

# DRPI The People's Indicators: Evidence Based Participatory Indicators - Measuring Progressive Realization

2017



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In developing these indicators DRPI listened to the hundreds of individual voices of people with disabilities from around the world who have spoken about their rights within the context of the DRPI studies.

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# Introduction

*“Well I think [there is] a lack of interest, a great indifference of politicians...little care is given to us...persons with disabilities, very little attention is paid...When I listen, I listen really carefully, but...they are not mentioning us a lot. I would like to change that.”*

This is how a person with a disability in Serbia describes their country’s general obligations under the CRPD. This quote was captured during a political campaign where persons with disabilities were listening to candidates’ considerations of disability issues in their policy platforms. Why is there still a lack of interest in disability issues 10 years after the creation of the UN Convention on the Rights of Persons with Disabilities (CRPD)?

How do we promote effective implementation and monitoring of the rights of persons with disabilities? Perhaps effective implementation requires better direction and guidelines to investigate the evolution of disability rights globally. This report intends to support this direction through a focus on the experiences of persons with disabilities and progressive realization. It starts with **progressive realization** – building change and movement through indicators.



**Progressive realization** is a monitoring concept embedded in the CRPD in which “Each State Party undertakes to take measures to the maximum of its available resources and, where needed, within the framework of international cooperation, with a view to achieving progressively the full realization of these rights” (art. 4 (2)).

To measure **progressive realization**, we need a clear set of evidence-based indicators that enable us to understand and recognize whether governments (through law and policy), organizations (through policies, practices and programs), and communities (through regulation, policies and programs) are moving towards the ideals of the CRPD and other international instruments.

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### What is an Indicator?

In their revealing book, *The Quiet Power of Indicators*, Merry, David and Kingsbury<sup>1</sup> define an indicator as:

“ ... a named collection of rank-ordered data that purports to represent the past or project performance of different units. The data are generated through a process that simplifies raw data about a complex social phenomenon. The data ... are capable of being used to compare particular units of analysis (such as countries, or institutions or corporations, synchronically or over time, or to evaluate their performance by reference to one or more standards” (p. 4).

Indicators are both local and global. Indicators measure practices of the CRPD and other international standards.

In this report, we present a list of evidence-based indicators to aid in identifying the implementation of the CRPD. These indicators could also be used to measure the progressive realization of other UN instruments and to capture the outcomes of the Sustainable Development Goals (SDGs).<sup>2</sup>

We call these *The People's Indicators* because they are drawn from the lived experiences of people with disabilities. These indicators are based on a measure of progress determined by how persons with disabilities see changes in their everyday lives. Identifying change means that people feel respected, included, and equal to others with dignity in the community and broader society.

The first CRPD country and alternative/shadow reports have provided useful benchmarks with which to



A productive full time employee at his factory workstation in Hyderabad

<sup>1</sup> S.E. Merry, Je, David & B. Kingsbury (2015) Cambridge University Press

<sup>2</sup> <https://sustainabledevelopment.un.org/?menu=1300>

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measure progressive realization. The opportunity now is to establish clear, well-defined indicators that support information gathering. *The People's Indicators* will capture specific, practical information about how things are changing in the everyday lives of persons with disabilities.



Members of the National Union of Disabilities' Organisations of Rwanda practicing individual interviewing at a DRPI training workshop in 2016

### *The People's Indicators: Background and Context*

During the 14<sup>th</sup> session of the UNCRPD Committee in 2015, DRPI was invited to collaborate with the Committee to develop a set of indicators for the CRPD. The goal was to develop a set of cross-cutting indicators for each of the articles in the Convention. These indicators are designed to accompany the simplified reporting guidelines for the States Parties to the UNCRPD.

Alongside the CRPD, *The People's Indicators* is a tool to recognize disability rights in practice and in principle. These indicators will help us to identify which laws, policies, practices and public attitudes result in the extreme and widespread documented poverty, exclusion and rights abuses experienced by persons with disabilities. The indicators attempt to raise the voices of persons with disabilities and focus their own expression of what poverty and exclusion (or inclusion) means. The experience of discrimination as expressed by those facing it themselves is not only a theoretical notion but also the recognition of the denial of fairness.

*The People's Indicators* recognize the intersection of disability with the experiences of indigenous people, women, minority castes or classes (e.g. Berbers in Algeria; Maori in New Zealand; Inuit and First Nations peoples in Canada; Dalits in India and Nepal), as well as refugees and immigrants. As such, the indicators point to the impacts of the dual or multiple statuses on poverty and exclusion.

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We know that social exclusion and discrimination increase vulnerability to abuse, chronic poverty, unemployment and inequitable social conditions (facts that can be verified from the Social Determinants of Health literature and also found in disability statistics and from our own studies in



Around ten thousand disabled persons from various parts of India protest in a March to Parliament on December 3, 2015

disability rights

monitoring<sup>3</sup>). A focus on social exclusion highlights

the nexus of the CRPD and the SDGs. As we move towards an in-depth monitoring of the CRPD, we can track patterns and trends and address the exclusion of persons with disabilities as it impacts on the exercise of rights. In this way, we can measure *progressive realization*.

*The People's Indicators* are drawn from the work of Disability Rights Promotion International (DRPI) - a collaborative project to establish a comprehensive, sustainable international system to monitor human rights of people with disabilities (<http://drpi.research.yorku.ca>). Over the past 12 years, the DRPI team has worked to find ways to give voice to persons with disabilities in articulating their experiences of discrimination and in expressing their concerns, aspirations and needs. The DRPI methodology (described below) provides a strong accounting of what poverty and exclusion mean to individuals, and points to the structural conditions that reinforce these challenges.

Viewing disability from a human rights perspective helps us develop a clear

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<sup>3</sup> Commission on Social Determinants of Health. (2008). *Closing the Gap in a Generation: Health Equity Through Action on the Social Determinants Of Health*. Geneva: World Health Organization; Raphael, D. (Ed.). (2012). *Tackling Inequalities in Health: Lessons from International Experiences*. Toronto: Canadian Scholars' Press; [http://www.who.int/social\\_determinants/themes/socialexclusion/en/http://www.epha.org/IMG/pdf/EHMA\\_Report.pdf](http://www.who.int/social_determinants/themes/socialexclusion/en/http://www.epha.org/IMG/pdf/EHMA_Report.pdf); Pantazis, C., Gordon, D., & Levitas, R. (Eds.). (2006). *Poverty and Social Exclusion in Britain: The Millenium Study*. Bristol UK: Policy Press; Stewart, M., Reutter, L., Makwarimba, E., Veenstra, G., Love, R., & Raphael, D. (2008). Left out: Perspectives on social exclusion and inclusion across income groups. *Health Sociology Review*, 17, 78-94; Galabuzi, G. E. (2016). Social exclusion. In D. Raphael (Ed.), *Social determinants of health: Canadian perspectives* (3rd ed., pp. 388-418). Toronto: Canadian Scholars' Press.

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picture of autonomous, dignified and equality-based, non-discriminatory services and programs. This is essential to a good monitoring process. It is not about counting the number of services provided or received, rather it is about the impact of those services, programs and policies on people with disabilities themselves/ourselves. For example, housing with dignity means people get to choose where they want to live and what food they eat, etc. in a style which affords them dignity. There are many undignified models of housing that we have seen throughout the world. Housing without dignity often means that the individual does not have a choice in where they live. Housing may be substandard, like in institutions, 5X5 meter wooden houses, or in group homes where there is no choice in the location of the house. The determination of housing with dignity is based on what persons with disabilities define as such. For DRPI monitoring purposes, the perspective of persons with disabilities determines which rights are lacking and which rights principles are active in their everyday lives.

### Overview of Report

This paper is divided into four sections. Section one describes the holistic, participatory and evidence based DRPI monitoring methodology. Section two includes a detailed description of *The People's Indicators* for each article of the CRPD. Section three includes a case study to demonstrate how the CRPD Committee could use such indicators based on the CRPD Committee's Concluding Observations. In the example provided, the Concluding Observations Report of Kenya<sup>4</sup> is used to develop a list of possible questions for measuring progressive realization. Section four reflects on *The People's Indicators* as one tool to promote the rights of persons with disabilities from the perspective of persons with disabilities. The proposed indicators and methodology can be used to monitor human rights for women, various racial/ethnic groups, indigenous peoples, etc. These indicators are most powerful if they make it clear how persons with disabilities conceptualize lack of dignity; lack of autonomy; discrimination and non-equality; exclusion; and the lack of respect for difference.

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<sup>4</sup> Kenya was selected for example purposes only. There is no attempt to determine progressive realization of Kenya or to make any judgment of the state of Kenya. The concluding comments are public documents available on the UN CRPD Committee website (<http://www.ohchr.org/EN/HRBodies/CRPD/Pages/CRPDIndex.aspx>)

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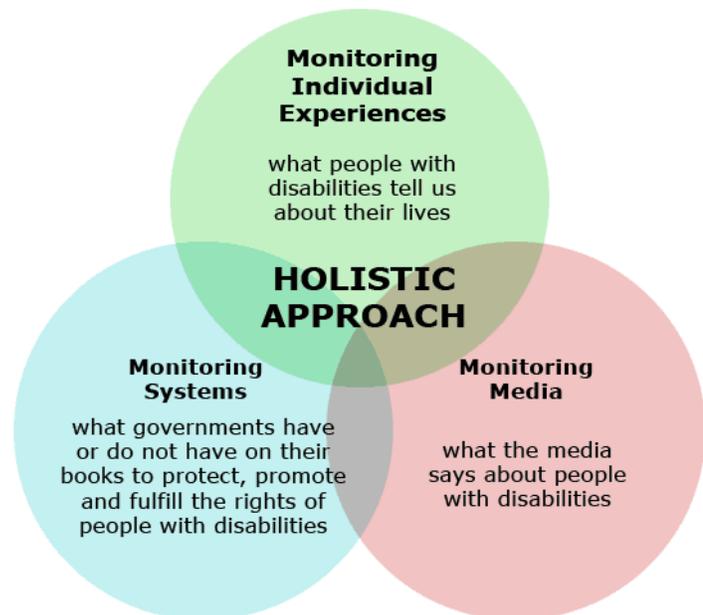
These indicators can be used by a variety of actors for different purposes including the following:

- 1. UNCRPD Committee:** the Committee can use these indicators to measure progressive realization of the CRPD implementation as reported by each States Parties to the UNCRPD.
- 2. People with disabilities:** civil society groups writing country shadow reports, that are submitted to the CRPD Committee, can use these indicators as standards for developing concrete and targeted reports to address disability rights issues as experienced by people with disabilities. These indicators offer support for civil society groups in developing well-rounded questions for the CRPD Committee when presenting State Party reports.
- 3. Advocacy:** those advocating for better holistic policies in their countries can use these indicators to project and propose policies that honour the rights of people with disabilities.
- 4. Inclusion for People with Disabilities:** these indicators can be used as a methodology to ensure the inclusion of people with disabilities and identifying issues experienced by people with disabilities to include in country and shadow reports submitted to other UN Treaty Body Committees.
- 5. Adapted for Context:** these indicators can be adapted to many different bodies or instruments (goals, treaties), which use a set of indicators as a methodology for measuring progressive realization. For example, those measuring the implementation of the Sustainable Development Goals can use the fundamental qualities of these indicators to adequately consider locally generated information and capture the voices of those who are most impacted.

# Methodology

The inclusion of persons with disabilities in rights monitoring is a relatively new concept meaning that there is little methodological knowledge and experience from which to draw. DRPI has developed an approach that goes beyond data collection and consultations with persons with disabilities, to supporting disabled persons to do this work themselves. DRPI provides skills training to recognize and monitor rights. This approach requires data collection that engages persons with disabilities as researchers and participants. It also requires a South-North dialogue so that methodology and analysis can be shared and compiled across regions and across countries.<sup>5</sup>

The DRPI methodology has been developed and tested over the past 12 years. In its initial work, DRPI recognized the many tasks needing to be accomplished to move toward a holistic monitoring of disability rights. It was clear that one questionnaire, or one audit or one data collection method would not be adequate to build a comprehensive understanding of the rights of people with disabilities and the discrimination they face. This meant breaking down the work into “doable” tasks that would require different skills, different time frames and different knowledge bases.



DRPI's Holistic Approach to Monitoring Model

Consequently, the first step was to identify potential collaborators to assist in developing the methodology for this work. DRPI included partnerships with people in various fields from many countries to see if they would be willing to share their knowledge of human rights monitoring or assist in the development of data collection tools and methods of analysis. These supportive partners

<sup>5</sup> Rioux, MH, Pinto, PP, Parekh G. (2015) *Disability, Rights Monitoring and Social Change: Building Power out of Evidence*. (Eds.) Toronto, Canada: Canadian Scholars Press.

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include people who have given time and energy because of their belief in the need for real change, as well as individuals, organizations and international bodies with established expertise around particular tasks.

This methodology has been tested extensively in more than 55 countries on five continents<sup>6</sup>, and facilitated an international community of practice through an ongoing process of training, development and implementation. DRPI is now able to contribute to a range of national and international initiatives to measure the progressive realization of human rights.



Group photo of indigenous persons with disabilities at a DRPI workshop in Bolivia

### DRPI Working Principles

DRPI's work uses the following principles as its guiding framework. These principles underpin unique contributions of the DRPI methodology. **DRPI's five working principles include:**

- 1) Monitoring their own rights, persons with disabilities and their organizations lead the research.
- 2) Building monitoring methodology to be sustainable by building the capacity of persons with disabilities and their organizations to advocate for their rights.

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<sup>6</sup> **Asia Pacific:** Thailand, Bangladesh, Laos, Nepal, Philippines, India, Philippines, New Zealand, Bangladesh, Vietnam, Australia, Cambodia; **Europe:** Serbia, Montenegro, Macedonia, Croatia, Sweden, Portugal, Bosnia – Herzegovina, Moldova; **LATIN AMERICA:** Argentina, Brazil, Ecuador, Bolivia, Honduras, El Salvador, Colombia, Panama, Costa Rica, Chile, Uruguay, Paraguay, Peru; **Africa:** Cameroon, Kenya, Rwanda, Tanzania, Zimbabwe, South Africa, Uganda, South Sudan, Nigeria, Malawi, Zimbabwe, Ethiopia; **Middle East & North Africa (MENA):** Morocco, Mauritania, Algeria, Tunisia, Jordan, Palestine, Yemen, Egypt, Lebanon; **North America:** Canada

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- 3) Recognizing the importance of cross-disability involvement. DRPI works persons with all types of impairments because we recognize there are common violations of human rights independent of the type of disability.
- 4) Working across sectors to include disability rights in the agendas of global donors, universities, human rights organizations, governments and others.
- 5) Using a holistic approach that combines the personal stories of individuals with disabilities, with an analysis of laws, policies, programs and societal attitudes.

### Areas for Monitoring: Holistic, Participatory Monitoring

In collaboration with more than 100 Disabled People's Organizations (DPOs) and disability specialists across the globe, the DRPI team has focused on three broad areas for monitoring. These areas include: monitoring individual experiences, monitoring systems and monitoring societal attitudes. Monitoring has been broken down into these areas to find discrete pieces of knowledge that paint a picture of the current situation faced by individuals with disabilities:

- **Individual experience monitoring** collects personal stories of people with disabilities through semi-structured interviews, DRPI aims to analyze the extent of discrimination and rights violations, from the perspective people with disabilities. The data gathered allows us to measure the gap between what is written in laws, policies or programs and what is currently happening at community level.
- **Systemic analysis** uses a data collection tool that is based on five human rights principles. DRPI maps laws, policies and programs and measures how they are implemented and how they protect rights of people with disabilities.
- **Societal attitudes monitoring** examines mass media to identify societal perceptions of disability and explores how stereotypes impact the effective social inclusion of people with disabilities.

### Human Rights Principles

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A single report compiling the data from the three areas for monitoring presents an analysis of human rights principles in practice. The following human rights principles are used by the UN and in other human rights treaties to address many areas of rights. The general principles provide guidance about how each right can be understood and ensured. Using these five human rights principles in the DRPI analysis enables us to interpret the actual level of enjoyment of human rights by persons with disabilities in a specific country or region.

### Dignity

Dignity refers to the inherent worth of every person. Human rights are about protecting and promoting the self-respect of all people. Everyone should feel respected in their community and their society and in their everyday activities. It is about how a person feels and not just about how they are treated.

“ *I was more suicidal because of it. I felt like I was asking for help and not getting it so what did that say about me. What was wrong with me that those people who were meant to be helping weren't? I'm not paranoid but I did at sometimes feel it had something to do with me* ”

### Autonomy

Autonomy is the right of a person to make his or her own choices independently or with support. Autonomy means that the person is placed at the center of all decisions affecting him or her.

“ *I find the regard of people who work in hospitals – nurses, doctors and physiotherapists – have a real problem with listening and hearing what a person with a disability says when they're admitted to hospital* ”

### Participation, Inclusion & Accessibility

Inclusion is the right of all persons to participate fully and effectively. It involves making sure that society is organized to be accessible and is without physical or social barriers. This includes access to transportation; elections; clean water; sanitation; technology; appropriate sources of communication and media to

ensure information. It also means that there have to be non-discriminatory attitudes and facilitation or accommodation.

