Final Report follows the Project proposal’ structure submitted to and approved by AusAID. This Final Report, that IDA submits to AusAID upon completion of the project and soon after the second international Seminar, should be read together with previous documents sent to AusAID, which are included as annexes to this report.

A. Background

As already explained in the first Report that IDA submitted in March 2011, a Committee was established by the IDA Governing Body in charge of the management and monitoring of the project and a project officer (Tchaurea Fleury) was recruited to support the coordination of the project, under direct coordination of the IDA Chair, Governing Body and Executive Director.

In April 2011, IDA presented a proposal to AusAID on the way forward on the CRPD Implementation Guidelines Project, which mainly included a budget reallocation request to allow for a more ambitious second multi-stakeholder meeting as well as the production of a new IDA Journal, focusing on the CRPD implementation. AusAID approved the IDA request in mid July.
B. Specific outcomes and relevant documents project-related:

- Compilation of existing guidance documents related to the CRPD and other UN treaties (Annex I)
- Background paper on key issues related to the implementation of the Convention (Annex II)
- First Report on activities undertaken within and connected to this project (Annex III)
- Report of the first “Expert Meeting on Identifying Key Challenges for the Full and Effective Implementation of the CRPD” (Annex IV)
- Proposal on the way forward on the CRPD Implementation Guidelines Project (Annex V)
- Draft proposal for module structure guidelines (Annex VI)
- Matrix based on IDA members’ areas of interest in different CRPD articles for the implementation guidelines, in table and accessible formats (Annex VII)
- IDA document on "Steps after the CRPD Ratification" (Annex VIII)
- IDA document on "Influencing CCA and UNDAF Processes" (Annex IX)
- Report of the second expert meeting, the “Workshop to establish a roadmap for CRPD implementation guidelines” (Annex X)

3. Tasks carried out and achievements

A. E.R.1: Background information produced and disseminated

→ Conduct in-depth review of existing documents on CEDAW and CRC as well as review of international organizations publications related to key issues for CRPD implementation

The first action undertaken in this Project was conducting an in-depth review of existing guidelines documents on CEDAW, CRC and CRPD. However, the relevance and connection of other UN treaties with the CRPD obliged the review process to take into consideration, besides CEDAW and CRC, the CESC, ICCPR and CAT as well.

The review process resulted in the production of a compilation of more than a hundred existing guidance documents related to CRPD and the other treaties mentioned above. The compilation is an open-ended document, which means that it is continually being updated.

There are two kinds of compiled documents on the CRPD; some are broad and provide a general knowledge about the rights of persons with disabilities and state obligations; others are more focused on specific disability groups or rights (or clusters of rights).

First developed to provide support to the CRPD implementation guidelines process, the Compilation of Existing Guidance Documents on CRC, CEDAW, CESC, ICCPR, CAT and CRPD will generate a data basis to be published in the new IDA CRPD Partnership Forum website, when approved by the Governing Body. The actual version of the compilation is available on IDA’s website (www.internationaldisabilityalliance.org/en/crpd-implementation-guidelines-project).
Thanks to the first Multi-Stakeholder Seminar organized within the current project, IDA started to work on the United Nations Development Assistance Framework (UNDAF). During the Seminar, it became clear that UNDAFs have a potentially crucial role for the CRPD implementation in developing countries, as it should take into consideration governmental commitments under international treaties, including the CRPD.

However, one of the outcomes of the Seminar showed that there is a real lack of connection of the broad human rights based approach - which guides the UN agencies working at country level - with the CRPD. This lack of connection requires increased capacity of DPOs to be engaged with and influencing this complex process.

IDA focused some of its actions to better understand UNDAFs’ process in order to provide more action oriented advise to DPOs on how to influence mainstream disability rights and advocate for (more) disability-related budget in UN international cooperation.

First of all, and again thanks to the Seminar, IDA found that UNDAFs were being prepared or revised in more than 90 countries over 2011-2013. To better comprehend how those UNDAFs were addressing disability issues worldwide and impacting CRPD’s implementation at country level, the IDA Secretariat held an in depth analysis of the on-going UNDAFs and concluded that 60% of the eighty-three UNDAFs reviewed had no mention, or just one, to persons with disabilities or CRPD. This alarming findings confirmed IDA’s concerns.

IDA disseminated its findings and drew the attention of IDA members, other DPOs and partners, including CRPD Committee members, OHCHR Disability Focal Point, UNICEF Senior Adviser on Children with Disabilities, UNDP Policy Specialist on Social Inclusion, among others, to the lack of space given to the disability rights and the CRPD within the international cooperation agenda at country level.

Thereafter, IDA included the UNDAF’s revision or elaboration process in its advocacy work, starting at national level, through direct contact with UNCTs. Furthermore, IDA worked, through its capacity building project, to enhance DPOs capacity as UNCTs implementing partners. For instance, the National Federation of Malian Associations of Persons with Disabilities (FEMAPH), which is participating in IDA’s capacity building project, has become a relevant partner for UNDP Mali, to which it provides advise on disability issues.

Additionally, considering the complexity of existing guidance on this subject - and as a partial product of the Guidelines Project - IDA Secretariat elaborated a factsheet entitled “Influencing UNDAF Process”, which supports the capacity building project. The factsheet is available in the IDA website.

Now, IDA is advocating with the UN Chief Executive Board - which is chaired by the UN Secretary General and includes the leading representatives of all different UN entities - to promote a resolution on mainstreaming disability rights within the UN system.
Civil Society Forum - Fourth Conference of States Parties to the CRPD

In September 2011, IDA held the Second Civil Society Forum, co-organized in cooperation with the Department for Economic and Social Affairs for the UN (DESA), during the Fourth Conference of States Parties to the CRPD - one of the most relevant events related with the implementation of the CRPD.

Established to provoke high-level exchange information among national DPOs and NGOs on CRPD implementation related issues, the purpose of this Second Civil Society Forum was to engage DPOs and NGOs in a discussion and promote civil society involvement in the High-level Meeting on Disability and Development (HLMDD) to be held in 2013.

As stressed by the Chief of the DESA Secretariat for the CRPD, Mrs. Akiko Ito, the Civil Society Forum is “an important arena for disability community to join forces and build multistakeholder partnerships to advance common objective to promote mainstreaming of disability in all aspects of the work of the global community, as well as all societies in countries”.

IDA Chair, Diane Richler, opened the event and stated that people with disabilities have largely been invisible in the MDGs and international development programs. She provoked the audience by asking how it can change and how the High-level Meeting on Disability and Development could ensure and promote the inclusion of persons with disabilities in all aspects of development.

An important moment of the meeting was when the Chair of the Bureau of the Conference of States Parties, Mrs. Maria Larsson, Minister of Sweden for Children and the Elderly, recognized that, while the main responsibility to the realization of the rights of persons with disabilities is of governments, expertise and inspiration from civil society are crucial.

The meeting was very well attended by national DPOs from developed and developing countries, international NGOs, UN agencies, States Missions and other stakeholders, resulting in even more exchange of information among participants on CRPD implementation related issues. Information exchange was favored by a highly interactive agenda, which was dedicated to share good national and international work in supporting the CRPD implementation. To facilitate the process, IDA Secretariat prepared two questionnaires to be responded by national DPOs and international DPOs and NGOs. Based on responses received, IDA invited many organizations to briefly present their experiences. The whole process was very welcomed by the participants.

→ Office of the High Commissioner for Human Rights

a) Mainstreaming disability rights

Again fostered by the first Multi-Stakeholders Seminar; IDA increased knowledge on how the Office of the High Commissioner for Human Rights (OHCHR) supports the CRPD implementation at national and regional levels; and started to monitor OHCHR strategies to mainstream disability rights by OHCHR staff at international, regional and national levels.

IDA increased its dialogue with OHCHR representatives from several sections in Geneva, New York and in different countries in order to strengthen the work of each other in supporting the CRPD implementation.

For instance, the IDA Secretariat:
1. Participated in the OHCHR Validation Workshop of CRPD Training Material
2. Worked with the Anti-Discrimination Unit to influence the Strategic Planning process for 2012-2015 and mainstream disability rights within OHCHR actions
3. Establish close contact with the National Institutions and Regional Mechanisms Section (NIRMS), which provides support to National Human Rights Institutions - which are according to the main players in the monitoring and implementation of the CRPD.

Furthermore, the IDA Secretariat has analyzed relevant OHCHR documents that show the OHCHR work on international, regional and national levels, observing when and how disability rights are foreseen or missing in such documents.

For example, in June 2011, the OHCHR published its annual Report 2010, which gave a significant place to persons with disabilities in *Chapter 3 - Thematic Priorities, Discrimination section*, with examples of OHCHR’s good practices on the rights of persons with disabilities.

The IDA Secretariat prepared an analysis of the Report as an instrument to increase understanding and knowledge of DPOs and partners on the mainstreaming disability work realized by the OHCHR. IDA widely circulated it through its network and participated in the informal dialogue with civil society representatives promoted by the OHCHR to present its Report.

During this informal dialogue, IDA recommended to the OHCHR to include persons with disabilities in all expected accomplishments and outputs for 2010-2011, specifically by increasing:
1. The number of measures taken to improve access of persons with disabilities (EA4)
2. Participation of right-holders in decision-making processes (EA5)
3. Capacity building of OHCHR staff in regional offices and at the MENA desk to become familiar with the CRPD and include persons with disabilities in their work

b) NHRIs accreditation process

Due to the main role foreseen to National Human Rights Institutions (NHRIs) by the CRPD on its implementation and monitoring, IDA has actively participated in the periodical review of such Institutions’ status by the ICC Sub-Committee on Accreditation (SCA).
The IDA Secretariat encouraged national IDA members to participate of this revision process through a questionnaire on the disability work of those NHRI's. As an important result of such participation, the SCA gave significant attention to participation of civil society within the NHRI’s work, in its Report of May 2011, and, further, urged States to expand the budget of some NHRI's in order to improve their work vis-à-vis the CRPD and disability rights.

The IDA Secretariat prepared a compilation of disability-related recommendations from the SCA to the reviewed NHRI's, which circulated through IDA’s mailing list. The Report of the October 2011 Revision will be published soon.

B. E.R.2: Broad consultation process to identify key issues related with the implementation of the CRPD

➔ First International Multi-Stakeholder Seminar

As already presented in the partial Report to AusAID, IDA held the “Expert Meeting on Identifying Key Challenges for the Full and Effective Implementation of the CRPD”, on December 10, 2010, with the aim to explore the feasibility to produce CRPD implementation guidelines and focus on a number of key issues and challenges that need to be addressed for the full and effective implementation of the CRPD, with special attention to developing countries.

A background discussion paper was produced and disseminated prior to the seminar to stakeholders on key issues related to the implementation of the Convention.

The seminar was attended by a diversity of participants, which raised some of the main challenges for the implementation of the CRPD as well as examples of good practice.

Main challenges pointed out by participants were:

Session I: Challenges in reforming mainstream and disability-specific legislation
1. Lack of participation of persons with disabilities and DPOs in the UN and State Parties disability policies
2. Lack of funding support for DPO projects
3. Resistance to review existing laws, which are not in compliance with the CRPD, especially when these laws benefit specific group(s) of persons with disabilities
4. Lack of understanding of disability issues and participatory governance by policy makers
5. DPOs limited opportunities to develop required skills, capacity and resources to play an effective role
6. Development’ actors lack of awareness and capacity to become inclusive of and accessible to persons with disabilities
7. Lack of dissemination of knowledge and good practices

Session II: Establishing and/or modifying policies compatible with the CRPD
1. Understand which rights are immediately applicable and which may be progressively realized
2. Service oriented approach versus rights oriented approach

Session III: Financing the implementation of the CRPD
1. Limited data on how poverty has changed over time
2. Existing decision making- trends towards decentralization
3. Lack of technical resources to define the most effective policy to implement the Convention
4. Budget transparency
5. Funding support to bad practices - Donors and development agencies should do not support practices, which are not in compliance with the CRPD
6. Disability budget policy - Budgetary allocation analysis’ tool should be developed

Session IV: What can the UN system do to contribute to the implementation of CRPD?
1. Lack of capacity (UNDP, duty-bearers, rights-holders) and crowded policy making space
2. UNDP’s decentralized business model and competing priorities
3. Lack of financial resources, which led to the discussion about a Thematic Multi Donor Trust Fund
4. Disconnection of the CRPD from the broad human rights based approach
5. Lack of understanding on how to connect principles and standards of the CRPD with other treaties
6. A tendency to repackage existing work without taking into consideration the standards of the CRPD
7. Lack of organizational policy on disabilities
8. Indicators to monitor and evaluate inclusive programming have not been developed
9. Training programme on disability needed

New areas and opportunities for IDA’s and DPOs’ work

Further than identify key challenges, the First Multi-Stakeholder Seminar raised new areas and opportunities of work for IDA and DPOs, such as:

1. Be involved in the Fourth UN Development Group High Level Forum on Aid Effectiveness, in Busan, and become an actor at Better Aid (see further information in the Conclusion session of this report).

2. Disability rights budgeting - IDA started to work on disability rights budgeting with DPOs. Successful processes are currently being carried out in India - where a budget monitoring work is being done – and in Philippines – where DPOs are preparing disability rights budget analysis with the support of Social Watch Philippines (see further information in the Conclusion session of this report).

IDA members consultation on areas of interest for the Implementation Guidelines

Following a decision taken at the first meeting of the CRPD Implementation Guidelines Committee, IDA members were consulted on what areas they would be willing to work or to lead on the Implementation Guidelines elaboration process.

IDA members indicated that their priorities were: Article 19 (Living independently and being included in the community), Article 24 (Education) and Article 27 (Work and employment).

Further, the two main common areas of interest designated by IDA members in case that it would be decided to produce two pilot modules were on Article 21 (Freedom of expression, opinion and access to information) and Article 24 (Education).


→ Second International Multi-Stakeholder Seminar

Following the first Multi-Stakeholder Seminar – and after substantive discussions had taken place within IDA and with relevant stakeholders, in particular during the Fourth Conference of States Parties to the CRPD – IDA hosted a second Seminar, the “Workshop to establish a roadmap for CRPD implementation guidelines”, in Geneva, on 14 and 15 November 2011.

The Workshop aimed to (i) review key issues and challenges identified so far and (ii) seek the inputs, experiences and views of right-holders and stakeholders as a basis for the preparation of the roadmap to establish such guidelines.

The Workshop was action oriented with working groups testing the proposed methodology, roadmap and process for the production of such guidance. Participants from diverse constituencies attended the workshop, including national and international DPOs, UN agencies, States missions to the UN in Geneva and international development and disability NGOs.

- Webcast and Online Forum
People from all over the world were able to follow the Workshop through the live webcast of the meeting. In addition, a special online forum was created, which allowed virtual participants (consisting mainly of DPO representatives) to interact with two "virtual" working groups to present ideas, suggestions and questions. The IDA Secretariat facilitated the virtual discussions. Recorded videos are available under www.livestream.com/ida_crpd.

- Main challenges of the CRPD implementation:

The very interactive format of the Workshop facilitated participants to actively share their experiences and views regarding the main challenges of the CRPD implementation. Those challenges can be regrouped by:

- The complexity of the CRPD
  Due to its nature as an international treaty, the CRPD does not provide full guidance to national DPOs to support national implementation. Further, it is a complex multi-dimensional document, with many vertical and horizontal issues.

- The CRPD- and policy making-related challenges
  Participants identified two main categories of implementation challenges:

  a) CRPD-related issues: education, employment, legal capacity, social protection (mainstream versus specific programs), non-discrimination (including the denial of reasonable accommodation) and States Parties obligation to protect vis-à-vis the private sector.
  Furthermore, some constituencies are often not taken into consideration; for instance, the lack of knowledge related to persons with intellectual or psychosocial disabilities prevents those groups from exercising their full rights.

  b) Policy making issues: bad governance, corruption, lack of consultation with DPOs and civil society, lack of legal revision, lack of budgetary provision and inadequate or inexistent service delivery.
Lack of knowledge and capacity of national DPOs
There is a need to develop DPOs' knowledge and capacity to ensure that they have an influential impact on legislative reform, policy redesign (both specific and mainstream) as well as disability rights budgeting.

Large differences between States Parties
Each State approaches the CRPD implementation differently. While some do not even have a version of the CRPD translated in the national language, others have a comprehensive disability national plan.

Lack of DPOs involvement in the political process
DPOs very often lack the requisite knowledge to be engaged in political processes in a strategic way.

Invisibility of some groups of persons with disabilities
It is common that national coalitions do not represent all groups of persons with disabilities, including the extremely poor and people with intellectual or psychosocial disability.

DPOs as service providers
Many DPOs assume the role of service provider, even in domains under the States' responsibility, such as education and health, which limits their capacity to engage in advocacy work.

**- Foundational Module**
Participants proposed to start the guidelines elaboration by having a foundational module. This foundational module should represent a core study from Articles 1 to 5 of the CRPD, covering: Preamble, General Principles, Article 4 (3) and Non-discrimination.
Furthermore, the foundational module should include crosscutting articles and issues (such as Articles 6 to 9 and indigenous people), providing interpretation on horizontal issues.

**- Specific modules**
The foundational module should be followed by specific modules, which should focus on specific rights or clusters of rights of the CRPD.

Participants indicated the following articles as their priorities, by order of relevance:
Article 29  (Participation in political and public life)
Article 28  (Adequate standard of living and social protection), combined with Article 19 (Living independently and being included in the community) and Article 23 (Respect for home and family)
Article 21  (Freedom of expression, opinion and access to information)
Article 33  (National implementation and monitoring)
Article 11  (Situations of risk and humanitarian emergencies)
Article 24  (Education)
Article 12  (Equal recognition before the law)
Article 13  (Access to justice)
Article 27  (Employment)
- **Target group**
Participants widely agreed that DPO representatives are the main target group of such guidelines, which will at the same time benefit different stakeholders.

Moreover, persons with disabilities, as right-holders, have a double role to play: as target group, sure, but also as elaborators of the CRPD implementation guidelines as such.

- **Proposals**
Additionally, participants made several proposals and urged IDA to use the CRPD Implementation Guidelines process to (i) build capacity of national DPOs, (ii) reinforce their knowledge and (iii) strengthen their advocacy work.

- **New Journal to support CRPD implementation**
As part of a broad strategy to respond to the demands for guidance coming from national DPOs, IDA presented two initiatives which relate to the CRPD Implementation Guidelines: the new CRPD implementation related Journal and the Training of Trainers, Advisors and Leaders Program (ToTAL), in order to strengthen the knowledge of persons with disabilities on CRPD provisions and standards. Participants welcomed both projects.

See further information on the new IDA Journal below in the session ‘Findings, future possibilities and conclusions’.

- **Conclusions**
It was largely agreed that there is a need for more support to allow national DPOs — which are the main target group of such Guidelines — to effectively play their role as foreseen in the Convention. A DPO-driven process to elaborate CRPD Implementation Guidelines can constitute such support and IDA has a main role to play facilitating this process and catalyzing energies, knowledge and experiences.

There was a consensus that the elaboration of comprehensive guidelines will be a huge and challenging task; for this reason, it should be elaborated gradually and in partnership with relevant stakeholders.

→ **Multi Donor Trust Fund on Disability**

As highlighted in the IDA’s Proposal Project to AusAID, IDA advocated for the creation of a Multi Donor Trust Fund (MDTF) for the implementation of the CRPD with the objective, among others, that the MDTF becomes a possible source of funding for the development of Implementation Guidelines.

After strong advocacy work with UN Agencies and States Parties to the CRPD, the *UN Partnership for the Rights of Persons with Disabilities* (MDTF’s formal name), was launched in December 2011. The Partnership was established by six UN agencies: UNDP, OHCHR, WHO, ILO, UNICEF and UN DESA.

The UNPRPD MDTF will primarily support joint programmes in which participating UN agencies collaborate around common programmatic goals; it is foreseen that this Fund would be one way to harness international cooperation to promote implementation of the Convention, through its four Thematic Priorities are:
1. Capacity development for the implementation of the CRPD and its ratification
2. Establishment or strengthening of mechanisms enhancing dialogue
3. Supporting the production of relevant data and research, such as the implementation guidelines
4. Promotion of mechanisms to prevent development funds from creating or perpetuating barriers to participation and inclusion

The Policy Board will consist of a representative of each of the founding UN Organizations plus two civil society representatives, among others. Thanks to the main role played by IDA in the creation and establishment of this Partnership, it is foreseen that IDA will be one of the civil society organizations to compose the decision making body of the MDTF.

→ Link with other IDA’ projects and areas of work

- Capacity Building Project
The more IDA advanced in its advocacy work towards the full and effective implementation of the CRPD, the more IDA realized DPOs’ needs of capacity building. It created a synergy between the CRPD IDA Implementation Guidelines Project and the Capacity Building Project, which were developed in parallel and became mutually supportive.

For example, training materials developed by the Capacity Building Project will be used, to a large extent, as basis for the foundational module of the Guidelines. On the other hand, background papers and/or factsheets produced by the Implementation Guidelines Project were used during the trainings. It is also true regarding good and bad examples of the CRPD Implementation; partners contact, and so, which are shared and feed both projects.

In addition, the two Multi-Stakeholders Seminars as well as the national training workshops were (and are, in the case of the trainings) privileged moments to enhance IDA’s knowledge on the CRPD implementation’ challenges and, at the same time, opportunities to collect and widely share information.

In 2011, IDA organized or participated of workshops in Dominican Republic, Egypt, El Salvador, India, Korea, Mali, Mexico, Nepal, Panama, Peru, Philippines, Rwanda, Tunisia and Uganda, which very often counted with the participation of IDA members representatives and the participation of the Implementation Guidelines Project Officer, who was in charge of the Malian workshop.

Training and Exchange Workshops
In addition, with the strategy to link IDA’s capacity building project with the CRPD implementation project, IDA organized ‘Training and Exchange Workshops on Monitoring and Implementing the CRPD’, in Geneva, in parallel to the CRPD Committee sessions with the aim to promote the exchange of information and experience among DPOs involved in parallel reporting from Hungary, India, Morocco, Peru and Philippines - the first group - and Argentina, Brazil, India, Nepal, Philippines and Uganda - the second group.

Both workshops benefitted from the active involvement of IDA members, UN agencies representatives, UN CRPD Committee members and INGOs, allowing very rich exchanges between them and participants. Those activities have contributed to strengthen IDA’s perception of the needs of national DPOs and DPO coalitions with regards to CRPD implementation.
Another area of interaction with the Implementation Guidelines project is IDA’s global advocacy work vis-à-vis the CRPD Committee, mainstream UN Treaty Bodies and the Universal Periodic Review (UPR) of the Human Rights Council.

The CRPD Committee
Recognizing the relevance of the CRPD Committee on the CRPD interpretation, IDA has been strongly involved with the Committee’s work, by facilitating DPOs involvement in the reporting process. For instance, IDA held two consultation workshops in Tunisia to discuss the situation of persons with disabilities and provided a written submission on proposed recommendations. In a private session with the Committee members, IDA presented its findings and answered questions of the Committee members.

