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## GLOBAL NEWS

### • CRPD ratifications reach 143

The ratifications of the Convention on the Rights of Persons with Disabilities (CRPD) by Andorra on 11 March 2014 and Georgia on 13 March 2014 bring a total of 143 States Parties to the CRPD, while the Optional Protocol (OP) has 80 ratifications. Andorra has also ratified the OP.

The number of signatures to the CRPD is 158 while the OP has 92 signatures.

[List of signatories and States Parties](#)

### • Kenya Conference, 6 – 8 March

IDA, in partnership with the International Disability and Development Consortium (IDDC), and the United Nations Partnership to Promote the Rights of Persons with Disabilities (UN PRPD), hosted a conference in Nairobi, Kenya, to deepen dialogue in Africa between national, regional and global DPOs. At the conclusion of the event, DPO participants from 13 African countries, in the presence of high-level governmental representatives and United Nations agencies, adopted the “Nairobi Declaration”. The Declaration contains the priorities of persons with disabilities on the African continent within the context of the post-2015 development agenda.

Related information:

- [Nairobi Declaration “Inclusive Post-2015 Development Agenda for Persons with Disabilities in Africa”, 8 March 2014](#)
- [IDA Press Release: Closing of the Conference “The Post-2015 Development Agenda and the UN CRPD in Africa” Nairobi 8 March 2014](#)
- [IDA Press Release: Opening of the Conference “The Post-2015 Development Agenda and the UN CRPD in Africa” Nairobi 6 March 2014](#)

### • European Court of Human Rights

On 6 February, the judgment in *Semikhvostov v Russia* (Application no 2689/12) was rendered public in which the Court concluded a violation of Article 3 on account of the inhuman and degrading conditions of the applicant’s detention, as well as a violation of Article 13 of the Convention due to the absence of an effective domestic remedy with which to raise claims of inadequate conditions of detention. In coming to this judgment, the Court referred to EDF & IDA’s amicus brief (a summary of which it cited over two pages of the judgment), and highlighted the failure to provide reasonable accommodation to the applicant as a central issue resulting in inhuman and degrading conditions.

This builds on the Court’s case-law, notably:

- *ZH v Hungary* (November 2012) in which the failure of the State to take “reasonable steps” to address the applicant’s condition (in this case, obtaining appropriate assistance for the applicant’s communication needs), resulted in a violation of his right to liberty.
- *DG v Poland* (February 2013) in which EDF & IDA, together

with the Helsinki Foundation for Human Rights, submitted a third party intervention resulting in the first of the Court's judgments which referred to the need for efforts to "reasonably accommodate" the special needs of the applicant which reached the threshold of severity and constituted degrading and inhuman treatment contrary to Article 3 of the ECHR.

In the present judgment, the Court appropriates the term and concept of reasonable accommodation as a central element to its finding of inhuman and degrading treatment:

- *Semikhvostov v Russia* (February 2014): "The Court cannot but conclude that the restrictions on the applicant's personal mobility in the facility and lack of reasonable accommodation during his three-year long detention must have had a dehumanising effect. The domestic authorities failed to treat the applicant in a safe and appropriate manner consistent with his disability."

It is significant that the European Court of Human Rights has taken up reasonable accommodation in its jurisprudence, and it represents a step toward increased CRPD recognition and compliance. While there remain issues of conflict and contention between the European Convention and the Court's case law and the CRPD, it is a positive sign that the Court is adopting this key concept which helps pave the way to raise the obligation to provide reasonable accommodation in other contexts given its far reaching applicability across all rights.

Related documents and information:

- [European Court of Human Rights judgment in \*Semikhvostov v Russia\*](#)
- [Extracts of the judgment in \*Semikhvostov v Russia\* related to the third party intervention](#)
- [IDA & EDF joint written comments in \*Semikhvostov v Russia\*](#)
- [IDA's disability rights litigation page](#)

#### **NEW YORK NEWS**

##### **• Open Working Group for Sustainable Development**

The eighth and final session of the Open Working Group (OWG) on Sustainable Development Goals (SDGs) was held at the United Nations (UN) headquarters in New York between 3 – 7 February 2014. "Promoting equality, including social equity, gender equality and women's empowerment", was the second of three thematic debates that took place during the weeklong session of the OWG. In advance of each OWG session, IDA and the International Disability and Development Consortium (IDDC) disseminated a general position paper and thematic briefs on the inclusion of persons with disabilities in the SDGs amongst UN Member States, UN Agencies, civil society and other relevant stakeholders.