“

*I have been barred from a few restaurants simply because of being in a wheel chair*

”

### **Non-Discrimination & Equality**

Discrimination is the unjust or prejudicial treatment of persons because of their disability, race, sex, language, religion, political or other opinion, national or social origin, property, birth or age. Discrimination can be found when favoritism (whether deliberate or not) is shown to one group of people over another. Laws, policies, programs, actions, or failures to act that result in denying certain persons the ability to exercise their human rights is discrimination.

Everyone has the right to enjoy human rights equally. Rights, responsibilities and opportunities do not depend on whether someone is born with or without certain qualities. Society must be sure that everyone has what they need to exercise their rights fully – sometimes what a person needs to exercise his or her rights equally will be different from what is needed by another person (affirmative action). Equal outcome rather than equal treatment or even equal opportunity is the fundamental human rights standard.

“

*When you go to a shop or whatever, they follow you around. I don't know if its because they're watching me looking at the labels so closely that they think I 'm sniffing the boxes or whatever, or because I'm of Maori and Pacific origin, but I think a lot of people get anyway ... they follow you around shops. But I do believe, I feel I am always discriminated, because of my race and because I have a disability?*

”

### **Respect for Difference**

Respect for difference means recognizing and accepting differences or variations among people as part of human diversity. Difference is not a reason to deny someone his or her rights and dignity. The responsibility to change does not fall on the individual but on the community and the government and society

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who must recognize diversity and find ways to be inclusive of human differences.

“ *...she totally assumed that LD means slow reader. It just meant that, you know, I wanted to enjoy it. It could have meant a lot of things but the assumption was that I was a slow reader* ”

# DRPI People's Indicators

To develop *The People's Indicators*, the DRPI team reviewed previous reports, discussions and learning gained since the start of the project 12 years ago. Specifically, *The People's Indicators* were developed by:

- Obtaining all relevant quotes from people with disabilities that are cited in DRPI's holistic reports from the last 12 years
- Drafting country-specific reports compiling the quotes gathered and identifying the leading issues that emerged from this evidence (see Appendix B for an example of 5 of the countries - Bosnia, Canada, Colombia, India, and Kenya)
- Creating a list of indicators for each article of the CRPD based on quotes and leading issues.

A team of six people reviewed the data from more than 50 country-monitoring reports. More than 90 indicators were developed and over 200 personal quotes were used as a background to produce the current document. This sample of data was used to support the reliability and validity of the proposed indicators.

Although several indicators have been assigned to each article we recommend the Committee use them selectively based on the specific social, political and economic situation of the country in question. The indicators reflect general guidelines for the coverage of ways in which people with disabilities interpret the articles of the CRPD.

We worked to find and generate general questions to address the indicators, however, it did not seem productive to continue in that direction. Although general questions are useful as overall guidelines for reporting, we recommend that questions be based on the indicators and the concluding observations document delivered by the Committee to a particular country as a way to tailor the work. We have included a set of questions for Kenya as an example of transposing the indicators to specific questions for that country. It is possible to repeat this process for each country as required.

Please note that throughout the indicators paper, where sub-national levels of government are referred to such as state, this applies to those levels of government, which exist within a nation-state.

## Included in this Report

In this paper we have included the following documents:

- One version of the indicators document without the full text of the CRPD Convention – using the number of each article to identify the section of the CRPD to which it refers.
- One version of the indicators document with the relevant CRPD convention text included (see Appendix A)
- An example of how to use the indicators to determine progressive realization, using the concluding Report for Kenya, and providing a list of specific questions for Kenya based on the identified indicators and the concluding report.
- Five reports from five countries, as examples, in which personal quotes and salient issues are identified (see Appendix B).

# DRPI People's Indicators for the UN CRPD

The People's Indicators are presented below in relation to the articles of the CRPD. These indicators reflect the voices of persons with disabilities and are based in evidence from the DPRI project. Going in numerical order, we begin this outline with Article 4 of the CRPD, as Articles 1 to 3 do not require indicators.

## Article 4: General obligations

### Proposed Indicators:

- Evidence that the various areas have been addressed in a systemic manner through the removal of discriminatory law, policy and programs that inhibit the full implementation of the CRPD.
- Putting in place a 'whole of government' mechanism for policy-making in disability issues.
- Evidence of a disability rights approach being applied in law, policy and programs as well as in international development programs.
- Evidence of involvement of persons with disabilities and their representative organizations in the development and implementation of legislation and policies to implement the Convention, and in other decision-making processes concerning issues relating to persons with disabilities.



*Interviewee: "Well, I think the lack of interest, a great indifference of politicians. A little care is given to us ... about... persons with disabilities, very little attention is paid.... at least in Serbia.... at least here."*

*Monitor: "When you listen about the campaign, do you hear that they mention some of the issues that are important to you and persons with disabilities? Do they mention us in their programmes?"*

*Interviewee: "I haven't... I have not noticed. When I listen, I listen really carefully, but no... they are not mentioning us a lot. I would like to change that."*



## Article 5: Equality and non-discrimination

### Proposed Indicators:

- Evidence of general law and public policy guaranteeing equality and reasonable accommodations for persons with disabilities.
- Evidence of complaint mechanisms in place for equality and non-discrimination provisions and who bears the burden of proof in these cases.
- Number and percent of complaints filed per year, related to the discrimination of persons with disabilities.
- Number and percent of resolved complaints per year out of total number of complaints filed.



*The administrator over there asked me why I had glasses, how come somebody even thinks of attending an interview with glasses. I said 'I'm sorry miss, I have a visual impairment.' She said no, don't say anything else, finish this interview, we don't need blind people here. That's what she said. I felt it was sad, actually disappointing, because one is just another ordinary person.*



## Article 6: Women with disabilities

### Proposed Indicators:

- Specific examples of awareness raising campaigns directed towards recognizing issues related to girls and women with disabilities.
- Evidence of programs related to sexual and reproductive health education and the level of involvement of women and girls with disabilities.
- Budget allocated for specific programs for women and girls with disabilities at the national, state and local level including programs for empowerment of girls and women with disabilities.
- Evidence of a specific law and/or policy to prevent discrimination against girls and equal enjoyment of the rights of girls and women with disabilities.

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- Evidence of state funded services for those who are victims of violence and abuse.
- Documentation of disaggregated data on violence against women with disabilities by type of disability and geographical location.
- Documentation of complaint mechanism for violence and abuse against women and number of complaints resolved.
- Evidence of law or public policy prohibiting forced marriages and sterilization without consent.
- Disaggregation of available, comprehensive statistics based on gender

### Article 7: Children with disabilities

*Note: Due to internal ethics standards at DRPI, we do not interview persons unable to give free and informed consent. Therefore, the target group of this article is outside of our project objectives.*

### Article 8: Awareness-raising

#### Proposed Indicators:

- Number of awareness campaigns and initiatives on disability rights initiated or implemented in the past four years and its target audience.
- Evidence of demonstrated engagement of persons with a disability in the design and delivery of awareness-raising campaigns and initiatives.
- Evidence of availability of human rights education curricula in primary and secondary school systems.
- Evidence of an independent regulatory agency monitoring the content of media output.



Dagnachew Wakene, the DRPI Africa Regional Officer, presents at the 2nd European Polio Conference in Amsterdam

- Measures in place to sanction offensive and derogatory content related to persons with disabilities in the media.
- Existence of guidelines issued by a regulatory agency on prohibition of hate speech and usage of respectful language towards social groups in the media.
- Evidence of awareness campaigns to mitigate stereotypes around persons with disabilities, including number and type of campaign and measures of impact of campaign(s).



*I have a problem in speaking clearly and people laugh at that which makes me angry.*



## Article 9: Accessibility

### Proposed Indicators:

- Evidence of public policies and/or legal regulations that implement accessibility standards. Evidence submitted should be disaggregated by jurisdictions and date of entry into force as well as state the penalty for non-compliance.
- Evidence of budget allocated for all types of interventions on accessibility by jurisdiction.
- Estimate of proportion of public buildings that have been made accessible in the last 4 years and by type of building.
- Number of complaints on accessibility issues submitted, disaggregated by disability and by solved and unfounded cases including legal cases against a company or the government.



A display of drawings and photos done by girls with disabilities in Vietnam

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- Number of universal design and accessibility courses provided at higher-level education institutions (universities or continuing education programs).
- Mechanisms in place for an accessibility audit of public buildings and the existence of a general database of public buildings' accessibility at all levels of governance.
- Evidence of regulations in place governing the accessibility of information and communication systems including on broadcast TV.
- Evidence of pedestrian infrastructure accessibility and transport system accessibility.

“

*I felt pressured in this education institution, as I was saying before, the person who carried out the admission interview closed the doors to me, even though I explained to him that I could move, that I could move around freely, he kept saying that it was an issue of stairs, hallways, entrances, that they would have to invest too much...and make a lot of modifications if I studied there!*

”

### Article 10: Right to life

#### Proposed Indicators:

- Evidence of law or public policy guaranteeing the right to life of persons with disabilities.
- Policy measures in place to provide needed healthcare and medical treatment for people with disabilities with terminal illnesses and/or rare diseases

“

*My parents and my siblings all see me as a burden and have gossiped about me since I was young. My father decided to hide me for 6 months. My mother was not supposed to tell anyone. My father didn't want to pay the hospital bills, because he thought he would be throwing away his money. He felt I wasn't worth it. He doesn't like to be reminded of me. He took me to a*

*pastor and said I was a bother because of the money he wasted on me while I was as good as dead*



## Article 11: Situations of risk and humanitarian emergencies

### Proposed Indicators:

- Evidence of specific measures and policies introduced to ensure that persons with disabilities are recognized as being particularly vulnerable in the event of disasters, both man-made and natural calamities.
- Availability of accessible information to persons with disabilities in dealing with natural and manmade disasters, disaggregated by type of disability
- Number of trainings held in order to develop awareness of procedures to provide aid to people with disability among specialized humanitarian emergency and relief workers. Data should be, disaggregated by location and service/or sector.
- Number of people trained to provide aid to people with disabilities in humanitarian emergencies.

## Article 12: Equal recognition before the law

### Proposed Indicators:

- Evidence of a constitutional or policy guarantee of equality before the law for persons with disabilities.
- Evidence of a legal interpretation of the meaning of equality before the law of persons with disabilities.
- Evidence of legal provisions to ensure persons with disabilities access support and accommodation in exercising legal capacity
- Evidence of laws and policies that ensure persons with disabilities the right to own and inherit property, as well as to control their own financial affairs.
- Documentation of any case law related to legal capacity that has led to the denial of legal capacity on the grounds of disability.

## Article 13: Access to justice

### Proposed Indicators:

- Evidence of law or public policy regulating the use of sign language in all types of legal proceedings, disaggregated by type of legal proceeding – eg. administrative law cases, criminal cases, etc.
- Number of cases reported to police by persons with disabilities, disaggregated by type of disability.
- Number of processed and resolved legal cases that involve persons with disabilities, disaggregated by type of disability and type of legal proceeding as well as documentation of any accommodation provided during the legal proceedings.
- Measures in place to guarantee pro bono legal aid to persons with disabilities and measures undertaken to make people with disabilities aware of this guarantee.
- Evidence of specific measures in place to address issues of women with disabilities in legal proceedings.
- Evidence of law or public policy regulating hate crimes including disability-related hate crimes; date of entry into force of law or regulation on hate speech/hate crime that includes disability and penalty for the crime.
- Evidence of law or public policy regulating hate crimes including disability-related hate crimes; date of entry into force of law or regulation on hate speech/hate crime that includes disability and penalty for the crime.



Shirin Sultana and Ashrafun Nahar Misti, Chairman and Executive Director of Women with Disabilities Development Foundation (WDDF) in Dhaka

## Article 14: Liberty and security of person

### Proposed Indicators:

- Number of complaints of unlawful or arbitrary deprivation of liberty on the grounds of disability.
- Measures in place to provide reasonable accommodation for persons with disabilities deprived of liberty.

“ *When I was arrested, I was mixed with the hearing people in the cell. The police called out names during roll call but I never raised my hand because I couldn't hear. Finally, they looked for me and I was slapped hard...* ”

## Article 15: Freedom from torture or cruel, inhuman or degrading treatment or punishment

### Proposed Indicators:

- Evidence that cases of maltreatment of persons with disabilities, including medical or scientific experimentation or institutionalization, are identified as torture or cruel, inhumane or degrading treatment or punishment.
- Evidence of law reform or other commission reports or key policy studies investigating the regulation of institutional care and regulation of types of medical treatment including psychiatric treatment.
- Type of penalties specified by the Criminal Code for perpetrators of torture or cruel, inhumane or degrading treatment or punishment of persons with disabilities

“ *It made me feel like I was a nobody because they didn't listen; they didn't want to be kind. They just thought that brutality was the way to treat me and other times they even gave me antipsychotic medicine...I don't have any psychotic problems.* ”

## Article 16: Freedom from exploitation, violence and abuse

### Proposed Indicators:

- Evidence of law or public policy preventing all types of exploitation, violence and abuse against persons with disabilities; especially women and girls with disabilities and those living in rural areas.
- Evidence of the way policy and law define exploitation, violence and abuse generically.
- Number of reported cases of exploitation, violence and abuse, disaggregated by gender and type of disability.
- Number and range of available support services for persons with disabilities and their families who have suffered exploitation, violence or abuse.
- Evidence of measures to prevent exploitation, violence or abuse of persons with disabilities (including information and education on the prevention of abuse and the provision of age, disability and gender-sensitive assistance).
- Evidence of the implementation of independent monitoring authorities and mechanisms to monitor all facilities and programmes designed to serve persons with disabilities.



*They are very cruel. I have been bullied my whole life... I am a small guy... I don't know why they must think that I walk around with a million dollars in my pocket... I get beaten a lot. They try and rob me and stuff like that... They can be quite mean... sure they are only words, but sometimes it can get to you.*



## Article 17: Protecting the integrity of the person

### Proposed Indicators:

- Evidence of a complaint mechanism available for persons with disabilities to bring a legal complaint in cases where the exercise of physical and mental integrity is challenged.

## DRPI PEOPLE'S INDICATORS FOR THE UN CRPD

- Evidence of policies and programs guaranteeing the physical and mental integrity of persons with disabilities parallel to those for persons without disabilities.
- Evidence of mental health law and programs specifically evaluated or introduced to protect the integrity of persons with disabilities.
- Evidence of law and policy requiring free and informed consent for all medical interventions, including for persons with disabilities
- Evidence of law and policy regulating abortion to ensure it is not available based on discriminatory criteria



Participants completing group work at a 2012 DRPI training conference in Montenegro

### Article 18: Liberty of movement and nationality

#### Proposed Indicators:

- Number of citizenship cards granted and denied to immigrants or refugees with disabilities during last four years.
- Evidence of measures in place to provide reasonable accommodation to persons with disabilities in the processes of obtaining nationality or other documentation of identity.

### Article 19: Living independently and being included in the community

#### Proposed Indicators:

## DRPI PEOPLE'S INDICATORS FOR THE UN CRPD

- Evidence of policy/programs at national, state and local level showing a range of services made available to persons with disabilities to live independently and to have access to independent living schemes.
- Definition of “independent living” in state policy – including policies and programs in place.
- Evidence of funds allocated for independent living schemes as a percentage of the total budget (for example disability related benefits, support services, housing, personal assistance, welfare benefits, etc.).
- Evidence of public policies or programs that guarantee access to persons with disabilities to community services and facilities.
- List of program criteria to receive independent living entitlements.
- Allocation of community-based services budget (total amount and as percentage of GDP).
- Number of people living in a segregated environment e.g. residential institutions and psychiatric hospitals (disaggregated by age, gender and type of disability).



*They put me out earlier to a home for special care for five years... homes for special care, they are the bottom of the bottom rank...they are really bad and particularly the one I was in was a farmhouse...just a farmhouse where I slept three in a room with just a rotten mattress... it was just horrible. It was horrible*



*I tried to board a bus and the conductor [and the driver] kept saying, “Faster! Faster!” and yet we were very many people. Because of this I fell down but the vehicle went on ahead. My hands got hurt.*



### Article 20: Personal mobility

#### Proposed Indicators:

- Policy and programs in place for provision of mobility aids, devices, assistive technologies and criteria for acquiring, maintaining and renewing them.

- Public budget allocated per year for provision of mobility aids, devices, and assistive technologies.

“ Well, I would like to say, with regard to our orthopaedic aids, the government has done all it can to make it difficult for us to get those aids. Instead of making it as easy for us as possible, they've made everything complicated. I have a right to one ill-fitting prosthesis every three years, and no right to anything else. ”

## Article 21: Freedom of expression and opinion, and access to information

### Proposed Indicators:

- Evidence of public policy and programs regulating the usage of sign language including in schools, hospitals, government agencies, health centres, and communications.
- Number of colleges and universities that provide training for sign language interpreters and number of sign language interpreters in the country.
- Evidence of policy that requires that all public meetings provide sign language interpretation.
- Documentation of budgets allocated specifically for eliminating communication barriers.
- Evidence of law or public policy that regulates alternative communications and access to information in alternative formats.
- Evidence of regulation or law or program or requirements to ensure the accessibility of government and program websites and budget provided for that activity.
- Regulatory/legal standards that provide penalties for the violation of access to information.