IDA has also hosted side events on Spain and Peru at which national DPOs presented their main concerns with respect to the implementation of the Convention.

In addition, IDA influenced Concluding Observations on Tunisia and Spain, by providing written submissions on proposed recommendations. The Committee has largely incorporated those recommendations in its Concluding Observations.

Mainstream UN Treaty Bodies and UPR
IDA has also focused its advocacy work in the CRC, CEDAW, HRC, CESCR and CAT Committees and with the UPR process, to increase CRPD visibility and to ensure that the “jurisprudence” of those UN Human Rights mechanisms is not inconsistent with the CRPD.

IDA has actively influenced those mechanisms, provoking relevant international recommendations in regards to the implementation of disability rights.

Among the main activities developed, IDA has been:

1. Proposing list of issues and recommendations for the Concluding Observations of the States under revision
2. Participating during days of general discussion and presenting inputs on upcoming General Comments
3. Mobilizing national DPOs to brief Committee members or States Missions representatives on specific challenges for the implementation of the respective Conventions
4. Being engaged with OHCHR studies, which are recommended by the Human Rights Council

4. Project implementation

A. The IDA CRPD Implementation Guideline Committee

The Implementation Guidelines Project has been discussed during all relevant IDA Governing Body meetings held in 2010 and 2011. Furthermore, during this period, the IDA CRPD Implementation Guideline Committee met twice; for the first time to consider the next steps towards the implementation guidelines (further information was provided in the first Report to AusAID) and the second time on the day before of
the Second Multi-Stakeholder Seminar, with the goal to agree on a clear proposal on how to produce the Implementation Guidelines.

The members of the Committee recognized (i) the importance to have such guidelines, (ii) the high demand from DPOs, and (iii) the difficulty faced regarding to policy and budgetary issues. For them, the oversee way to produce this guideline is by modules, with the support and coordination of specific steering committees, constituted by IDA members and relevant stakeholders.

IDA members discussed and agreed on the idea to produce a new IDA Journal linked with the CRPD Implementation Guidelines process, which seeks to share knowledge, experiences and good practices, through topic specific issues. IDA members agreed that this approach is the easiest in order to focus, ask internal contribution from IDA members and identify external stakeholders to contribute with it.

The Committee’ members decided that the process itself is one of the most important aspects of the production of the guidelines. Further, they agreed on the proposed draft roadmap of the CRPD Implementation Guidelines Modules, which should be tested during the Workshop by practical exercises.

B. Collaboration with other stakeholders as part of the project

Thanks to the well attended Civil Society Forum and a side event co-organized by IDA in New York, on September 2011, and through the Second Multi-Stakeholder Seminar, on November 2011, IDA has strengthened collaboration with the Organization Internationale de la Francophonie (OIF), the International Disability and Development Consortium (IDDC) and its members, donors including the Open Society Foundations (OSF), Disability Rights Fund (DRF) and Wellspring Advisors, international organizations working in the area of disability like DRPI, DRI, with mainstream human rights organizations as well as country missions representatives, in order to benefit from their experience and knowledge in the implementation of international treaties, which at the same time contributes to an increase in their involvement in disability rights.

The organizations that have attended these meetings are important allies of this process and will surely continue to be important allies in any future CRPD implementation related initiative.

5. Gender

Many of the activities undertaken have included gender specific elements, including:

- Compilation of documents
- Multi-stakeholder seminars, which included experiences on gender mainstreaming in international co-operation
- Questionnaires
- Training workshops attended and performed
6. Findings, future possibilities and conclusions

- Findings
The implementation of the project has been influenced by a permanent struggle to find a balance between two somehow conflicting reflections.

On one hand, the project has been based and has itself contributed to an increased awareness among IDA members, other NGOs and DPOs, UN agencies for the need to provide additional guidance on the implementation of the CRPD, in particular in those more innovative and complex areas. The recognition of this need is clearly the most relevant contribution that this project has made.

At the same time, it has been increasingly clear that the endeavor to produce comprehensive CRPD implementation guidelines is extremely complex and ambitious, in particular if it is to be approached in a participatory way that contributes to the capacity building of all stakeholders involved, in particular national DPOs. The proposed multi-stakeholder approach as presented to the second international seminar was based on the strong belief that such an ambitious process required the active participation of all relevant stakeholders. At the same time, this led to the reflection that such a process required significant additional resources. However, the meeting held by IDA with donors and allies on the day after the second international seminar, also showed that it will not be easy to raise resources in such a way to ensure the successful undertaking of the process.

Moreover, it is in those areas where guidance is more clearly requested, where it is fair to say that currently the knowledge does not yet exist at a sufficient level to provide guidance in any definite way.

Proposing a gradual, modular approach as it was presented to the second international seminar was based on the recognition of the capacity challenges described before.

When combining the capacity challenges, limited resource availability and the lack of sufficient knowledge in some of the areas, lead us to propose a different way forward which, while being less ambitious than the initial idea, should still allow for a process and outcomes that can provide useful guidance on national DPOs (and other stakeholders) on the implementation of the CRPD.

- Future possibilities
At this stage, IDA will pursue the journey initiated with this project by promoting 4 strongly interrelated initiatives:

1. Promote the establishment of new and strengthen existing thematic networks focused on specific areas of the CRPD
2. Increase the relevance of the civil society dimension of the annual Conference of States Parties (which will become the annual meeting of the CRPD Partnership Forum) as the annual world conference where progress in the implementation of the CRPD can be widely shared
3. Launch of the IDA Journal focused on producing two thematic issues per year
4. Expand IDA’s website or promote a new website, together with other partners, which would be the central information hub on CRPD implementation related issues
Thematic Networks

The discussions around the CRPD implementation guidelines have clearly shown that thematic work with a meaningful involvement of all relevant stakeholders (and in particular national DPOs) will be a challenge. However, there are some more or less structured examples that show that certain issues are best promoted through the establishment of focused networks.

IDA is currently studying the feasibility to establish/strengthening Thematic Networks. Acting as facilitator, IDA could both encourage the establishment/strengthening (and funding by donors) of networks and provide these with a space to present their main findings. This could be the annual meeting (of the CRPD Partnership Forum) to be held the day (or two days) prior the annual Conference of States Parties.

Additionally, a webpage could be created in a "Wiki" format, providing space for DPOs and relevant stakeholders to share information and material as well as to provoke discussion in the related theme. This page could be hosted within IDA website (CRPD Partnership) or in other websites.

Functioning and composition of networks

It is not for IDA to decide on the functioning of each of these networks and very often it will depend on available funding. For networks led by IDA members, it might be appropriate to establish some very general criteria or recommendations:
- Membership open to national and international organisations working (or interested) in the specific topic
- Annual report/update to be presented to the annual meeting in New York
- Ad hoc listserve to facilitate exchange of information
- Updated information on the network section of the IDA website or on its own website

It also seems appropriate that IDA can benefit from the thematic work of the different networks in its own advocacy work, capacity building project and CRPD Guidelines process. This could be done by using the materials, reports, findings of their work, but also by requesting the contribution from the network on specific initiatives. This approach would ensure a strengthening IDA’s broad strategy of work (Guidelines process + Capacity building + Advocacy work). Further information will be available after the next IDA Governing Body meeting, to be held in March 2012.

Annual CRPD Partnership Forum

IDA has an influential role with the Conference of States Parties and has promoted a much welcome initiative to create a DPO-led civil society place (the Civil Society Forum) connected to the COP. After two years, and thanks to the Second Civil Society Forum, which showed the potentiality that IDA can further explore, IDA is convinced that more efforts can be made in order to increase the relevance and effectiveness of this Forum.

For this reason, IDA foresees that the current Civil Society Forum can be converted into the Annual CRPD Partnership Forum where progress in the implementation of the CRPD can be widely shared.
There is an enormous amount of learning occurring at the national level. It is crucial to absorb this collective knowledge and share it among member organizations.

Thanks to the CRPD Implementation Guidelines process, IDA will launch a Journal focused on the implementation of the CRPD. The aim of the Journal is to gather information related to the CRPD implementation from national level, covering good examples of DPOs participation and involvement in CRPD implementation.

Two issues would be launched each year; the first is on the Right to Vote (Article 29) and the second on Access to Justice (Article 13). Each Journal issue will be providing guidance on specific rights, or cluster of rights and, for this reason, the choice of the two first topics is pertinent while they are focused, relevant for all disability constituencies and have links with the more innovative provisions of the CRPD, both being linked with Article 12, in particular.

For each Journal, an editorial board will be established. This board will be in charge of overseeing the Journal content and should be responsible at least for the content coming from IDA members.

Follow up to each Journal
A time-limited online forum on the IDA website (or through the IDA Facebook) should be available after each Journal is launched to allow for feedback to the Journal.

IDA Website
IDA has continued to use the "IDA CRPD Forum Listserve" in order to facilitate exchange of information and experiences around the interpretation and implementation of the CRPD, sharing documents and reports, and exchanging support.

With the aim to go further and increase the potential of such “Forum Listserve”, IDA is seeking to produce a new website, with the main objective to create a centralized website where national, regional and global DPOs and other stakeholders can access information relevant to the implementation of the CRPD. The website might be a joint project in partnership with other stakeholders to ensure synergies with work already done in this area by others like DRF, Handicap International (Making it Work), and so.

Proposed structure
The website would be organized by thematic issues like relevant articles (or clusters of articles) of the Convention. The type of information to be included within each thematic issue would be:
- Concluding observations of the CRPD Committee and of other UN Treaty Bodies
- Reports from UN agencies
- Resolutions from UN bodies (General Assembly, Human Rights Council, others)
- Relevant Court cases
- Documents from IDA and IDA members
- Documents/position papers from other international or national organisations, including extracts from States reports and parallel reports
- Examples of international co-operation in this field
- Information about national situations
- IDA Journal issues
- Information, if relevant, from thematic network(s) in this area
- Checklists produced by IDA
- Indicators, where these exist.
- Links to relevant websites

The website could also provide a space for time limited thematic discussions (as proposed for the follow-up to the launch of the IDA Journal). Further information will be available after the next IDA Governing Body meeting, to be held in March 2012.

- Conclusions

As already mentioned before, the current project has strongly influenced as well as benefitted from the other work undertaken by IDA both in the area of capacity building as well as global advocacy work.

Good examples of this impact are those advocacy related areas that had not been approached by IDA until now. The work on UNDAF has already been briefly mentioned, but two other areas deserve special attention:
- Disability rights budgeting
- OECD aid effectiveness work

Disability rights budgeting is a new area for DPOs, especially when compared with the work in the areas of gender budgeting and child rights budgeting.

IDA has started to focus on this area by supporting national DPOs in India and Philippines work in this area. In both cases, the work will be done in co-operation and with the support of mainstream social budgeting NGOs, which should not only accelerate the acquisition of knowledge by DPOs, but also start putting disability rights budgeting on the agenda of mainstream social budgeting NGOs. Once the first lessons can be drawn from initiative (for which additional support has been obtained from CBM, one of the international disability and development NGOs with which IDA has strongly co-operated during this project) and from an expert workshop to be held with UNICEF, a guidance document for national DPOs on disability rights budgeting will be produced.

OECD aid effectiveness work

IDA and the larger disability community had been until 2011 completely absent from the OECD aid effectiveness work. During 2011, IDA has worked hard to get some visibility for disability rights in the High Level Forum on aid effectiveness, which was held in Busan in late November/early December 2011.

IDA has become a member of Better Aid, the umbrella platform of civil society organisation working on aid effectiveness, and through this as well as through direct contacts with some Governments (US, Australia, Finland, Japan), contributed to an increasing attention to the rights of persons with disabilities in this area. This will require now adequate follow-up.

The description of this last activity, undertaken outside of the project, but which was initiated thanks to the inputs received during the project (in particular during the first international seminar) show another of the difficult balances that have characterized the current project and IDA’s work in general. It relates to the need to find a balance between the necessary internal reflection (among IDA members and with other stakeholders) on how to interpret the CRPD, on what guidance to give to national DPOs, with the need at
the same time to be active externally in order to increase the resources which would be available, in particular in developing countries, for the implementation of the CRPD.

It would be of little use to have very detailed guidelines and not to have contributed to an increased availability of resources for the actual implementation of recommendations made.

IDA is currently preparing its three years strategic framework (2013-2015) and the lessons learned from this important project will feature prominently in this new strategy.


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<th>Type of action</th>
<th>Initial request to AusAID (in Aus $)</th>
<th>Actual expenditure in Aus$</th>
<th>Actual expenditure in Euros</th>
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<td>Regional consultations</td>
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<td>Held in December 2010</td>
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<td>Second international seminar</td>
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<td>52,399</td>
<td>37,282.85</td>
<td>Held on November 14 and 15 2011</td>
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</table>

The exchange rate used is 1,405 Aus$ to the Euro, as this was the rate applied to the amount received, which was changed to Euros.

The actual expenditure incurred during the project was mainly concentrated in three types of expenses:

1. First International Seminar held in December 2010 in Geneva with a total cost of 34,470 Aus$, costs mainly related to travel and subsistence expenses as well as relevant meeting and accessibility related expenses. The accessibility related expenses of the meeting were approx. 5,600 Aus$.

2. Second International Seminar held in November 2011 in Geneva with a total cost of 54,580 Aus$ composed mainly of travel and subsistence expenses, as well as relevant meeting and accessibility related expenses. The accessibility related expenses of this meeting were roughly 11,700 Aus$.

3. The staff expenses related to the part-time project coordinator for the time August 2010 until December 2011, a cost that has been of 81,258 Aus$. Her work has included, among others the following tasks:

Production of background documents:
- Preparation of different documents, compilations and reports, including reports of the initial and second multi-stakeholders international meeting
- Research work on implementation guidelines prepared for other human rights treaties, UN agencies and other stakeholders
- Support the research on key challenges for the CRPD Implementation
- Preparation of reports to IDA Governing Body
- Preparation of questionnaires to collect CRPD related information
- Elaboration of the factsheet "Influencing UNDAF Process"
- Revision of documents related to the CRPD Implementation
- Analysis of the OHCHR Report 2010, with the goal to know how persons with disabilities and disability rights were addressed by the OHCHR in the headquarters and in the field
- Analysis of mainstream OHCHR documents to find out if and how those documents are making references to persons with disabilities; in order to support advocacy work

Collection of project related information:
- Establish contact with many DPOs, NGOs, UN Country Teams staff, NHRIs and other stakeholders in order to collect information about practical examples of the CRPD implementation at country level in West Africa, Latin America, Europe and Asia-Pacific
- General revision of on-going UNDAFs to understand if and how they were supporting the CRPD implementation
- Contact relevant UN staff to better understand how to influence UNDAFs
- Encourage IDA members and DPOs to participate of the annual status revision of NHRIs, due to the roles that NHRIs can play on supporting the CRPD implementation

Sharing of information and trainings:
- Participation in the OHCHR CRPD Validation Workshop for material training, providing inputs and collecting good CRPD implementation practices from UNCTs
- Organization and participation in meetings with Treaty Body members to increase visibility of IDA work in Geneva
- Facilitate contact between DPOs with OHCHR staff and Treaty Body members to increase knowledge of DPOs on the UN Human Rights mechanisms and, on the other hand, to promote awareness of human rights workers on key issues of the CRPD implementation at country level
- In charge of West African countries for actions of capacity building on monitoring and supporting the CRPD implementation (Mali and Senegal)

Organization of meetings:
- Support in the preparation of different international meetings on the project: the First and Second Multi-Stakeholder Seminar, and two CRPD Guidelines Committee meetings
- Support in the preparation of different international meetings not part of the project, but linked with it, for instance, IDA Governing Body and ‘Training and Exchange Workshops’
- Organization of meetings between IDA members (Chair) and OHCHR Chief of Sessions
- Co-organization of meeting within OHCHR to raise awareness on disability rights of its staff, with the participation of many IDA members

Administrative support:
- Support in monitoring the project’s budget and timetable
- Support to the IDA CRPD Implementation Guideline Committee
- Monitor the gender mainstreaming aspect of the project

Very often, analysis of resource material and contact established with DPOs at national level, UN Country Teams and other partners were made in other languages than English (French, Portuguese of Spanish).
Annexes

Annex I  Compilation of existing guidance documents related to the CRPD and other UN treaties (in short version)

I. Guidelines on the UN Conventions, from UN Agencies

**CRC**
- The State of the World’s Children (UNICEF)
- Handbook on Legislative Reform: Realising Children’s Rights (UNICEF)

**CEDAW**
- Bringing Equality Home - Implementing the Convention on the Elimination of All Forms of Discrimination Against Women (UNIFEM)
  www.unifem.org/attachments/products/BringingEqualityHome_eng.pdf
- Discrimination against Women: The Convention and the Committee (OHCHR)
  www.ohchr.org/Documents/Publications/FactSheet22en.pdf

**CESCR**
- Frequently Asked Questions and Answers on ESCR (OHCHR)
  www.ohchr.org/Documents/Publications/FactSheet33en.pdf
  www.ohchr.org/Documents/Publications/training12en.pdf
- The Committee on Economic, Social and Cultural Rights (OHCHR)
  www.ohchr.org/Documents/Publications/FactSheet16rev.1en.pdf

**ICCPR**
- Civil and Political Rights: The Human Rights Committee - Fact Sheet n°. 15 (OHCHR)
www.ohchr.org/Documents/Publications/FactSheet15rev.1en.pdf

- General Comment 25 - The right to participate in public affairs, voting rights and the right of equal access to public service (CCPR/C/21/Rev.1/Add.7)  

CAT
- Optional Protocol to the UN Convention against Torture Implementation Manual (revised edition) (APT & IIIHR)  

- Combating Torture - Fact Sheet n° 4 (OHCHR)  
  www.ohchr.org/Documents/Publications/FactSheet4Rev.1en.pdf

- Preventing Torture: An Operational Guide for National Human Rights Institutions (APF, APT and OHCHR)  

- Establishment and Designation of National Preventive Mechanisms under the Optional Protocol to the UN Convention Against Torture (APT)  

CRPD
- World Report on Disability (WHO/World Bank)  

- Including the rights of persons with disabilities in United Nations programming at country level (UNDP/IASG/TT)  


- From Exclusion to Equality - Realizing the rights of persons with disabilities (UN-DESA/OHCHR/IPU)  
  www.ohchr.org/Documents/Publications/training14en.pdf

- Convention on the Rights of Persons with Disabilities: Its implementation and relevance for the World Bank  
II. Guidelines on UN CRPD, from IDA members

- Priorities for People with Intellectual Disabilities in Implementing the United Nations Convention on the Rights of People with Disabilities: The Road Ahead (II)
  www.dds.ca.gov/ConsumerCorner/docs/InclusionCRPDPriorities.pdf

- Towards an Inclusive Society (EBU)
  www.euroblind.org/media/ebu-media/Towards.pdf

- The United Nations International Convention on the Rights of Persons with Disabilities commented by its Protagonists (Down España)

- A Universal Voice (WBU)

- Deaf People and Human Rights (WFD)


- Training Manual on the Human Rights of Persons with Disabilities - The participation of the organizations of people with disabilities and their families, in the process of ratifying, monitoring and implementing the CRPD (DPI Italia & AIFO)

- Guidance document on the Convention on the rights of persons with disabilities (EDF)

- Ratification Tool Kit: Disability Rights = Human Rights (DPI)
  www.icrpd.net/ratification/en/toolkit/section1.htm

- Implementation Tool Kit: Disability Rights = Human Rights (DPI)
  www.icrpd.net/implementation/en/toolkit/section1.htm

III. Guidelines on UN CRPD, from relevant stakeholders

- Understanding the UN Convention on the Rights of Persons with Disabilities – A Handbook on the Human Rights of Persons with Disabilities (HI)
  www.makingitwork-crpd.org/fileadmin/user/CRPD_Resources/HICRPDMANual.pdf
IV. Guidelines and other documents on (or relevant to) specific UN CRPD Articles

Preamble, Purpose, Definitions, General principles and Equality and non-discrimination

- The Convention on the Rights of Persons with Disabilities: Key legislative measures for its effective implementation (Silvia Lavagnoli)

- A Human Rights-Based Approach to Programming: Practical Information and Training Materials (UNFPA)

- Hear our Voices – People with an Intellectual Disability and their Families Speak out on Poverty and Exclusion (II)
  ii.gmalik.com/pdfs/Hear_Our_Voices_with_Covers.pdf

- Priorities for People with Intellectual Disabilities in Implementing the United Nations Convention on the Rights of People with Disabilities: The Road Ahead
Women with disabilities

- The Role of Women with Disabilities in Community Based Inclusive Development (Abia Akram)

- Women, Disability and Violence: Strategies to Increase Physical and Programmatic Access to Victims’ Services for Women with Disabilities (Dr. Lisa McClain, Boise State University)

- Violence Against Women with Disabilities (The International Network of Women with Disabilities)

- Women with Disabilities & The Human Right to Health: A Policy Paper (WWDA)

- Guide on How to Integrate Disability into Gender Assessments and Analyses (USAID)

- Disability Rights, Gender, and Development - A Resource Tool for Action (UN CRPD/DESA, UNFPA, Wellesley Centers for Women)

- Gendering the Draft Comprehensive and Integral International Convention on the Protection and Promotion of the Rights and Dignity of Persons with Disabilities (DPI)

Children with disabilities


- See Me, Hear Me: A guide to using the UN Convention on the Rights of Persons with Disabilities to promote the rights of children (Save the Children)

- Missing voices: Children with disabilities in Africa (Ethiopian Centre for Disability and Development)

- Children with disabilities (ARC resource pack)

- Participation and inclusion (ARC resource pack)

- Monitoring Child Disability in Developing Countries, Results from the Multiple Indicator Cluster Surveys (UNICEF/University of Wisconsin)


- The Rights of Children with Disabilities - General Comment No. 9

Awareness-raising

- A Handbook on Mainstreaming Disability (VSO, European Union, Cordaid)
- A practical guide for journalists on how to include persons with disabilities (African Decade)

**Accessibility**

- Accessibility Guidelines For Hard of Hearing People (IFHOH)

- Web Accessibility Policy Making: An International Perspective (G3ict)

- The CRPD: A New Agenda for Digital Accessibility and Assistive Technologies (G3ict)

- The Accessibility Imperative - Implications of the Convention on the Rights of Persons with Disabilities for Information and Communication Technologies (G3ict)

- The Digital Accessibility and Inclusion Index - Assessment tools to monitor and benchmark the implementation by countries of the Digital Accessibility Agenda set by the Convention on the Rights of Persons with Disabilities (G3ict)

- Accessibility to ICT Products and services by Disabled and Elderly People - Towards a framework for further development of EU legislation or other co-ordination measures on eAccessibility (European Commission)

- Accessibility – How to design and promote an environment accessible to all? (HI)

**Situations of risk and humanitarian emergencies**

- Disability in displacement (Aleema Shivji)

- Climate Change in the Work of the Committee on Economic, Social and Cultural Rights (Friedrich Ebert Stiftung/Housing&Land Rights Network/Ciel)