The OWG will now meet to begin negotiations on a proposed set of SDGs, to be presented to the UN General Assembly (UNGA) in July 2014. The OWG is part of an overall UN process currently underway to produce a comprehensive post-2015 development framework, which will be negotiated by the UNGA beginning January 2015 following the presentation of the UN Secretary-

General's synthesis report. The synthesis report—developed between September - December 2014—will review all post-2015 processes thus far (Rio+20, QCPR, 2013 Secretary-General and High-Level Panel Reports, and the OWG) and produce concrete recommendations to the General Assembly on a final set of universal goals that will replace the Millennium Development Goals (MDGs). As persons with disabilities were invisible in the MDGs, IDA and IDDC are working to promote the inclusion of persons with disabilities across all relevant future goals and targets.

In order to maintain strong visibility of persons with disabilities and promote the importance of their inclusion in the post-2015 development framework, IDA chair, Yannis Vardakastanis, vice-chair, Maryanne Diamond, and chair of the International IDDC Catherine Naughton were present in New York during the week of the OWG eighth session. The chairs met with 30 Member States of the Open Working Group, in addition to the Third Committee (Human, Cultural and Social Rights) focal points of the Office of the President of the General Assembly (PGA). IDA's key message during these meetings focused on the inclusion of persons with disabilities in the sustainable development agenda.

##### **• Commission on Social Development**

The 52nd Session of the Commission for Social Development (CSocD) was held between 11 – 21 February 2014 at the UN in New York. The priority theme of this year's Commission was

“Promoting empowerment of people in achieving poverty eradication, social integration and full employment and decent work for all”. During this session, a resolution was passed titled “[Promoting the rights of persons with disabilities and mainstreaming disability in the post-2015 development agenda](#)”.

The resolution addressed the mandate of the Special Rapporteur on Disability, whose role is to monitor the implementation of the Standard Rules on the Equalisation of Opportunities of Persons with Disabilities. IDA successfully advocated for the non-renewal of the mandate under the CSocD with the aim of developing a new mandate under the Human Rights Council, rejoining other UN Special Procedures, and in promotion of the UN Convention on the Rights of Persons with Disabilities (UN CRPD). The resolution noted the expiry of the mandate of the Special Rapporteur on 31 December 2014, and decided to consider the possibility of another monitoring mechanism during the 53rd session with a view to strengthening the mainstreaming of disability in social development. During a CSocD high-level panel discussion opened and closed by Amina Mohammed, the UN Secretary-General’s Special Adviser on Post-2015 Development Planning, IDA presented a statement highlighting the importance of an inclusive post-2015 development agenda, noting persons with disabilities as a cross-cutting issue and the importance of data disaggregated by disability status.

#### • **Commission on the Status of Women**

The 58th Session of the

Commission on the Status of Women (CSW) is meeting at the UN in New York between 10 – 21 March 2014. The principle output of the CSW is the set of agreed conclusions on the priority theme set for each year, which contains an analysis of the theme and a set of concrete recommendations for Member States, UN agencies, civil society and other relevant stakeholders to be implemented at international, regional, national and local levels.

On 7 February 2014, the zero draft of the agreed conclusions was posted on the UN Women website. During the February meeting of the Informal Network of the Group of Friends to the UN CRPD, IDA presented a proposal for an overarching paragraph recognising the importance of promoting the inclusion of women and girls with disabilities in the post-2015 development framework. In addition, IDA presented a proposal to develop a resolution for CSW 2015 on “Empowerment of Women with Disabilities”, which was met with interest by the Group. During this year’s CSW, IDA worked with Human Rights Watch (HRW) and the Permanent Missions of New Zealand and Liechtenstein to the UN to host a side event on 10 March 2014 on the theme violence against women and girls with disabilities.

### GENEVA NEWS

#### **Treaty Bodies**

• The **Committee on the Rights of the Child** met from 3-7 February 2014 for its 67th pre-sessional working group in which it adopted list of issues on Croatia, Fiji,

Hungary, Morocco and Venezuela. The deadline for submissions from DPOs and NGOs in response to the list of issues is set at 1 July 2014.

Related documents:

• [Disability relevant questions of the adopted List of Issues](#)

• The **Committee on the Elimination of Discrimination against Women** (CEDAW Committee) met for its 57th session from 10-28 February during which it reviewed Bahrain, Cameroon, Finland, Iraq, Kazakhstan, Qatar and Sierra Leone and adopted its respective Concluding Observations. In particular, the Concluding Observations on Finland include several recommendations on the rights of women and girls with disabilities.

