

## IDA guidance towards 2024 CRPD Committee elections

This document have been put together to provide information on the CRPD Committee elections and provide guidance and advice to national OPDs on how to contribute to the nomination process at the national level.

The next elections of members of the Committee on the Rights of Persons with Disabilities will take place on **11 to 13 June 2024**, at the 17th Conference of States Parties to the Convention on the Rights of Persons with Disabilities, taking place in UN Headquarters in New York, United States of America.

In the lead up to the CRPD Committee elections, **in early December 2023**, as part of the UN Secretariat, the CRPD Committee Secretariat will send a note verbale to the permanent missions of all State Parties to the UNCPRD to request nominations of independents experts as candidates to the CRPD Committee.

The deadline for nominations will be **11 April 2024**.

As for every CRPD Committee election, the International Disability Alliance (IDA) would like to encourage organizations of persons with disabilities around the world to get involved in this process.

Following **Article 34 (3) of the CRPD**, States should consult organizations of persons with disabilities throughout the nomination process. The following elements should be considered:

- An open call for applicants -spread through media and including accessible formats- would help the State to receive a broad range of applications from qualified candidates for the nomination.
- OPDs should have opportunities to express their views on applicants to nomination as candidates, eventually even challenging their application.
- The process and its results should be public, including candidates, evaluators, and selection criteria.



***Candidates nominated to be committee members should:***

Be experts and have recognized competence in the field of human rights of persons with disabilities.

- Be independent from government or governmental influence.
- Have high moral standing
- Serve in their personal capacity.
- Being knowledgeable of the CRPD.
- Be committed to non-discrimination and the human rights model of disability.
- Be fluent in one of the official languages of the UN (English, French, Spanish, Arabic, Chinese, Russian)

***The overall composition of the Committee should ensure:***

- Regional and gender balance
- Representation of the principal legal systems; and
- Participation and diversity of experts with disabilities.



States Parties should send in their nominations the latest by 11 April 2024 to the OHCHR.

For further information, please consult the [CRPD Committee's elections website](#) and a [common treaty bodies election webpage](#)

The following publications are also available:

- [Handbook for Human Rights Treaty Body Members](#)
- Human Rights Treaty Bodies & Election of Treaty Body Members: A guide for United Nations Delegates based in New York

## I- The election process of the CRPD Committee



### ***2024 CRPD Committee elections at 17th Conference of States Parties***

The 17th Conference of States Parties to the CRPD will be held **on 11-13 June 2024** during which the elections will take place for nine of the eighteen seats of the CRPD Committee. Members whose mandates expire at the end of 2024:

- Ms Rosa Idalia ALDANA SALGUERO (Guatemala)\*
- Mr Abdelmajid MAKNI (Morocco)\*
- Ms Gerel DONDOVDORJ (Mongolia)\*
- Ms Vivian FERNÁNDEZ DE TORRIJOS (Panamá)\*
- Ms Odelia FITOUSSI (Israel)\*
- Mr Samuel Njuguna KABUE (2024)
- Mr Robert George MARTIN (New Zealand)
- Mr Floyd MORRIS (Jamaica)\*
- Ms Saowalak THONGKUAY (Thailand)\*

\* Members who have served one term and are eligible for re-election according to Article 34(7) of the CRPD.

According to **Article 34 of the CRPD**, the UN Secretary General sends a letter to all States Parties to the CRPD (i.e. States that have ratified or acceded to the

CRPD) to ask for nomination of candidates to the CRPD Committee. This letter will be sent at least four months prior to the COP, which means early February.

Within a deadline by **11 April 2024**, States Parties may nominate a candidate who will be mentioned on the CRPD Committee website.

The processes which have taken place at previous COP elections and experience from other election processes of UN human rights treaty bodies show that the outcome of the election process in New York is strongly connected to the efforts made by permanent missions to the UN in seeking support for their candidate from other States -often in exchange for reciprocal support related to other UN election processes. Unfortunately, the quality and qualifications of the nominees is not always the leading criterion for States Parties in taking a decision for whom to vote.

**A rather limited influence can be exerted by organisations of persons with disabilities at the elections stage of the process; it is therefore essential that concerted efforts are made earlier in the process at the national level to influence the nomination process of candidates.**

### ***Why is it important to get involved?***

The CRPD Committee plays a key role in the **international monitoring of the implementation of the Convention on the Rights of Persons with Disabilities**. It is the authoritative body which oversees the implementation and interpretation of the CRPD.