- The Human Right of the Poor in a Changing Global Climate (Friedrich Ebert Stiftung)

- Disabilities among refugees

  www.womensrefugeecommission.org/docs/disab_res_kit.pdf

**Freedom from torture or cruel, inhuman or degrading treatment or punishment**

- The United Nations Convention of the Rights of Persons with Disabilities and the Right to be Free from Nonconsensual Psychiatric Interventions (Syracuse Journal of International Law and Commerce)

- Study on the phenomena of torture, cruel, inhuman or degrading treatment or punishment in the world, including an assessment of conditions of detention (A/HRC/13/39/Add.5)

- The Establishment and Designation of National Preventive Mechanisms (APT)
- Torture in International Law - A guide to jurisprudence (APT & CEJIL)

- “Once You Enter, You Never Leave”, Deinstitutionalization of Persons with Intellectual or Mental Disabilities in Croatia (Human Rights Watch)

**Education**

- Inclusive education - Moving from words to deeds (EDF)

- The Implications of the Convention on the Rights of Persons with Disabilities (CRPD) for Education for All (II)

- Education Rights for Deaf Children (WFD)

- The Right to Education for Persons with Disabilities: Towards Inclusion (UNESCO)


**Health**

- Promoting sexual and reproductive health for persons with disabilities (WHO/UNFPA)

- Health - Rehabilitation International Fact Sheet

**Work and employment**

- Count us in! : How to make sure that women with disabilities can participate effectively in mainstream women’s entrepreneurship development activities (ILO)

- The right to decent work of persons with disabilities (ILO)

**Participation in political and public life**

- CCPR GENERAL COMMENT 25 - The right to participate in public affairs, voting rights and the right of equal access to public service

**Data**


- Measuring Disability in Children Lessons learned from the Canadian Experience

- Measuring Disability: From Concept to Operation (World Bank)
International cooperation
- Human rights of persons with disabilities: national implementation and monitoring and introducing as the theme for 2011 the role of international cooperation in support of national efforts for the realization of the rights of persons with disabilities (A/HRC/RES/13/11)
- Mainstreaming disability in the development agenda - Report of the Secretary-General (E/CN.5/2010/6)
- Mainstreaming Disability in Development Cooperation - To Break the Cycle of Poverty and Disability in Developing Countries - A Guidance Paper for an Inclusive Local Development Policy (HI, SHIA and HSO)

National implementation and monitoring
- Human rights of persons with disabilities: national frameworks for the promotion and protection of the human rights of persons with disabilities (Resolution 10/7)
- Monitoring the Implementation of the UN Convention on the Rights of Persons with Disabilities in Europe: Principles for the Identification and Use of Indicators (ANED, University of Leeds and University of Leeds)

IV. Guidelines on Related Issues

MDGs
- Claiming the Millennium Development Goals: A human rights approach (UN)
- Realizing the Millennium Development Goals for Persons with Disabilities through the implementation of the World Programme of Action concerning Disabled Persons and the Convention on the Rights of Persons with Disabilities
- Mental Health and Development: Integrating Mental Health into All Development Efforts including MDGs (UN/DESA and WHO)
- Realizing the Millennium Development Goals for persons with disabilities Resolution adopted by the General Assembly (64/131)

- Keeping the promise: realizing the Millennium Development Goals for persons with disabilities towards 2015 and beyond (A/65/173)

- Disabled People and Development Lorna Jean Edmonds (Asian Development Bank)

- Comparison between Biwako Millennium Framework for Action in Asia and the Pacific (BMF), the CRPD and the Millennium Development Goals

HIV/AIDS
- Disability and HIV: Policy Brief (OHCHR/WHO/UNAIDS)
- A Handbook on Best Practices Regarding HIV and AIDS for People with Disabilities (Netherlands Ministry of Foreign Affairs, TMF funding of VSO's Right to Life Programme)
As national and international stakeholders work to implement the CRPD they are beginning to gather experiences on some of the common challenges they face. These challenges relate to the complexity of the convention itself, the role of various stakeholders and the level of knowledge available. Indeed the CRPD is a very complex human rights treaty for a number of reasons:

• **Its comprehensive nature**, covering civil and political rights, as well as economic, social and cultural rights combining elements of immediate and progressive implementation.

• The fact that it is **not just an anti-discrimination convention** but includes detailed provisions that seek to achieve de facto equality of persons with disabilities;

• **The diversity of barriers faced by the various disability constituencies** which often require differentiated policy responses to adequately take into account the different situations faced by persons with disabilities.

• **The significant changes it entails, which leads to the CRPD being characterized as a true paradigm shift.** Some of the provisions of the CRPD require not only fundamental legislative changes, but also a fundamental revision of disability-related and mainstream policies, programs, and services.

Some specific challenges are also related to the general lack of awareness and subsequent structural discrimination and inequalities that the CRPD aims to eliminate:

• **Insufficient understanding of the human rights approach to disability.** Additional to the inherent complexity of the CRPD, the entrenched medical and charity approach to disability in many societies, including among policy makers, professional, NGOs and some DPOs, often leads to misinterpretation of the provisions of the Convention and misconception of programs and policies aimed at supporting persons with disabilities.

• **The statistical invisibility of persons with disabilities and barriers they face** which has been both a cause and consequence of marginalisation of persons with disabilities by international and national policies. Generally, available data are very poor and those available rarely focus on the barriers faced by persons with disabilities. While work is being done to start to address these issues\(^1\), there will still be a serious gap in availability of both specific and disaggregated data generated by general census and surveys for years to come.

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• **The relative weakness of national disability organisations in many countries**: compared with other social groups (workers, farmers, women...) disability organisations are financially weak, have few advocacy skills and often do not work in a coordinated way. While the CRPD strongly obliges States Parties to involve representative organisations of persons with disabilities in the implementation of the Convention, efforts need to be made to strengthen the capacity of DPOs to ensure their meaningful involvement.

While the CRPD sets the overall objectives to be achieved, there is the need to complement the CRPD with more precise guidance to all stakeholders in terms of legislative design of policies, as well as budgetary issues and other elements. While every country faces some challenges in the full implementation of the convention, those challenges are obviously much larger in developing countries.

• **The legislative reform challenges**: Many DPOs and policy makers across the world are grappling with how to approach the harmonization of national legislation with the CRPD.
  
  o Considering the challenge to make major legislative changes in many countries, what are the elements that stakeholders should take into consideration in their adoption of comprehensive disability anti discrimination legislation and the alignment of all mainstream legislations with the CRPD?
  
  o How can countries mitigate the risks that harmonisation could translate in low interpretation of the standard of the convention?
  
  o To which extend will DPOs be able to make use of legal actions, including the use of strategic litigation whether to force legislative changes or implementation of the existing or newly adopted legislation?

• **The policy reform and development choices**: Beyond the question of specific provisions, there are overarching questions related to the balance to be found in policy reforms.
  
  o What are the factors that should guide policy reform and prioritization of resources between the mainstreaming and the transformation and development of specific support measures and services?
  
  o What are the elements to take into consideration to ensure that policy reform results in de facto equality, and not simply equality of opportunity? What are the elements to take into consideration to ensure that policy reforms’ outcomes go beyond equality of opportunity and result in substantive equality?
  
  o How should social protection measures be designed, within allocated resources, to strengthen participation and empowerment of persons with disabilities?

• **The financing of the implementation of the convention**: in a context of shrinking fiscal space for social policy implementation in both OECD and developing countries, the question of funding of the CRPD implementation is crucial.
  
  o What are the lessons learned from ICESCR, CEDAW and CRC to overcome the difficulty to track disability related public expenditures both with regards to mainstream and specific measures?
  
  o What are good policy practices in reallocation of resources and creation of new sources and mechanisms of funding, including public-private partnership?
  
  o What are the concrete steps to be taken to ensure that international cooperation supported program and policies are inclusive and accessible, promote rights of persons with disabilities and at the very least do not contribute to create or perpetuate barriers to participation of persons...
with disabilities, in line with article 32 of the CRPD and commitment of the Accra agenda for action?

- **The dialogue between public authorities and organisations of persons with disabilities** is critical for the development of common understanding of the CRPD principles and provisions as well as the priorities in the immediate and progressive realisation of some aspects of the Convention.
  - What are the good practice and lesson learned from existing focal point and coordination mechanisms in line with article 33?
  - What could be the challenges and opportunities of the development of national strategies for implementation of the CRPD and the mainstreaming in broader national strategies according to existing experiences?
  - What are the good practices in engagement of DPOs in local government, in relation to the increasing devolution of responsibility of implementation to as part of decentralisation efforts?
  - To what extent can the dialogue with law makers related both to adoption of new legislation and budgeting cycle be effective?

- **The role of UN agencies:** The role of UN agencies and development banks are crucial as they have to enforce the principles and provisions of the CRPD in their programs and structure, both in their country work and global initiatives.
  - What are the challenges of the enforcement of the newly issued United Nation Development Assistance Framework guidelines on inclusion of rights of persons with disabilities and review of country assistance strategies of the World Bank?
  - How is it possible to ensure that all existing and future existing global initiatives of different level such as the MDGs, the social protection floor initiative, the Fast Track Initiative, foster the principles and provisions of the CRPD?
  - How can UN agencies collaborate to develop as fast as possible the technical, training and funding capacities to support efforts of national stakeholders to implement the Convention?

**Transversal questions to consider for each session of 10th December meeting:**

- How can States (including in their donors roles) and UN agencies strengthen the advocacy capacity of DPOs without limiting their independence? Which would be the priorities for capacity building?
- How is it possible to effectively and widely document and make available interesting practices supporting the policy development efforts of stakeholders?
- What type of tools and documentation should be developed to support efforts of stakeholders?
- What type of training courses should be developed and made accessible in the short and medium term both for public administration staff and DPOs?

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2 The Accra Agenda for Action (AAA) is aimed at accelerating the progress towards aid effectiveness (ownership, alignment, mutual accountability, results based and harmonization) agreed in 2005 in Paris declaration and focus on predictability of aid, use of country systems rather than donors system
3 UNDAF is the strategic framework defines by UN country team in a given country with national stakeholders, primarily state, to plan the next 5 years.
4 The UN Social Protection Floor (SPF) Initiative promotes universal access to essential social transfers and services. More information at http://www.iio.org/gimi/gess/ShowTheme.do?tid=1321


Chiriacescu D. *Shifting the paradigm in social service provision: making quality services accessible for people with disabilities in South East Europe*. Sarajevo, Disability Monitor Initiative for South East Europe, 2008


Annex III  First Report on activities undertaken within and connected to this project

**International Disability Alliance (IDA)**


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**Expert's Meeting on Identifying Key Challenges for the Full and Effective Implementation of the CRPD**

Palais des Nations, Geneva, December 10th, 2010

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Report

Supported by:

AusAID - Australian Government Overseas Aid Program

SIDA - Swedish International Development Cooperation Agency
# List of Acronyms

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<tr>
<th>Acronym</th>
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<tr>
<td>AAA</td>
<td>Accra Agenda for Action</td>
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<tr>
<td>AODP</td>
<td>Arab Organization of Disabled People</td>
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<tr>
<td>AusAID</td>
<td>Australian Agency for International Development</td>
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<tr>
<td>CBM</td>
<td>Christian Blind Mission</td>
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<td>CBR</td>
<td>Community Based Rehabilitation</td>
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<td>CESCR</td>
<td>Committee on Economic, Social and Cultural Rights</td>
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<td>CRC</td>
<td>Convention or Committee on the Rights of the Child</td>
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<td>CRPD</td>
<td>Convention on the Rights of Persons with Disabilities</td>
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<td>DAC</td>
<td>Development Assistance Committee (OECD)</td>
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<td>DPI</td>
<td>Disabled Peoples’ International</td>
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<td>DPOs</td>
<td>Disabled Peoples’ Organization</td>
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<td>DRF</td>
<td>Disability Rights Fund</td>
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<td>DRPI</td>
<td>Disability Rights Promotion International</td>
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<td>DSI</td>
<td>Down Syndrome International</td>
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<td>EDF</td>
<td>European Disability Forum</td>
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<td>EU</td>
<td>European Union</td>
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<td>FIRAH</td>
<td>Fondation Internationale de la recherche appliquée sur le handicap</td>
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<td>GBS</td>
<td>Global Budget Support</td>
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<td>GC</td>
<td>General Comment</td>
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<td>GDP</td>
<td>Gross Domestic Product</td>
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<td>GPDD</td>
<td>Global Partnership on Disability and Development</td>
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<td>HI</td>
<td>Handicap International</td>
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<td>IASG</td>
<td>Inter-Agency Support Group for the CRPD</td>
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<td>ICBL</td>
<td>International Campaign to Ban Landmines</td>
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<td>ICESCR</td>
<td>International Covenant on Economic, Social and Cultural Rights</td>
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<td>IDA</td>
<td>International Disability Alliance</td>
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<td>IDASA</td>
<td>Institute for Democracy in Africa</td>
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<td>IDDC</td>
<td>International Disability and Development Consortium</td>
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<tr>
<td>IFHOH</td>
<td>International Federation of Hard of Hearing People</td>
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<td>Inclusion International</td>
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<td>International Labour Organisation</td>
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<td>National Human Rights Institutions</td>
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<td>OECD</td>
<td>Organisation for Economic Co-operation and Development</td>
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<td>OHCHR</td>
<td>Office of the High Commissioner for Human Rights</td>
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<td>PBA</td>
<td>Programme Based Approach</td>
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<td>PRSP</td>
<td>Poverty Reduction Strategy Paper</td>
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<td>REBSP</td>
<td>Right to Benefit from Scientific Progress and its Applications</td>
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<td>Rehabilitation International</td>
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<td>SBS</td>
<td>Sector Budget Support</td>
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<td>Svenska Handikapporganisationers Internationella (Swedish Organizations of Disabled Persons International Aid Association)</td>
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<td>UN</td>
<td>United Nations</td>
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<td>UNCT</td>
<td>United Nations Country Team</td>
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<td>UNDAF</td>
<td>United Nations Development Assistance Framework</td>
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<td>United Nations Development Programme</td>
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<td>UNESCO</td>
<td>United Nations Educational, Scientific and Cultural Organization</td>
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<td>UNICEF</td>
<td>United Nations Children's Fund</td>
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<td>UPR</td>
<td>Universal Periodic Review (UN Human Rights Council)</td>
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<td>WBU</td>
<td>World Blind Union</td>
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<td>World Federation of the Deaf</td>
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<td>Working Group</td>
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<td>World Health Organization</td>
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<td>WNUSP</td>
<td>World Network of Users and Survivors of Psychiatry</td>
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List of participants

**IDA members:** Diane Richler (IDA Chair)  
Carlotta Besozzi (EDF)  
Connie Lauren-Bowie (II)  
Imed Chaker (AODP)  
Lex Grandia (WFDB)  
Javier Güemes (EDF)  
Liisa Kauppinen (WFD)  
Moosa Salie (African Decade and WNUSP)  
Patrick Clarke (DSI)  
Ruth Warick (IFHOH)  
Tina Minkowitz (WNUSP)  
Venus Ilagan (RI)  
Wilfredo Guzman (DPI)  
William Rowland (WBU)  
Yannis Vardakastanis (EDF)

**Other Organisations:** Alana Officer (WHO)  
Barbara Murray (ILO)  
Catherine Naughton (CBM)  
Catherine Townsend (Wellspring Advisors)  
Christian Courtis (OHCHR)  
Diana Chiriacescu (Consultant)  
Diana Samaranas (DRF)  
Firoz Alizada (ICBL)  
Gerison Lansdown (Consultant)  
Laura Schülke (Human Rights Watch)  
Nicolette Moodie (UNICEF)  
Patti O’Neill (OECD)  
Paula Pinto (DRPI)  
Philippe Chervin (FIRAH)  
Priscille Geiser (HI)  
Stefanie Ziegler (HI)  
Simon Walker (OHCHR)  
Tom Shakespeare (WHO)  
Sven Isorjavi (UNDP)

**CRPD Committee:** Ana Peláez Vice-Chair

**States representatives of:** Brazil, European Union, Mauritius, Mexico, Spain, Sweden and United States

**IDA Secretariat:** Stefan Trömel  
Alexandre Côte  
Cristina Campos  
Ellen Walker  
Tchaurea Fleury  
Victoria Lee  
Vladimir Cuk

**Assistants and sign language interpreters:**  
Ann Thestrup  
Dimitris Logaras  
Jeannette McKenna  
Maria Isabel Farias  
Susanna Silberstein
1. Background

The multi-stakeholder seminar, organized by the IDA secretariat, is part of a project funded by AusAID through which the International Disability Alliance (IDA) is exploring the feasibility of producing CRPD implementation guidelines.

It was attended by sixty participants, representing IDA Members, the CRPD Committee, INGOs, UN agencies, States missions to the UN in Geneva, IDA secretariat, assistants and sign language interpreters.

The purpose of the Expert Seminar was to identify key challenges that need to be addressed for the full and effective implementation of the CRPD, with special attention to the situation in developing countries. The seminar program focused on the exchange of experts’ experiences, the challenges they have faced, and lessons learnt in their current work to implement the CRPD.

Experts were invited to highlight examples of ‘good practice’, which are fully in line with the CRPD, and include the active involvement of representative organizations of persons with disabilities (DPOs) in the relevant activity, as well as to give recommendations on how challenges can be addressed.

1 The IDA website contains further information www.internationaldisabilityalliance.org/representation/other-working-groups-coming-soon/

2. Presentations and debate

Presentations were based on a number of topics proposed in the Program (Annex I), and, on some questions raised in the Background Paper (Annex II), which was circulated beforehand to facilitate discussions during the meeting (see Boxes 1 to 4 below).

The Multi-Stakeholder Seminar was structured into five sessions. For convenience and completeness, the speakers’ presentations and summaries of the debates are presented following each session.

3. Opening Session

Moderator: Diane Richler, Chair of the International Disability Alliance
Speaker: Ana Peláez, Vice-Chair of the Committee on the Rights of Persons with Disabilities

After a welcome to participants and a short tour de table, Diane Richler gave the floor to Ana Peláez who acknowledged the vital role that IDA plays in the follow up process to CRPD reporting and international cooperation, which continues to guarantee the participation of persons with disabilities. She highlighted that the Article 32 of the CRPD is an innovation and fundamental to the follow-up process of the UN and State parties’ work in mainstreaming the participation of persons with disabilities.

To ensure the mainstreaming of rights of persons with disabilities, it is important that this participation operates within all treaty bodies, including the CRPD Committee. The most vulnerable groups should be taken into consideration; children and women with disabilities must have the chance to directly contribute to the alternative reports. Despite the fact that women with disabilities constitute the majority of persons with disabilities, only a few reports mention this group. This situation should be redressed by increasing reporting on and from women with disabilities.

Diane Richler stated that this Expert Seminar was being held on the International Human Rights Day, and, further, by persons with disabilities themselves. For years this day was not relevant for persons with
disabilities because it was not seen as also their day. For this reason, it was very important for her to be attending this seminar today. She recalled the negotiation process of the Convention, comparing to a long gestation period. And suddenly, there are new decisions to be made and new challenges to be met every day. With this Expert Seminar, IDA aims to understand the challenges that all stakeholders are facing in the implementation of the Convention and to ensure that IDA members satisfy future challenges.

→ **Main challenges pointed out**

The lack of participation of persons with disabilities and their representative organisations within the UN and State parties disability policies.

→ **Proposal**

The DPO involvement should be increased, including by children and women with disabilities, in all aspects of implementation, international cooperation, and reporting to the CRPD and other Committees.

### 4. Session I: Challenges in reforming mainstream and disability-specific legislation

**Moderator:** Tina Minkowitz, World Network of Users and Survivors of Psychiatry/ IDA  
**Speakers:** Barbara Murray, Senior Disability Specialist at the International Labour Office  
Diana Samaranas, Director of the Disability Rights Fund  
Priscille Geiser, Technical Adviser on Accessibility of the Handicap International

**Box 1: List of topics raised**

1. Support by UN entities to these processes  
2. How to ensure respect to the diversity of disability  
3. Modifying the disability architecture (Article 33)  
4. Some first (good and bad) examples of aligning national legislation with the CRPD  
5. How to ensure meaningful involvement of representative DPOs

Tina Minkowitz pointed out that, from WNUSP’s perspective, the discussion of implementation challenges has to start with DPO participation. It is fundamental for DPOs to establish an open line of communication with one another. It is important to have a grass roots or bottom-up approach for DPOs and that each organization is given a representative voice in the process.

### 4.1 Barbara Murray - The support of the ILO to the implementation processes

The ILO’s actions include technical cooperation in Africa and Asia since 2002, which aims to support governments, workers’ organizations and DPOs in order to implement legislation. The work includes hosting workshops and open courses on training and employment of persons with disabilities. The ILO Convention 159, which includes representation of persons with disabilities in planning and policy, is part of the CRPD implementation context. Women and girls with disabilities, as well as people with intellectual and psychosocial disabilities, and their organizations are part of the main policies of the ILO, in an inclusive approach.

The ILO has a new disability inclusion initiative in the health and employment sector that mainstreams persons with disabilities in all activities. The ILO supports the publication of legal audits in Zambia, as well as the development of new legislation in Vietnam. Furthermore, the ILO is implementing projects in Ethiopia and Zanzibar. Similarly, the ILO published the “Legislation Guidelines” and the “Right to Decent Work of Persons with Disabilities” with examples of good practices. Regardless of whether the ILO advises on labour legislation, it is fundamental that the entire legislation be reviewed to ensure full compliance with the CRPD.
Main challenges to CRPD implementation: the lack of funding support for DPO projects and existing laws which are not in compliance with the CRPD.

4.2 Diana Samaran - Examples of national DPOs working to align national legislation to the CRPD

The Disability Rights Fund (DRF) is a pooled fund, composed by bilateral government donors, private foundations and public charities; with the mission to support DPOs through grant-making in order to participate in ratification, implementation and monitoring of the CRPD.

The DRF currently works within 17 countries in Africa, Latin America, Asia Pacific and Eastern Europe. For example, DRF funds projects to address the national disability act in Bangladesh, India, Peru, Uganda and the Ukraine. Also to address mental health in Uganda and Ghana, guardianship laws in India, electoral reform in Uganda; and municipal level legislation in Peru and Uganda. In addition, DRF is supporting alternative reports from India, Peru, Uganda, Nicaragua and Mexico as well as in Peru on the UPR. In Uganda, where the DRF has been working since 2008, the disability movement is vibrant and strong with five reserved seats in parliament and 400 political seats in the whole country. In 2010, the government appointed the National Council on Disability the focal point for implementation, which includes many DPO representatives.

Main challenges to CRPD implementation: the resistance to admit the changes needed regarding legislation, explained by a fear of challenging what was so hard fought for.

4.3 Priscille Geiser - Experience of HI in building national DPO capacity to do CRPD’s consistent advocacy work

Handicap International (HI) works in 15 low and middle income countries in the Middle East and North Africa, the Balkans, Latin America and Asia; directly with different stakeholders which imply different levels of challenges. HI works in close cooperation with DPOs and proposes two types of intervention: strengthening the disability movement, by support to DPOs, and seeks to promote the development of inclusive policies at the national and local levels.