The State review sessions were webcast live and have been [archived](#) for subsequent viewing.

Related documents:

• [Disability relevant recommendations of the Concluding Observations](#)

• [Submission on Finland by Finnish Disability Forum and European Disability Forum](#)

• The **Subcommittee on Prevention of Torture** met for its 22nd session from 24-28 February 2014.

In 2014, the SPT will carry out country visits to Nigeria (1-3 April 2014), Nicaragua (7-16 May 2014), Azerbaijan, Ecuador, Malta, Netherlands and Togo, and a follow-up to a previously visited country. Following previous practice, some of the SPT’s visits will focus on providing advice and assistance to national preventive mechanisms, which are bodies that themselves monitor places of detention.

For more information, visit the [SPT's website](#).

- The **Human Rights Committee** is meeting for its 110th session from 10 – 28 March during in which it is reviewing Kyrgyzstan, Sierra Leone, Latvia, USA, Chad and Nepal, and adopting list of issues on Haiti, Malta, Montenegro and Sri Lanka as well as list of issues prior to reporting on Argentina, Ecuador, New Zealand, Romania and Sweden. The Committee is also continuing its first reading of the draft General Comment on the right to liberty and security (Article 9, ICCPR). The public sessions are being webcast live at [www.treatybodywebcast.org](http://www.treatybodywebcast.org)

Related documents:

- Joint submission by CHRUSP, WNUSP, IDA and others on the United States: [Executive summary & full submission](#)
- Human Rights Committee's [draft General Comment no 35](#)
- Joint response on the Human Rights Committee's draft General Comment no 35 by WNUSP, CHRUSP, PANUSP, ENUSP, PAIIS & IDA: [Executive summary & full submission](#)

### • **Treaty body strengthening process**

The General Assembly has agreed on an outcome text of the inter-governmental treaty body strengthening process. The outcome text calls for the allocation of meeting time based on the number of reports received between 2009-2012 and mandated activities such as individual communications. Other recommendations focus on aligning methodologies across TBs to make the work more effective and efficient, for

example, by imposing word limits on both TB documents and reports from States Parties. The outcome text also puts emphasis on the need for more capacity building and guidance to States by OHCHR, and calls on establishing webcasting as soon as feasible. With respect to accessibility, it requests the Secretary-General to ensure the progressive implementation of relevant accessibility standards and to provide reasonable accommodation for treaty body experts with disabilities to ensure their full and effective participation. The next steps are for the General Assembly is to issue a formal draft document and for the financial implications of the resolution to be approved by the GA's Fifth Committee (budgetary committee). Once this has happened the resolution will be adopted by the plenary of the GA. This should happen towards the end of March. A joint NGO statement was drafted to which IDA is a signatory. In particular, it calls on the adequate allocation of resources to ensure that the CRPD Committee's sessions are accessible, and for wider accessibility measures and the provision of reasonable accommodation for treaty body experts.

Related documents:

- [General Assembly outcome text on treaty body strengthening](#)
- [Joint NGO statement on the draft resolution of the UN General Assembly on "Strengthening and enhancing the effective functioning of the human rights treaty body system"](#)

### **Human Rights Council**

The 25th regular session of the Human Rights Council (HRC) is

taking place from 3 to 28 March 2014.

During the session, there will be an annual panel on the rights of persons with disabilities, focusing on the right of persons with disabilities to education (19 March from 12:00 to 3:00 pm). This panel will focus on a study by the Office of the High Commissioner for Human Rights (OHCHR) on article 24 (Education) of the CRPD ([A/HRC/25/29](#)). The study was called for by Human Rights Council resolution [A/HRC/RES/22/3](#) in March 2013. During the session, a resolution on the right of persons with disabilities to education will be negotiated. You can access a [disability analysis of reports presented to the HRC 25th session here](#).

Several side events on the rights of persons with disabilities are scheduled to take place. On 5 March, there was a side event of Finland, cosponsored by IDA and other partners on inclusive education and to honor Dr Liisa Kauppinen, president emeritus of the World Federation of the Deaf, and former board member of IDA and Awardee of the 2013 UN Human Rights Prize, IDA warmly congratulates Dr Kauppinen on this award. A side event on Torture in Psychiatry is being organized by IDA member, World Network of Users and Survivors of Psychiatry, to take place on 14 March. On 20 March, Austria, IDA and the Zero Project and co-sponsors will have a side event on increasing efforts by the international community, including the private sector, with regard to accessibility.