“ When there are no subtitles in Serbian Sign Language or subtitle on the TV, I have to wait to read tomorrow's newspaper and I always get the information later. Everyone already knows the

*information and obtained it a lot before I did. This is not equality. We should receive information at the same time as everyone else, today, not to wait for tomorrow's newspaper to find out today's news.*



## Article 22: Respect for privacy

### Proposed Indicators:

- Evidence of a law or policy that specifically prohibits arbitrary or unlawful interference with privacy, especially personal data related to disability and health status.
- Evidence that laws relating to privacy of information cover people with disabilities.

## Article 23: Respect for home and the family

### Proposed Indicators:

- Existence of legal provisions regulating adoption and foster care services for children with disabilities
- Evidence of legal provision to ensure free and consensual marriage for people with disabilities on the same terms as for those without disabilities.
- Evidence of sexual and reproductive health education programs for persons with disabilities.
- Evidence of early and comprehensive information, services and support to children with disabilities and their families.
- Evidence of law or public policy prohibiting forced marriages and sterilization without consent.
- Evidence of state policies and programs that ensure that families with members with disabilities are provided with adequate support services (e.g. early interventions services, counseling, psychosocial support, financial support, care-giver allowances, personal assistants...)

## DRPI PEOPLE'S INDICATORS FOR THE UN CRPD

- Evidence of measures taken to provide access for persons with disabilities to age-appropriate information, sexual and reproductive health and family planning education.
- Evidence of measures (programs, policies) adopted to create an awareness of the rights of persons with disabilities within families, disaggregated by city, state and country.
- Evidence of public campaigns highlighting the CRPD and its content.



*...My family is very important and I am so glad that they're always there for me. But it's hard not to be independent. Many times I'd like to be left alone, that nobody bothers me or talks to me. But I need them all, and they all love me. Sometimes I believe my family will get tired of me...*



*I don't want to marry. If I marry a normal girl I feel that it will be under a consideration by her to me. I don't want to be the part of the sympathy of others*



*He doesn't like me. I married him because ... my father forced me ....I did not want to spoil the reputation of my parents in the public.*



### Article 24: Education

#### Proposed Indicators:

- Definition of inclusive education in state, school and district operating policies.
- Budget allocated to inclusive education as a percentage of total budget for education, disaggregated by responsible public jurisdiction (city, town, state and country) and gender.
- Budget allocated for education materials in alternative formats, teaching assistants, assistive devices allocated by responsible public jurisdiction.
- Rate of students with disabilities completing compulsory education disaggregated by type of disability, physical location and gender.

## DRPI PEOPLE'S INDICATORS FOR THE UN CRPD

- Evidence of policy with respect to training teachers for inclusive education.
- Number of reported cases of discrimination in education.
- Evidence of complaint mechanisms in place for cases of discrimination disaggregated by teaching staff; teaching assistants; other students; school authorities/ boards.
- Percentage of bullying cases reported involving students with disabilities as victims disaggregated by type of school (special or regular) and evidence of prevention measures that states have undertaken to prevent bullying in schools.
- Number of sign language interpreters and number of sign language courses in public education institutions.
- Evidence of measures/programs that states have undertaken to stimulate students with disabilities to pursue higher education and vocational training and lifelong training.



Participant testing the new DRPI online training platform at a DRPI European regional training workshop in Serbia

“ I was told that I demanded a lot. I had a lot of expectations cause I did not understand the work and I was very lost in the classroom. Things were happening that I didn't process very well... so this professor made me feel terrible and I ended up crying in her office. ”

### Article 25: Health

#### Proposed Indicators:

## DRPI PEOPLE'S INDICATORS FOR THE UN CRPD

- Budget allocated for improving accessibility of health services as percentage of general budget for health and disaggregated by rural and urban areas.
- Evidence of early identification and intervention policies, programs or services.
- Number of ethics committees set up in hospitals to monitor the conduct of doctors and medical personnel towards persons with disabilities.
- Number of medical, nursing and rehabilitation schools that have disability rights courses as a required part of their curriculum.
- Evidence of public policies regulating accessibility to health services and reasonable accommodation in health.
- Procedures related to provision of mobility aids, orthopedic devices, prosthetics, and public budget allocated for their provision.
- Evidence of measures to include disability in national HIV response programming.
- Number of disability rights trainings for health workers and level of involvement of people with disabilities in training design and delivery.



*In the doctor's office I go to, the door is so tiny that they have to open two doors to get me in... and they don't have buttons on the doors anywhere. A lot of bathrooms are not accessible for a large scooter... and if they do, usually somebody else is in there that shouldn't be there, like a mother with a child or something because they sometimes put the changing table in the large bathroom...*



### Article 26: Habilitation and rehabilitation

#### Proposed Indicators:

- Assistive devices budget – total amount and as a percentage of GDP.
- Description of assessment criteria in state funded programs and services to obtain assistive technologies.
- Number and organization of habilitation and rehabilitation services in the country.

- Evidence of curricula used to train professional and staff working in habilitation and rehabilitation services and the level of involvement of persons with disabilities in the service design and delivery.

“ *I have some mental health issues. They don't always understand that... they label you as crazy instead of just depressed or having post-traumatic stress symptoms. I even had...doctors that quit on me because they couldn't figure out how to cope with my mood swings... and my anger.* ”

“ *Because I cannot...it is...It is exhausting for me, both physically and mentally. I have to start early in the morning, to take a bus to make an appointment for the examination at the Polyclinic. There are millions of all kinds of examinations which I have to do, which also need to be scheduled. Sometimes I have to wait for 6 months or a year to do the EMG, and to see whether I can get the rehabilitation in spa according to the results of that EMG. And when I finally go, and collect all the paperwork after a long time, I will go to that medical commission and they will say: you can't go. And I am again at starting point. And then I'm so ... I tried to write a request to the municipality. And ... I hope they will approve it. Now they approved it, then again ... I will go now to recharge my batteries.* ”

“ *I don't think they really value people with disabilities as equals ... it's chronic in the helping professions, people love to help out people with disabilities but, sure as hell, they don't want to work side by side with them.* ”

## Article 27: Work and employment

### Proposed Indicators:

- Employment and unemployment rates among persons with disabilities disaggregated by type of disability and gender.

## DRPI PEOPLE'S INDICATORS FOR THE UN CRPD

- Evidence of measures to encourage the employment of persons with disabilities in the mainstream labour force including quotas and other measures.
- Disabled job seekers as percentage of total number of persons with disabilities.
- Disaggregation of national and state labour force data by disability and gender.
- Evidence of legislation requiring employers to provide reasonable accommodation to workers with disabilities.
- Evidence of anti-discrimination law prohibiting discrimination of persons with disabilities in the labour market.
- Evidence of complaint mechanisms related to discrimination at the workplace and enforcement measures in place related to employment.
- Number of complaints submitted related to discrimination at work and number of complaints processed and resolved.
- Citations for legal cases related to disability and employment.
- Number of training initiatives for trades that specifically include persons with disabilities and proportion in relation to other training programs in each training centre.
- Evidence of incentives provided to the private sector to encourage the employment of persons with disabilities and evidence of number of persons with disabilities employed by the private sector to avail these incentives.



*I have had a whole heap of problems at work, and I still have them today. Starting from discrimination, as an individual with a disability, whom they basically look on as some form of lower species. They automatically take that type of attitude towards you, regardless of what you know, what you're worth, and what you can do. They absolutely do not look at that, all they see is that you're a person with a disability, and so they set you off to one side, and don't want to give you any sort of chance to show what you can do and whether you really can do it. With all the rest, I have had that problem and I still have it today.*



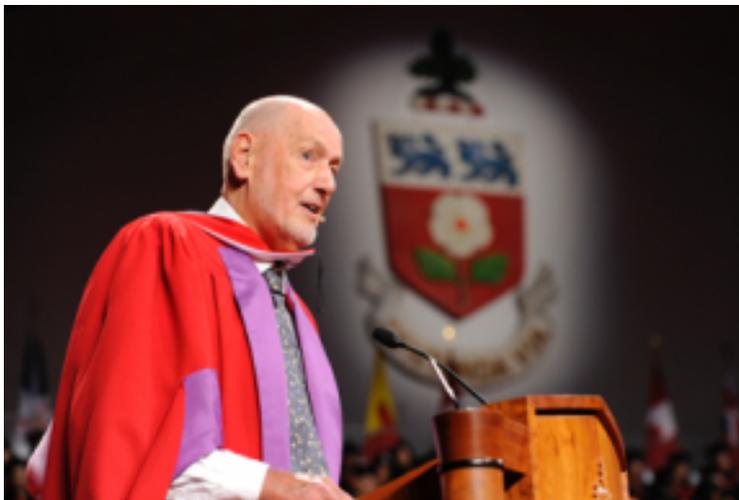
“ *...It was truly disappointing for me to realize that I had passed all of the tests of the application, but when I had to attend the interview I requested a sign language interpreter, mentioning that I am deaf, and they only replied that I should look forward to their call. I am still waiting for that call, and it's been 3 years...* ”

“ *You lose self-esteem, the satisfaction that you've done a day's work. You certainly don't have any money to show for it, so you lose all around.* ”

## Article 28: Adequate standard of living and social protection

### Proposed Indicators:

- Social Security budget targeted for persons with disabilities - total amount and as a percentage of total social security budget.
- Disability-related budget – total amount and as percentage of GDP.
- Number of persons with disabilities who applied for disability-related benefits and number of people whose benefits were granted or rejected.
- Number of persons with disabilities who applied for welfare benefits and number of whose benefits were granted and rejected.
- Evidence of public policy regulating the eligibility criteria for welfare and disability related benefits.



DRPI co-founder Bengt Lindqvist receiving an Honourary Doctorate degree from York University, Canada for his international work on disability rights (Photo credit to York University, 2013)

## DRPI PEOPLE'S INDICATORS FOR THE UN CRPD

- Legal or policy measures or regulations in place to ensure that financial entitlements of persons with disabilities are paid directly to them.
- Evidence of regulations in place to ensure that persons with disabilities in rural areas can access their social security benefits.
- Measures introduced to sensitize officials involved in the provision of social security benefits to persons with disabilities.

“

*Well, the biggest problem is that doctors... who do the assessment... I think they misunderstood their role; they generally defend the system and state money from us. And their role is to assess whether we are capable or not, and not to tell that there is no money for such allocations, and under that excuse to you deny you your rights. The role of the doctor is to do the assessment, that is, to assess the state of your health, not to think about the state money primarily. Because of that I am mostly disappointed, as it is all about the money. No one even examines you properly...*

”

“

*I had a lot of problems with that organization, and the quality of service ...certainly felt... almost like I didn't have a right to run my own life*

”

“

*...In general, my pension and caregiver's allowance... are not enough for me to pay the services of the Home...*

”

### Article 29: Participation in political and public life

#### Proposed Indicators:

- Evidence of policy or measures that States have undertaken to ensure accessibility of electoral processes to persons with disabilities.
- Percentage of polling stations that are physically accessible and their distribution across rural and urban areas.

## DRPI PEOPLE'S INDICATORS FOR THE UN CRPD

- Percentage of polling stations that have braille signage and material and plain language formats and sign language interpretation.
- Evidence of training manuals for polling staff on how to engage with people with disabilities.
- Evidence of specific programs and policies that guarantee safety measures are in place for men and women with disabilities in polling areas.
- Percentage of election material that is provided in accessible format disaggregated by urban and rural area.
- Legal provision or policy obligation that political parties have to have accessible campaigns, including braille and other alternative formats for their material.
- Number of Disabled People's Organizations registered in the country, including cross-disability organizations and impairment-based organizations and membership of organizations.
- Number of people with disabilities employed in government institutions at executive, judiciary and legislative level of government.



Two women entrepreneurs from a local Disabled Persons Organization in Bangladesh seated working on sewing crafts

“ *Sometime the venues were physically inaccessible, but the material was often not or material was subsequently received, I obtain it late...a lot later.* ”

“ *Well, I participate as much as the accessibility allows me in terms of physical accessibility at the polls. I'm not too interested since I cannot vote because of physical inaccessibility.* ”



*I did not want to go because of the stairs and ... actually the entrance ... the entrance to the headquarters of the party has four steps ... four steps, but did not want to go.*



## Article 30: Participation in cultural life, recreation, leisure and sport

### Proposed Indicators:

- Programs and measures in place to enable persons with disabilities to develop and utilize their creative, artistic and intellectual potential.
- Percentage of accessible public cultural institutions (e.g. theatres, cinemas, museums, libraries).
- Funding provided to publish cultural materials and cultural activities in accessible formats as percentage of total budget for culture.
- Budget allocated for disability-specific sporting activities organized and developed by persons with disabilities as percentage of total public budget for sport.
- Percentage of accessible public sporting, recreational and tourism venues and budget allocated to improve accessibility.



*But I was sad, I was sad because I am not able to attend the concert, which was held in the great hall of the castle of King Nikola, as there were in front of me about ten steps. And there is no ramp to get up there. This evening I will never forget, and then I cried. I felt miserable and worthless, believe me. I cried for days because I wished to hear the concert, I looked back around in the hope that someone will come to help me, that of course, with the effort to overcome these ten steps. Maybe there would not be that much, maybe less either. But for me it was like the mountain in front of me. So I felt miserable, worthless.*



*I spent five years confined to the circle of my family and my house, since, being blind, I was rarely able to get out and socialize.*



## Article 31: Statistics and data collection

### Proposed Indicators:

- Evidence of disaggregated data on disability, gender, age and geographical location as part of the national census and other national surveys.
- Evidence of statistical data collection based on non-medical criteria including the use of disability self-reporting questions.

## Article 32: International cooperation

### Proposed Indicators:

- Evidence of policy mandating the use of a disability lens in all international cooperation agreements and grants.
- Evidence of allocation of international aid resources specifically addressing disability rights issues.
- Evidence that disability issues are included in any poverty reduction strategy.

## Article 33: National implementation and monitoring

### Proposed Indicators:

- Evidence of the participation of persons with disabilities and their organizations in monitoring the CRPD and other Conventions and in monitoring the SDGs.



Participants in a DRPI Canadian monitoring project in 2008

# Adapting *The People's Indicators* to the CRPD Committee's Concluding Comments

*The People's Indicators* provide a foundation for specific questions about the progressive realization of the CRPD. The Committee may also refer to its earlier Concluding Observations to seek evidence of progressive realization. *The People's Indicators* provide a way to confirm positive actions, and support feedback gathering and follow-up on States' actions. The indicators will also point to information about where governments have not addressed issues raised in the Concluding Observations.

As an example, we draw from the Concluding Observations from the initial report of Kenya. This report was accessed from the United Nations Human Rights Office of the High Commissioner website<sup>7</sup>. We are using Kenya not because we are making any statement about their particular situation. It is used solely for illustrative purposes. This is not a statement about progressive realization in Kenya.

## #4(a)<sup>8</sup>

- How has the indicator been effective in the making the public service contracts more inclusive?
- Can you provide a concrete example of its effectiveness? Would this be a model that could be usefully replicated in other countries?

## #4(c)

- What is the result of the affirmative action measures in the past four years in employment?
- Are there figures that would show that there has been an increase in



Ikponwosa Ero, UN Independent Expert on Albinism, with Jayne Waithera, Program Manager of Positive Exposure Kenya, at a Regional Forum on Albinism in Tanzania in 2016

<sup>7</sup>[http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fKEN%2fCO%2f1&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fKEN%2fCO%2f1&Lang=en)

<sup>8</sup> These numbers refer to the sections in the UN CRPD Committee concluding observations on the initial report of Kenya.

- employment? In what sectors can the effectiveness be shown?
- Have any modifications been made to the affirmative action measures? Can you disaggregate the employment figures by disability and by gender?

**#4(d)**

- How many people with disabilities are receiving benefits under the National Social Protection Policy since 2012? Is that an increase in the number receiving that benefit?

## Principal Areas of Concern and Recommendations

### Articles 1-4: General principles, recommendations and obligations

**#5:**

- What specific and concrete measures have been taken to amend the use of derogatory terminology against persons with disabilities in the Constitution and in other pieces of legislation including the Local Government Act; the Election Act; the Mental Health Act; and the Marriage Act.

**#6(a)**

- Has the review of the Persons with Disabilities Act of 2013 been undertaken? Please submit the report of the review and its timeline and methodology.

**#6(c):**

- What measures have been adopted to amend or repeal derogatory language in legislation?

**# 6(d):**

- What specific measures have been put in place to increase the understanding of the CRPD among members of Parliament?



Mr. Lauro Purcil and Ms. Maricel Sorita working through the DRPI online training modules in Manila, Philippines.

- Is there a standing committee of the Parliament tasked with addressing the issues of the CRPD Committee's concluding observations?
- What measures have been taken to initiate and carry out public campaigns highlighting the CRPD and its content?