HI has about 15 to 20 initiatives, mostly at the local level, targeting Africa and Asia. Results of these initiatives are: the emergence of a disability movement in Madagascar, DPOs restructuration in the Balkans, and monitoring of the World Bank’s initiative in protection of basic services in Ethiopia. HI also advocates in favour of the development actors’ obligation to interact with the disability movement in Cambodia, promotes the new national disability law in Afghanistan, makes the Poverty Reduction Strategy Paper (PRSP) inclusive (www.making-prsp-inclusive.org), and gathers evidence on best practices through their initiative “Making it Work” [www.makingitworkcrpd.org].

Main challenges to CRPD implementation:
At the policy making level: Lack of understanding of disability issues and of participatory governance
At the level of DPOs: Limited opportunities to develop the required skills, capacity and resources to play an effective role in civil society
At the service providers/development actors’ level: Lack of awareness and capacity to become inclusive and accessible to people with disabilities
At the international level: Monitoring of political participation of DPOs.

Key approaches: Building on existing DPO capacities, promoting steering committees where DPOs play a leading role, promoting South to South cooperation through regional projects and working strategically in partnership with international level DPOs, like with SHIA, EDF, AODP, African Decade and DPI.

Key lessons: Do not disconnect training from practice, concurrently work at different levels, and develop strong partnerships between DPOs, NGOs and other civil society movements.
4.4 Main challenges discussed during the debate

→ Support to local and national members and capturing learning for sharing
There is an enormous amount of learning occurring at the national level. It is crucial to absorb this collective knowledge and share it among member organizations, by the publication of reports, videos and outcomes of the activities and meetings. Another powerful tool is storytelling, which influences policymakers more than lengthy documents.

→ The process of developing the content and the meaning of the Convention
There is a need for DPOs to take part in the process of developing and strengthening the content of the Convention, by providing inputs to help give guidance to the Committee, in order to challenge national legislation, highlighting where the national practice and legislation are not in line with the CRPD.
In countries where there is almost no disability legislation, it is somehow easier to take the CRPD as the main point of reference, than in countries where there is pre-existing legislation.

Proposals:
- a) Focus on how the CRPD Committee can develop the meaning of the different provisions of the Convention, including those which are innovations in comparison with other treaties.
- b) Bring strong/ emblematic cases to the CRPD Committee using the Optional Protocol.
- c) Take into consideration the language translation and the different interpretations of the Convention in different cultures.
- d) Avoid lowering the standards of the Convention in countries where there is pre-existing disability legislation.

→ Integration of legal experts into the legislative reform
In some countries, the legislation reform process is not executed properly, despite good faith. In other cases, some DPOs are not used to the large volume of legal and policy work. The disability movement should be aware that the implication of certain words in the legislation process can have an adverse impact 5 years from now.

Proposals:
- a) Establish an interagency initiative to build the capacity of legal experts, in order to properly execute the necessary legislative reform, to avoid lowering the standards of the Convention.
- b) The law departments of universities should incorporate disability legislation into their curricula.

→ Influence members of the Parliament
Advocacy requires engagement of civil society in legislative reform and to build the capacity of parliamentarians. Laws should be audited, including general laws that pose obstacles and barriers for persons with disabilities. For example, to take into consideration general labour legislation, it is also important to review health legislation, to be sure that these laws are in line with modern standards.

→ Mental health legislation
There are serious difficulties to implement mental health legislation revision as a result of old laws, the lack of capacity of organizations to do the necessary legislative analysis on the CRPD and the lack of true inclusion of persons with psychosocial disabilities in the process. Governments and UN agencies should assure that new mental health bills include the perspective of persons with psychosocial disabilities.

→ Operationalizing rights
While there was excitement about CRPD adoption, it has been followed by a certain level of frustration due to the empty political rhetoric that undermines essential activities. However, it is important to understand
that this is an ongoing process. It is also relevant to see the law as a living instrument, which is interpreted as we move forward.

Proposals:

a) Work at the local level to involve the government, employer’s organisations and others.

b) Identify key practices that can impact the life of persons with disabilities and public policies.

c) Use good practices to convince the government to take ownership. The role of Article 32 of the CRPD is aimed toward this theme.

→ Political will by governments to implement the CRPD
It is difficult to deal with governments that assert that their national legislation is in line with the CRPD and that changes in legislation are not necessary. This demands strong legal work, therefore, DPO’s capacity building.

→ Addressing funding for DPOs
An observed challenge with the EU and donor States is the difficulty for them to integrate the criteria for funding on mainstreaming and the inclusion of persons with disabilities. They prefer to work with general groups. The observed result is a project that supports the old approach to disability.

Proposals:

a) Leverage the power of Article 32 of the CRPD, because the majority of funding for developing countries for disability issues comes from international aid.

b) Ensure that DPOs in the North can build strong partnerships with DPOs in the South to monitor the implementation of Article 32.

c) Make and support advocacy at the country level towards State and UN agency mission offices, considering that the missions are independent and the system decentralized. Often, the policy at the headquarters level is not enough, since it depends on who is in the mission offices.

→ Independence of disability organizations in developing countries
From the perspective of WNUSP, the disability movement in developing countries often seems as if they are relying on others to build their capacity. Is this creating a disability movement with a different character in developing countries then those movements in developed countries? It is important for international DPOs to be resourced and to look at and preserve the independence of local and grassroots DPOs.

→ Collective bargaining
Aggregate concerns of persons with disabilities proved to be difficult in the social dialogue with trade unions and employers, because NGOs/DPOs are seen as outside of the process. The ILO is working on bringing the rights of persons with disabilities into the negotiations. However, trade unions are often weak in developing countries.

→ Involvement of States to mainstreaming the rights of persons with disabilities
To mainstream the rights of persons with disabilities, the first step is to take ownership of the Convention, then to review the laws and policies, to thus acknowledge where the country stands. Some countries are already mainstreaming persons with disabilities in education, training and employment, but they need to modify legislation in order to ensure people with all types of disabilities are included. Furthermore, States which have already ratified the CRPD can influence other States to do the same and can influence processes from the UN monitoring mechanisms, like the UPR.

→ Focal points within government, according to Article 33 of the CRPD
Often the responsibility for disability issues falls on the ministry with the least influence, least resources and least clout vis-à-vis other ministries. It is crucial to have a focal point for disability issues in each ministry, which should be at the highest level possible.
5. Session II: Establishing and/or modifying policies compatible with the CRPD

**Moderators:** Dr. Imed Chaker, Arab Organisation of Disabled Persons/IDA  
Connie Lauren-Bowie, Inclusion International/IDA

**Speakers:** Diana Chiriacescu, Independent Expert in Social Services  
Christian Courtis, Human Rights Officer at the OHCHR

**Box 2: List of topics raised**

1. Accessible mainstream services and support for participation in mainstream services  
2. Do we need specialized services/solutions? Is the perspective of developing countries different?  
3. How to move from specialized solutions to mainstream solutions? Examples of deinstitutionalization  
4. Designing social protection policies in a way that furthers social inclusion and full participation  
5. When are States meeting sufficiently their progressive realization commitments?

Dr. Imed Chaker welcomed participants to Session II and presented the main issues that would be discussed, highlighting the complexity of the CRPD as a human rights treaty, which covers civil and political rights as well as economic, social and cultural rights. While some rights have to be immediately implemented, others may require progressive realization. Furthermore, some CRPD provisions may require fundamental legislative changes, in addition to a fundamental revision of disability-related and mainstream policies, programs and services.

Dr. Chaker introduced the speakers and questioned whether the perspective of developing countries is different, where the challenges on the CRPD’s full implementation are much bigger and broader than in developed countries. Persons with disabilities in low and medium income countries, on account of lack of resources, are condemned to live and stay in special institutions, special schools and are not allowed to benefit from mainstream services and programs. Finally, Dr. Chaker posed the question of how these challenges can be addressed by the CRPD.

**5.1 Diana Chiriacescu - Deinstitutionalization processes in the Balkan region and issues related to mainstream services versus specialized services**

The effect of disability based discrimination has been particularly significant in the field of services, especially in education, employment, housing, transportation and cultural life, which was noted by the CESCR Committee in 1994. The CRPD brought attention to enhancing the access to community services, which is related to the development and modernization of services, from which persons with disabilities can actively benefit in the community. This relates to Articles 9 and 19 to 30 of the CRPD. In countries where these articles have been implemented, there were major challenges for policy makers, service providers and users, due to the lack of knowledge of the twin track approach and experience on how to balance the combination of mainstreamed, specialized and supported services.

Currently, the inclusive community should be able to offer a wide range of services to persons with disabilities. The ordinary, mainstreamed services, should respond adequately to the need of children, adults and elderly persons with disabilities, in education, vocational training, childcare, health and rehabilitation services, transportation, support to employment, among other areas. Moreover, the specialized services - which are traditionally organized in a segregated and discriminatory way - should be based on a person-centered way that responds to the real needs of the individual, in accordance with the CRPD. In addition, it is necessary to have support services in the community, which ensure that persons with disabilities receive the necessary support to access services available to everyone, such as personal assistance, assistive devices, sign language interpreter service, support teachers in regular schools, supported employment, home support services and adapted transportation.
Policy makers and service providers should take into consideration some key requirements to ensure effective accessibility to all citizens, including persons with disabilities. Those requirements, recognized worldwide, are known by "the 4As": Accountability, Accessibility, Availability, Affordability. Services should be based in the community and be either mainstream or specialized. In addition, they should be non-discriminatory, well distributed geographically (covering rural and remote areas), barrier free, quality oriented and the providers and professionals should respect the choice of the users, therefore, involving them in the design and decision-making processes. The paradigm shift toward the "4As" principles requires effort and knowledge from all stakeholders involved. In sum, it is essential that the service domain combines a human rights approach with the technicality of service provision itself, with respect to the principles and standards of the CRPD.

→ Main challenges for the CRPD implementation:

In mainstream environment: Lack of understanding of disability issues, and of the CRPD, regarding qualitative provision of services. Moreover, the change in daily practice requires investment, training and coordination at the national and local levels. In addition, governments are not sure on how to improve the use of the public funds, how to invest in mainstream services and how to redistribute the responsibility between local and national budgets.

In specialized services: Transform services in line with the CRPD.

In support services: These services do not exist in many countries or professionals are not adequately trained or recognized as support staff.

On technical aspects: Formal deinstitutionalization, decentralization of services, availability of trained staff, quality control and development of community support services.

5.2 Christian Courtis - The progressive implementation of economic, social and cultural rights

The notion of progressive realization of economic, social and cultural rights was originally enshrined in the ICESCR, Article 2(1), which was used by the CRC and then by the CRPD in Article 4(2). However, in the CRPD it is not possible to list which articles highlight specific economic, social and cultural rights, because there are no provisions that clearly fall in the classical definitions of civil-political and economic-social-cultural rights. The Convention is innovative in the sense that it enshrines the spirit of indivisibility and interdependence of all human rights. In addition, there are new types of rights and this is the most spectacular innovation of the Convention. Article 9 on accessibility, for example, is a cross-cutting provision that impacts all rights. Legal capacity, demonstrated in Article 12, is key to exercise every type of right. Two other innovations are Article 19, life in the community, and Article 20 on personal mobility.

It is important to understand which rights are immediately applicable and which may be progressively realized. In General Comment n° 3, the CECSR Committee raised two criteria to understand the notions of progressive realization:

1. Some rights and obligations cannot be fulfilled immediately. A gradual approach is required.
2. The resource intensiveness of these obligations: some rights require more resources.

On the other hand, the CECSR Committee specifies certain immediate obligations:

1. The obligation to take steps. Even if the full realization of the right is progressive, States have to move forward, for example, by collecting information and mapping the situation.
2. The adoption of legislation or a national framework law. A related obligation is to review and/or repeal legislation that is not in line with the CRPD.
3. The Non-discrimination Principle. This obligation states that governments should not approve legislation which could be discriminatory, further, they should repeal the existing discriminatory legislation and take steps to eradicate bad practices.
4. Finally, the principle of non-retrogression. States are prohibited from taking steps to reduce protection that has already been granted.
The CESCR has developed a concept of **minimum core obligations** in which all rights, even those that require resources and positive obligations, should achieve a minimum core. A similar approach can be applied to the CRPD:

1. **Accessibility** - The immediate obligation of Article 9 is to ensure that new environments and transportation are accessible and do not pose new restrictions/obstacles.
2. **To adopt laws** to impose standards on the private sector - a cross cutting obligation of the Convention - including on reasonable accommodation.
3. Governments should assure the **participation of DPOs** in decision-making processes and in the design as well as in implementation and monitoring (Article 4(3)).
4. A minimum core **translation of the Convention** - National legislation should be implemented to prioritize accessible services, even if complete accessibility cannot be immediately achieved.

### 5.3 Main challenges discussed during the debate

**→ The notion of mainstreaming the rights of persons with disabilities**

Two main challenges to the CRPD implementation: to develop the notion of mainstreaming and to know what types of mainstreaming are available. Education and health systems, among others, are failing both in developing countries, as in so-called developed ones. Inclusive education/health means quality education and quality health, which affects persons with disabilities and others.

This notion of mainstreaming the rights of persons with disabilities is extremely important for providers and policy makers in the service sector. It is important to define the role and requirements of mainstream services and to place the needed specialized services by persons with complex and particular needs within the mainstream system.

**Proposals:**

   a) DPOs have to become policy contributors looking at mainstream systems as a whole.
   b) The complexity of mainstreaming efforts needs to be addressed by every actor: users, service providers and policy makers to achieve the spirit, views and good understanding of the CRPD.

**→ Lack of inclusion of users and survivors as consultants on mental health policy**

There has been a move to include users and survivors of psychiatry as consultants on mental health policy, especially in wealthy states, on making services compliant with the CRPD. However, this has had a limited effect because these policies have been developed in the confines of the medical model and the continued use of forced treatment.

**Proposals:**

   a) People working on CRPD implementation must be aware of the need to include users and survivors of psychiatry who can use their expertise to ensure that policies are in compliance with the CRPD.

**→ Legal capacity: Progressive Realisation versus Immediate Obligation**

Legal capacity is a civil right, a prerequisite of all rights, including the right to participate in social life, to exercise the right to vote, to work, to marry, to contract, etc.

The obligation to repeal legislation that violates the CRPD is an immediate obligation, like the obligation to repeal guardianship laws. The kind of support to grant persons to make their decisions can be subjected to **progressive realization** in compliance with Article 12. It is important, nevertheless, to not categorise rights (civil, political versus social, economic and cultural) because it is obsolete and the conceptual differences are blurry.

**Proposals:**

   a) Make and support activists’ work to raise awareness of the spirit of the CRPD and of the concept of immediate obligations of States Parties.

   **→ Implement the CRPD within developed countries**
It is important not to take for granted that in wealthier countries disability issues are well addressed, because in reality - such as in low and middle income countries - there are still many challenges.

→ Service oriented approach versus rights oriented approach
One of the paradigm shifts brought by the CRPD is the shift from a service oriented approach to a rights oriented approach. Sheltered workshops and day care centers are in contradiction with the CRPD, however, if these are suddenly removed, they will leave current users excluded and create unintentional vulnerabilities.

Services exist to support the daily life and the rights of persons with disabilities. The content of some rights demands access to some services, for example, there is no right to health without access to medical services, or right to education without accessible schools. Specialized support that is not required for other groups is necessary, such as services for respite care and support services of access to employment.

Proposals:

a) It is important to use the CRPD to correctly move from specialized areas of support and services to mainstream services in the community and develop an alternative support system.

b) DPOs should not take for granted that service providers and authorities are familiar with the multitude of priorities on disability issues. Thus, it is important to develop a global perspective of these actors, in their respective places, and to significantly invest in each of them, in order to fully establish the human rights approach.

c) It is important to raise awareness of service providers, frontline workers and managers of the needs and the rights of persons with disabilities.

d) The disability movement needs to coordinate knowledge and resources to ensure people delivering services to persons with disabilities do so in a proper manner. For this aspect, frontline personnel must be properly trained.

e) In some parts of the world where only special services are provided, it is important that the disability movement lobbies governments in order to make mainstream services accessible.

f) Budgetary policies must be addressed in order to consider the disability approach to budget analysis. DPOs should increase their capacity to be technically involved in the design of services as well as to develop methodologies to trace rights in budget allocation.

g) It is important for governments to identify the needs of the population and the current services provided within the communities and to harmonize them. For that, governments must develop a monitoring and evaluation system.

→ The responsibility to implement Article 8
Despite Article 8 (raising awareness) is an immediate obligation, only few actions have been taken by States to implement it. One of the reasons for this is that this provision is an open-ended clause, allowing States to determine which measures can be used.

Proposals:

a) DPOs should be involved in the process to provide guidance on interpretation of the CRPD to the CRPD Committee by reporting, filing complaints and participating in the General Comments process.

b) It is crucial to raise awareness of UN agencies, which have the obligation to comply with the CRPD.

→ Raise the rights and needs of specific groups within the CRPD
The CRPD is a tool to advance disability rights and the needs and concerns of persons with disabilities.

Proposals:

a) The disability movement should develop the concept and meaning of the Convention, article by article, including the needs of each specific group.
b) Organisations representing specific types of disabilities should produce interpretations of the
Convention that are especially relevant for their constituency.

→ Produce outcomes, qualitative indicators and benchmarks
Outcomes, indicators and benchmarks are very popular in governments. Yet they are often viewed as a
detriment to the kind of services and emphasis needed, because several changes are qualitative and not so
easy to measure with indicators. One of the goals of collecting information is to monitor progressive
realisation. Structural indicators, process indicators and outcome indicators should be adopted.

Proposals:
  a) Persons with disabilities and DPOs should be involved in enhancing indicators, including qualitative
  ones.

6. Session III: Financing the implementation of the CRPD

Moderators: William Rowland, World Blind Union/IDA
            Venus Ilagan, Rehabilitation International/IDA
Speakers: Gerison Lansdown, International Children’s Rights Consultant
          Patti O’Neill, Coordinator of the DAC Network on Gender Equality /OECD
          Catherine Naughton, Director of CBM’s EU Liaison Office in Brussels

Box 3: List of topics raised
1. Financing of support services for people with disabilities (decentralization, delivery by NGOs)
2. Disability budgeting. What can we learn from child rights budgeting?
3. Increasing and improving the use of development cooperation funds to promote disability rights and avoiding the wrong use of
development cooperation funds
4. Impact of the financial and economic crisis

William Rowland welcomed participants to Session III and presented the main issues that would be
discussed. He pointed out that the CRPD is a complex human rights instrument to implement, due to
various reasons, such as the comprehensiveness of the CRPD and its anti-discrimination principle, the
statistical invisibility of persons with disability and the relative weakness of DPOs. However, resources are a
key element. It is important to distinguish processes in the developed and developing world, which are
directly impacted by budgetary issues, political (in)stability as well as political processes within societies in
transition.

6.1 Gerison Lansdown - Lessons to be learned from the implementation of the CRC, including the issue of
child rights budgeting
Key challenges in the children’s rights movement have several common points that can be applied to the
movement of persons with disabilities. Main challenges are that children are still not viewed as subjects of
rights and governments repeatedly express commitments to children, but fail to introduce any measures to
give effect to those commitments. Furthermore, children are systematically denied a voice in most societies
in the world. Additionally, it is difficult to identify the levels of expenditure for children’s rights, as
indicators to measure children’s rights implementation are absent or inadequate, and, finally, there is
inadequate advocacy for children before governments.

It is crucial to have an explicit recognition of children as right-holders, and that appropriate laws should be
adopted to protect children. It is also important to have budget allocation, pro-children and pro-disability,
in order to implement commitments and services. Finally, it is necessary to apply systems for monitoring
and evaluating changes towards the realization of these rights. The strategies to achieve these goals include plans of action for implementation and child impact assessment to measure how the national strategies will impact on children. Also essential is disaggregated data collection, visibility, budget, capacity building, collaboration with civil society and independent mechanisms for accountability.

In reality, not many governments are making their children budget policy visible. According to a recent UNICEF analysis on rich countries, only Sweden and Norway have good practices. Italy and Israel are in the process of developing it. Two African projects which confront this invisibility and lack of transparency from governments are the African Child Policy Forum, [www.africanchildforum.org](http://www.africanchildforum.org), in Ethiopia, and the IDASA - Institute for Democracy in Africa [www.idasa.org.za](http://www.idasa.org.za), in South Africa. One of the key lessons that came out of these projects is that commitment on children is about political will, not about money and GDP. The potential use of these projects’ outcomes is to identify the gaps between policy commitments and national plans of action and spending, making it possible to analyze expenditure and commitment on an annual basis.

→ **Main challenges to CRPD implementation:**
- Besides government policies, natural disasters and health epidemics, impact on the realization of rights
- The significant timeline between changes in expenditure and changes in outcomes for children
- The impact and effectiveness of policies depend on demand for services
- Availability is not enough, it is important to disseminate the service and for people to use it
- Limited data on how poverty has changed over time

→ **Key lessons:** Transparency on budgetary allocations is a relevant indicator of government commitment to the realization of rights. Political will and the role that civil society should play, by advocacy and activism, are critical elements to make governments accountable.

**6.2 Patti O’Neill - The experience in gender mainstreaming of the Development Assistance Committee of the OECD**

The work of her Unit within OECD consists in advising aid agencies of the European Commission and the 23 members at the Development Assistance Committee (DAC) on gender equality and women’s rights. These members have to report their aid statistics, including gender equality policy. This data is an important basis for European and UN agencies to monitor gender equality policies.

The disability movement is reputed as having great advocacy power. However, it is time now for implementation. It is important to improve the idea of disability budgeting in order to promote concrete results. Gender budgeting was integrated into the national public financial management systems in Morocco, Tanzania, the Philippines, Ecuador and in some states in India. Sometimes the process has been started by NGOs, such as in Tanzania. For this process, it is important to promote alliance with the Finance Ministry, which is not a natural ally, but a necessary one.

The Accra Agenda for Action, 13(c), highlights that developing countries and donors should ensure that their respective development policies and programmes are designed to be consistent with their agreed international commitments on disability, among others. Accountability and inclusiveness are major elements of these new approaches.

→ **Key lessons:**
- Research done by a women’s umbrella organization, about allocation of funding of women’s rights. The most valuable result collected was the strategic partnership built during this process.
- Article 32 of the CRPD is a powerful instrument to draw attention of donors and partners to impose pressure to implement the Convention through aid programs. The CRPD Committee has an important role, through its recommendations, to point out necessary improvements.

→ Proposals:
- To be involved in the Fourth UN Development Group High Level Forum on Aid Effectiveness, in Busan, Korea, from 29 November to 1 December 2011 [www.unbg.org/index.cfm?P=1412]. It is an important opportunity to guide key development actors and raise their awareness of Article 32 of the Convention.
- To consider becoming an actor at Better Aid [www.betteraid.org], which is an umbrella civil society organisation and has a major role in planning Aid Effectiveness conferences, but which currently has no disability rights focus.