It is the body that reviews State reports and in so doing, it also receives and takes into account parallel reports prepared by OPDs. On the basis of this information, the CRPD Committee issues **Concluding Observations** addressed to the State consisting of recommendations to ensure the effective implementation of the rights of persons with disabilities.

The CRPD Committee also has the mandate to adopt **General Comments** on the CRPD which provide interpretation and guidance on specific elements of the CRPD, and is in charge of dealing with communications submitted by individuals or groups of individuals, as well as requests for inquiry procedures relating to States that have ratified the Optional Protocol to the CRPD.

**In view of these significant responsibilities, it is vital to ensure that the CRPD Committee is composed of individuals with a profound understanding of the CRPD and of the implementation of the rights of persons with disability on the ground.**

The requirements to be met by the CRPD Committee members are defined in Article 34 of the CRPD, but experience has shown that these requirements are not always respected in the nomination of candidates and in the election process during the COSP.

**It is therefore important that national OPDs proactively engage and influence the nomination process at national level, an involvement that is explicitly foreseen in Article 34 of the CRPD.**

### *What is the objective?*

The overall objective is to ensure a Committee composed of individual members who have a strong understanding of the rights of persons with disabilities. National OPDs should therefore only support a candidate from their country if this candidate meets the criteria established in the CRPD (see below on ideal profile of a CRPD Committee member, developed by IDA).

### *What should be the first steps?*

The first step would be for national OPDs (in a coordinated manner) to try to find out whether their Government is considering nominating a candidate. You might seek this information from your Ministry of Foreign Affairs or from the Ministry leading on disability issues.

If the Government is indeed considering nominating a candidate, OPDs should submit concrete recommendations on the process that should be followed in identifying appropriate candidates which should always include consultation with OPDs on this process (see nomination process below).

If the Government has not yet decided whether or not to nominate a candidate, national OPDs should evaluate whether or not they should advocate for this to happen, taking into account whether there are good national candidates that the Government would accept to nominate.

### ***TB-Net & IDA questionnaire to candidates***

For the past election processes, the TB-net (A NGO Coalition on Treaty Bodies) and IDA have produced a questionnaire which was sent to all election candidates to the CRPD Committee. Feedback to the questionnaire was quite positive.

The replies to the questionnaire are uploaded on website <https://www.untbelections.org> and are placed at the disposal of States Parties.



IDA will repeat the exercise for the coming election as a way of contributing to elections which are firmly based on the quality of the candidates.

The questionnaire can also serve as a tool at national level to be used in the assessment of the quality of different candidates in the process of identifying a nominee.

### ***Support from IDA and feedback to IDA***

**As a policy, IDA does not take a stand in favour of or against any given candidate, but it strongly encourages the election of persons with disabilities.**

In doing so, IDA offers its guidance and advice to national OPDs engaging in this process and also kindly requests national OPDs to keep IDA informed about developments at the national level. National OPDs might also consider the possibility of asking IDA to send a letter to their Government in support of their national advocacy efforts.

Once the nomination process has been completed, IDA would be interested in receiving information from national OPDs about their role, activities and any good practices on the process that led to the nomination.

## **II- Influencing the nomination process**

This section has been prepared for national OPDs and can be used as a basis for proposals to your Government on candidates for the CRPD Committee, which should preferably be conveyed in a coordinated way by a large number of OPDs.

### ***Involvement of OPDs throughout the process***

The CRPD requires States to consult with persons with disabilities and their representative organisations throughout the process of nomination of candidates, and for consideration to be had on the participation of experts with disabilities in this process.

### ***Key elements in the nomination process of candidates by States***

The nomination process as a whole should be advertised widely and with adequate advance notice

In order to ensure transparency and a broad range of applications from prospective candidates, the nomination process must be public. The process will be of interest to many members and organisations of civil society who will want to follow and participate in the process. It is also a matter of public interest.

In addition, States should advertise the process publicly, as well as in publications chosen to target those who may meet the criteria. The advertisement on the nomination process should reach all potential applicants, including through national newspapers and other media, and through dissemination to relevant sectors of civil society, in particular organisations of persons with disabilities (OPDs). It is also suggested that adequate information is provided to the national parliament on the process that will be followed.