**#7:**

- What specific and targeted measures have been put in place to guarantee disability rights at the county and municipal levels?
- What specific on-going and permanent mechanisms are in place to ensure the on-going participation of persons with disabilities?
- How are these mechanisms functioning and are they accountable?

**#8 (A & B):**

- What has been the increase of budget allocation to ensure effective implementation of disability rights including at the county level.

## Specific Rights (Articles 5 to 30)

### Article 5: Equality and non-discrimination

**#10 (A):**

- What are the measures in place to encourage cases of disability discrimination involving persons with disabilities access to court and result in redress (including mediation and or conciliation)? Is there a budget allocation or policy initiative in place to ensure this?

**#10(b):**

- What legislative amendments or actions have been taken to entrench reasonable accommodation in law?

### Article 6: Women with Disabilities

**#12(a)**

- Can you provide statistics for women and girls with disabilities



A woman smiling from her workstation at Rajiv Gems Park in India

disaggregated by rural and urban areas and by ethnic minority and pastoralist communities?

- What measures are now in place to mitigate all types of discrimination specifically for women and girls with disabilities?

#### **#12 (b & c):**

- What is the mandate and budget of the National Gender and Equality Commission? Does it include a time frame and indicators to ensure effective participation of women and girls with disabilities?

### **Article 9: Accessibility**

#### **#17 (a):**

- Has the government put in place public policy or legal regulation of accessibility standards disaggregated by jurisdictions and date of entry into force of policy regulating accessibility standards as well as penalties for default?

### **Article 10: Right to life**

#### **#20:**

- What is the evidence of law or public policy or a national plan guaranteeing right to life and addressing violence against persons with disabilities, taking particular consideration of those with albinism? What significant measures have been put in place, in the past 4 years, to protect victims and to prosecute and convict perpetrators?
- Is there a law or public policy regulating hate crimes inclusive of disability, as the grounds of hate crime, specifically considering the persecution of people with albinism?

### **Article 12: Equal recognition before the law**

#### **#23-26:**

- What is the evidence of legal interpretation, or policy guarantee of the meaning of equality before the law of persons with disabilities?
- What legal provisions are in place to ensure access to persons with disabilities to support and accommodation in exercising legal capacity?
- What steps has the government taken to address the removal of substitute decision-making and to introduce the notion of supported decision-making?

## Article 13: Access to Justice

### #25-26:

- What measures have been put in place to guarantee pro bono legal aid to persons with disabilities who claim their rights and to provide all legal information in accessible formats?

## Article 14: Liberty and security of the person

- How many complaints of unlawful or arbitrary deprivation of liberty on the ground of disability have been heard in administrative or criminal law courts? How many unfounded cases are there?
- Are there concrete measures being pursued to prohibit detention or involuntary placement under the Mental Health Act and the Persons deprived of Liberty Act?

## Article 15: Freedom of Torture or cruel, inhuman or degrading treatment or punishment

### #30-31-32

- What is the evidence that cases of maltreatment of persons with disabilities, including medical or scientific experimentation or institutionalization are identified as torture or cruel, inhuman or degrading treatment or punishment?
- How are the conditions being monitored in all facilities designed for people with disabilities?
- What law reform or other commission reports or key policy studies investigating the regulation of institutional care and regulation of types of medical treatment including psychiatric treatment have been introduced in the past 4 years? Are these being developed into a national policy to address the issues?
- What penalties are specified by the Criminal Code for perpetrators of



A woman participating in a DRPI workshop in Cameroon

torture or cruel, inhuman or degrading treatment or punishment of persons with disabilities, including care staff?

- What specific measures and recourse are in place to address issues of exploitation of all person with disabilities, including those living on the street or begging?

### **Article 17: Protecting the Integrity of the Person**

#### **#33-34**

- What progress has been made on implementing the recommendations of the Committee in its Concluding Comments on the Elimination of Discrimination against Women?
- Is there a complaint mechanism available for persons with disabilities to bring a legal complaint in cases where the exercise of physical and mental integrity is challenged?
- How are policies and programs guaranteeing the physical and mental integrity of persons with disabilities parallel to those for persons without disabilities being monitored?
- Is there law and policy requiring free and informed consent for all medical interventions, including for persons with disabilities?

### **Article 18: Liberty of Movement and Nationality**

#### **#35-36**

- What is the process to ensure (guarantee) that all persons with disabilities, including those in refugee camps are able to access identification cards?
- What measures have been put in place to provide reasonable accommodation to persons with disabilities in the processes of obtaining nationality or other documentation of identification?

### **Article 19: Living Independently and being included in the Community**

#### **#37-38**

- How many people with disabilities are living in segregated environments e.g. residential institutions and psychiatric hospitals (disaggregated by age, gender and type of disability)?
- What is the national strategy to move those persons currently in institutions into the community, and what is the time-line?

- What public policy and programs at national, and county level have been put in place to provide a range or diversity of services available to persons with disability to live independently and to have access to independent living schemes, outside institutions?
- What is the definition of “independent living” in state policy – including policies and programs in place?
- What is the allocation of community-based services budget (total amount and as percentage of GDP)?

## Article 21: Freedom of expression and opinion and access to information

### #39-40

- Are there public policies and programs that regulate the usage of sign language in public offices and services including in schools, hospitals, government agencies, health centres, etc.?
- How many colleges and universities provide training for sign language interpreters and how many sign language interpreters are available in the country, and are there regular upgrading courses for interpreters?
- Is there a law or public policy that regulates alternative communications and access to information in alternative formats to all people with disabilities in both rural and urban areas?



Saowalak Thongkuay of Disabled Peoples International-Asia Pacific gives the closing messages at a DRPI Disability Rights Monitoring Training workshop in Thailand

## Article 23: Respect for privacy and family

### #41-42

- Is there a legal provision that mandates free and consensual marriage for people with disabilities on the same terms as for those without disabilities? Have the provisions that discrimination against persons with

psychosocial and intellectual disabilities in the Marriage Act 2014 been removed?

- Under the auspices of what department and what policy and social programs are sexual and reproduction health education programs for persons with disabilities being carried out?
- What programs mandate and ensure early and comprehensive information, services and support to children with disabilities and their families? Who runs those programs?
- Is there a law or public policy specifically prohibiting forced marriages and sterilization without an individual's consent?
- What policies and programs ensure that families with members with disabilities are provided with adequate support services (e.g. early interventions services, counseling, psychosocial support, financial support, care-giver allowances, personal assistants...)?

## Article 24: Education

### #43-44

- What is the definition of inclusive quality education in state, school and district operating policies?
- Is there a mandated national or county time frame, with benchmarks, for the transition from segregated to inclusive quality education?
- What is the rate of students with disabilities completing compulsory education disaggregated, by type of disability, physical location, and segregated and inclusive schools?
- Is there a policy that mandates that all teachers are trained to engage in inclusive education?
- Is there a required (by law or policy) accommodation policy that is followed by all schools, that mandates reasonable accommodation in the schools?

## Article 25: Health

### #45-46

- Are there early identification and intervention policies, programs or services for all babies in the country?
- What is the in-place network of community-based services that are available and provide services to people with disabilities based on autonomy, dignity and privacy?

- What are the numbers of medical, nursing and rehabilitation schools that have disability rights courses as a required part of their curriculum?
- What public policies are in place to regulate accessibility to health services and reasonable accommodation in health services in both rural and urban areas? How is the effectiveness of those policies measured?
- Are there gender sensitive measures in place to include disability in national HIV response programming and in sexual and reproductive health programming? How are the measures being tracked to demonstrate effectiveness in outreach?
- What laws, policies and programs have been adopted to promote equal access to health based on UNCRPD standards?

## Article 27: Right to Work and Employment

### #47-50

- What national and county statistics are collected to show the employment and unemployment rates among all people with disabilities disaggregated by type of disability and gender?
- What effective strategies have been introduced to encourage the employment of people with disabilities in the mainstream labour force including quotas and other measures and what effective sanctions are in place for non-compliance?
- Is there legislation requiring employers to provide reasonable accommodation to workers with disabilities? How is it monitored for compliance?
- Is there an anti-discrimination law prohibiting discrimination of persons with disabilities in the labour market?
- What specific incentives are provided to the private sector by the government to



Four women from Entire Power in Social Action, a disabled women's organization, working on crafts during a DRPI trip to Nepal in 2013

encourage employment of persons with disabilities and what evidence is there of the numbers of persons with disabilities employed by the private sector to avail these incentives?

## **Article 28: Adequate standard of living and social protection**

### **#49-50**

- How much of the social protection schemes budget is targeted for persons with disabilities as a total amount and as % of total social protection budget?
- How many people with disabilities who applied for disability related social protection benefits were granted or rejected for benefits?
- What is the meaning of “severe disability” eligibility criteria for social protection and disability related benefits and who is authorized to make that determination?
- Are there laws, policies or regulations in place to ensure that financial entitlements of persons with disabilities are paid directly to them, and not to others on their behalf in both urban and rural areas?
- How are the living conditions and standards of people with disabilities monitored to enable an understanding of the progressive realization of well-being and moving out of poverty?

## **Article 29: Participation in political and public life**

### **#51-54**

- What policies or programs were adopted to promote political participation of people with disabilities particularly in moving towards universal suffrage?
- What measures has the State undertaken to ensure accessibility of electoral processes to persons with disabilities? What is the percentage of polling stations that are physically accessible and their distribution across rural and urban areas?
- What is the percentage of polling stations that have braille signage, material and plain language formats, and sign language interpretation and accessibility adaptations?
- Are there training manuals for polling staff on how to engage with people with disabilities?
- Is there any legal provision or policy obligation requiring political parties to have accessible campaigns, including braille and other alternative formats for their material?

- What is the number and percentage of people with disabilities employed in government institutions at executive, judiciary and legislative level of government?

### Article 30: Participation in cultural life, recreation, leisure and sport.

#### #53-54

- Are there programs and measures in place to enable persons with disabilities to develop and utilize their creative, artistic and intellectual potential?
- What is the percentage of accessible public cultural institutions (e.g. theatres, cinemas, museums, libraries)?
- Has the government established dedicated funding to publish cultural materials and cultural activities in accessible formats?



A man building a wheelchair ramp in Kigali, Rwanda

### Special Obligations

### Article 31: Statistics and Data Collection

#### #55-56

- Is there a national census or national survey or other method of collecting statistics so that there can be disaggregated data on disability, gender, age, indigeneity, and geographical location, refugee or immigrant status as part of the national census and other national surveys?
- Is there statistical data collected using methodology or data collection based on non-medical criteria including the use of disability self-reporting questions?

### Article 32: International cooperation

**#57-58**

- Is there a policy mandating the use of a disability lens in all international cooperation agreements? Are the organizations of people with disabilities included in the monitoring of the approval and expenditure of those funds?
- Is there an allocation of international aid resources specifically addressed to issues of disability?
- Are disability issues included in the country's poverty reduction strategy (possibly under the SDGs)?

**Article 33: National implementation and monitoring**

**# 59-60**

- What is the role and participation of persons with disabilities and their organizations in monitoring the CRPD and other Conventions and in monitoring the SDGs?
- Are people with disabilities included in the structuring and outcomes of monitoring? Do they have a voice in the characterization of the abridging of their rights?
- Does the monitoring include the concrete actions measured against such principles as autonomy; equality; non-discrimination; inclusion and participation; dignity and respect for difference?

# Conclusion

This report presents the experiences of rights from the perspective of persons with disabilities to lay the foundation for the development of indicators that are based on the principles of dignity; autonomy; participation/inclusion; equality and non-discrimination; and respect for difference. The DRPI participatory monitoring strategy provides ways of comparing data, and finding patterns and trends within and across countries. *The People's Indicators* offer new possibilities to measure progressive realization of the CRPD within countries. *Appendix B* includes a summary of examples of six countries including quotes from interviews.

Human rights principles are the underpinning of both the CRPD as well as the SDGs. This report is a step toward operationalizing those principles by presenting a general methodology that marries the DRPI evidence base with indicators and the clarification of rights principles. The DRPI methodology for holistic disability rights monitoring can be used for monitoring rights generally. We have specifically developed this methodology for use in the



Participants enacting a skit at a DRPI country monitoring conference in Bosnia and Herzegovina

field of disability rights, but it is a methodology that can be adapted. For example, the holistic participatory methodology has been adapted for particular populations of persons with disabilities such as women, indigenous peoples, people with HIV-Aids, people with psycho-social disabilities and others. The methodology has also been adapted to address specific topics including social participation and the right to work. The methodology and monitoring tools are useable for general monitoring of the rights of indigenous people, women, minority races and cultures, refugees and immigrants, and people living in poverty. The working principle that people, at the grassroots, can participate in data collection and monitoring is an important one. Human rights monitoring is

## CONCLUSION

not limited to laws, policies and programs, or the availability of outside consultants. Monitoring ought to be a community activity conducted by community members. Community level monitoring is more reliable, valid and sustainable as it engages the people who are most affected by rights protections or rights abuses.

Furthermore, a participatory monitoring initiative builds solidarity, strength and local knowledge among marginalized populations while building coalitions with other marginalized groups and mainstream society. As a first step, we need to understand what poverty, disadvantage and exclusion mean to people who experience them. We cannot build indicators without that understanding, and we cannot find solutions without that knowledge.

We are quickly moving towards the second round of the country reports to the UN on the CRPD. At the same time, the SDGs are coming into force with their own set of indicators. Now is the time to also move towards greater inclusion and participation of persons with disabilities, and other marginalized groups, in the monitoring of their/our life conditions. Human rights are also fundamental to addressing the questions raised by the SDGs. The engagement of community will be the core of real progress.



A member of the Association of Youth with Handicap receiving a training certificate at a DRPI workshop in Europe

# Appendix A: DRPI People's Indicators Imbedded in the UN CRPD

## CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES

### Preamble

*The States Parties to the present Convention,*

- a) Recalling the principles proclaimed in the Charter of the United Nations
- b) Nations which recognize the inherent dignity and worth and the equal and inalienable rights of all members of the human family as the foundation of freedom, justice and peace in the world,
- c) Recognizing that the United Nations, in the Universal Declaration of Human Rights and in the International Covenants on Human Rights, has proclaimed and agreed that everyone is entitled to all the rights and freedoms set forth therein, without distinction of any kind,
- d) Reaffirming the universality, indivisibility, interdependence and interrelatedness of all human rights and fundamental freedoms and the need for persons with disabilities to be guaranteed their full enjoyment without discrimination,
- e) Recalling the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Rights of the Child, and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,
- f) Recognizing that disability is an evolving concept and that disability results from the interaction between persons with impairments and attitudinal and environmental barriers that hinders their full and effective participation in society on an equal basis with others,
- g) Recognizing the importance of the principles and policy guidelines contained in the World Programme of Action concerning Disabled Persons

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and in the Standard Rules on the Equalization of Opportunities for Persons with Disabilities in influencing the promotion, formulation and evaluation of the policies, plans, programmes and actions at the national, regional and international levels to further equalize opportunities for persons with disabilities,

- h) Emphasizing the importance of mainstreaming disability issues as an integral part of relevant strategies of sustainable development,
- i) Recognizing also that discrimination against any person on the basis of disability is a violation of the inherent dignity and worth of the human person,
- j) Recognizing further the diversity of persons with disabilities,
- k) Recognizing the need to promote and protect the human rights of all persons with disabilities, including those who require more intensive support,
- l) Concerned that, despite these various instruments and undertakings, persons with disabilities continue to face barriers in their participation as equal members of society and violations of their human rights in all parts of the world,
- m) Recognizing the importance of international cooperation for improving the living conditions of persons with disabilities in every country, particularly in developing countries,
- n) Recognizing the valued existing and potential contributions made by persons with disabilities to the overall well-being and diversity of their communities, and that the promotion of the full enjoyment by persons with disabilities of their human rights and fundamental freedoms and of full participation by persons with disabilities will result in their enhanced sense of belonging and in significant advances in the human, social and economic development of society and the eradication of poverty,
- o) Recognizing the importance for persons with disabilities of their individual autonomy and independence, including the freedom to make their own choices,
- p) Considering that persons with disabilities should have the opportunity to be actively involved in decision-making processes about policies and programmes, including those directly concerning them,

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- q) Concerned about the difficult conditions faced by persons with disabilities who are subject to multiple or aggravated forms of discrimination on the basis of race, colour, sex, language, religion, political or other opinion, national, ethnic, indigenous or social origin, property, birth, age or other status,
- r) Recognizing that women and girls with disabilities are often at greater risk, both within and outside the home, of violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation,
- s) Recognizing that children with disabilities should have full enjoyment of all human rights and fundamental freedoms on an equal basis with other children, and recalling obligations to that end undertaken by States Parties to the Convention on the Rights of the Child,
- t) Emphasizing the need to incorporate a gender perspective in all efforts to promote the full enjoyment of human rights and fundamental freedoms by persons with disabilities,
- u) Highlighting the fact that the majority of persons with disabilities live in conditions of poverty, and in this regard recognizing the critical need to address the negative impact of poverty on persons with disabilities,
- v) Bearing in mind that conditions of peace and security based on full respect for the purposes and principles contained in the Charter of the United Nations and observance of applicable human rights instruments are indispensable for the full protection of persons with disabilities, in particular during armed conflicts and foreign occupation,
- w) Recognizing the importance of accessibility to the physical, social, economic and cultural environment, to health and education and to information and communication, in enabling persons with disabilities to fully enjoy all human rights and fundamental freedoms,
- x) Realizing that the individual, having duties to other individuals and to the community to which he or she belongs, is under a responsibility to strive for the promotion and observance of the rights recognized in the International Bill of Human Rights,
- y) Convinced that the family is the natural and fundamental group unit of society and is entitled to protection by society and the State, and that persons with disabilities and their family members should receive the necessary protection and assistance to enable families to contribute

towards the full and equal enjoyment of the rights of persons with disabilities,

- z) Convinced that a comprehensive and integral international convention to promote and protect the rights and dignity of persons with disabilities will make a significant contribution to redressing the profound social disadvantage of persons with disabilities and promote their participation in the civil, political, economic, social and cultural spheres with equal opportunities, in both developing and developed countries.