6.3 Catherine Naughton - Global Budget Support: challenges and opportunities for financing CRPD implementation
The international cooperation donors are committed to support developing countries on their own development policy, which can be very relevant for disability organizations, because donors will increase support to national government programs. However, they have other commitments of their own, like poverty reduction, MDG achievement, and a whole range of Paris Declaration and the Accra Agenda for Action. The two major ways for donors’ support are (1) Project Support, which has specific initiatives, objectives in the short period of time and outcomes, and the (2) Programme Based Approach (PBA), applied by ILO, which support the work of national government, in a long term process, focused on real change of the country’s status quo.

Positive elements of the Global Budget Support (GBS) are (1) the leadership by the host country, which has to take steps to implement the UN Convention, (2) there is a single comprehensive programme and budget framework, with less bureaucracy and more dialogue, (3) a formalized process for donor co-ordination and harmonization of procedures for reporting, budgeting, financial management and procurement, and (4) support public services, where DPOs can advocate for the implementation of the human rights approach, as well as for the CRPD, in the long term. Through GBS, government receives more funding to national budget, which varies depending on government priorities.

While on the Sector Budget Support, only particular sectors are targeted, as health, education, etc. Policy dialogue and financial aid are oriented to a specific sector. This system can have more potential for the CRPD, because it is easier to manage and focus on specific issues. However, it is not the best instrument in terms of access for persons with disabilities. GBS is more appropriate to social sectors in terms of dialogue focused on macro issues.

→ Main challenges for CRPD implementation:
- Supporting partner government development strategies and programmes, because many countries do not have a particular policy on CRPD implementation.
- Existent layers of decision-making trends towards decentralization.
- Lack of technical resources for the implementation and monitoring of inclusive policies. Government and other stakeholders do not yet have a full definition about the most effective policy to implement the Convention.
- Budget transparency
- Lack of capacity for stakeholders to influence GBS and SBS.
- Competing issues; it is important to make alliances with gender equality organizations and/or child rights and/or indigenous groups then to compete individually.

→ GBS opportunities for CRPD implementation:
- Main sources of support to social sectors, and the only true source of support from donors to build up countries’ own systems. In addition, promote policy dialogue and encourage countries to ratify the
Convention. Finally, this system increases donor coordination, according to the Paris and Accra declarations.

6.4 Main challenges discussed during the debate

→ **Funding support to bad practices**
It is crucial that donors and development agencies do not support practices which are not in compliance with the CRPD.

**Proposals:**

a) Peer review is an important mechanism to monitor practices; two donors look at policies and implementation of another donor.

→ **Lack of data and of insertion of persons with disabilities**
UNDP, UNICEF, UNESCO and governments working together to promote the inclusion of children at school worldwide. However, without taking into consideration children with disabilities. Frequently, there are no data mentioning persons with disabilities.

**Proposals:**

a) Draw the attention of donors and governments to include children with disabilities within the educational system. Civil society and DPOs should employ donors’ support to monitor and address this discrimination, taking into account persons with disabilities and others to ensure that all of them are being included.

b) The treaty bodies are important allies. It is crucial that the CRPD and other Committees analyze the actions of Governments broadly, looking at each right. DPOs should assist the Committees to hold States accountable for their (in)actions and for transparent spending.

→ **The impact of the financial crisis on persons with disabilities**
The financial crisis has had a direct impact on disability issues in developing countries. There were budget constraints in United Kingdom, United States and other countries, which are fundamental in terms of income support and pension systems.

→ **Mainstream voice of persons with disabilities**
The disability movement should increase its voice to fight for the quality of services, especially in education and health, for persons with disabilities and others. So that persons with disabilities and their representative organizations participate in general discussions, not only when it concerns persons with disabilities.

→ **Disability budget policy**
A budgetary allocations analysis tool should be developed in order to examine the disability budget policy of governments and donors.

7. Session IV: What can the UN system do to contribute to the implementation of CRPD?

**Moderators:** Lex Grandia, World Federation of the DeafBlind and IDA
Box 4: List of topics raised
1. Mainstreaming disability rights in the work of the UN country offices
2. Lessons to be learnt from the implementation of other human rights treaties
3. Effective involvement of DPOs in the work of UN at country level
4. World Disability Report and CBR guidelines
5. Presentation on draft thematic report on the role of international co-operation

Lex Grandia welcomed participants to Session IV and highlighted the work done by UN Agencies and Country Teams on the implementation of the CRPD at the national level.

7.1 Sven Isorjavi - Examples from UNDP country offices supporting the CRPD implementation
UNDP works on capacity development through advocacy, policy and advisory services and technical support, within four focus areas: poverty reduction, democratic governance, crisis prevention and recovery, energy and environment. Currently, there is a body with about a hundred projects targeting persons with disabilities in the areas of capacity development of DPOs and national governments, advocacy and promotion of the CRPD, inclusion of disability issues into national legislation, policy and planning, data information, collection and analysis, and access to information.

The Inter-Agency Support Group for the CRPD has published the Guidance Note for Country Teams on Disability [www.undp.org/docs/11534/Disability---Guidance-note-for-UN-Country-Teams.pdf]. The UNDAFs’ preparation process takes two years, while its implementation takes four years. Then, for this Guidance to become effective and disability issues included, it is necessary to wait for the currently prepared UNDAFs’ results, and the ones that will be produced in the next few years.

→ Main challenges for CRPD implementation:
- Lack of capacity (UNDP, duty-bearers, rights-holders) and crowded policy making space
- UNDP’s decentralized business model and competing priorities
- The relationship with some countries, which is addressed by advocacy, political dialogue and analytical work, through Human Development Reports and Common Country Assessments
- Lack of financial resources, which led to the discussion about a Thematic Multi Donor Trust Fund
- Disconnection of the CRPD from the broad human rights based approach

→ Proposals:
- Involve experts, which have worked on the human rights approach, in supporting the CRPD
- DPOs should be implementing partners, recipients of grants and contractors

7.2 Simon Walker - Examples of OHCHR support in alignment of national legislation to the CRPD
In Albania, there was a major interest to promote the ratification of the CRPD, for which the OHCHR and the UN Country Team played a crucial role. It started as an impetus from civil society, in 2009. The first action was to support training of DPOs members, journalists and trainers. Furthermore, a cooperation plan was built with the Resident Coordinator and the head of the UNDP. UNDP established a program of ratification with 3 pillars: law reform, institution building and accessibility. In order to start the process of legislation law, it was necessary to first identify which laws could be reviewed, how they should be reviewed and how they conformed to the Convention. The process faced many challenges, including from the DPO side, which do not agree with mainstream or specific disability laws. Concerning institution
building, the Handbook for Parliamentarians has been translated into Albanian and the UNDP has led an inter-agency thematic task force on disability rights. UN programs, advocacy and advise government are a way in which the UN can, nationally, promote the CRPD.

UN country teams are working on reporting processes before the CRPD Committee and UPR, with the important role to provide information on key issues to support strong and pointed recommendations. This will therefore support the UN country team role in taking them forward. Civil society, which has a similar role, is a relevant partner to implement those recommendations. Albania has signed the CRPD on December 2009.

Concerning the **OHCHR Thematic Report on International Cooperation**, submissions were received from 44 States, 8 from INGOS, 11 NGOS, 15 NHRIs, the Special Rapporteur on Disability and the Global Partnership on Disability and Development. The report frames rules, cooperation among states, partnerships with Intergovernmental organizations and NGOS and looks at challenges relating to international cooperation. Some of them are:

- Disability specific cooperation rather than mainstreaming disability rights
- International cooperation focused on disability rather than on the CRPD, which can present the risk of use of old approaches, which are not in line with the CRPD
- Fragmentation of the cooperation
- Only few submissions look at sensory disabilities
- More focus on mainstreaming the Convention on development and much less in protection of disability rights within humanitarian actions

→ **Main challenges:**

- Lack of understanding on how to connect principles and standards of the CRPD with other treaties
- A tendency to repackage existing work without taking into consideration the aim and standards of the CRPD
- Hesitation amongst stakeholders to work on the difficult issues of legal capacity

→ **Proposals:**

- The IASG Guidelines “Including the rights of persons with disabilities in United Nations programming at country level” should be used not only in the UNDAF process, which is quite long, but also in other planning processes within country level

**7.3 Nicolette Moodie – Experiences from CRC Reporting and Implementation**

UNICEF is bound by the Convention of the Rights of the Child (CRC), which applies to all children, including children with disabilities. UNICEF has actively worked on disability issues, shifting from a project based to a systematic approach. UNICEF works within country level by supporting the review of legislation, in line with the CRPD, improving the availability of data on the situation of children with disabilities, reforming child care systems and developing national frameworks for inclusive education. UNICEF’s experience in CRC reporting is reflected by the improvement of ratification and visibility of the Convention and its Protocols, also by the support to the reporting process of States Parties and alternative reports from civil society. UNICEF actively participates in meetings of the CRC Committee and provides information and suggests recommendations. Furthermore, UNICEF disseminates the CRC recommendations and has the obligation to include CRC and CEDAW recommendations into country program planning.

In 2007, UNICEF has issued a global **Program Guidance on Children with Disabilities**, which provides information on how to mainstream the rights of children with disabilities in programming and advocacy. The guide emphasizes disability as an issue of concern to all sectors and at each stage of the five years program cycle, increasing priority to disability in existing programmes through new analysis. Another key element is the focus on the roles and capacities of those with direct responsibility to prevent and address discrimination against children with disabilities.
Lessons learned from country offices:
- High level political commitment is important to generate concrete government action
- Civil Society, especially DPOs, is a catalytic force in articulating needs and designing responses
- Good policy responses require good data
- Legal frameworks are only a starting point. Budget allocations are crucial
- Need for effective accountability mechanisms at all levels
- Access to services must be accompanied by communication for social change

Lessons learned from CRC involvement that may help CRPD implementation:
- Crucial importance of national periodic reporting process in ensuring accountability, self-assessment, coordination, alliance building, national level policy advocacy
- Build on the momentum created by reporting and follow to keep rights of persons with disabilities on the national policy agenda
- Focus resources on general measures of implementation (the “general obligations”)
- The CRC Committee has really maximized the impact of Article 45 (corresponding to Art 38 of the CRPD) in getting UN and NGOs involved in CRC reporting and implementation

Main challenges:
- Lack of organizational policy on disabilities. In-house awareness, technical and analytical capacity must be increased
- Indicators to monitor and evaluate inclusive programming have not been developed
- Bureaucratic system of tracking expenditure
- Training programme on disability needed

7.4 Alana Officer and Tom Shakespeare - Examples of WHO work to support implementation of the CRPD, including the CBR guidelines
The WHO receives its mandate from the 193 member states. WHO is working on developing the global evidence base, for example, through the upcoming World Report on Disability, developed in partnership with the World Bank. WHO has also produced guidelines, like the Guidelines on the provision of Manual Wheelchairs and the Community-Based Rehabilitation Guidelines, developed in partnership with ILO, UNESCO and IDDC. WHO has a key role on building capacity in the area of disability data, policy development, health and rehabilitation services provision, developing model projects to promote mainstream rights, for example, in sexual and reproductive health.

The World Report on Disability aims to highlight good practice based on existing evidence on the situations and the day to day experiences of persons with disabilities. The report looks at the multi-dimensional nature of poverty related to disability, providing information to enable States to develop policies and to improve the delivery of services, to generate concrete action, raise awareness and increase political will on the rights of persons with disabilities. This report has been produced in co-operation with DPOs, NGOs, professional associations, experts and the UN agencies. This partnership, which contributed to the quality of the information and its dissemination, was part of a broad process intended to improve collaboration across sectors into bringing around the necessary changes in attitudes and approaches related to persons with disabilities. The process of the report opened some potential opportunities for all partners, including on national situation analysis, national dialogue, creating a platform to bring together stakeholders and look at current national situation and suggesting strategies of action.

The Community Based Rehabilitation Guidelines cover the areas of health, education, livelihood, social and empowerment. The aim of these guidelines is to provide guidance on how to strengthen and develop existing CBR programs (currently within 96 countries), promote CBR as a strategy for community based inclusive development and help support people who have responsibilities related to the rights of persons
with disabilities. The Guidelines have a strong focus on empowerment of persons with disabilities and their families.

Over the last year, the so-called WHO Task Force on Disability has worked to promote informational and physical accessibility of regional and national offices to persons with disabilities. It is important to highlight that the UN Agenda will change as there are more workers with disabilities within the UN system.

→ Main challenges:
  - Lack of research
  - Lack of disaggregated data
  - Complexity of what is needed to address the rights of persons with disabilities
  - Competing demands and need for prioritization
  - Lack of funding and staffing
  - Regional and country colleague’s capacity
  - Need to ensure that the paradigm shift is happening
  - Need to work across different UN agencies and State Ministries

7.5 Main challenges discussed during the debate

→ Rights based approach on rights of persons with disabilities
It is crucial to integrate CRPD standards relating to users and survivors of psychiatry. It is important that publications from UN agencies highlight the principles of the Convention and clearly banish practices that are not in line with the Convention, for example, forced treatment and forced medication. On the other hand, it is important that DPOs understand that UN agencies work under mandates, which are established by States. So, sometimes, they are not able to work on the whole aspects of the rights of persons with disabilities.

→ Coordination of UN agencies priorities on disability rights
From a DPO perspective, there is a shift of action of UN agencies after the entry into force of the CRPD, for example within specialized agencies like UNICEF and UN Women. It is important to know how these agencies will coordinate their priorities. It is crucial to reinforce capacity and expertise of UN, DPOs and NGOs staff to use a human development approach.

Proposals:
  a) DPO involvement in national coalitions
  b) DPO participation in monitoring and reporting processes
  c) Improve partnership between children rights organizations and DPOs, and their collaboration with UN agencies

→ Gradual movement toward full inclusion of person with disabilities
Currently, society and disability movement are at a cross-road momentum. It is important to be aware that only specific services for people who have been excluded most of their lives would not be the best practice. It is necessary to gradually move towards total inclusion.
8. Closing Session

Moderators: Diane Richler, Chair of the International Disability Alliance
Yannis Vardakastanis, Vice-Chair of the International Disability Alliance

It is important to continue the work which was undertaken during the negotiations on the Convention on the Rights of Persons with Disabilities (CRPD), which is political and activist work. The implementation of the CRPD is associated with profound and deep political commitments, which requires decision-making and actions from outside of the disability movement.

The Convention was adopted in a different political, social and economic situation than today, and the financial crisis has put more persons with disabilities under the poverty line and in risk of exclusion. In order to make the CRPD part of the disability agenda and movement, it is necessary for persons with disabilities to feel that the Convention is their own Convention. For that, IDA and other stakeholders need to make it a political process again.

The International Disability Alliance wanted to hold this Multi-Stakeholder Seminar to understand what main challenges exist in our work. The Seminar has helped to understand the complexity of the challenges.

→ It is crucial to make strategic decisions

The disability movement should be able to choose what is a step forward in their own context and to know where disabled people and DPOs want to be. Furthermore, they need to envisage what the world will look like when the Convention will be fully implemented.

→ More articulation is needed

The disability movement needs to improve articulation on where they want to be. Activities, programs and policies should be supported and be consistent with the spirit of the Convention and what it means for persons with disabilities, including by banishing practices that the disability movement deems to be a departure from CRPD standards.
IDA members prepared a study on the impact of the Decade of Persons with Disabilities in Central America and it was found that, despite increased investment and focus over a period of time on disability issues, the way in which the support was applied in fact weakened the disability movement, because it was focused on services and not on strengthening DPOs.

IDA members and the movement of persons with disabilities need to decide how the spirit of the Convention for which they fought for, will be implemented.
Annex I

Identifying Key Challenges in the Full and Effective Implementation of the CRPD

Palais des Nations, Room IX
Geneva, December 10\textsuperscript{th}, 2010

Opening Session:
09:00-9:30  Diane Richler, Chair of the International Disability Alliance  
Ana Peláez, Vice-Chair of the Committee on the Rights of Persons with Disabilities

Session I: Challenges in reforming mainstream and disability-specific legislation
9:30-11:00 Co-moderators: Tina Minkowitz (WNUSP/IDA) and Liisa Kauppinen (WFD/IDA)  
Speakers: Priscille Geiser (HI), Barbara Murray (ILO), and Diana Samaran (DRF)

Topics to be discussed:
- Support by UN entities to these processes
- How to ensure respect to the diversity of disability
- Modifying the disability architecture (article 33)
- Some first (good and bad) examples of aligning national legislation with the CRPD
- How to ensure meaningful involvement of representative DPOs

11:00-11:30 Coffee-break

Session II: Establishing and/or modifying policies compatible with the CRPD
11:30-13:00 Co-moderators: Klaus Lachwitz (II/IDA) and Imed Chaker (AODP/IDA)  
Speakers: Diana Chiaracescu and Christian Courtis (OHCHR)

Topics to be discussed:
- Accessible mainstream services and support for participation in mainstream services
- Do we need specialized services/solutions? Is the perspective of developing countries different?  
- How to move from specialized solutions to mainstream solutions? Examples of deinstitutionalization
- Designing social protection policies in a way that furthers social inclusion and full participation
- When are States meeting sufficiently their progressive realization commitments?

13:00-14:00 Lunch break

Session III: Financing the implementation of the CRPD
14:00-15:30 Co-moderators: William Rowland (WBU/IDA) and Venus Ilagan (RI/IDA)  
Speakers: Gerison Lansdown, Patty O’Neill (Gender OECD/DAC), Catherine Naughton (IDCC)
Topics to be discussed:
- Financing of support services for people with disabilities (decentralization, delivery by NGOs)
- Disability budgeting. What can we learn from child rights budgeting?
- Increasing and improving the use of development cooperation funds to promote disability rights and avoiding the wrong use of development cooperation funds
- Impact of the financial and economic crisis

15:30-15:45 Coffee break

Session IV: **What can the UN system do to contribute to the implementation of the CRPD?**

15:45-17:45 Co-moderators: Ruth Warick (IFHOH/IDA) and Lex Grandia (WFDB/IDA)

Speakers: Sven Isorjavi (UNDP), Simon Walker (OHCHR), Nicolette Moodie (UNICEF), Alana Officer/Tom Shakespeare (WHO)

Topics to be discussed:
- Mainstreaming disability rights in the work of the UN country offices
- Lessons to be learnt from the implementation of other human rights treaties
- Effective involvement of DPOs in the work of UN at country level
- World Disability Report and CBR guidelines
- Presentation on draft thematic report on the role of international co-operation

**Closing session:**
17:45-18:00 Remarks by IDA Chair Diane Richler and IDA Vice-Chair Yannis Vardakastanis
Towards the Full Implementation of the CRPD

Proposed way forward on the CRPD Implementation Guidelines Project

Content:

1. Introduction
2. Main conclusions of discussions among IDA members and with other stakeholders
3. Proposal for CRPD Implementation Guidelines’ methodology
4. Next steps
5. Proposed budget reallocation and new budget

1. Introduction

The present document presents a first attempt of a roadmap towards the production of CRPD implementation guidelines. It is based on the reflection process held so far within IDA and enriched by its contacts with other stakeholders.

The participation in national and regional meetings so far has allowed a good identification of the overall challenges DPOs face in their advocacy work related to the implementation of the CRPD. This proposed roadmap is presented to AusAID as the donor supporting the project prior to its presentation and detailed discussion with all relevant stakeholders. This means that this proposal is subject to changes based on the contributions to be made by IDA members and other stakeholders.

The main reason to present this proposal in this draft format is to justify some of the changes to the project we would like to propose, which also imply some reallocation of the budget.

This document needs to be read together with the report that has been produced on the actions undertaken so far.

2. Main conclusions of discussions among IDA members and with other stakeholders

The IDA CRPD Implementation Guidelines Committee, which is in charge of monitoring the project related to the CRPD implementation guidelines, met in Geneva on December 11th, the day after the Multi-Stakeholder Seminar, to consider the next steps of the project. The meeting was preceded by a working meeting with donors and international NGOs to discuss possible strategies to approach the process towards CRPD implementation guidelines.

During the Committee meeting, IDA members reviewed background documents and discussed the ‘lessons learned’ from the Multi-Stakeholders Expert Seminar, discussing the different challenges highlighted during the seminar (see report seminar), how these could be addressed and what could the role of IDA be in this. The Committee concluded that the idea to produce CRPD Implementation Guidelines is generally welcomed
and considered useful, but it was also felt that this is a major challenge and should be approached under the leadership of IDA, but with the active involvement of all other relevant stakeholders.

IDA members discussed different options on how to proceed in drafting the CRPD implementation guidelines and the next steps of the project. The UN's role is yet to be defined, but it seemed that guidelines targeting national DPOs would be more appropriate in order to get UN endorsement.

3. Proposal for CRPD Implementation Guidelines’ methodology

A. Objective: To support the advocacy work of DPOs
The implementation guidelines must build capacity of DPOs and support their work to take part in the CRPD implementation process at national level. The guidelines should strengthen the disability movement and its capacity to be properly engaged in legislative and policy revision (both disability-specific and mainstream) as well as to monitor and influence national budgetary allocation and resources originating from international co-operation.

B. A modular approach
From discussions held so far, it seems that the only way to approach this challenge is by working through modules focused on thematic areas. Each module would be produced separately, but IDA would need to ensure consistency in terms of the content of the different modules and avoid any unnecessary overlaps.

Thematic areas would be specific articles of the CRPD (education, right to vote, employment, etc..) or clusters of articles, but there could also be modules on more specific issues (HIV and disability, business and CRPD).

All modules would include horizontal issues, like women with disabilities and children with disabilities, but there would be also specific modules on these groups.

Each module would have its own process, including an editorial board, expert meetings, if possible, its separate fundraising strategy and its own timeframe.

One common element in the production of all modules is that there needs to be a meaningful participation of IDA, which does not necessarily mean that IDA (or IDA members) needs to be the coordinator of each of the modules.

All modules would be endorsed by IDA (once the content has been validated) and other stakeholders (including UN agencies) can add their endorsement to those modules in which they have an interest and in which they have taken part.

C. Key elements in each module
Even though each module would have its own process, as explained in the previous section, some elements will be common to all modules, for example, DPOs involvement, interactive method of consultation, etc.

Furthermore, all modules would be structured through these key elements:

- Key concepts/definitions
- General principles
- Article interpretation
- Obligations resulting from the Article
- Implementation measures
- Example of good practices
- Implementation checklist

A proposed structure of the CRPD Implementation Guidelines modules is attached in Annex 1.

D. Establishment of a co-ordination structure: the CRPD Partnership Forum

As mentioned before, such an ambitious endeavour can only be addressed through the co-ordinated involvement of all relevant and interested stakeholders. It is in this context when the initiatives undertaken last year by IDA of bringing together a large number of stakeholders are especially important and can lead to what we have provisionally called the CRPD Partnership Forum. The establishment of this structure was already discussed among IDA members in 2010 and a final proposal is being submitted to the IDA Governing Body to be held in Geneva on April 8-10 2011.