Also during the 25th session, the most recent UPR outcomes will be adopted for Saudi Arabia,

Senegal, China, Nigeria, Mexico, Mauritius, Jordan, Malaysia, Central African Republic, Monaco, Belize, Chad, Congo and Malta, and Israel. Related Documents:

- [Contributions to the OHCHR thematic study on education](#)
- [IDA Contribution to the OHCHR thematic study on education](#)
- [Disability analysis of reports presented to the HRC 25th session](#)
- [Pending recommendations of the UPR 17th session](#)

## UPCOMING MEETINGS

### **Treaty Bodies**

• The **Committee on the Rights of Persons with Disabilities** (CRPD Committee) will meet for its 11th session from 31 March – 11 April in which it will review Sweden, Azerbaijan and Costa Rica, adopt list of issues on Mexico and hold public readings of its draft General Comments on [Article 12 \(equal recognition before the law\)](#) and [Article 9 \(accessibility\)](#). The CRPD Committee will hold its first pre-session week from 14-18 April during which it will adopt list of issues on Germany, Korea, Belgium, Denmark, New Zealand and Ecuador. The public sessions of the 11th session will be webcast live at [www.treatybodywebcast.org](http://www.treatybodywebcast.org) and archived for subsequent viewing at <http://www.treatybodywebcast.org/category/webcast-archives/crpd/>

The Committee has launched a [call for comments](#) to its draft guidelines on the participation of National Human Rights Institutions, disabled persons organisations, civil society organisa-

tions, and other stakeholders in the work of the Committee. The draft guidelines highlight that the Committee values in particular contributions to its work by organisations representing persons with disabilities, including women and children with disabilities. As such, where participation takes place - in writing (in the context of the reporting procedure, thematic discussions, general comments, communications, inquiries...) or in person at briefings or events, the draft guidelines consistently call for information to be provided by those participating regarding their activities, mission/vision statement and “what role persons with disabilities play in that organisation”. The Committee is calling for comments on this draft by 26 March.

Related documents and information:

- [Submission of Equally Unique \(Swedish Federation Human Rights for Persons with Disabilities\) in response to the list of issues](#)
- [Submission of the Swedish Disability Federation in response to the list of issues](#)
- [Submission of the Union of DPOs of Azerbaijan in response to the list of issues](#)
- [Submission of the Coalition of Costa Rican DPOs on the list of issues on Costa Rica](#)
- [Submission by Coalición México por los Derechos de las Personas con Discapacidad \(COAMEX\) for the list of issues on Mexico](#)
- [Alternative report of the Germany CRPD Alliance \(BRK Allianz\) and submission on the list of issues on Germany](#)
- [Submission by the Korean DPO and NGO Coalition for the](#)

### **UN CRPD Parallel Report**

- [Shadow report by the Gelijke Rechten voor Iedere Persoon met een handicap \(GRIP\) on Belgium](#)
- [Alternative Report of the Belgian Disability Forum](#)
- [Danish DPO Coalition Report](#)
- [New Zealand DPOs submission on the list of issues](#)
- [Draft General Comments on Articles 12 and 9](#)
- [Contributions to the Committee’s call for submissions on the draft General Comments including IDA’s submission on the draft General Comment on Article 9](#)
- [Committee’s draft guidelines on the participation of National Human Rights Institutions, disabled persons organisations, civil society organisations, and other stakeholders in the work of the Committee and \[call for comments\]\(#\)](#)

### **Conference of States Parties to the CRPD- CRPD Committee elections**

The seventh Conference of States Parties to the CRPD will be held on 10-12 June 2014 during which the elections will take place for nine of the eighteen seats of the Committee on the Rights of Persons with Disabilities.

The deadline for States Parties to send in their nominations has been set for 10 April 2014. National DPOs have a large role to play in disseminating information and being consulted to ensure applications from highly qualified candidates for nomination by their Government. IDA has prepared documents in English, Spanish and French which provide guidance to national DPOs on

how to participate in the nomination process, highlighting some good nomination practices, as well as information on the suggested profile of a Committee member and the election process generally.

Further information on the process can be found on the [Committee's website dedicated to the 2014 elections](#) as well as on [IDA's website on the Conference of States Parties](#).

Related documents:

- IDA guidance note on elections in [English](#), [Spanish](#) and [French](#)

#### ***About the IDA Disability Rights Bulletin***

*This bulletin is intended for experts advocating for the rights of persons with disabilities in the UN system. It is prepared by the IDA Secretariat, which also provides support to the Geneva Group of States Friends of the CRPD and to the New York informal network on States Friends of the CRPD.*

*For more information about IDA and its member organisations, please visit:  
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