*Have agreed as follows:*

### Article 1: Purpose

The purpose of the present Convention is to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities, and to promote respect for their inherent dignity.

Persons with disabilities include those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others.

### Article 2: Definitions

For the purposes of the present Convention:

- “Communication” includes languages, display of text, Braille, tactile communication, large print, accessible multimedia as well as written, audio, plain-language, human-reader and augmentative and alternative modes, means and formats of communication, including accessible information and communication technology;
- “Language” includes spoken and signed languages and other forms of non-spoken languages;
- “Discrimination on the basis of disability” means any distinction, exclusion or restriction on the basis of disability which has the purpose or effect of impairing or nullifying the recognition, enjoyment or exercise, on an equal basis with others, of all human rights and fundamental freedoms in the

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political, economic, social, cultural, civil or any other field. It includes all forms of discrimination, including denial of reasonable accommodation;

- “Reasonable accommodation” means necessary and appropriate modification and adjustments not imposing a disproportionate or undue burden, where needed in a particular case, to ensure to persons with disabilities the enjoyment or exercise on an equal basis with others of all human rights and fundamental freedoms;
- “Universal design” means the design of products, environments, programmes and services to be usable by all people, to the greatest extent possible, without the need for adaptation or specialized design. “Universal design” shall not exclude assistive devices for particular groups of persons with disabilities where this is needed.

### Article 3: General principles

The principles of the present Convention shall be:

- a) Respect for inherent dignity, individual autonomy including the freedom to make one’s own choices, and independence of persons;
- b) Non-discrimination;
- c) Full and effective participation and inclusion in society;
- d) Respect for difference and acceptance of persons with disabilities as part of human diversity and humanity;
- e) Equality of opportunity;
- f) Accessibility;
- g) Equality between men and women;
- h) Respect for the evolving capacities of children with disabilities and respect for the right of children with disabilities to preserve their identities.

### Article 4: General obligations

1. States Parties undertake to ensure and promote the full realization of all human rights and fundamental freedoms for all persons with disabilities without discrimination of any kind on the basis of disability. To this end, States Parties undertake:

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- a) To adopt all appropriate legislative, administrative and other measures for the implementation of the rights recognized in the present Convention;
  - b) To take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices that constitute discrimination against persons with disabilities;
  - c) To take into account the protection and promotion of the human rights of persons with disabilities in all policies and programmes;
  - d) To refrain from engaging in any act or practice that is inconsistent with the present Convention and to ensure that public authorities and institutions act in conformity with the present Convention;
  - e) To take all appropriate measures to eliminate discrimination on the basis of disability by any person, organization or private enterprise;
  - f) To undertake or promote research and development of universally designed goods, services, equipment and facilities, as defined in article 2 of the present Convention, which should require the minimum possible adaptation and the least cost to meet the specific needs of a person with disabilities, to promote their availability and use, and to promote universal design in the development of standards and guidelines;
  - g) To undertake or promote research and development of, and to promote the availability and use of new technologies, including information and communications technologies, mobility aids, devices and assistive technologies, suitable for persons with disabilities, giving priority to technologies at an affordable cost;
  - h) To provide accessible information to persons with disabilities about mobility aids, devices and assistive technologies, including new technologies, as well as other forms of assistance, support services and facilities;
  - i) To promote the training of professionals and staff working with persons with disabilities in the rights recognized in the present Convention so as to better provide the assistance and services guaranteed by those rights.
2. With regard to economic, social and cultural rights, each State Party undertakes to take measures to the maximum of its available resources

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and, where needed, within the framework of international cooperation, with a view to achieving progressively the full realization of these rights, without prejudice to those obligations contained in the present Convention that are immediately applicable according to international law.

3. In the development and implementation of legislation and policies to implement the present Convention, and in other decision-making processes concerning issues relating to persons with disabilities, States Parties shall closely consult with and actively involve persons with disabilities, including children with disabilities, through their representative organizations.
4. Nothing in the present Convention shall affect any provisions which are more conducive to the realization of the rights of persons with disabilities and which may be contained in the law of a State Party or international law in force for that State. There shall be no restriction upon or derogation from any of the human rights and fundamental freedoms recognized or existing in any State Party to the present Convention pursuant to law, conventions, regulation or custom on the pretext that the present Convention does not recognize such rights or freedoms or that it recognizes them to a lesser extent.
5. The provisions of the present Convention shall extend to all parts of federal States without any limitations or exceptions.

### *DRPI People's Indicators:*

- Evidence that the various areas have been addressed in a systemic manner through the removal of discriminatory law, policy and programs which inhibit the full implementation of the CRPD.
- Putting in place a 'whole of government' mechanism for policy-making in disability issues.
- Evidence of a disability rights approach being applied in law, policy and programs as well as in international development programs.
- Evidence of involvement of persons with disabilities and their representative organizations in the development and implementation of legislation and policies to implement the Convention, and in other

decision-making processes concerning issues relating to persons with disabilities.

### Article 5: Equality and non-discrimination

1. States Parties recognize that all persons are equal before and under the law and are entitled without any discrimination to the equal protection and equal benefit of the law.
2. States Parties shall prohibit all discrimination on the basis of disability and guarantee to persons with disabilities equal and effective legal protection against discrimination on all grounds.
3. In order to promote equality and eliminate discrimination, States Parties shall take all appropriate steps to ensure that reasonable accommodation is provided.
4. Specific measures, which are necessary to accelerate or achieve de facto equality of persons with disabilities, shall not be considered discrimination under the terms of the present Convention.

#### *DRPI People's Indicators:*

- Evidence of general law and public policy guaranteeing equality and reasonable accommodations for persons with disabilities.
- Evidence of complaint mechanisms in place for equality and non-discrimination provisions and who bears the burden of proof in these cases.
- Number and percent of complaints filed per year, related to the discrimination of persons with disabilities.
- Number and percent of resolved complaints per year out of total number of complaints filed.

### Article 6: Women with disabilities

1. States Parties recognize that women and girls with disabilities are subject to multiple discrimination, and in this regard shall take measures to ensure the full and equal enjoyment by them of all human rights and fundamental freedoms.

2. States Parties shall take all appropriate measures to ensure the full development, advancement and empowerment of women, for the purpose of guaranteeing them the exercise and enjoyment of the human rights and fundamental freedoms set out in the present Convention.

***DRPI People's Indicators:***

- Specific examples of awareness raising campaigns directed towards recognizing issues related to girls and women with disabilities.
- Evidence of programs related to sexual and reproductive health education and the level of involvement of women and girls with disabilities.
- Budget allocated for specific programs for women and girls with disabilities at the national, state and local level including programs for empowerment of girls and women with disabilities.
- Evidence of a specific law and/or policy to prevent discrimination against girls and equal enjoyment of the rights of girls and women with disabilities.
- Evidence of state funded services for those who are victims of violence and abuse.
- Documentation of disaggregated data on violence against women with disabilities by type of disability and geographical location.
- Documentation of complaint mechanism for violence and abuse against women and number of complaints resolved.
- Evidence of law or public policy prohibiting forced marriages and sterilization without consent.
- Disaggregation of available, comprehensive statistics based on gender.

**Article 7: Children with disabilities**

1. States Parties shall take all necessary measures to ensure the full enjoyment by children with disabilities of all human rights and fundamental freedoms on an equal basis with other children.
2. In all actions concerning children with disabilities, the best interests of the child shall be a primary consideration.
3. States Parties shall ensure that children with disabilities have the right to express their views freely on all matters affecting them, their views being

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given due weight in accordance with their age and maturity, on an equal basis with other children, and to be provided with disability and age-appropriate assistance to realize that right.

***Note: Due to internal ethics standards at DRPI, we do not interview persons unable to give free and informed consent. Therefore, the target group of this article is outside of our project objectives.***

### Article 8: Awareness-raising

1. States Parties undertake to adopt immediate, effective and appropriate measures:
  - a) To raise awareness throughout society, including at the family level, regarding persons with disabilities, and to foster respect for the rights and dignity of persons with disabilities;
  - b) To combat stereotypes, prejudices and harmful practices relating to persons with disabilities, including those based on sex and age, in all areas of life;
  - c) To promote awareness of the capabilities and contributions of persons with disabilities.
2. Measures to this end include:
  - a) Initiating and maintaining effective public awareness campaigns designed:
    - i. To nurture receptiveness to the rights of persons with disabilities;
    - ii. To promote positive perceptions and greater social awareness towards persons with disabilities;
    - iii. To promote recognition of the skills, merits and abilities of persons with disabilities, and of their contributions to the workplace and the labour market;
  - b) Fostering at all levels of the education system, including in all children from an early age, an attitude of respect for the rights of persons with disabilities;
  - c) Encouraging all organs of the media to portray persons with disabilities in a manner consistent with the purpose of the present Convention;

## APPENDIX A

- d) Promoting awareness training programmes regarding persons with disabilities and the rights of persons with disabilities.

### *DRPI People's Indicators:*

- Number of awareness campaigns and initiatives on disability rights initiated or implemented in the past four years and its target audience.
- Evidence of demonstrated engagement of persons with a disability in the design and delivery of awareness-raising campaigns and initiatives.
- Evidence of availability of human rights education curricula in primary and secondary school systems.
- Evidence of an independent regulatory agency monitoring the content of media output.
- Measures in place to sanction offensive and derogatory content related to persons with disabilities in the media.
- Existence of guidelines issued by a regulatory agency on prohibition of hate speech and usage of respectful language towards social groups in the media.
- Evidence of awareness campaigns to mitigate stereotypes around persons with disabilities, including number and type of campaign and measures of impact of campaign(s).

### Article 9: Accessibility

1. To enable persons with disabilities to live independently and participate fully in all aspects of life, States Parties shall take appropriate measures to ensure to persons with disabilities access, on an equal basis with others, to the physical environment, to transportation, to information and communications, including information and communications technologies and systems, and to other facilities and services open or provided to the public, both in urban and in rural areas. These measures, which shall include the identification and elimination of obstacles and barriers to accessibility, shall apply to, inter alia:
  - a) Buildings, roads, transportation and other indoor and outdoor facilities, including schools, housing, medical facilities and workplaces;

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- b) Information, communications and other services, including electronic services and emergency services.
2. States Parties shall also take appropriate measures:
    - a) To develop, promulgate and monitor the implementation of minimum standards and guidelines for the accessibility of facilities and services open or provided to the public;
    - b) To ensure that private entities that offer facilities and services which are open or provided to the public take into account all aspects of accessibility for persons with disabilities;
    - c) To provide training for stakeholders on accessibility issues facing persons with disabilities;
    - d) To provide in buildings and other facilities open to the public signage in Braille and in easy to read and understand forms;
    - e) To provide forms of live assistance and intermediaries, including guides, readers and professional sign language interpreters, to facilitate accessibility to buildings and other facilities open to the public;
    - f) To promote other appropriate forms of assistance and support to persons with disabilities to ensure their access to information;
    - g) To promote access for persons with disabilities to new information and communications technologies and systems, including the Internet;
    - h) To promote the design, development, production and distribution of accessible information and communications technologies and systems at an early stage, so that these technologies and systems become accessible at minimum cost.

### ***DRPI People's Indicators:***

- Evidence of public policies and/or legal regulations that implement accessibility standards. Evidence submitted should be disaggregated by jurisdictions and date of entry into force as well as state the penalty for non-compliance.
- Evidence of budget allocated for all types of interventions on accessibility by jurisdiction.

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- Estimate of proportion of public buildings that have been made accessible in the last 4 years and by type of building.
- Number of complaints on accessibility issues submitted, disaggregated by disability and by solved and unfounded cases including legal cases against a company or the government.
- Number of universal design and accessibility courses provided at higher-level education institutions (universities or continuing education programs).
- Mechanisms in place for an accessibility audit of public buildings and the existence of a general database of public buildings' accessibility at all levels of governance.
- Evidence of regulations in place governing the accessibility of information and communication systems including on broadcast TV.
- Evidence of pedestrian infrastructure accessibility and transport system accessibility.

### Article 10: Right to life

States Parties reaffirm that every human being has the inherent right to life and shall take all necessary measures to ensure its effective enjoyment by persons with disabilities on an equal basis with others.

#### *DRPI People's Indicators:*

- Evidence of law or public policy guaranteeing the right to life of persons with disabilities.
- Policy measures in place to provide needed healthcare and medical treatment for people with disabilities with terminal illnesses and/or rare diseases

### Article 11: Situations of risk and humanitarian emergencies

States Parties shall take, in accordance with their obligations under international law, including international humanitarian law and international human rights law, all necessary measures to ensure the protection and safety of persons with disabilities in situations of risk, including situations of armed conflict, humanitarian emergencies and the occurrence of natural disasters.

***DRPI People's Indicators:***

- Evidence of specific measures and policies introduced to ensure that persons with disabilities are recognized as being particularly vulnerable in the event of disasters, both man-made and natural calamities.
- Availability of accessible information to persons with disabilities in dealing with natural and manmade disasters, disaggregated by type of disability
- Number of trainings held in order to develop awareness of procedures to provide aid to people with disability among specialized humanitarian emergency and relief workers. Data should be, disaggregated by location and service/or sector.
- Number of people trained to provide aid to people with disabilities in humanitarian emergencies.

**Article 12: Equal recognition before the law**

1. States Parties reaffirm that persons with disabilities have the right to recognition everywhere as persons before the law.
2. States Parties shall recognize that persons with disabilities enjoy legal capacity on an equal basis with others in all aspects of life.
3. States Parties shall take appropriate measures to provide access by persons with disabilities to the support they may require in exercising their legal capacity.
4. States Parties shall ensure that all measures that relate to the exercise of legal capacity provide for appropriate and effective safeguards to prevent abuse in accordance with international human rights law. Such safeguards shall ensure that measures relating to the exercise of legal capacity respect the rights, will and preferences of the person, are free of conflict of interest and undue influence, are proportional and tailored to the person's circumstances, apply for the shortest time possible and are subject to regular review by a competent, independent and impartial authority or judicial body. The safeguards shall be proportional to the degree to which such measures affect the person's rights and interests.
5. Subject to the provisions of this article, States Parties shall take all appropriate and effective measures to ensure the equal right of persons

with disabilities to own or inherit property, to control their own financial affairs and to have equal access to bank loans, mortgages and other forms of financial credit, and shall ensure that persons with disabilities are not arbitrarily deprived of their property.

***DRPI People's Indicators:***

- Evidence of a constitutional or policy guarantee of equality before the law for persons with disabilities.
- Evidence of a legal interpretation of the meaning of equality before the law of persons with disabilities.
- Evidence of legal provisions to ensure persons with disabilities access support and accommodation in exercising legal capacity
- Evidence of laws and policies that ensure persons with disabilities the right to own and inherit property, as well as to control their own financial affairs.
- Documentation of any case law related to legal capacity that have led to the denial of legal capacity on the grounds of disability.

**Article 13: Access to justice**

1. States Parties shall ensure effective access to justice for persons with disabilities on an equal basis with others, including through the provision of procedural and age-appropriate accommodations, in order to facilitate their effective role as direct and indirect participants, including as witnesses, in all legal proceedings, including at investigative and other preliminary stages.
2. In order to help to ensure effective access to justice for persons with disabilities, States Parties shall promote appropriate training for those working in the field of administration of justice, including police and prison staff.

***DRPI People's Indicators:***

- Evidence of law or public policy regulating the use of sign language in all types of legal proceedings, disaggregated by type of legal proceeding – eg. administrative law cases, criminal cases, etc.

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- Number of cases reported to police by persons with disabilities, disaggregated by type of disability.
- Number of processed and resolved legal cases that involve persons with disabilities, disaggregated by type of disability and type of legal proceeding as well as documentation of any accommodation provided during the legal proceedings.
- Measures in place to guarantee pro bono legal aid to persons with disabilities and measures undertaken to make people with disabilities aware of this guarantee.
- Evidence of specific measures in place to address issues of women with disabilities in legal proceedings.
- Evidence of law or public policy regulating hate crimes including disability-related hate crimes; date of entry into force of law or regulation on hate speech/hate crime that includes disability and penalty for the crime.