The CRPD Partnership Forum would be led by IDA and would be open to other stakeholders, including international disability and development NGOs, mainstream human rights NGOs, mainstream development co-operation NGOs and disability rights donors.

The role of the CRPD Partnership Forum as a whole (probably through an ad hoc Committee chaired by IDA) will be to:
- Ensure consistency of the module(s) with each other
- Oversee the overall process and the process of each of the modules
- Support fundraising efforts
- Ensure DPO leadership in the process and ensure final validation
- Approach UN agencies for endorsement of specific modules
- Contribute to the wide dissemination of modules once finalised

Specific CRPD Partnership Forum members will be invited to contribute to all or some of the modules by, among others:
- Co-ordinating the work on a specific module
- Participating in the production of the module(s)
- Being members of the editorial boards of the different modules
- Endorsing the modules

4. Next steps

→ Convene a second multi-stakeholder meeting

As foreseen in the project submitted to AusAID, IDA will convene a second international meeting in July 2011. One of the objectives of the seminar will be to establish the CRPD Partnership Forum and separate time would be allocated for this.

IDA would also invite to this meeting, relevant UN entities (including the new Multi Donor Trust Fund on Disability), as well as potential donors. The seminar will include a full day or part day session on one of the horizontal issues identified as key facilitators for the implementation of the CRPD, like disability rights budgeting or the role of international cooperation.
The meeting would have been preceded by bilateral meetings/dialogues with all of the participants to discuss with them the objective of the meeting and the contribution each of the organisations could make to the process towards CRPD Implementation Guidelines.

The costs related to this meeting will be sufficiently higher than those foreseen in the initial submission made to AusAID, which is why a reallocation of the budget would be required to allow for this meeting to take place.

→ Trainings, regional seminars and key events agenda
In the initial submission to AusAID, it had been planned to participate and co-organise a number of regional meetings.

It is still planned to participate in a number of meetings organised by IDA members and others, but it is not felt that this participation is vital to achieve the objectives of the project. It is therefore proposed to reallocate the budget initially planned for all these meetings to the second international seminar described in the previous point.

→ Compilation of existing guidance documents related to the CRPD and other human rights treaties
In order to provide support to the CRPD implementation guidelines process, the IDA Secretariat has compiled about one hundred publications on CRC, CEDAW, CESC, ICCPR, CAT and CRPD. A first version of this compilation was disseminated to participants of the Multi-Stakeholder Seminar held in December by the IDA. A second version is being finalized with the feedback received from IDA members and stakeholders and will serve as a useful background paper for the production of CRPD Implementation Guidelines modules.

→ IDA Bulletin “Towards the full implementation of the CRPD”
As a support action to the process of the CRPD implementation guidelines, it is planned to launch a new CRPD implementation bulletin. The first issue is planned for June/July 2011, but the aim is to make it a permanent tool.

The bulletin would be produced every three months, focusing on the implementation of the CRPD. The target groups of this bulletin specifically are national organisations of persons with disabilities and national policy makers.

→ Presentation of the AusAID Project’s outcomes
IDA will present the main outcomes of the AusAID funded project during the next Conference of States Parties (CoP) in September 2011 in New York. IDA will also take this opportunity to convene a “side event” with the aim to present the main AusAID funded Project outcomes, even if the project will be completed by this time.

5. Proposed budget reallocation and new budget

As explained in the previous section, a reallocation of budget between different budget lines is proposed.
On one hand, the first international seminar organised in Geneva led to more expenses than initially planned. While the seminar was a one day seminar, it was followed by a working group meeting and project committee meeting on the second day.

But, the more significant proposed change to the budget relates to the proposed second international multi-stakeholder seminar to be held in early July 2011, which should see the launch of the CRPD Partnership Forum, a thematic day or half day on a horizontal issue and connected working group meetings or workshops focusing on specific modules of the CRPD Implementation Guidelines. The budget submitted to AusAID only included 9,000 AUS$ for this activity, while a more accurate estimation of this activity is close to 55,000 AUS$.

Another new element in the budget relates to the production of the new IDA CRPD implementation Bulletin. The costs included in the budget relate mainly to produce versions in French, Spanish and Arabic.

A proposed revised budget is attached in annex 2.

Annex 1

Proposed Structure of the CRPD Implementation Guidelines Modules

Introduction

From discussions held so far, it seems that the only way to approach the challenge to produce CRPD implementation guidelines is by working through a modular approach focused on thematic areas. The defined thematic areas would be specific articles of the CRPD (education, right to vote, employment, etc.) or clusters of articles, but there could also be modules on more specific issues (HIV and disability, business and CRPD, etc.).

All modules would include horizontal issues, like women with disabilities and children with disabilities, but there would be also specific modules on these groups.

The current proposal will be presented to the different stakeholders at the second international seminar and will be revised based on the feedback received at this seminar.

Key elements in each module

While the process for each module will vary, in order to ensure consistency among all the modules, all modules would be structured through these common elements:

1. **Key concepts/definitions**
   Provide general definitions of relevant CRPD concepts plus specific concepts related to the theme of the module, if needed.

2. **General principles**
   Identify linkages between the Preamble and General principles of the Convention and how they apply to the chosen theme.
Highlight gender issue(s), children related issues, as well as non-discrimination, legal capacity, accessibility.

3. **Interpretation of the article(s)**
   Define the exact meaning of the article based, when needed, on the negotiating history of the CRPD. Links with other articles, when relevant.

4. **Obligations resulting from the Article**
   Highlight the State obligations in this area and underline possible relationship with other treaties.

5. **Implementation measures**
   This is the most important section of the module. Identify general and specific measures required for the implementation of the relevant article(s) and which should be demanded by DPOs in their advocacy work, including:
   - Changes in disability specific or mainstream legislation
   - Changes in policies
   - Changes in budget allocation
   - When dealing with an ESC Right, emphasize what would be immediately applicable and what would be subject to progressive realisation
   - Present indicators to measure progress and other data related issues
   - Support that could be obtained from UN agencies
   - Recommendations from the CRPD Committee or any other treaty bodies, if relevant.
   - Call attention to possible cases for strategic litigation

   **Good practices around the world**
   Examples of good practice will be included throughout section 5, including from developing countries and reflecting different types of disabilities.

6. **Implementation checklist**
   Include a checklist of actions to be used by DPOs in their advocacy work towards their governments.

7. **Key documents**
   A list of publications, UN instruments, study cases, websites, etc., will be provided.

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**Annex 2**

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<th>DESCRIPTION</th>
<th>Total initial budget</th>
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Participation in a few regional, subregional and national seminars which are organised by IDA members and other stakeholders

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<tr>
<th>4. International seminar (November 2010)</th>
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<td>It was a one day expert seminar complemented by working meeting and project Committee meeting on second day...</td>
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<td>5. International seminar (July 2011) (new) and meeting of the CRPD Partnership Forum</td>
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<td>2 days seminar, including first meeting of the CRPD Partnership Forum and connected meetings</td>
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<td>6. Final document (editing and translation) (new) Production and translation of new Bulletin</td>
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<tr>
<td>8. Contingencies (5%)</td>
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<tr>
<td>Total cost</td>
<td>226,600</td>
<td>170,000</td>
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</table>
Proposed Structure of the CRPD Implementation Guidelines Modules

Introduction
From discussions held so far, it seems that the only way to approach the challenge to produce CRPD implementation guidelines is by working through a modular approach focused on thematic areas. The defined thematic areas would be specific articles of the CRPD (education, right to vote, employment, etc.) or clusters of articles, but there could also be modules on more specific issues (HIV and disability, business and CRPD, etc.).
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   Links with other articles, when relevant.

4. **Obligations resulting from the Article**
   Highlight the State obligations in this area and underline possible relationship with other treaties.

5. **Implementation measures**
   This is the most important section of the module. Identify general and specific measures required for the implementation of the relevant article(s) and which should be demanded by DPOs in their advocacy work, including:
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- Recommendations from the CRPD Committee or any other treaty bodies, if relevant.
- Call attention to possible cases for strategic litigation

**Good practices around the world**
Examples of good practice will be included throughout section 5, including from developing countries and reflecting different types of disabilities.

6. **Implementation checklist**
Include a checklist of actions to be used by DPOs in their advocacy work towards their governments.

7. **Key documents**
A list of publications, UN instruments, study cases, websites, etc., will be provided.
Annex VII  Matrix based on IDA members’ areas of interest in different CRPD articles for the implementation guidelines, in table and accessible formats (Accessible format)

IDA members’ areas of interest for the implementation guidelines

1. If a module is being prepared, in which area would your organisation like to take part?

a) CRPD Articles

4: General obligations - WNUSP
5: Equality and non discrimination – EDF, WNUSP
6: Women with disabilities - WFD, EDF, WNUSP, IFHOH
7: Children with disabilities - II, WFD, EDF, WNUSP, IFHOH
8: Awareness raising - WNUSP, IFHOH
9: Accessibility - WBU, WFD, EDF, WNUSP
10: Right to life - WNUSP
11: Situations of risk and humanitarian emergencies - WNUSP
12: Equal recognition before the law - II, EDF, WNUSP
13: Access to justice – EDF, WNUSP
14: Liberty and security of the person - WNUSP
15: Freedom from torture or cruel, inhuman or degrading treatment or punishment - WNUSP
16: Freedom from exploitation, violence and abuse - WNUSP
17: Protecting the integrity of the person - WNUSP
18: Liberty of movement and nationality - WNUSP
19: Living independently and being included in the community - II, EDF, WNUSP
20: Personal mobility - WBU
21: Freedom of expression, opinion and access to information - WBU, WFD, WNUSP
22: Respect for privacy - WNUSP
23: Respect for home and family – II, WNUSP
24: Education - II, WBU, WFD, EDF, WNUSP
25: Health – WBU, WNUSP
26: Habilitation and Rehabilitation – WBU, WNUSP
27: Work and employment - II, WBU, EDF, WNUSP
28: Adequate standard of living and social protection - II, EDF, WNUSP
29: Participation in political and public life – EDF, WNUSP
30: Participation in cultural life, recreation, leisure and sport - WBU, WFD, WNUSP, IFHOH
31: Statistics and data collection - WNUSP, IFHOH
32: International Co-operation – II, WNUSP
33: National implementation and monitoring - II, WFD, EDF, WNUSP, IFHOH
b) Other areas which are not strictly linked to the previous specified articles:

Preamble on families – II, WNUSP
Article 1 Purpose - WNUSP
Article 2 Definitions - WNUSP
Article 3 General Principles – WNUSP

2. Please, indicate in which area would your organisation be willing to be one of the coordinators?

a) CRPD Articles

5: Equality and non discrimination - EDF, IFHOH
9: Accessibility - EDF, IFHOH
12: Equal recognition before the law – II, WNUSP
14: Liberty and security of the person – WNUSP
15: Freedom from torture or cruel, inhuman or degrading treatment or punishment - WNUSP
17: Protecting the integrity of the person - WNUSP
19: Living independently and being included in the community - II, EDF, WNUSP
21: Freedom of expression, opinion and access to information - WBU, WFD
24: Education - II, WFD, IFHOH
25: Health - IFHOH
26: Habilitation and Rehabilitation - IFHOH
27: Work and employment - WBU, EDF, IFHOH
29: Participation in political and public life - EDF
30: Participation in cultural life, recreation, leisure and sport - WFD
33: National implementation and monitoring - EDF

3. What would be your two priority areas in case it is decided to produce two pilot modules?

9: Accessibility - EDF (Unless the CRPD Committee will produce a General Comment on it soon), IFHOH
12: Equal recognition before the law – WNUSP
14: Liberty and security of the person – WNUSP
19: Living independently and being included in the community - II
21: Freedom of expression, opinion and access to information - WBU, WFD
24: Education - II, WFD
27: Work and employment - WBU
28: Adequate standard of living and social protection - EDF
33: National implementation and monitoring - EDF
Steps after ratification

This document seeks to provide a non exhaustive roadmap for national DPOs in their advocacy work to promote the full and effective implementation of the CRPD.

a. Guidelines for advocacy work of national DPOs

Aligning legislation

One of the most relevant and immediate obligation resulting from the ratification of a Convention is the need to align the legislation to the content of the Convention.

Some countries do this prior to ratification, mostly those for which international treaties do not as such become part of their national legislation. In countries where international treaties become part of the national legislation (usually with a status only inferior to the Constitution), ratification still requires aligning all legislation to the Convention in order both to avoid inconsistencies between national laws and the new Convention, but also because many of the provisions of the Convention need more detailed legislation to become fully operational.

The process of systematic revision of legislation needs to include both disability-specific legislation as well as all mainstream legislation that is relevant for persons with disabilities, including the existing legislation on education, employment, electoral laws, among others. Furthermore, this revision should include or strengthen the prohibition of discrimination on the basis of disability, including the discrimination by private actors. Some of the most advanced provisions of the CRPD will require modifications to the Civil Code or equivalent legislation and could even imply the need to modify the Constitution.

The process of aligning the legislation needs to involve in a meaningful way representative organizations of persons with disabilities, mandated in the Article 4 (3) of the CRPD, and it is very important that all parties involved are provided with the adequate capacity to fully grasp the implications of the Convention. External guidance might often be useful, including from the OHCHR, which has produced a number of good documents focusing on the legal implications.

It is however important to ensure national ownership of the harmonization process to ensure its effectiveness and buy-in by all stakeholders.

The experience so far has shown that the priorities of legal harmonization vary significantly between more and less developed countries and that those priorities are highly dependent of the general awareness of both policy makers and DPOs. While in some countries like Australia or Japan, key issues raised were related to denial of reasonable accommodation, legal capacity and mental health laws, other countries with much shorter disability policy history, those issues are less of concern.

The other key barrier to address is the lack of implementation of many of the laws so far in the area of disability.
Raising awareness

Article 8 of the CRPD mandates States to undertake awareness raising actions on the rights of persons with disabilities and on the CRPD. These actions should both be general as well as specific to different target groups.

It is especially important that awareness raising actions target persons with disabilities themselves, and their families and that this is being done with the active involvement of representative organizations of persons with disabilities.

Making the CRPD accessible to all

The translation into national languages (official as well as minority languages) is key if we want to ensure that all persons are aware of the Convention. It needs to be ensured that the translation of the Convention is done in an accurate way. DPOs need to be involved and need to check in particular the disability-specific terminology. CRPD versions in national sign languages need also to be made available at no cost.

It is also important that the CRPD is made available in alternative formats, in particular in Braille and in plain language.

Beyond translation it is crucial that states ensure an effective dissemination of the CRPD and related national legislations throughout their country.

Revision of public policies

A systematic revision of all public policies (disability-specific and general) is also a key obligation resulting from the CRPD.

Mainstream public policies need to be checked to ensure that they are fully accessible for all persons with disabilities, including through the provision of individualized reasonable accommodation and the provision of those support services that will enable persons with disabilities to benefit from mainstream services.

Existing disability-specific services need to be revised to ensure that they are fully consistent with the provisions of the CRPD. This revision might lead to the disappearance of some of these services (large residential institutions) to be replaced by new services (community based support) or by fully accessible mainstream solutions.

It is of crucial importance that all major policy tools are included. For instance in many low income countries, support to persons with disabilities is mostly channeled through dedicated programs co-funded by international cooperation which often are extra-legal and extra-budgetary while being presented as governmental action.

Revision of national budget
The full and effective implementation of the CRPD will require an increased resource allocation. Sometimes, this will imply a reallocation of budgets from segregated solutions to inclusive solutions, but often it will mean creating and increasing budget allocation. The mainstreaming of disability rights requires that the budget allocations benefitting persons with disabilities will need to be made in all relevant budget lines.

**Work at national, regional and local level**

The implementation of the CRPD is an obligation for all levels of the State: national, regional and local.

DPOs need to be doing advocacy work on all the different decision making levels and ensure that legislation (when this is not only national), regulations, policies, budgets and practices are fully consistent with the CRPD.

The active involvement of DPOs in all these levels needs to be ensured.

**Definition of persons with disabilities**

The CRPD does not include a precise definition of disability or persons with disabilities, but establishes in its article 1 a minimum threshold that all national definitions need to meet. This would for instance mean that in countries where persons with psychosocial disabilities have not been considered as persons with disabilities, this has to change to ensure that persons with psychosocial disabilities will benefit from all provisions of the Convention.

Moreover it is important that DPOs explain to their Governments that all persons with disabilities irrespective of their type and level of disability should be protected from discrimination on the basis of disability. While it may be reasonable to define certain minimum criteria for the access to disability-related benefits, the protection from discrimination should not be subject to these same limitations.

Moreover, DPOs need to explain that the legislation should protect from all forms of discrimination based on disability, which would also include situations that affect non disabled persons, including family members or other persons associated with a person with a disability, persons who have had a disability in the past or have a genetic predisposition to become disabled in the future.

Beyond strict definition it is of utmost importance to pay attention to use of those definitions within existing mechanisms of individual disability assessment whether their aim is to deliver the “disability card” which allows individuals to access dedicated services and support, or to evaluate capacity to work, to access education or to enjoy exercise of legal capacity. Many countries are currently either revising or developing such mechanisms which are the key to the CRPD implementation as they are one of the key tool for government to increase or decrease resources allocation to persons with disabilities for individual support.

**Training/awareness measures targeting specific groups: employers, trade unions, service providers, judges, health professionals, polices, etc.**
The full enjoyment of the rights included in the CRPD does not only require the changes in law, but it also needs to be ensured that all those professionals in charge of implementing these laws and policies need to be trained on the provisions of the CRPD and need to fully grasp the principles on which the CRPD is based. It is important to include disability rights modules (preferably to be delivered by persons with disabilities themselves) in all general training activities. It is also imperative that all mainstream human rights training activities includes training on the human rights of persons with disabilities.

**National accessibility plan/strategy and strengthening of accessibility related legislation (public procurement, licenses for opening)**

Full accessibility is one of the main objectives of the Convention and an objective that will be achieved gradually. DPOs need to ensure that States are doing their utmost to achieve full accessibility.

It is important to ensure that all new infrastructures meet the relevant accessibility standards. In the case of publicly funded initiatives, accessibility needs to be a compulsory requirement in the relevant public tenders. For private initiatives, it is important that the relevant licenses that are required for the construction/refurbishing and for the opening of premises are subject to meeting the relevant accessibility standards.

DPOs should also ask all public authorities to produce accessibility plans with specific objectives (agreed with the participation of representative DPOs).

**Focal point**

DPOs should request to Governments that the disability focal point that needs to be established is located at the highest possible level of the Executive in order to ensure that it has competence over all relevant Ministries.

**Coordination mechanism**

Furthermore, DPOs should also advise that all Ministries have disability focal points and that these coordinate the work among each other and involve representative DPOs in their meetings. In strongly decentralized countries, coordination structures need to exist between the central level and the different regions.

**Independent monitoring mechanism**

DPOs need to request from their States that an independent mechanism is established (or the task is allocated to an existing one), that meets the Paris Principles.

Furthermore, this body needs to have a disability unit or focal point which is fully aware of the CRPD. Persons with disabilities with knowledge on human rights should be employed by the institution and a structured dialogue should be established with the representative DPOs.
Starting process for baseline report to be submitted after two years

States should include in their first report statistical information that will allow a monitoring of the situation over time.

Improve statistical base

DPOs should request from their Governments the collection of data that will allow to measure and monitor the progress in the situation of human rights of persons with disabilities in the country. Statistics should not be limited to establish the number of persons with disabilities and their situation, but should also provide information on the barriers faced by persons with disabilities in the different areas of life.

Revise international co-operation

DPOs have to request from their Governments (whether these are donor or partner countries) to be fully involved in the design and implementation of international cooperation activities, both disability-specific and mainstream.

Meaningful involvement of DPOs in mainstream initiatives

DPOs have to request from States that they are fully involved in all relevant national strategies initiatives and decision-making process, including human rights strategies, poverty reduction strategies, and MDG related initiatives. DPOs shall request to be members of all relevant Committees and other monitoring structures.

b. Suggestions for DPOs own actions

Strengthen the co-operation among DPOs

DPOs need to continue strengthening the co-operation among them in order to maximize the impact of their demands.

Increase their capacity: CRPD, alternative reports, policy analysis, legal work

DPOs need to be aware that to be effective in their advocacy work, they need to acquire not only a profound knowledge on the implications of the CRPD, but also a good understanding of how to use the regional and international monitoring processes to support their national advocacy work. In particular, the skills to produce effective parallel reports to the CRPD Committee, other UN human rights treaty bodies and the Universal Periodic Review.

It is also very important that DPOs plan the reinforcement of their capacities to analyze critically policy formulation and implementation, including understanding of statistical data collection and consolidation, budgeting process, policy review mechanisms, etc.
It includes also an understanding of major policy tools in their country. For instance in many low income countries, support to persons with disabilities is mostly channeled through dedicated program funded by international cooperation which often are extra-legal and extra-budgetary while being presented as governmental action.

In addition, DPOs need to increase their skills and knowledge on how to use the national legal system in particular by using strategic litigation.

**Building alliance with human rights NGOs (women, children, against torture, etc.)**

DPOs need to build bridges with other national human rights NGOs. This will not only allow DPOs to learn from the experience of these other NGOs but will also contribute to an increased attention to the rights of persons with disabilities by these other organizations.

**Monitor mainstream developments**

DPOs need to proactively request their participation in all relevant mainstream initiatives in their country and not focus exclusively on disability specific initiatives.

For further information see:

IDF Factsheet on

Influencing UNDAF process

"We have to invest sufficient funding and expertise to unlock the vast potential of people with disabilities."

Professor Stephen W. Hawking
(World Report on Disability’s Foreword)

I. INTRODUCTION

Recognizing the UN role to lead by example in disability inclusive development, the International Disability Alliance (IDA) has prepared this factsheet on “Influencing the UN common country strategy” with the aim to facilitate interaction between UN entities with representative organizations of persons with disabilities (DPOs).

Considering that new UN common country programming process is being prepared/ revised in more than 90 countries over the next three years, it is essential that DPOs understand how development strategies and disability rights interact with each other and how DPOs can influence this interaction. IDA understands that this momentum is crucial to ensure that disability rights are mainstreamed in this process.

This factsheet does not provide an exhaustive description of the UN common country programming process, but explains basic concepts in its “General part” and adopts an action-oriented approach to DPOs’ advocacy work to influence and include the rights of persons with disabilities in international cooperation policies and development-related strategies in the “Action-oriented part”.

II. CRPD AND INTERNATIONAL COOPERATION

In 2006, the UN adopted the Convention on the Rights of Persons with Disabilities (CRPD), which dedicates an entire article to international cooperation. The article emphasizes the role that all relevant stakeholders, including the international organizations, should play in the promotion of disability rights.

The CRPD provides a normative framework for States parties to ensure that the lack of visibility of persons with disabilities is addressed and that they are included in all development efforts.

To implement these development-related strategies, the Preamble of the Convention recognizes the importance of international cooperation, particularly in developing countries. Articles 4(2) and 32 of the CRPD recommend States parties to promote international cooperation when necessary and partner with relevant international and regional organizations and civil society.