The nomination process should also be advertised with sufficient time for news of the procedure to circulate and for applicants to apply. Before issuing the advertisement, States should seek comments and input from OPDs on the content of the advertisement. Years ago, the United Kingdom of Great Britain advertised widely in the national press, online and via OPD networks calling for nominations.

***The process should be based on clear criteria for selecting candidates***

The selection process should clearly set out the criteria for experts as presented in Article 34(3) and (4) of the CRPD and announce that these are requisite criteria and that candidates with such expertise are encouraged to apply.

IDA has tried to further clarify and expand the criteria foreseen in the CRPD (Articles 34(3) and (4)) on the basis of the principles of the Convention as a whole. This more detailed set of criteria on the ideal profile of CRPD Committee members can be read below. States Parties are encouraged to consult with national OPDs regarding additional criteria from the national context.

***OPDs should assist States in obtaining applications from highly qualified candidates who meet the criteria***

Assistance from OPDs is essential to identify and to encourage applications from highly qualified candidates. OPDs should circulate the advertisement as widely as possible and encourage persons who meet the criteria to apply. In particular, OPDs should be proactive in promoting applications from candidates recognised for their proven record of work and expertise in furthering CRPD implementation and for their commitment to realising the principles of the CRPD.

***The names and qualifications of those making the selection should be made public***

In order to increase transparency of the process, the names and qualifications of the people who are engaging in the selection of nominees should be broadly publicised, preferably in the advertisement used to attract potential nominees. These persons who will form the selection committee should be familiar with the functioning of the international human rights system and should have knowledge on the rights of persons with disabilities.

Mexico set a good example by setting up an advisory committee comprising three persons with experience working in the field of human rights in the UN. This three-person committee was responsible for making recommendations to the Government on the selection of the best candidates, and formed the basis





of the Government's decision (see below for more details about good nomination practices).

***OPDs should be consulted on applicants' skills and experience and how they meet the criteria***

Appropriate mechanisms should be put in place whereby OPDs can provide substantive comments and information about an applicant given that OPDs are best placed to be able to provide important information regarding an applicant's expertise and work on the ground. In accordance with the State's obligation to consult with OPDs in the selection process, due weight should be accorded to their comments.

***States should make nominations promptly public***

Selection of the nominee from among the candidates should promptly be made public through the means of advertisement mentioned above and relevant information should be sent to the UN to facilitate the election process at the COP.

National OPDs should also encourage the candidate to complete the **TB-Net & IDA questionnaire and send it to IDA**, as well as develop a video following proposed guidelines.

### **III- Ideal profile of members of the CRPD Committee**

#### ***Candidates should fulfil the following criteria:***

- Knowledge of the Convention on the Rights of Persons with Disabilities and its importance to diverse constituencies of people with disabilities, and demonstrated commitment to full realization of the CRPD, including consultation and joint work with persons with disabilities and OPDs'
- Demonstrated commitment to non-discrimination and the social model approach to disability that recognizes the role which society plays in creating and maintaining barriers to the full and equal enjoyment of human rights by persons with disabilities, and the obligation to remove those barriers
- Personal experience of disability and participation in the associative movement of persons with disabilities
- Proven experience in the area of expertise (which may be human rights, policy, law, sociology, political science, research or technical applications) reflecting the purpose and principles of the CRPD
- Independence from government or governmental influence, and independence from industries or the influence of industries
- Innovative and creative approach to eliminating all barriers to inclusion or equality, within the framework and principles provided by the CRPD
- Adequate time and resources to actively perform as Committee member
- Candidates should be fluent in one of the official languages of the UN (English, French, Spanish, Arabic, Chinese, Russian)

#### ***The Committee as a whole should reflect the following:***

- Equitable representation of persons with diverse types of disability
- Representation of women with disabilities and the gender perspective, indigenous and cultural minority persons with disabilities and the perspective of children and youth with disabilities
- Equitable geographical distribution, representation of the different forms of civilization and of the principal legal systems

#### ***It should be noted that:***

Committee members are not remunerated. Members' travel to and from Geneva for each session and receive a daily subsistence allowance. For those requiring personal assistants, the travel and daily subsistence allowance of personal assistants is also covered.