### Article 14: Liberty and security of person

1. States Parties shall ensure that persons with disabilities, on an equal basis with others:
  - a) Enjoy the right to liberty and security of person;
  - b) Are not deprived of their liberty unlawfully or arbitrarily, and that any deprivation of liberty is in conformity with the law, and that the existence of a disability shall in no case justify a deprivation of liberty.
2. States Parties shall ensure that if persons with disabilities are deprived of their liberty through any process, they are, on an equal basis with others, entitled to guarantees in accordance with international human rights law and shall be treated in compliance with the objectives and principles of the present Convention, including by provision of reasonable accommodation.

### *DRPI People's Indicators:*

- Number of complaints of unlawful or arbitrary deprivation of liberty on the grounds of disability.

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- Measures in place to provide reasonable accommodation for persons with disabilities deprived of liberty.

### Article 15: Freedom from torture or cruel, inhuman or degrading treatment or punishment

1. No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. In particular, no one shall be subjected without his or her free consent to medical or scientific experimentation.
2. States Parties shall take all effective legislative, administrative, judicial or other measures to prevent persons with disabilities, on an equal basis with others, from being subjected to torture or cruel, inhuman or degrading treatment or punishment.

#### *DRPI People's Indicators:*

- Evidence that cases of maltreatment of persons with disabilities, including medical or scientific experimentation or institutionalization, are identified as torture or cruel, inhumane or degrading treatment or punishment.
- Evidence of law reform or other commission reports or key policy studies investigating the regulation of institutional care and regulation of types of medical treatment including psychiatric treatment.
- Type of penalties specified by the Criminal Code for perpetrators of torture or cruel, inhumane or degrading treatment or punishment of persons with disabilities

### Article 16: Freedom from exploitation, violence and abuse

1. States Parties shall take all appropriate legislative, administrative, social, educational and other measures to protect persons with disabilities, both within and outside the home, from all forms of exploitation, violence and abuse, including their gender-based aspects.
2. States Parties shall also take all appropriate measures to prevent all forms of exploitation, violence and abuse by ensuring, inter alia, appropriate forms of gender- and age-sensitive assistance and support for persons with disabilities and their families and caregivers, including through the

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provision of information and education on how to avoid, recognize and report instances of exploitation, violence and abuse. States Parties shall ensure that protection services are age-, gender- and disability-sensitive.

3. In order to prevent the occurrence of all forms of exploitation, violence and abuse, States Parties shall ensure that all facilities and programmes designed to serve persons with disabilities are effectively monitored by independent authorities.
4. States Parties shall take all appropriate measures to promote the physical, cognitive and psychological recovery, rehabilitation and social reintegration of persons with disabilities who become victims of any form of exploitation, violence or abuse, including through the provision of protection services. Such recovery and reintegration shall take place in an environment that fosters the health, welfare, self-respect, dignity and autonomy of the person and takes into account gender- and age-specific needs.
5. States Parties shall put in place effective legislation and policies, including women- and child-focused legislation and policies, to ensure that instances of exploitation, violence and abuse against persons with disabilities are identified, investigated and, where appropriate, prosecuted.

### ***DRPI People's Indicators:***

- Evidence of law or public policy preventing all types of exploitation, violence and abuse against persons with disabilities; especially women and girls with disabilities and those living in rural areas.
- Evidence of the way policy and law define exploitation, violence and abuse generically.
- Number of reported cases of exploitation, violence and abuse, disaggregated by gender and type of disability.
- Number and range of available support services for persons with disabilities and their families who have suffered exploitation, violence or abuse.
- Evidence of measures to prevent exploitation, violence or abuse of persons with disabilities (including information and education on the

prevention of abuse and the provision of age, disability and gender-sensitive assistance).

- Evidence of the implementation of independent monitoring authorities and mechanisms to monitor all facilities and programmes designed to serve persons with disabilities.

### Article 17: Protecting the integrity of the person

Every person with disabilities has a right to respect for his or her physical and mental integrity on an equal basis with others.

#### *DRPI People's Indicators:*

- Evidence of a complaint mechanism available for persons with disabilities to bring a legal complaint in cases where the exercise of physical and mental integrity is challenged.
- Evidence of policies and programs guaranteeing the physical and mental integrity of persons with disabilities parallel to those for persons without disabilities.
- Evidence of mental health law and programs specifically evaluated or introduced to protect the integrity of persons with disabilities.
- Evidence of law and policy requiring free and informed consent for all medical interventions, including for persons with disabilities
- Evidence of law and policy regulating abortion to ensure it is not available based on discriminatory criteria

### Article 18: Liberty of movement and nationality

1. States Parties shall recognize the rights of persons with disabilities to liberty of movement, to freedom to choose their residence and to a nationality, on an equal basis with others, including by ensuring that persons with disabilities:
  - a) Have the right to acquire and change a nationality and are not deprived of their nationality arbitrarily or on the basis of disability;
  - b) Are not deprived, on the basis of disability, of their ability to obtain, possess and utilize documentation of their nationality or other

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- documentation of identification, or to utilize relevant processes such as immigration proceedings, that may be needed to facilitate exercise of the right to liberty of movement;
- c) Are free to leave any country, including their own;
  - d) Are not deprived, arbitrarily or on the basis of disability, of the right to enter their own country.
2. Children with disabilities shall be registered immediately after birth and shall have the right from birth to a name, the right to acquire a nationality and, as far as possible, the right to know and be cared for by their parents.

### *DRPI People's Indicators:*

- Number of citizenship cards granted and denied to immigrants or refugees with disabilities during last four years.
- Evidence of measures in place to provide reasonable accommodation to persons with disabilities in the processes of obtaining nationality or other documentation of identity.

### **Article 19: Living independently and being included in the community**

States Parties to the present Convention recognize the equal right of all persons with disabilities to live in the community, with choices equal to others, and shall take effective and appropriate measures to facilitate full enjoyment by persons with disabilities of this right and their full inclusion and participation in the community, including by ensuring that:

- a) Persons with disabilities have the opportunity to choose their place of residence and where and with whom they live on an equal basis with others and are not obliged to live in a particular living arrangement;
- b) Persons with disabilities have access to a range of in-home, residential and other community support services, including personal assistance necessary to support living and inclusion in the community, and to prevent isolation or segregation from the community;

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- c) Community services and facilities for the general population are available on an equal basis to persons with disabilities and are responsive to their needs.

### *DRPI People's Indicators:*

- Evidence of policy/programs at national, state and local level showing a range of services made available to persons with disabilities to live independently and to have access to independent living schemes.
- Definition of “independent living” in state policy – including policies and programs in place.
- Evidence of funds allocated for independent living schemes as a percentage of the total budget (for example disability related benefits, support services, housing, personal assistance, welfare benefits, etc.).
- Evidence of public policies or programs that guarantee access to persons with disabilities to community services and facilities.
- List of program criteria to receive independent living entitlements.
- Allocation of community-based services budget (total amount and as percentage of GDP).
- Number of people living in a segregated environment e.g. residential institutions and psychiatric hospitals (disaggregated by age, gender and type of disability).

### **Article 20: Personal mobility**

States Parties shall take effective measures to ensure personal mobility with the greatest possible independence for persons with disabilities, including by:

- a) Facilitating the personal mobility of persons with disabilities in the manner and at the time of their choice, and at affordable cost;
- b) Facilitating access by persons with disabilities to quality mobility aids, devices, assistive technologies and forms of live assistance and intermediaries, including by making them available at affordable cost;
- c) Providing training in mobility skills to persons with disabilities and to specialist staff working with persons with disabilities;

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- d) Encouraging entities that produce mobility aids, devices and assistive technologies to take into account all aspects of mobility for persons with disabilities.

### *DRPI People's Indicators:*

- Policy and programs in place for provision of mobility aids, devices, assistive technologies and criteria for acquiring, maintaining and renewing them.
- Public budget allocated per year for provision of mobility aids, devices, and assistive technologies.

### **Article 21: Freedom of expression and opinion, and access to information**

States Parties shall take all appropriate measures to ensure that persons with disabilities can exercise the right to freedom of expression and opinion, including the freedom to seek, receive and impart information and ideas on an equal basis with others and through all forms of communication of their choice, as defined in article 2 of the present Convention, including by:

- a) Providing information intended for the general public to persons with disabilities in accessible formats and technologies appropriate to different kinds of disabilities in a timely manner and without additional cost;
- b) Accepting and facilitating the use of sign languages, Braille, augmentative and alternative communication, and all other accessible means, modes and formats of communication of their choice by persons with disabilities in official interactions;
- c) Urging private entities that provide services to the general public, including through the Internet, to provide information and services in accessible and usable formats for persons with disabilities;
- d) Encouraging the mass media, including providers of information through the Internet, to make their services accessible to persons with disabilities;
- e) Recognizing and promoting the use of sign languages.

***DRPI People's Indicators:***

- Evidence of public policy and programs regulating the usage of sign language including in schools, hospitals, government agencies, health centres, and communications.
- Number of colleges and universities that provide training for sign language interpreters and number of sign language interpreters in the country.
- Evidence of policy that requires that all public meetings provide sign language interpretation.
- Documentation of budgets allocated specifically for eliminating communication barriers.
- Evidence of law or public policy that regulates alternative communications and access to information in alternative formats.
- Evidence of regulation or law or program or requirements to ensure the accessibility of government and program websites and budget provided for that activity.
- Regulatory/legal standards that provide penalties for the violation of access to information.

**Article 22: Respect for privacy**

- a) No person with disabilities, regardless of place of residence or living arrangements, shall be subjected to arbitrary or unlawful interference with his or her privacy, family, home or correspondence or other types of communication or to unlawful attacks on his or her honour and reputation. Persons with disabilities have the right to the protection of the law against such interference or attacks.
- b) States Parties shall protect the privacy of personal, health and rehabilitation information of persons with disabilities on an equal basis with others.

***DRPI People's Indicators:***

- Evidence of a law or policy that specifically prohibits arbitrary or unlawful interference with privacy, especially personal data related to disability and health status.

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- Evidence that laws relating to privacy of information cover people with disabilities.

### Article 23: Respect for home and the family

1. States Parties shall take effective and appropriate measures to eliminate discrimination against persons with disabilities in all matters relating to marriage, family, parenthood and relationships, on an equal basis with others, so as to ensure that:
  - a) The right of all persons with disabilities who are of marriageable age to marry and to found a family on the basis of free and full consent of the intending spouses is recognized;
  - b) The rights of persons with disabilities to decide freely and responsibly on the number and spacing of their children and to have access to age-appropriate information, reproductive and family planning education are recognized, and the means necessary to enable them to exercise these rights are provided;
  - c) Persons with disabilities, including children, retain their fertility on an equal basis with others.
2. States Parties shall ensure the rights and responsibilities of persons with disabilities, with regard to guardianship, wardship, trusteeship, adoption of children or similar institutions, where these concepts exist in national legislation; in all cases the best interests of the child shall be paramount. States Parties shall render appropriate assistance to persons with disabilities in the performance of their child-rearing responsibilities.
3. States Parties shall ensure that children with disabilities have equal rights with respect to family life. With a view to realizing these rights, and to prevent concealment, abandonment, neglect and segregation of children with disabilities, States Parties shall undertake to provide early and comprehensive information, services and support to children with disabilities and their families.
4. States Parties shall ensure that a child shall not be separated from his or her parents against their will, except when competent authorities subject to judicial review determine, in accordance with applicable law and procedures, that such separation is necessary for the best interests of

the child. In no case shall a child be separated from parents on the basis of a disability of either the child or one or both of the parents.

5. States Parties shall, where the immediate family is unable to care for a child with disabilities, undertake every effort to provide alternative care within the wider family, and failing that, within the community in a family setting.

***DRPI People's Indicators:***

- Existence of legal provisions regulating adoption and foster care services for children with disabilities
- Evidence of legal provision to ensure free and consensual marriage for people with disabilities on the same terms as for those without disabilities.
- Evidence of sexual and reproductive health education programs for persons with disabilities.
- Evidence of early and comprehensive information, services and support to children with disabilities and their families.
- Evidence of law or public policy prohibiting forced marriages and sterilization without consent.
- Evidence of state policies and programs that ensure that families with members with disabilities are provided with adequate support services (e.g. early interventions services, counseling, psychosocial support, financial support, care-giver allowances, personal assistants...)
- Evidence of measures taken to provide access for persons with disabilities to age-appropriate information, sexual and reproductive health and family planning education.
- Evidence of measures (programs, policies) adopted to create an awareness of the rights of persons with disabilities within families, disaggregated by city, state and country.
- Evidence of public campaigns highlighting the CRPD and its content.

**Article 24: Education**

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1. States Parties recognize the right of persons with disabilities to education. With a view to realizing this right without discrimination and on the basis of equal opportunity, States Parties shall ensure an inclusive education system at all levels and lifelong learning directed to:
  - a) The full development of human potential and sense of dignity and self-worth, and the strengthening of respect for human rights, fundamental freedoms and human diversity;
  - b) The development by persons with disabilities of their personality, talents and creativity, as well as their mental and physical abilities, to their fullest potential;
  - c) Enabling persons with disabilities to participate effectively in a free society.
2. In realizing this right, States Parties shall ensure that:
  - a) Persons with disabilities are not excluded from the general education system on the basis of disability, and that children with disabilities are not excluded from free and compulsory primary education, or from secondary education, on the basis of disability;
  - b) Persons with disabilities can access an inclusive, quality and free primary education and secondary education on an equal basis with others in the communities in which they live;
  - c) Reasonable accommodation of the individual's requirements is provided;
  - d) Persons with disabilities receive the support required, within the general education system, to facilitate their effective education;
  - e) Effective individualized support measures are provided in environments that maximize academic and social development, consistent with the goal of full inclusion.
3. States Parties shall enable persons with disabilities to learn life and social development skills to facilitate their full and equal participation in education and as members of the community. To this end, States Parties shall take appropriate measures, including:
  - a) Facilitating the learning of Braille, alternative script, augmentative and alternative modes, means and formats of communication and orientation and mobility skills, and facilitating peer support and mentoring;

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- b) Facilitating the learning of sign language and the promotion of the linguistic identity of the deaf community;
  - c) Ensuring that the education of persons, and in particular children, who are blind, deaf or deafblind, is delivered in the most appropriate languages and modes and means of communication for the individual, and in environments which maximize academic and social development.
4. In order to help ensure the realization of this right, States Parties shall take appropriate measures to employ teachers, including teachers with disabilities, who are qualified in sign language and/or Braille, and to train professionals and staff who work at all levels of education. Such training shall incorporate disability awareness and the use of appropriate augmentative and alternative modes, means and formats of communication, educational techniques and materials to support persons with disabilities.
  5. States Parties shall ensure that persons with disabilities are able to access general tertiary education, vocational training, adult education and lifelong learning without discrimination and on an equal basis with others. To this end, States Parties shall ensure that reasonable accommodation is provided to persons with disabilities.

### ***DRPI People's Indicators:***

- Definition of inclusive education in state, school and district operating policies.
- Budget allocated to inclusive education as a percentage of total budget for education, disaggregated by responsible public jurisdiction (city, town, state and country) and gender.
- Budget allocated for education materials in alternative formats, teaching assistants, assistive devices allocated by responsible public jurisdiction.
- Rate of students with disabilities completing compulsory education disaggregated by type of disability, physical location and gender.
- Evidence of policy with respect to training teachers for inclusive education.
- Number of reported cases of discrimination in education.

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- Evidence of complaint mechanisms in place for cases of discrimination disaggregated by teaching staff; teaching assistants; other students; school authorities/ boards.
- Percentage of bullying cases reported involving students with disabilities as victims disaggregated by type of school (special or regular) and evidence of prevention measures that states have undertaken to prevent bullying in schools.
- Number of sign language interpreters and number of sign language courses in public education institutions.
- Evidence of measures/programs that states have undertaken to stimulate students with disabilities to pursue higher education and vocational training and lifelong training.

### Article 25: Health

States Parties recognize that persons with disabilities have the right to the enjoyment of the highest attainable standard of health without discrimination on the basis of disability. States Parties shall take all appropriate measures to ensure access for persons with disabilities to health services that are gender-sensitive, including health-related rehabilitation. In particular, States Parties shall:

- a) Provide persons with disabilities with the same range, quality and standard of free or affordable health care and programmes as provided to other persons, including in the area of sexual and reproductive health and population-based public health programmes;
- b) Provide those health services needed by persons with disabilities specifically because of their disabilities, including early identification and intervention as appropriate, and services designed to minimize and prevent further disabilities, including among children and older persons;
- c) Provide these health services as close as possible to people's own communities, including in rural areas;
- d) Require health professionals to provide care of the same quality to persons with disabilities as to others, including on the basis of free and informed consent by, inter alia, raising awareness of the human rights, dignity, autonomy and needs of persons with disabilities through

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- training and the promulgation of ethical standards for public and private health care;
- e) Prohibit discrimination against persons with disabilities in the provision of health insurance, and life insurance where such insurance is permitted by national law, which shall be provided in a fair and reasonable manner;
  - f) Prevent discriminatory denial of health care or health services or food and fluids on the basis of disability.