The CRPD standards and principles should guide development policies and programmes, including capacity building and technical and economic assistance; and all development strategies should ensure the promotion and respect of the human rights of persons with disabilities.

The Paradigm Shift

The “CRPD paradigm shift” represents a landmark achievement in how persons with disabilities are perceived - initially as objects of charity and now as rights-holders. This approach should be incorporated into the everyday planning and implementing processes within governmental and UN agencies policies.
"Twin-Track Approach"

The CRPD emphasises the importance of mainstreaming disability issues as an integral part of relevant strategies of sustainable development, while, at the same time, recognises that disability-specific projects are needed. Governments and UNCTs should improve disability-specific actions (such as capacity building actions for DPOs) and disability-inclusive practice by mainstreaming disability rights in all development policies, in order to empower persons with disabilities.

III. UNDERSTANDING THE UN COMMON COUNTRY PROGRAMMING PROCESS

The United Nations (UN) enacted a reform process in 1997 in order to be more effective and efficient. As a result, the UN developed the common country programming process, represented mainly by the Common Country Assessment (CCA) and the United Nations Development Assistance Framework (UNDAF).

United Nations Country Teams (UNCT) ensure coordination among different UN agencies at the country level. They are required to support national priorities that include the rights of excluded groups, such as persons with disabilities, through a common strategic framework for the UN operational activities system, represented by both the CCA and the UNDAF.

This UN common process ranges from 3 to 6 years and should take into account governmental international commitments to the internationally agreed development goals, including the MDGs, and their obligations under international human rights, norms and standards, which include the CRPD.

The UN common framework is being revised or renewed in more than 90 countries over the next three years (2011-2013). Disability rights should be included in these strategic frameworks; otherwise it will increase exclusion and segregation of persons with disabilities as well as not achieving the MDGs.

CCA and UNDAF

The Common Country Assessment (CCA) analyses the national development context with a focus on the MDGs and States’ internationally agreed treaty obligations, such as the CRPD.

The United Nations Development Assistance Framework (UNDAF) describes the collective responses of the UN system to national development priorities. The UNDAF directs the work of all UN agencies at the country level. Further, through them, the UNCTs can encourage governments to include actions and strategies in specific areas, such as regarding the rights of persons with disabilities.

Usually, civil society organizations, including DPOs, are unfamiliar with the UNDAF process, despite their extreme importance to the development cooperation between the UN and countries. To give some concrete examples, UNDAFs establish how UNICEF will support education, how ILO will develop or increase employment programs and which will be the WHO policies in the country; hence the importance to influence the process, and include disability rights. (www.undg.org/docs/11096/How-to-Prepare-an-UNDAF-%28Part-I%29.pdf)

Examples from existing UNDAFs:

a) Inclusive education outputs and indicators:

Azerbaijan, 2011 - 2015 - *Children with disabilities have increased access to mainstream education.*

Ghana, 2006 - 2010 - *Increase in the number of youth and women with disabilities having access to inclusive education.*

b) Socio-economic development outputs and indicators:

Uzbekistan, 2010 - 2015 - *Jobs created and skills enhanced for women in less developed regions and young people with disabilities in traditional crafts and tourism (UNESCO).*
Jordan, 2008 - 2012 - *Increase employment skills and work opportunities for women, youth and persons with disabilities in underserved areas (UNIDO, UNDP, UNIFEM, UNRWA, UNESCO, IFAD, WFP).*

c) Governance outputs and indicators:
China, 2011 - 2015 - *Strengthened capacity to implement existing international conventions and agreements, with a particular focus on: ...the Convention on the Rights of Persons with Disabilities ...*

**A. MDGs and persons with disabilities**


Based on the UN Secretary General report, the UN General Assembly adopted the Resolution *Realizing the Millennium Development Goals for persons with disabilities towards 2015 and beyond - 65/186*, urging United Nations system to make a concerted effort to integrate disability into its work to ensure that development programmes, including Millennium Development Goals policies, processes and mechanisms, are inclusive of and accessible to persons with disabilities. ([www.un.org/disabilities/documents/gadocs/a_res_65_186.doc](http://www.un.org/disabilities/documents/gadocs/a_res_65_186.doc)).

The UN Secretary General highlighted that the Millennium Development Goals (MDGs) will not be achieved if persons with disabilities are not included. In practical terms:

a) MDG1 Eradicating extreme poverty and hunger: will not be met if persons with disabilities are not included
b) MDG 2 Achieve universal primary education: will not be achieved unless the 25 million children with disabilities of school age are included in primary education
c) MDG 3 Promote gender equality and empower women: will not be attained while women and girls with disabilities still experience double discrimination
d) MDG 4 Reduce child mortality: will not be accomplished if mortality rates for children with disabilities remains very high at 80 per cent in some countries
e) MDG 5 Improve maternal health: women with disabilities have less access to general information on sexual and reproductive health, to family planning and to prenatal, labour, delivery and post natal services
f) MDG 6 Combat HIV/AIDS, malaria and other diseases: will not be met while efforts are not inclusive of and accessible to persons with disabilities, and if they are not protected from misguided sexual/cultural beliefs
g) MDG 7 Ensure environmental sustainability: poor environmental quality is a significant cause of exclusion/segregation of persons with disabilities
h) MDG 8 Develop a global partnership for development: If persons with disabilities do not have their rights mainstreamed in development programmes, this goal will not be achieved.

**B. Guidance Note on Disability**

The Guidance Note for UNCTs and Implementing Partners - Including the rights of persons with disabilities in UN programming at country level, issued by UNDG/IASG/TT, is an important instrument to help UNCTs, but also DPOs and other stakeholders to mainstream the rights of persons with disabilities.
The Guidance provides relevant CRPD information, describes specific entry points for promoting the rights of persons with disabilities, presents a list of selected tools and provides a checklist of key questions.

Further, the Guidance highlights that UNCTs should guarantee the participation of persons with disabilities and their representative organizations as active stakeholders on a daily-basis (empowerment) and that UNCTs need to ensure that the barriers created by society are removed and new ones are prevented.


C. Human Rights Based Approach

The UN common country programming processes are driven by five inter-related principles. The first and most important principle to DPO’s advocacy work is the Human Rights-Based Approach (HRBA), which highlights that human rights standards and principles guide all development cooperation and programming in all sectors and in all phases of the programming process. This means that UNCTs should take into consideration CRPD standards in all phases of the CCA and UNDAF processes.

Main elements of the HRBA:

a) Empowerment - the participation of persons with disabilities as active stakeholders

b) Accountability - the duty of public institutions/development organisations to implement human rights and to justify the quality and quantity of their policy implementation

Action-oriented part

IV. UN PROGRAMMING STEPS

Despite the complexity of the process, it is essential that DPOs clearly understand the UN programming processes and how to influence them.

Step by step explanation:

The UN programming processes, normally, starts with a Common Country Assessment (CCA) or the revision of existing CCA. This CCA runs in three steps:
1. assessment (by gathering information)
2. strategic analysis, which identifies the impact of poverty in specific groups and
3. prioritization of development challenges

After that, UNCTs have enough information to start the United Nations Development Assistance Framework (UNDAF) process, which runs in four steps:
1. production of a road map
2. preparation or deepen analysis on the country situation
3. elaboration of a strategic plan and, finally
4. establishment of monitoring and evaluation tools.

Below, there is a graphic that illustrates all these steps:
To better understand each of these steps:

**A. CCA programming sequence**

1. **Assessment** - Determines development challenges, its intensity and who is affected.
2. **Strategic analysis** - Identifies the root causes and group-specific impact of poverty and other challenges.
3. **Prioritizing development challenges** - Three to five challenges are prioritized to enhance the collective impact of UN development operations.

**B. UNDAF’s four mandatory steps**

1. **Road map** - Aligns the national policy and development planning process.
2. **Country analysis** - Takes into account the situation of excluded groups and people in situation of vulnerability as well as considers the States’ engagement vis-à-vis human rights treaties and instruments. Available resources are organized according to the country analysis; hence the importance that UNCTs position disability rights within it.
3. **Strategic planning** - Provides a results matrix with a clear definition of outcome and output that address national priorities, which should break down barriers to participation of persons with disabilities in poverty reduction and development programmes.
4. **Monitoring and Evaluation** - Assess progress towards the UNDAF’s expected results and give support to areas where national monitoring and evaluation systems are required.

**C. Influencing UN Programming Process**

**How DPOs can influence these processes?**

**Step by step explanation:**

During the **Common Country Assessment (CCA)** DPOs can, for example:
1. provide information for the assessment step
2. support development challenges in the strategic analysis and
3. influence prioritization of areas of cooperation

During the **United Nations Development Assistance Framework (UNDAF)** process, DPOs can:
1. raise awareness during the production of the road map
2. provide information and expertise to the country analysis
3. lobby UNCTs to mainstream disability rights in the strategic planning and
4. propose indicators to monitor disability-related progress in the evaluation phase.

Below, there is a graphic that illustrates these different possibilities to DPOs advocacy work:
Other examples of how DPOs can influence UN programming process:

Other actions of advocacy, raising awareness and expertise can strongly influence both the CCA and UNDAF.

Hereunder, there are some examples, which are not exhaustive, of how DPOs can influence the UN programming process. These examples are organised by topics to avoid repetition. DPOs should be aware that some of these work are needed at different steps.

**Partnership**

- a) Identify the UN Resident Coordinator in the country
- b) Identify key actors at all levels - government, development agencies and civil society
- c) Participate in national articulations/consultations related to the programming process
- d) Possess in-depth knowledge of governments’ international commitments to the internationally agreed development goals, including the MDGs, and their obligations under international human rights, norms and standards, which include the CRPD, CRC, CEDAW, among others
- e) Be strongly engaged in the process, sharing its expertise and supporting empowerment strategies
- f) Build partnerships with other civil society organisations and raise their awareness of disability rights
- g) Participate in mainstream civil society and government events, seminars, public campaigns, etc.; and invite these actors to participate in their own activities/events
- h) Encourage the Resident Coordinator and other UN representatives to release official statements on the inclusion of persons with disabilities, including on relevant dates like the International Day of Persons with Disabilities

**Participation**

- a) Ensure that persons with disabilities through their representative organisations are part of the process and that they are early involved in the process in order to strengthen their ownership
- b) Guarantee the participation of women, men, children and youth with disabilities of all types and their representative organizations, including from remote and rural areas
- c) Be aware that the consultation process may have different forms, such as questionnaires, meetings, seminars, revision of drafts, etc. It is important that DPOs participate in all of them
- d) Request that UNCT disseminate drafts of the CCA and UNDAF, in local languages, accessible formats and in jargon-free style, and provide enough time for DPOs to prepare their contributions and so ensure adequate participation
- e) Request that consultation be official, organised and of quality
- f) Encourage UN Resident Coordinator and UNCTs to create a DPO advisory committee (or ensure their inclusion in the Civil Society Organization advisory committee) to facilitate their participation in the process
- g) Request UNCT feedback on the policy impact of DPOs’ inputs
- h) Be aware that there are four types of participation: information, consultation, public policies’ co-elaboration and co-decision. UNCTs can choose any of them, thus the importance of DPO’s advocacy work

**Advocacy**

- a) Encourage UNCTs to establish a Thematic Group on persons with disabilities, to support focus on disability rights during all CCA/UNDAF steps as well as appoint in each agency one or two disability focal points
- b) Approach disability rights within the Human Rights thematic group in a cross-cutting perspective
c) Urge and support UNCTs to mainstream disability rights in all development actions and CCA/UNDAF steps  
d) Request UNCTs to consider disability dimension in the whole budget provisions  
e) Request that data to identify excluded groups are sufficiently disaggregated, taking into consideration disability, and if data are not available consider it as a relevant outcome to be reached  
f) Advise UNCTs and government to avoid discriminatory terminology: people with disabilities should neither be addressed as “the disabled” nor as a ”vulnerable group”  
g) Urge UNCTs to mention and include disability rights in the context of rural development

### Raising awareness

| a) | Support and strengthen the CRPD knowledge of partners |
| b) | Circulate the UNDG Guidance Note on Disability and approach UNCTs |
| c) | Encourage UNCTs to provide more and accessible information on the mechanics of CCA and UNDAF processes and the opportunities for DPOs engagement |
| d) | Share experiences and gaining information through direct contact with a variety of stakeholders |
| e) | Remind UNCTs that persons with disabilities are experts and have valuable experience and insights that can improve UNCT’s responses |
| f) | Share available data, reports, surveys and all relevant information that can evidence persons with disabilities’ exclusion and State non-compliance vis-à-vis international commitments (i.e., Treaty Bodies, UPR and others UN bodies' comments/ recommendations), to support UNCT analysis and articulation |
| h) | Analyse the current UNDAF and identify if and how persons with disabilities and their rights are included and urge UNCT to mainstream disability rights in the new/revision UNDAF process |
| i) | Stimulate and support UNCT to include disability rights and CRPD in training and capacity building to UNCT staff and government representative |

### Monitoring and Evaluation

| a) | Encourage UNCTs to take into account of information on persons with disabilities in all UNCT reporting, including periodic specific reports |
| b) | Influence States to include data on the monitoring and evaluation plan |

### Practical Information

More information about UNCTs by country is available at [www.undg.org/unct.cfm?fuseaction=UNCT%20Database%20|%20UN%20Country%20Teams](http://www.undg.org/unct.cfm?fuseaction=UNCT%20Database%20|%20UN%20Country%20Teams)

The IDA secretariat is available to give support if needed. For more information, please contact the IDA secretariat: Stefan Trömel (stromel@ida-secretariat.org), Tchaurea Fleury (tfleury@ida-secretariat.org) or Vladimir Cük (vcuk@ida-secretariat.org).
Annex X

Report of the second expert meeting, the “Workshop to establish a roadmap for CRPD implementation guidelines”

International Disability Alliance (IDA)

REPORT of the

Workshop to establish a roadmap for CRPD implementation guidelines

Supported by
AusAID - Australian Government Overseas Aid Program

Hotel Epsom, Geneva
November 14 and 15, 2011
## List of Acronyms

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<th>Acronym</th>
<th>Full Form</th>
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<tbody>
<tr>
<td>ADD</td>
<td>Action on Disability and Development</td>
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<tr>
<td>AODP</td>
<td>Arab Organization of Disabled People</td>
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<tr>
<td>AusAID</td>
<td>Australian Agency for International Development</td>
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<tr>
<td>CBM</td>
<td>Christian Blind Mission</td>
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<td>CBR</td>
<td>Community Based Rehabilitation</td>
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<tr>
<td>CESCR</td>
<td>Committee on Economic, Social and Cultural Rights</td>
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<td>CRC</td>
<td>Convention or Committee on the Rights of the Child</td>
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<td>CRPD</td>
<td>Convention on the Rights of Persons with Disabilities</td>
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<td>DKB</td>
<td>Dansk Blindesamfund</td>
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<td>DPI</td>
<td>Disabled Peoples’ International</td>
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<td>DPOs</td>
<td>Disabled Peoples’ Organization</td>
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<td>DRF</td>
<td>Disability Rights Fund</td>
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<td>DRPI</td>
<td>Disability Rights Promotion International</td>
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<td>DSI</td>
<td>Down Syndrome International</td>
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<td>EDAN</td>
<td>Ecumenical Disability Advocates Network</td>
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<td>EDF</td>
<td>European Disability Forum</td>
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<td>EU</td>
<td>European Union</td>
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<td>GC</td>
<td>General Comment</td>
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<td>GPDD</td>
<td>Global Partnership on Disability and Development</td>
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<td>HI</td>
<td>Handicap International</td>
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<td>HRW</td>
<td>Human Rights Watch</td>
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<td>IASG</td>
<td>Inter-Agency Support Group for the CRPD</td>
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<td>ICESCR</td>
<td>International Covenant on Economic, Social and Cultural Rights</td>
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<td>IDA</td>
<td>International Disability Alliance</td>
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<td>IDDC</td>
<td>International Disability and Development Consortium</td>
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<td>IFHOH</td>
<td>International Federation of Hard of Hearing People</td>
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<td>II</td>
<td>Inclusion International</td>
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<td>ILO</td>
<td>International Labour Organisation</td>
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<td>Abbreviation</td>
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<td>INGOs</td>
<td>International Non-Governmental Organizations</td>
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<td>Millennium Development Goals</td>
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<td>NGOs</td>
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<td>NHRIs</td>
<td>National Human Rights Institutions</td>
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<tr>
<td>OECD</td>
<td>Organisation for Economic Co-operation and Development</td>
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<tr>
<td>OHCHR</td>
<td>Office of the High Commissioner for Human Rights</td>
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<td>OIF</td>
<td>Organisation internationale de la Francophonie</td>
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<td>PRSP</td>
<td>Poverty Reduction Strategy Paper</td>
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<td>SHIA</td>
<td>Svenska Handikapporganisationers Internationella (Swedish Organizations of Disabled Persons International Aid Association)</td>
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<td>UN</td>
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<td>United Nations Educational, Scientific and Cultural Organization</td>
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<td>UNICEF</td>
<td>United Nations Children's Fund</td>
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<td>UPR</td>
<td>Universal Periodic Review (UN Human Rights Council)</td>
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<td>WBU</td>
<td>World Blind Union</td>
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<td>WFD</td>
<td>World Federation of the Deaf</td>
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<td>WFDB</td>
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<td>WG</td>
<td>Working Group</td>
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<td>WHO</td>
<td>World Health Organization</td>
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<td>WNUSP</td>
<td>World Network of Users and Survivors of Psychiatry</td>
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Annex I: Program of the Workshop
Annex II: Draft structure of the guidelines module proposed by IDA
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Patrick Clarke (DSI and IDA)  Priscille Geiser (HI)
Richard Bennett (Effective Collectives)  Roseweter Mudarikwa (African Decade)
Ruth Warick (IFHOH)  Setareki Macanawai (PDF and IDA)
Shalon Kilonzo (Assistant)  Stefan Trömel (IDA Secretariat)
Susanna Silberstein (Interpreter)  Tanyaradzwa Mudarikwa (Assistant)
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1. Background

In December 2010, the International Disability Alliance (IDA) held the **Expert's Meeting on Identifying Key Challenges for the Full and Effective Implementation of the Convention on the Rights of Persons with Disabilities (CRPD)**. The aim of the meeting was to explore the feasibility to produce CRPD implementation guidelines and focus on a number of key issues and challenges that need to be addressed for the full and effective implementation of the CRPD, with special attention to developing countries. The Seminar report is available under www.internationaldisabilityalliance.org/representation/other-working-groups-coming-soon/.

In response to the challenges raised during the above-mentioned meeting – and after substantive discussions had taken place within IDA and with relevant stakeholders, in particular during the Fourth Conference of States Parties to the CRPD – IDA called upon all members, the disabled community and key stakeholders, and hosted the **Workshop to establish a roadmap for CRPD implementation guidelines** (hereinafter the "Workshop"), held in Geneva, on 14 and 15 November 2011, with the support of AusAID.

The Workshop was attended by 52 participants from IDA members, other Disabled People's Organizations (DPOs), UN Agencies, States missions to the UN in Geneva, international development and disability NGOs, IDA Secretariat, assistants and sign language interpreters. Furthermore, a special online forum was created through which people from all over the world - consisting mainly of DPO representatives - could view the live webcast of the meeting and interact with two "virtual" working groups to present ideas, suggestions and questions.

2. Workshop objectives

Responding to the momentum created for the elaboration of the CRPD Implementation Guidelines, the Workshop had the following objectives:

1. Review key issues and challenges identified so far
2. Seek the inputs, experiences and views of right-holders and stakeholders as a basis for the preparation of the roadmap to establish such guidelines

The Workshop was action oriented and interactive with plenary and virtual discussions and with working groups testing the proposed methodology and process for the production of such guidance. Furthermore, IDA presented the idea to produce a new Journal for the implementation of the CRPD as well as a **Training of Trainers, Advisors and Leaders Project (ToTAL)** (see sessions 8 and 9).
3. Opening Session

Diane Richler, Chair of the International Disability Alliance

After a brief introductory welcome to the participants and a tour de table, Diane Richler presented the goals of the Workshop and recalled IDA’s involvement and strong role played during the UN CRPD negotiating process.

The adoption of the Convention and its ratification by more than a hundred countries so far are significant achievements. However, the consensus on the language of the Convention text was only a very small step towards the realization of the rights of persons with disabilities around the world.

Currently, one of the main challenges is the discrepancy in the interpretation of the CRPD, both from within the disability communities and governments. IDA plays a special role in supporting CRPD interpretation with the collaborative efforts from relevant stakeholders.

IDA’s chair recalled the Expert’s Meeting on Identifying Key Challenges for the Full and Effective Implementation of the CRPD and the work that IDA has done in the meantime both to understand (i) what already exists in terms of interpretation and guidance for implementation of the Convention and (ii) information on how the CRPD is being implemented and its impact for persons with disabilities around the world.

As a result, IDA is seeking to develop guidelines that will be useful to persons with disabilities and their organisations in supporting their advocacy work. As the full interpretation of the Convention is a huge undertaking, the idea is to focus on some key issues, including principles and other substantive issues.

To conclude, Diane announced that IDA would be developing a paper on Article 4 (3) of the CRPD, which deals with the participation of persons with disabilities in national CRPD implementation processes. This paper responds to the inconsistency in how persons with disabilities are being consulted and involved around the world, especially where persons with disabilities and its representative organizations are not being dissociated, as rights-holders, from other civil society groups (stakeholders).
4. Main challenges of CRPD implementation

During the plenary discussions, participants actively shared their experiences and views regarding the main challenges of the CRPD implementation. Those are regrouped as follows:

1. **Complexity of the CRPD**
   The CRPD is a complex multi-dimensional document, with many vertical and horizontal issues. Due to its nature as an international treaty, it does not provide full guidance to national DPOs to support national implementation.

2. **The implementation of the CRPD is not a linear process**
   It was largely accepted that the CRPD negotiation process was the easiest part compared to the on-going implementation process where the lack of knowledge on the CRPD standards seemed to be widely problematic and where a profound legislative revision is required.

Participants identified two main categories of implementation challenges as:

a) **CRPD-related issues**: education, employment, legal capacity, social protection (mainstream versus specific programs), non-discrimination (including the denial of reasonable accommodation) and States Parties obligation to protect vis-à-vis the private sector. Furthermore, some constituencies are often not taken into consideration; for instance, the lack of knowledge related to persons with intellectual or psychosocial disabilities prevents those groups from exercising their full rights.

b) **Policymaking issues**: bad governance, corruption, lack of consultation with DPOs and civil society, lack of legal revision, lack of budgetary provision and inadequate or inexistent service delivery.

3. **Lack of knowledge and capacity**
   Very often national DPOs are not fully aware of the CRPD standards. There is a need to develop DPOs' knowledge and capacity in order to include them in and ensure that they have an influential impact on legislative reform, policy redesign (both specific and mainstream) as well as disability budget provision.

4. **Large differences between States Parties**
   Each State approaches the CRPD implementation differently. While some do not even have a version of the CRPD translated in the national language, others have a comprehensive disability national plan.