### *DRPI People's Indicators:*

- Budget allocated for improving accessibility of health services as percentage of general budget for health and disaggregated by rural and urban areas.
- Evidence of early identification and intervention policies, programs or services.
- Number of ethics committees set up in hospitals to monitor the conduct of doctors and medical personnel towards persons with disabilities.
- Number of medical, nursing and rehabilitation schools that have disability rights courses as a required part of their curriculum.
- Evidence of public policies regulating accessibility to health services and reasonable accommodation in health.
- Procedures related to provision of mobility aids, orthopedic devices, prosthetics and public budget allocated for their provision.
- Evidence of measures to include disability in national HIV response programming.
- Number of disability rights trainings for health workers and level of involvement of people with disabilities in training design and delivery.

### **Article 26: Habilitation and rehabilitation**

1. States Parties shall take effective and appropriate measures, including through peer support, to enable persons with disabilities to attain and maintain maximum independence, full physical, mental, social and vocational ability, and full inclusion and participation in all aspects of life. To that end, States Parties shall organize, strengthen and extend

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comprehensive habilitation and rehabilitation services and programmes, particularly in the areas of health, employment, education and social services, in such a way that these services and programmes:

- a) Begin at the earliest possible stage, and are based on the multidisciplinary assessment of individual needs and strengths;
  - b) Support participation and inclusion in the community and all aspects of society, are voluntary, and are available to persons with disabilities as close as possible to their own communities, including in rural areas.
2. States Parties shall promote the development of initial and continuing training for professionals and staff working in habilitation and rehabilitation services.
  3. States Parties shall promote the availability, knowledge and use of assistive devices and technologies, designed for persons with disabilities, as they relate to habilitation and rehabilitation.

### *DRPI People's Indicators:*

- Assistive devices budget – total amount and as a percentage of GDP.
- Description of assessment criteria in state funded programs and services to obtain assistive technologies.
- Number and organization of habilitation and rehabilitation services in the country.
- Evidence of curricula used to train professional and staff working in habilitation and rehabilitation services and the level of involvement of persons with disabilities in the service design and delivery.

### Article 27: Work and employment

1. States Parties recognize the right of persons with disabilities to work, on an equal basis with others; this includes the right to the opportunity to gain a living by work freely chosen or accepted in a labour market and work environment that is open, inclusive and accessible to persons with disabilities. States Parties shall safeguard and promote the realization of the right to work, including for those who acquire a disability during the

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course of employment, by taking appropriate steps, including through legislation, to, inter alia:

- a) Prohibit discrimination on the basis of disability with regard to all matters concerning all forms of employment, including conditions of recruitment, hiring and employment, continuance of employment, career advancement and safe and healthy working conditions;
  - b) Protect the rights of persons with disabilities, on an equal basis with others, to just and favourable conditions of work, including equal opportunities and equal remuneration for work of equal value, safe and healthy working conditions, including protection from harassment, and the redress of grievances;
  - c) Ensure that persons with disabilities are able to exercise their labour and trade union rights on an equal basis with others;
  - d) Enable persons with disabilities to have effective access to general technical and vocational guidance programmes, placement services and vocational and continuing training;
  - e) Promote employment opportunities and career advancement for persons with disabilities in the labour market, as well as assistance in finding, obtaining, maintaining and returning to employment;
  - f) Promote opportunities for self-employment, entrepreneurship, the development of cooperatives and starting one's own business;
  - g) Employ persons with disabilities in the public sector;
  - h) Promote the employment of persons with disabilities in the private sector through appropriate policies and measures, which may include affirmative action programmes, incentives and other measures;
  - i) Ensure that reasonable accommodation is provided to persons with disabilities in the workplace;
  - j) Promote the acquisition by persons with disabilities of work experience in the open labour market;
  - k) Promote vocational and professional rehabilitation, job retention and return-to-work programmes for persons with disabilities.
2. States Parties shall ensure that persons with disabilities are not held in slavery or in servitude, and are protected, on an equal basis with others, from forced or compulsory labour.

***DRPI People's Indicators:***

- Employment and unemployment rates among persons with disabilities disaggregated by type of disability and gender.
- Evidence of measures to encourage the employment of persons with disabilities in the mainstream labour force including quotas and other measures.
- Disabled job seekers as percentage of total number of persons with disabilities.
- Disaggregation of national and state labour force data by disability and gender.
- Evidence of legislation requiring employers to provide reasonable accommodation to workers with disabilities.
- Evidence of anti-discrimination law prohibiting discrimination of persons with disabilities in the labour market.
- Evidence of complaint mechanisms related to discrimination at the workplace and enforcement measures in place related to employment.
- Number of complaints submitted related to discrimination at work and number of complaints processed and resolved.
- Citations for legal cases related to disability and employment.
- Number of training initiatives for trades that specifically include persons with disabilities and proportion in relation to other training programs in each training centre.
- Evidence of incentives provided to the private sector to encourage the employment of persons with disabilities and evidence of number of persons with disabilities employed by the private sector to avail these incentives.

**Article 28: Adequate standard of living and social protection**

1. States Parties recognize the right of persons with disabilities to an adequate standard of living for themselves and their families, including adequate food, clothing and housing, and to the continuous improvement of living conditions, and shall take appropriate steps to safeguard and

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promote the realization of this right without discrimination on the basis of disability.

2. States Parties recognize the right of persons with disabilities to social protection and to the enjoyment of that right without discrimination on the basis of disability, and shall take appropriate steps to safeguard and promote the realization of this right, including measures:
  - a) To ensure equal access by persons with disabilities to clean water services, and to ensure access to appropriate and affordable services, devices and other assistance for disability-related needs;
  - b) To ensure access by persons with disabilities, in particular women and girls with disabilities and older persons with disabilities, to social protection programmes and poverty reduction programmes;
  - c) To ensure access by persons with disabilities and their families living in situations of poverty to assistance from the State with disability-related expenses, including adequate training, counselling, financial assistance and respite care;
  - d) To ensure access by persons with disabilities to public housing programmes;
  - e) To ensure equal access by persons with disabilities to retirement benefits and programmes.

### ***DRPI People's Indicators:***

- Social Security budget targeted for persons with disabilities - total amount and as a percentage of total social security budget.
- Disability-related budget – total amount and as percentage of GDP.
- Number of persons with disabilities who applied for disability-related benefits and number of people whose benefits were granted or rejected.
- Number of persons with disabilities who applied for welfare benefits and number of whose benefits were granted and rejected.
- Evidence of public policy regulating the eligibility criteria for welfare and disability related benefits.
- Legal or policy measures or regulations in place to ensure that financial entitlements of persons with disabilities are paid directly to them.

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- Evidence of regulations in place to ensure that persons with disabilities in rural areas can access their social security benefits.
- Measures introduced to sensitize officials involved in the provision of social security benefits to persons with disabilities.

### Article 29: Participation in political and public life

States Parties shall guarantee to persons with disabilities political rights and the opportunity to enjoy them on an equal basis with others, and shall undertake:

- a) To ensure that persons with disabilities can effectively and fully participate in political and public life on an equal basis with others, directly or through freely chosen representatives, including the right and opportunity for persons with disabilities to vote and be elected, inter alia, by:
  - i. Ensuring that voting procedures, facilities and materials are appropriate, accessible and easy to understand and use;
  - ii. Protecting the right of persons with disabilities to vote by secret ballot in elections and public referendums without intimidation, and to stand for elections, to effectively hold office and perform all public functions at all levels of government, facilitating the use of assistive and new technologies where appropriate;
  - iii. Guaranteeing the free expression of the will of persons with disabilities as electors and to this end, where necessary, at their request, allowing assistance in voting by a person of their own choice;
- b) To promote actively an environment in which persons with disabilities can effectively and fully participate in the conduct of public affairs, without discrimination and on an equal basis with others, and encourage their participation in public affairs, including:
  - i. Participation in non-governmental organizations and associations concerned with the public and political life of the country, and in the activities and administration of political parties;
  - ii. Forming and joining organizations of persons with disabilities to represent persons with disabilities at international, national, regional and local levels.

***DRPI People's Indicators:***

- Evidence of policy or measures that States have undertaken to ensure accessibility of electoral processes to persons with disabilities.
- Percentage of polling stations that are physically accessible and their distribution across rural and urban areas.
- Percentage of polling stations that have braille signage and material and plain language formats and sign language interpretation.
- Evidence of training manuals for polling staff on how to engage with people with disabilities.
- Evidence of specific programs and policies that guarantee safety measures are in place for men and women with disabilities in polling areas.
- Percentage of election material that is provided in accessible format disaggregated by urban and rural area.
- Legal provision or policy obligation that political parties must have accessible campaigns, including braille and other alternative formats for their material.
- Number of DPOs registered in the country, including cross-disability organizations and impairment-based organizations and membership of organizations.
- Number of people with disabilities employed in government institutions at executive, judiciary and legislative level of government.

**Article 30: Participation in cultural life, recreation, leisure and sport**

1. States Parties recognize the right of persons with disabilities to take part on an equal basis with others in cultural life, and shall take all appropriate measures to ensure that persons with disabilities:
  - a) Enjoy access to cultural materials in accessible formats;
  - b) Enjoy access to television programmes, films, theatre and other cultural activities, in accessible formats;
  - c) Enjoy access to places for cultural performances or services, such as theatres, museums, cinemas, libraries and tourism services, and, as far as possible, enjoy access to monuments and sites of national cultural importance.

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2. States Parties shall take appropriate measures to enable persons with disabilities to have the opportunity to develop and utilize their creative, artistic and intellectual potential, not only for their own benefit, but also for the enrichment of society.
3. States Parties shall take all appropriate steps, in accordance with international law, to ensure that laws protecting intellectual property rights do not constitute an unreasonable or discriminatory barrier to access by persons with disabilities to cultural materials.
4. Persons with disabilities shall be entitled, on an equal basis with others, to recognition and support of their specific cultural and linguistic identity, including sign languages and deaf culture.
5. With a view to enabling persons with disabilities to participate on an equal basis with others in recreational, leisure and sporting activities, States Parties shall take appropriate measures:
  - a) To encourage and promote the participation, to the fullest extent possible, of persons with disabilities in mainstream sporting activities at all levels;
  - b) To ensure that persons with disabilities have an opportunity to organize, develop and participate in disability-specific sporting and recreational activities and, to this end, encourage the provision, on an equal basis with others, of appropriate instruction, training and resources;
  - c) To ensure that persons with disabilities have access to sporting, recreational and tourism venues;
  - d) To ensure that children with disabilities have equal access with other children to participation in play, recreation and leisure and sporting activities, including those activities in the school system;
  - e) To ensure that persons with disabilities have access to services from those involved in the organization of recreational, tourism, leisure and sporting activities.

### ***DRPI People's Indicators:***

- Programs and measures in place to enable persons with disabilities to develop and utilize their creative, artistic and intellectual potential.

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- Percentage of accessible public cultural institutions (e.g. theatres, cinemas, museums, libraries).
- Funding provided to publish cultural materials and cultural activities in accessible formats as percentage of total budget for culture.
- Budget allocated for disability-specific sporting activities organized and developed by persons with disabilities as percentage of total public budget for sport.
- Percentage of accessible public sporting, recreational and tourism venues and budget allocated to improve accessibility.

### Article 31: Statistics and data collection

1. States Parties undertake to collect appropriate information, including statistical and research data, to enable them to formulate and implement policies to give effect to the present Convention. The process of collecting and maintaining this information shall:
  - a) Comply with legally established safeguards, including legislation on data protection, to ensure confidentiality and respect for the privacy of persons with disabilities;
  - b) Comply with internationally accepted norms to protect human rights and fundamental freedoms and ethical principles in the collection and use of statistics.
2. The information collected in accordance with this article shall be disaggregated, as appropriate, and used to help assess the implementation of States Parties' obligations under the present Convention and to identify and address the barriers faced by persons with disabilities in exercising their rights.
3. States Parties shall assume responsibility for the dissemination of these statistics and ensure their accessibility to persons with disabilities and others.

### *DRPI People's Indicators:*

- Evidence of disaggregated data on disability, gender, age and geographical location as part of the national census and other national surveys.

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- Evidence of statistical data collection based on non-medical criteria including the use of disability self-reporting questions.

### Article 32: International cooperation

1. States Parties recognize the importance of international cooperation and its promotion, in support of national efforts for the realization of the purpose and objectives of the present Convention, and will undertake appropriate and effective measures in this regard, between and among States and, as appropriate, in partnership with relevant international and regional organizations and civil society, in particular organizations of persons with disabilities. Such measures could include, inter alia:
  - a) Ensuring that international cooperation, including international development programmes, is inclusive of and accessible to persons with disabilities;
  - b) Facilitating and supporting capacity-building, including through the exchange and sharing of information, experiences, training programmes and best practices;
  - c) Facilitating cooperation in research and access to scientific and technical knowledge;
  - d) Providing, as appropriate, technical and economic assistance, including by facilitating access to and sharing of accessible and assistive technologies, and through the transfer of technologies.
2. The provisions of this article are without prejudice to the obligations of each State Party to fulfil its obligations under the present Convention.

### *DRPI People's Indicators:*

- Evidence of policy mandating the use of a disability lens in all international cooperation agreements and grants.
- Evidence of allocation of international aid resources specifically addressing disability rights issues.
- Evidence that disability issues are included in any poverty reduction strategy.

### Article 33: National implementation and monitoring

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1. States Parties, in accordance with their system of organization, shall designate one or more focal points within government for matters relating to the implementation of the present Convention, and shall give due consideration to the establishment or designation of a coordination mechanism within government to facilitate related action in different sectors and at different levels.
2. States Parties shall, in accordance with their legal and administrative systems, maintain, strengthen, designate or establish within the State Party, a framework, including one or more independent mechanisms, as appropriate, to promote, protect and monitor implementation of the present Convention. When designating or establishing such a mechanism, States Parties shall take into account the principles relating to the status and functioning of national institutions for protection and promotion of human rights.
3. Civil society, in particular persons with disabilities and their representative organizations, shall be involved and participate fully in the monitoring process.

### ***DRPI People's Indicators:***

- *Evidence of the participation of persons with disabilities and their organizations in monitoring the CRPD and other Conventions and in monitoring the SDGs.*

### **Article 34: Committee on the Rights of Persons with Disabilities**

1. There shall be established a Committee on the Rights of Persons with Disabilities (hereafter referred to as “the Committee”), which shall carry out the functions hereinafter provided.
2. The Committee shall consist, at the time of entry into force of the present Convention, of twelve experts. After an additional sixty ratifications or accessions to the Convention, the membership of the Committee shall increase by six members, attaining a maximum number of eighteen members.
3. The members of the Committee shall serve in their personal capacity and shall be of high moral standing and recognized competence and

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experience in the field covered by the present Convention. When nominating their candidates, States Parties are invited to give due consideration to the provision set out in article 4, paragraph 3, of the present Convention.

4. The members of the Committee shall be elected by States Parties, consideration being given to equitable geographical distribution, representation of the different forms of civilization and of the principal legal systems, balanced gender representation and participation of experts with disabilities.
5. The members of the Committee shall be elected by secret ballot from a list of persons nominated by the States Parties from among their nationals at meetings of the Conference of States Parties. At those meetings, for which two thirds of States Parties shall constitute a quorum, the persons elected to the Committee shall be those who obtain the largest number of votes and an absolute majority of the votes of the representatives of States Parties present and voting.
6. The initial election shall be held no later than six months after the date of entry into force of the present Convention. At least four months before the date of each election, the Secretary-General of the United Nations shall address a letter to the States Parties inviting them to submit the nominations within two months. The Secretary-General shall subsequently prepare a list in alphabetical order of all persons thus nominated, indicating the State Parties which have nominated them, and shall submit it to the States Parties to the present Convention.
7. The members of the Committee shall be elected for a term of four years. They shall be eligible for re-election once. However, the term of six of the members elected at the first election shall expire at the end of two years; immediately after the first election, the names of these six members shall be chosen by lot by the chairperson of the meeting referred to in paragraph 5 of this article.
8. The election of the six additional members of the Committee shall be held on the occasion of regular elections, in accordance with the relevant provisions of this article.
9. If a member of the Committee dies or resigns or declares that for any other cause she or he can no longer perform her or his duties, the State

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Party which nominated the member shall appoint another expert possessing the qualifications and meeting the requirements set out in the relevant provisions of this article, to serve for the remainder of the term.

10. The Committee shall establish its own rules of procedure.
11. The Secretary-General of the United Nations shall provide the necessary staff and facilities for the effective performance of the functions of the Committee under the present Convention, and shall convene its initial meeting.
12. With the approval of the General Assembly of the United Nations, the members of the Committee established under the present Convention shall receive emoluments from United Nations resources on such terms and conditions as the Assembly may decide, having regard to the importance of the Committee's responsibilities.
13. The members of the Committee shall be entitled to the facilities, privileges and immunities of experts on mission for the United Nations as laid down in the relevant sections of the Convention on the Privileges and Immunities of the United Nations.