5. **DPOs involvement in the political process**
   In many countries, governments have demonstrated the inability to effectively engage with persons with disabilities and their organisations. On the other hand, DPOs very often lack the requisite knowledge to be engaged in political processes in a strategic way.

6. **Representativeness**
   It is common that national coalitions do not represent all groups of persons with disabilities, including the extremely poor and people with intellectual or psychosocial disability. Moreover, in countries where DPOs
do not even exist or are very few in number, there is a lack of clarity on who would negotiate with
governments and represent persons with disabilities.

7. **DPOs as service providers**
Many DPOs assume the role of service provider, even in domains under the States’ responsibility, such as
education and health. Often, because of no direct action from the government, the DPOs become the
primary source for service provision, which limits their capacity to engage in advocacy work.

5. **Foundational Module**
The audience was divided into groups with the active participation from the ‘webinar group’ (participants
from the internet) with the task of discussing about the proposed methodology for the production of CRPD
implementation guidelines modules. Participants concluded that the guidelines should have a foundational
module, which should cover:

| **Preamble, General Principles, Article 4 (3) and Non-discrimination**, representing a core study from Articles 1 to 5, including crosscutting articles and issues (Articles 6 to 9 and indigenous people). |

In addition, the foundational module should raise key concepts, general principles as well as provide
interpretation, implementation measures, indicators and checklists.

Participants noted that it is important to understand the purpose of the foundational module, which should
stand-alone and include general information on Human Rights and States obligations.

The foundation module should also:

a) Include examples of immediate obligations and progressive realisation; reasonable accommodation and
   non-negotiable clauses (guardianship, legal capacity, education and right to life)

b) Provide general explanation on diversity, accessibility, gender, children and paradigm shift

c) Map policy processes in order to allow DPOs to engage with MDGs, PRSPs, social protection floors, UPR,
   TBs and aid cooperation (international, regional and national)

d) Include evidence-based research

e) Include Article 9 both as a principle and as a substantive article

f) Take into account Article 33(1) and how DPOs can be properly involved in budgetary processes

Some guidance on how the Convention functions could be provided, including a short description of the
Conference of States Parties and the CRPD Committee as well as on disability rights budgeting as a
facilitator of the implementation of CRPD.
6. Specific modules

Following the Foundational Module, specific modules should be produced focusing on specific rights or cluster of rights of the CRPD, which should be coherent and refer to the foundational module, when pertinent.

Participants were asked about their priorities in terms of CRPD articles and chose the following CRPD Articles to be subject of the first specific modules, by order of relevance:

- Article 29 (Participation in political and public life)
- Article 28 (Adequate standard of living and social protection), combined with Article 19 (Living independently and being included in the community) and Article 23 (Respect for home and family)
- Article 21 (Freedom of expression, opinion and access to information)
- Article 33 (National implementation and monitoring)
- Article 11 (Situations of risk and humanitarian emergencies)
- Article 24 (Education)
- Article 12 (Equal recognition before the law)
- Article 13 (Access to justice)
- Article 27 (Employment)

A. Common structure of specific modules

In order to test the draft structure of the guidelines module proposed by IDA (see annex II), participants revised and simulated the use of this draft structure.

As result of the working groups, participants generally approved the proposed draft, suggesting the following modifications:

1. Key concepts/definitions
   a) This section should be covered in the foundational module and referred to in the specific modules and it could be presented as an annex

2. General principles
   a) It should be linked to the foundational module
   b) Articles 11 and 32 and older persons with disabilities could be transversally included

3. Interpretation of the articles
   a) Expected outcomes should be identified and the main target group should be kept in focus

4. Obligations resulting from the articles
   There was no comment

5. Implementation measures, including good practices
   a) Executive summary and list of abbreviations should be included
   b) Add reasonable accommodation
   c) Link with other Treaty Bodies and existing guidelines
   d) Use of multi-media, for instance, videos interpreting articles

6. Implementation checklist
   a) It should be carefully crafted to avoid limiting the CRPD implementation possibilities

7. Key documents
   a) These could be presented as an annex
B. Simulation of the methodology

Participants were invited to simulate the first steps for the elaboration of specific modules. Plenary and webinar participants were divided into four groups. The first three CRPD articles listed in the previous exercise (Articles 29, 28 and 18), plus the Article 4(3) - which will be subject of a paper from IDA - were distributed to each group.

The first three groups were formed reflecting the diversity of constituencies and stakeholders present at the workshop. Persons with disabilities constituted the webinar group, which was facilitated by the IDA secretariat.

1. Identification of key issues

The first exercise invited participants to identify the main issues related to the implementation of each specific right.

Generally, participants expressed that the interpretation of the articles and key concepts are of the highest importance and should be provided in each specific module, referring to the Foundational module when pertinent.

Other common issues regarding all analyzed articles are:

a) DPOs lack of knowledge on the CRPD standards
b) Lack of linkage between specific rights and guiding principles, when implementing the CRPD
c) Lack of campaigns for budget allocations and identification of participatory processes (e.g.: Brazil)
d) Lack of examples of (good and bad) current practices

Specific issues regarding Article 29 (Participation in political and public life)

- Lack of connection with Article 4 (3) regarding decision and policymaking
- Lack of clarity on who is entitled to be elected and for which positions, etc.
- Disability movement should give strong message that 'everyone has the right to vote and no one should be excluded' (e.g.: ECHR court case Kiss v Hungary)
- Analysis and revision of existing legal hindrances:
  . To vote: e.g. persons who cannot read and/or speak
  . Physical barriers: e.g. access to polling stations
  . Technological barriers: e.g. lack of technical assistance and communicational accessibility
- Identify existing mechanisms for consultation with civil society actors and participation at the local level (formal and informal)
- Secure the way to participation (e.g.: within governmental policies, forming organizations, etc.)
- Include the dimension of gender, democracy and quotas (e.g.: South Africa and Uganda)
- Information should be accessible and technical access should be provided, including for deaf, blind and deaf blind persons
Specific issues regarding Article 28 (Adequate standard of living and social protection)

- Social protection schemes generally do not take persons with disabilities into consideration, e.g. cash transfers with condition of attendance at (inaccessible) schools
- Policymakers have no knowledge of the needs of persons with disabilities
- Lack of clarity on the eligibility criteria and processes for identification of persons with disabilities
- Eligibility in relation to the poverty line does not take into account the extra costs of impairment
- Need for analysis to understand whether disabled people are deliberately excluded through discrimination or through lack of awareness or insufficient eligibility criteria procedures
- Corruption
- Persons with disabilities are often grouped or classified into vulnerable groups
- Poor persons with disabilities groups lack to be included into development and/or poverty reduction policies
- Very often benefits go to families and not to the individuals themselves
- Disability under social protection often reinforces the idea of need and dependency
- Lack of indicators and monitoring systems
- Need for research on low cost and durable assistive devices
- Lack of guidance on social protection and on ways to access information

Specific issues regarding Article 19 (Living independently and being included in the community)

- Misunderstanding of concepts such as the choice where to live, personal support, social network, peer support and independence
- Respect from family and society does not necessarily mean ‘living on one’s own’
- Segregation from mainstream services
- Need to link with Articles 28, 12, 23
- How to organize deinstitutionalization and training of service providers
- Regarding developed countries, issues like the principle of non-retrogression, confinement or isolation in offered services (e.g. sheltered living or workshops)

Specific issues regarding Article 4 (3) (Consultation and involvement of DPOs)

- Representatives of persons with disabilities should be trained on human rights
- Support to persons with disabilities to build and empower DPOs
- Funds (without strings attached) to support DPO development
2. Identification of key stakeholders

Participants widely agreed that, while persons with disabilities and their representative organisations are right-holders and should intervene to the elaboration of the CRPD implementation guidelines as such, it is crucial to have the involvement and support from relevant stakeholders.

Participants suggested IDA to involve the following stakeholders in the elaboration of all modules, when pertinent:

a) UN agencies and offices such as OHCHR, UNDP, ILO, The World Bank, UNICEF
b) Actors of development and international cooperation
c) National Human Rights Institutions
d) Intergovernmental and regional bodies
e) UN Special Procedures
f) Treaty Bodies
g) International NGOs and national NGOs, including women’s organizations and indigenous groups

Specific stakeholders related to Article 29 (Participation in political and public life)
- NGOs (Article 19, CCPR Centre, women’s rights organizations)
- Development actors working on good governance and democracy
- International Foundation for Electoral Systems (IFES) and political parties
- Intergovernmental and regional bodies (OAS, EU, African Union, OSCE, Council of Europe, CoE Parliamentary Assembly, Interparliamentary Union) and electoral commissions
- Human Rights Committee and CEDAW Committee

Specific stakeholders related to Article 28 (Adequate standard of living and social protection)
- UN Special Procedures (Water and Sanitation and extreme poverty) and UN Millennium Campaign
- IDDC members, ITUC (Trade Unions) and Clusters and sector working groups at national level

Specific stakeholders related to Article 19 (Living independently and being included in the community)
- Service providers, researchers and CBR actors

Specific stakeholders related to Article 4 (3) (Consultation and involvement of DPOs)
- Special Rapporteur on Disability, on torture and on violence against women
- Parents, community and schools representatives
- Special space should be given to women, children and older persons with disabilities
3. Support sought (resource mobilization and fundraising)

Plenary and webinar participants highlighted that the main support sought to develop the specific modules are related to information and financial resources, which include support on:

a) The writing of the modules (IDA members, DPOs, partners, experts, among others)
b) Information on good and bad practices (from States, DPOs, partners, among others)
c) Advice on legislation or specific legal issues
d) Share experiences from persons with disabilities who have overcome challenges
e) Financial and technical support in order to test the modules, e.g. pilot trainings (considering different regions and contexts)
f) Collection of data and information
g) Support in translating the guidelines into different languages, sign language and Braille

Specific support on the module concerning Article 29
- Advice on legislation, inclusive governance and accessible voting (with the support from DPOs)
- The program ‘Making it work’, from Handicap International, can share its 30 good practices covering 6 countries
- DESA is currently collecting information on good practices and could share it

Specific support on the module concerning Article 28
- Information and experience from the Social Protection Floor Initiative covering a wide range of issues (e.g. minimum standards in developing countries and poverty traps in richer countries)
- Information from regional platforms, e.g. Africa Platform for Social Protection (African Union), EU’s Mutual Information System on Social Protection (MISSOC), Asian Development Bank
- FAO - food programmes

Specific support on the module concerning Article 19
- Practical experiences from developed programmes

Specific support on the module concerning Article 4 (3)
- Fund for training and raising awareness
- Meetings online live (including funding to support access to technology, e.g. screen readers)
7. **Proposals**

Participants strongly urged IDA to use the CRPD Implementation Guidelines (including its elaboration process) to: build capacity of national DPOs, reinforce their knowledge, strengthen their advocacy work (including CRPD implementation work and especially regarding the political process-related work) and in poverty reduction review processes.

In order to facilitate understanding of views and suggestions expressed by all participants, the proposals listed hereafter were organized by (I) substance and (II) process.

7.1. **On the substance:**

1. **Empowerment**
   The guidelines should be a tool for empowerment of persons with disabilities and DPOs, which:
   - Provide suggestions on the roles of persons with disabilities, including in political life
   - Suggest tools on how persons with disabilities should monitor the CRPD implementation
   - Give ideas on how to access justice or prevent violation of their rights
   - Assist the establishment or strengthening of networks of the CRPD as well as the exchange of good experiences, knowledge and practices.

2. **Inclusiveness**
   Ensure inclusiveness of all disability groups. The guidelines should bring the comprehensiveness of all rights for all persons with disabilities and suggest ways of collaboration among different disability groups.

3. **Dialogue with governments**
   The guidelines should give some guidance on how to create dialogue with governments, especially in countries where representative organizations of persons with disabilities do not exist or there are only a few.
   Further, the guidelines should incorporate ideas on how government can be more active in CRPD implementation, suggesting ways to effectively implement it.

4. **Replicable and universally applicability**
   Considering the different countries’ realities, the guidelines should provide relevant universally applicable advice that should have the potential to be expanded and applied into national policy.

5. **Raise CRPD standards**
   The guidelines should provide clear guidance on what issues DPOs should not compromise, clearly stating what is not negotiable, in order to avoid lowering CRPD standards and principles.

6. **Participation and democracy**
The notion of democracy is very complex in some contexts and in some countries. The guidelines should provide guidance when raising the notion of participation.

7. **Perspective from the global south**

The guidelines should highlight in particular the perspective of DPOs from the South.

8. **Identifying roles**

The Guidelines should clarify the roles of governments, DPOs and other actors as duty bearers, rights holders and stakeholders, respectively. Furthermore, ideas on how to involve those governments and partners should be provided.

**Specific issues:**

1. Right to life - Some definitions or descriptions should be provided on the right to life, specifically related to the meaning of this right and of its elements, such as quality of life, inclusion in society as well as the relation of the right to life and the whole of the Convention.

2. Education - Education for deaf persons by well-trained teachers in local sign language and qualified sign language interpreters should be taken into consideration.

3. Human rights and development - When producing the module on Article 28, it is important to use it as a strategy to move towards the MDGs and Social Protection Floor (SPF) initiatives, in order to mainstream disability rights into the development agenda.

4. A procedural module on Articles 33 to 50 could be produced.

7.2. **On the process:**

1. **Format**

Two main ideas emerged from the debates:

a) Two sets of guidelines - The guidelines could have two parts: (i) a general part, covering universally applicable issues, and (ii) a specific part which considers different political situations, especially related to advocacy and collaboration. This second part should also consider issues like awareness raising and DPOs' role in supporting CRPD implementation.

b) Foundational module and specific modules - The second proposal was chosen by the participants, as already explained in sections (5 and 6).

2. **Coordination at international level**

For specific modules, a steering committee should be established, representing the diversity of rights- and stakeholders; with the participation of IDA members and relevant stakeholders. The validation of the content, good practices and examples could be done by each steering committee on a 'peer revision' basis. The Steering Committees should also take into consideration the lack of a unified voice of the disability movement in some countries.
3. **Ownership**

The production process of such guidelines is at least as important than the final product. The guidelines should highlight DPO views in CRPD interpretation. In addition:

- A consultation mechanism should be established in order to ensure broad DPO participation
- The analysis from the disability grass root movement will bring added value to the process
- A practitioner approach will be useful to avoid 'academicism' disconnected from the ground
- Actors such as UN actors, NHRIs, government, society as a whole, Media, human rights advocates, and other stakeholders, should be mapped during the process; their expected roles and responsibilities in national, regional and international levels should also be identified.

4. **Methodology**

- The language should be understandable, useful, not too technical and accessible
- The layout should be user-friendly and avoid the use of abbreviations
- The document should be evolving, lively and include a review process
- Practical expertise in relation to the CRPD should be contextualized
- It is crucial to secure budget funds to ensure accessibility
- A glossary of terms and principles should be included; for example, non-discrimination, reasonable accommodation, accessibility, leadership, diversity, paradigm shift, should be defined
- Good and bad practices of the CRPD implementation should be identified. IDA members should play an active role on mapping those practices
- The guidelines can adopt a "Wiki format", giving the possibility to participants to add inputs, which will be edited by the Steering Committee.

5. **Training**

The guidelines should respond to a need, consider the existing reality on the ground and be accompanied by training.
8. **IDA CRPD Journal**

Linked to the CRPD Implementation Guidelines process, IDA will launch a Journal focused on the implementation of the CRPD. Three issues would be launched each year. Each Journal issue will be focused on one specific topic, acting as the first step towards the guideline's elaboration.

The aim of the Journal is to gather information related to the CRPD implementation from national level, covering good examples of DPOs participation and involvement in CRPD implementation.

For each Journal, an editorial board will be established. This board will be in charge of the choice of contributions and of the quality assurance of contributions received. Once the Journal is finalized, the editorial board would become the steering committee of specific modules, perhaps with additions.

**Common content**
Participants raised some ideas that can be used in all issues of the CRPD Journal, such as:

a) Identify national DPOs who can actively contribute
b) Ensure regional and disability constituencies' balance
c) Invite different partners, stakeholders and university's academics to contribute and write articles
d) Collect opinions as well as good and bad practices
e) Provide clarification of the article meaning
f) Reinforce knowledge of persons with disabilities on human rights
g) Raise challenges lived by grassroots DPOs on the lack of awareness of persons with disabilities on their rights, including on the right to participate
h) Provide ideas on how enhance participation at community level as well as on policymaker process
i) Suggest tools on how persons with disabilities should monitor the CRPD implementation

**Follow up to each Journal**
A time-limited online forum on the IDA website (or through the IDA Facebook) should be available after each Journal is launched to allow for feedback to the Journal. This feedback will also be used, when relevant, in the process of producing the Implementation Guideline module.

**Comments on specific issues**

**Article 29 (Participation in political and public life)**
- Inclusion International could offer support to translate the Journal into plain language; perhaps other IDA members could do the translation of the material
- Link to the International Day of Persons with Disabilities - December 3rd
- It could include interviews with electoral monitoring bodies

**Article 28 (Adequate standard of living and social protection)**
- Demonstrate different perspectives from developed and developing countries
- Produce an overview of what social protection is and on how to access it
- Develop criteria of how social protection can be non discriminatory

**Article 4 (3) (Consultation and involvement of DPOs)**
- Raise issues like corruption, political linkages and co-optation
- Provide ideas to strengthen systems where persons with disabilities represent themselves
9. Training of trainers, advisor and leaders (ToTAL) on the CRPD monitoring and advocacy for implementation

As part of a broad strategy to respond to the demand for guidance coming from national DPOs, IDA is seeking to combine the CRPD Implementation Guidelines, the CRPD-related Journal and the Training of Trainers, Advisors and Leaders Program (hereinafter called "ToTAL"), in order to strengthen the knowledge of persons with disabilities on CRPD provisions and standards.

The objective of the program is to ensure that in most regions, disabled people organizations involved in advocacy for CRPD compliant law and policy reform and CRPD monitoring have access to adequate (regionally adapted and comprehensive) CRPD related guidance.

In 2012, IDA is expecting to have three ToTAL pilot cycles in different regions and with different settings to test the adaptability of the curriculum and applicability of standards and their monitoring. It is crucial that the overall group reflects gender and disability constituencies balance. The first year of this Program will serve as a pilot. Lessons learned would be used as recommendations for the next phase, in 2013, which is expected to have four or five regionally adapted ToTAL cycles.

Methodology

A collaborative draft core curriculum and training standards will be developed in consultation with key stakeholders. IDA’s Capacity Building Committee will be in charge of the coordination process, with the support of key stakeholders. Several regional task forces will also be created, with the mission to adapt the curriculum, fundraise and implement the program. In addition, those regional task forces would be used to map how the disability movement is structured at national level.

The ToTAL cycle
Each cycle of the program includes the following steps:
- Selection of 15-20 participants from 4-5 countries. Approximately, half of which would be leaders and the other half which would have a trainer/advisor profile
- Online preparation with preliminary readings and small tasks to ensure as much as possible a common level of knowledge of participants before the first module
- The first Module will consist of ten days and will be followed up by field practice, short “policy paper” assignment on a key CRPD implementation policy issue in their country (depending on participants category) and by online follow up
- The second Module will take six days and will happening six months after the first module
- All participants that have completed the process will receive certificates
- An annual revision will take place and be carried out by the global coordination group

Expected Outcomes
The ToTAL Program expects that participants will gain good knowledge on the CRPD provisions and standards as well as on the human rights mechanisms, social policy and CRPD implementation analysis. Furthermore, a reasonable number of trainers and advisors will be available at regional level. In addition, regional and global networks of DPOs staff and members will be developed, sharing a common core background and exchanging on their practices, challenges and knowledge.

IDA’s Capacity Building Committee and relevant stakeholders involved have the responsibility to provide support to national DPOs and should ensure their commitment with the Program and with the involved participants. For instance, international NGOs working on DPOs capacity building projects or CRPD related trainings could invite formed participants as trainers of their programs.
10. Conclusions

1. The main conclusion of the Workshop stresses the need for more support to allow national DPOs to effectively play their role as foreseen in the Convention. A DPO-driven process to elaborate CRPD Implementation Guidelines can constitute such support and it was largely agreed that IDA has a main role to play leading this process and catalyzing energies, knowledge and experiences.

2. There was a consensus that the elaboration of comprehensive guidelines will be a huge and challenging task; for this reason, the guidelines should be elaborated gradually and in partnership with others, being open, transparent, accountable, representative and inclusive. In addition, the process should allow IDA to come up with concrete outcomes in a reasonable time frame.

It is important to highlight that the only existing interpretation guidelines regarding a UN Convention is related to the Convention on the Rights of the Child (CRC). Such guidelines were elaborated 10 years after the CRC took effect and reflect the Concluding Observations and General Comments of the CRC Committee, which does not yet exist vis-à-vis the CRPD Committee.

3. The Guidelines will not be a closed-ended document. It should be reviewed from time to time, with new ideas and practices being added. It should be a road map for DPO-driven support of CRPD implementation.

Foundational and specific modules
4. The IDA Committee of the CRPD Implementation Guidelines should consider having a foundational module presenting key concepts and general principles and to have specific modules on rights or cluster of rights encompassed in the CRPD, bringing interpretation and substantive issues.

CRPD Journal
5. Participants welcomed the idea to have a CRPD-related Journal acting as the first step towards the guideline’s elaboration.

6. Participants agreed that the first specific modules and the CRPD Journal should first deal with Article 29 (Participation in political and public life) and then, with Article 28 (Adequate standard of living and social protection), combined with Article 19 (Living independently and being included in the community) and Article 23 (Respect for home and family).

Training of Trainers, Advisors and Leaders Program (ToTAL)
7. Participants welcomed the ToTAL program, recognizing the existing demand from the ground.

Target group
8. National DPOs were identified as the main target group of the guidelines (and related actions such as the CRPD Journal and ToTAL Program). Nevertheless, there was a consensus that the outcomes will benefit other stakeholders such as policy makers, UN Country Teams, UN Agencies, national and international NGOs working on disability and National Human Rights Institutions, among others.

Mapping the disability movement
9. A questionnaire will be produced to map how the disability movement is organized.
Participatory process and involvement of different stakeholders

10. The process to establish CRPD Implementation Guidelines, and related actions, will naturally be driven and led by IDA, with the active participation of IDA members and national DPOs (right-holders), which are, at the same time, target group and producers.

11. The elaboration process should ensure broad participation and involvement of national DPOs, especially from the global South. National DPOs exposure through the production of the modules should also provoke their own questioning and capacity growth.

12. On the other hand, as already mentioned, it is crucial to have diverse participation and involvement of relevant stakeholders from the beginning of the process such as: UN agencies, development and cooperation organizations, country missions, INGOs and funds like the Multi Donors Trust Fund (MDTF), which will involve technical and financial support.

Expected results

13. As expected result, the guidelines (and related actions) should support the full and effective implementation of the CRPD, ensuring that the guidance provided is relevant and meets the needs of the target audience. Furthermore, it should use the language and provide relevant tools for national DPOs with which they identify themselves.