### Article 35: Reports by States Parties

1. Each State Party shall submit to the Committee, through the Secretary-General of the United Nations, a comprehensive report on measures taken to give effect to its obligations under the present Convention and on the progress made in that regard, within two years after the entry into force of the present Convention for the State Party concerned.
2. Thereafter, States Parties shall submit subsequent reports at least every four years and further whenever the Committee so requests.
3. The Committee shall decide any guidelines applicable to the content of the reports.
4. A State Party which has submitted a comprehensive initial report to the Committee need not, in its subsequent reports, repeat information previously provided. When preparing reports to the Committee, States Parties are invited to consider doing so in an open and transparent process and to give due consideration to the provision set out in article 4, paragraph 3, of the present Convention.

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5. Reports may indicate factors and difficulties affecting the degree of fulfilment of obligations under the present Convention.

### Article 36: Consideration of reports

1. Each report shall be considered by the Committee, which shall make such suggestions and general recommendations on the report as it may consider appropriate and shall forward these to the State Party concerned. The State Party may respond with any information it chooses to the Committee. The Committee may request further information from States Parties relevant to the implementation of the present Convention.
2. If a State Party is significantly overdue in the submission of a report, the Committee may notify the State Party concerned of the need to examine the implementation of the present Convention in that State Party, on the basis of reliable information available to the Committee, if the relevant report is not submitted within three months following the notification. The Committee shall invite the State Party concerned to participate in such examination. Should the State Party respond by submitting the relevant report, the provisions of paragraph 1 of this article will apply.
3. The Secretary-General of the United Nations shall make available the reports to all States Parties.
4. States Parties shall make their reports widely available to the public in their own countries and facilitate access to the suggestions and general recommendations relating to these reports.
5. The Committee shall transmit, as it may consider appropriate, to the specialized agencies, funds and programmes of the United Nations, and other competent bodies, reports from States Parties in order to address a request or indication of a need for technical advice or assistance contained therein, along with the Committee's observations and recommendations, if any, on these requests or indications.

### Article 37: Cooperation between States Parties and the Committee

1. Each State Party shall cooperate with the Committee and assist its members in the fulfilment of their mandate.

2. In its relationship with States Parties, the Committee shall give due consideration to ways and means of enhancing national capacities for the implementation of the present Convention, including through international cooperation.

### **Article 38: Relationship of the Committee with other bodies**

In order to foster the effective implementation of the present Convention and to encourage international cooperation in the field covered by the present Convention:

- a) The specialized agencies and other United Nations organs shall be entitled to be represented at the consideration of the implementation of such provisions of the present Convention as fall within the scope of their mandate. The Committee may invite the specialized agencies and other competent bodies as it may consider appropriate to provide expert advice on the implementation of the Convention in areas falling within the scope of their respective mandates. The Committee may invite specialized agencies and other United Nations organs to submit reports on the implementation of the Convention in areas falling within the scope of their activities;
- b) The Committee, as it discharges its mandate, shall consult, as appropriate, other relevant bodies instituted by international human rights treaties, with a view to ensuring the consistency of their respective reporting guidelines, suggestions and general recommendations, and avoiding duplication and overlap in the performance of their functions.

### **Article 39: Report of the Committee**

The Committee shall report every two years to the General Assembly and to the Economic and Social Council on its activities, and may make suggestions and general recommendations based on the examination of reports and information received from the States Parties. Such suggestions and general recommendations shall be included in the report of the Committee together with comments, if any, from States Parties.

### **Article 40: Conference of States Parties**

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1. The States Parties shall meet regularly in a Conference of States Parties in order to consider any matter with regard to the implementation of the present Convention.
2. No later than six months after the entry into force of the present Convention, the Conference of States Parties shall be convened by the Secretary-General of the United Nations. The subsequent meetings shall be convened by the Secretary-General biennially or upon the decision of the Conference of States Parties.

### Article 41: Depositary

The Secretary-General of the United Nations shall be the depositary of the present Convention.

### Article 42: Signature

The present Convention shall be open for signature by all States and by regional integration organizations at United Nations Headquarters in New York as of 30 March 2007.

### Article 43: Consent to be bound

The present Convention shall be subject to ratification by signatory States and to formal confirmation by signatory regional integration organizations. It shall be open for accession by any State or regional integration organization which has not signed the Convention.

### Article 44: Regional integration organizations

1. "Regional integration organization" shall mean an organization constituted by sovereign States of a given region, to which its member States have transferred competence in respect of matters governed by the present Convention. Such organizations shall declare, in their instruments of formal confirmation or accession, the extent of their competence with respect to matters governed by the present Convention. Subsequently, they shall inform the depositary of any substantial modification in the extent of their competence.

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2. References to “States Parties” in the present Convention shall apply to such organizations within the limits of their competence.
3. For the purposes of article 45, paragraph 1, and article 47, paragraphs 2 and 3, of the present Convention, any instrument deposited by a regional integration organization shall not be counted.
4. Regional integration organizations, in matters within their competence, may exercise their right to vote in the Conference of States Parties, with a number of votes equal to the number of their member States that are Parties to the present Convention. Such an organization shall not exercise its right to vote if any of its member States exercises its right, and vice versa.

### Article 45: Entry into force

1. The present Convention shall enter into force on the thirtieth day after the deposit of the twentieth instrument of ratification or accession.
2. For each State or regional integration organization ratifying, formally confirming or acceding to the present Convention after the deposit of the twentieth such instrument, the Convention shall enter into force on the thirtieth day after the deposit of its own such instrument.

### Article 46: Reservations

1. Reservations incompatible with the object and purpose of the present Convention shall not be permitted.
2. Reservations may be withdrawn at any time.

### Article 47: Amendments

1. Any State Party may propose an amendment to the present Convention and submit it to the Secretary-General of the United Nations. The Secretary-General shall communicate any proposed amendments to States Parties, with a request to be notified whether they favour a conference of States Parties for the purpose of considering and deciding upon the proposals. In the event that, within four months from the date of such communication, at least one third of the States Parties favour

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such a conference, the Secretary-General shall convene the conference under the auspices of the United Nations. Any amendment adopted by a majority of two thirds of the States Parties present and voting shall be submitted by the Secretary-General to the General Assembly of the United Nations for approval and thereafter to all States Parties for acceptance.

2. An amendment adopted and approved in accordance with paragraph 1 of this article shall enter into force on the thirtieth day after the number of instruments of acceptance deposited reaches two thirds of the number of States Parties at the date of adoption of the amendment. Thereafter, the amendment shall enter into force for any State Party on the thirtieth day following the deposit of its own instrument of acceptance. An amendment shall be binding only on those States Parties which have accepted it.
3. If so decided by the Conference of States Parties by consensus, an amendment adopted and approved in accordance with paragraph 1 of this article which relates exclusively to articles 34, 38, 39 and 40 shall enter into force for all States Parties on the thirtieth day after the number of instruments of acceptance deposited reaches two thirds of the number of States Parties at the date of adoption of the amendment.

### **Article 48: Denunciation**

A State Party may denounce the present Convention by written notification to the Secretary-General of the United Nations. The denunciation shall become effective one year after the date of receipt of the notification by the Secretary-General.

### **Article 49: Accessible format**

The text of the present Convention shall be made available in accessible formats.

### **Article 50: Authentic texts**

The Arabic, Chinese, English, French, Russian and Spanish texts of the present Convention shall be equally authentic.

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IN WITNESS THEREOF the undersigned plenipotentiaries, being duly authorized thereto by their respective Governments, have signed the present Convention.

# Appendix B: Country-Specific Data from DRPI Holistic Monitoring Reports as Basis for Building Indicators

## BOSNIA & HERZEGOVINA

### Analysis Of DRPI Holistic Report Of Bosnia & Herzegovina

#### Hot Issue 1: Social Participation

##### *Common Rights Principles:*

- Lack of autonomy, discrimination & inequality, exclusion & inaccessibility, lack of dignity

##### *Linkage Between Hot Issue and the Rights Principles:*

- Most of the interviewees report on the issues related to access to public institutions and built environment as well as the lack of possibilities to participate in culture, recreations, sport and leisure activities due to inaccessibility being forced in that way to the situation of deprivation of rights on the ground of disability where the connection with above mentioned principles lays.

##### *Quotes that illustrate the type of barriers:*

- *“Some of the basic things we all experience on a daily basis are the barriers or obstacles we face on a simple trip to a routine doctor’s appointment or to an institution of any sort. It might be, for example, that I find myself facing steps without even a simple handrail I can use to climb with, and so, for me, they become an unbridgeable obstacle.”*
- *“People with disabilities, particularly people in wheelchairs, are simply dependent on others to help them when they go out, for example, to healthcare facilities, whose entrances are not accessible, or, just generally, in simply going out onto the street.”*
- *“The external environment is a problem... I can’t get to the shops, and even the curbs on the streets haven’t been adapted, and I would like to*

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*go by foot, but there are very few places I can. That is a problem for me. Physical obstacles represent one of the biggest problems for me.”*

- *“Nothing. There are aware of it, but nothing... It’s the same with bank tellers. I ask them to explain why it is so hard. It’s a problem for the deaf, a barrier to communication. Deaf people do want to come to them, but people with hearing don’t have the patience. I don’t mean all of them, but most people. I ask them to write it down, but then again it’s the same at the doctors, or in the clinic.”*

### **Connection with UNCRPD:**

- Article 9: Accessibility,
- Article 19: Independent living and inclusion in community,
- Article 20: Personal mobility

### **Hot Issue 2: Discrimination**

#### **Common Rights Principles:**

- Discrimination & Inequality, Lack of autonomy, Disrespect for diversity, Exclusion

#### **Linkage Between Hot Issue and the Rights Principles:**

- Quoted situation of discrimination are mostly related to disproportionate differences in access to social benefits, services, health services and aid devices by people with same level of disability but different cause of disability. Such differences refer to war veterans which disproportionately higher benefits than all other people with disability as a consequence of post-war introduced legislation. People with disabilities are forced into situation of discrimination affecting their autonomy as they are not able to choose the type of support they will get according to their disability.

#### **Quotes that illustrate the type of barriers:**

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- *“Well, I would like to say, with regard to our orthopaedic aids, the government has done all it can to make it difficult for us to get those aids. Instead of making it as easy for us as possible, they’ve made everything complicated. I have a right to one ill-fitting prosthesis every three years, and no right to anything else.”*

### **Connection with UNCRPD:**

- Article 5: Equality & Non – Discrimination,
- Article 28: Acceptable standard of living and social protection
- Article 20: Personal mobility
- Article 25: Healthcare
- Article 26: Habilitation and rehabilitation

### **Hot Issue 3: Education**

#### **Common Rights Principles:**

- Exclusion, inaccessibility; Discrimination & inequality; Lack of autonomy, Disrespect for diversity

#### **Linkage Between Hot Issue and the Rights Principles:**

- The main issues surrounding education are the ones related to accessibility of regular schools, lack of adapted teaching aids, existence of special schools, lack of access to mainstream education services for intellectual and sensory disabilities and the attitudes to teaching staff and lack of support services in inclusive education settings.

#### **Quotes that illustrate the type of barriers:**

- *“I get about in a wheelchair. The school isn’t really accessible. Quite a lot of classes take place upstairs, but there are steps, so I can’t go to some.”*
- **Monitor:** *“Did you finish secondary school?”*  
**Interviewee:** *“No.”*

**Monitor:** *“Why?”*

**Interviewee:** *“Because of the un-adapted entrance to the school building and because of my disability.”*

**Monitor:** *“Tell us what was the reason that you didn’t enroll for social work studies, what was the reason you didn’t continue attending university?”*

**Interviewee:** *“The reason was lack of acceptance by the Rector and the professors. One professor told my mother, ‘... Just take her away from here, so I don’t have to look at her any more...’ As though, I suppose, what I looked like was the issue. I was there, just a couple of metres away from them.”*

### **Connection with UNCRPD:**

- Article 24: Education
- Article 9: Accessibility
- Article 5: Equality and non-discrimination

### **Hot Issue 4: Health**

#### **Common Rights Principles:**

- Exclusion, inaccessibility; Discrimination & inequality; Lack of autonomy; Disrespect for diversity

#### **Linkage Between Hot Issue and the Rights Principles:**

- When it comes to area of health services, accessibility turned out to be the biggest barrier especially taking into account access of women with disabilities to sexual and reproductive health services. Also, access to orthopedic devices is frequently quoted in terms of prices, quality and availability. Finally, processes of disability assessments are based on medical model, undignified and time-consuming for persons with disabilities.

#### **Quotes that illustrate the type of barriers:**

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- *“One of the basic things we all experience on a daily basis are the barriers or obstacles we face during a simple trip to a routine doctor’s appointment or to an institution of any sort. I may, for example, find myself facing steps without even a simple handrail to help climb them, and so, for me, they become an unbridgeable obstacle.”*
- **Monitor:** *“Tell me, given that you are in a wheelchair, what is the access like to Banja Dvorovi?”*  
**Interviewee:** *“Very poor... On one occasion, I slipped and would have fallen, if somebody hadn’t grabbed hold of me. It’s a very steep slope, it’s a formality. It takes more than one person to let me down, it takes two to let me down. And I still have to lean fully forward and break with my hands, that’s the Banja for you, and it certainly isn’t for those of us with disabilities who are in wheelchairs.”*
- *“The Obstetrics and Gynaecological Centre burned down when I was pregnant. 10 years ago. They renovated it, but there is no lift, which disappointed me. The clinic for ultrasound examinations is on the second floor and I have difficulty getting up there for an examination.”*

### **Connection with UNCRPD:**

- Article 25: Health and rehabilitation
- Article 5: Equality and non-discrimination
- Article 9: Accessibility

### **Hot Issue 5: Employment**

#### **Common Rights Principles:**

- Exclusion, inaccessibility; Discrimination & inequality; Lack of autonomy; Disrespect for diversity, Lack of Dignity.

#### **Linkage Between Hot Issue and the Rights Principles:**

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- People with disabilities live in poverty as the result of lack of access to open labour markets especially those with severe disabilities who are often assessed as incapable of working and excluded from the labour market on the ground of their disability. Compounded with negative attitudes and prejudices of employers, it's resulting in high unemployment rates among persons with disabilities especially certain types of disabilities such as blind people. Further on, access to social material benefits is limited due to cuts made by government and rigid procedures to qualify for one.

### *Quotes that illustrate the type of barriers:*

- *"I have had a whole heap of problems at work, and I still have them today. Starting from discrimination, as an individual with a disability, whom they basically look on as some form of lower species. They automatically take that type of attitude towards you, regardless of what you know, what you're worth, and what you can do. They absolutely do not look at that, all they see is that you're a person with a disability, and so they set you off to one side, and don't want to give you any sort of chance to show what you can do and whether you really can do it. With all the rest, I have had that problem and I still have it today."*
- *"Well, I have found myself in the sort of situation where, let's say, a former financial manager told me directly to my face: "Why should I care that you're like that, what's it to me...!?" It's a massive problem and it's very difficult at such a moment to keep a lid on it, mentally, as an individual. But then new management came and has given me, at the moment, new responsibilities and authority. Mind you, I'm still working as a qualified craftsperson and not a graduate, which is what I am."*
- *"I have no income at all. At one stage I was receiving about 100 marks or so, but then that was cut and I don't have it anymore, even though I'm 80% disabled."*

### *Connection with UNCRPD:*

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- Article 27: Work and employment
- Article 5: Equality and non-discrimination
- Article 12: Equality before the law
- Article 28: Adequate standard of living and social protection

### CANADA

#### Analysis Of DRPI Holistic Report Of Toronto, Canada (2012)

#### Hot Issue 1: Social Participation And Independent Living

##### *Common Rights Principles:*

- Participation, exclusion and lack of accessibility, lack of respect for difference, discrimination and inequality, dignity.

##### *Linkage Between Hot Issue and the Rights Principles:*

- Of the eight areas of life, social participation is clearly the most significant area of concern for participants. In this arena interviewees reported a myriad of obstacles, stemming from difficulties such as barriers to public transportation and the built-environment and discriminatory attitudes hindering their active and equal participation in society.

##### *Quotes that illustrate the type of barriers:*

- *“They assume you can’t have sex, they assume you can’t go to the bathroom; they assume you’re spinal cord injured cause everyone is spinal cord injured. But the assumptions also work the other way sometimes – if you can do all kinds of things, they expect you to be superhuman and do everything!”*
- *“People don’t defer to me... people don’t look to me for guidance. It’s fairly rare that people will actually be rude or outright hostile, but what is so common is... a strange emotion. I mean people are very distant and they seem to be distanced by emotions of their own that are provoked by*

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*coming into contact with someone with a disability. So I find it very difficult to connect with people because it's hard to get past their emotions around my disability.”*

- *“We are considered second class citizens when it comes to flying. Somebody else can just walk on and have the same rights as everybody else, it doesn't matter... who they are. But when you're in a wheelchair you are categorized.”*
- *“They are very cruel. I have been bullied my whole life... I am a small guy... I don't know why they must think that I walk around with a million dollars in my pocket... I get beaten a lot. They try and rob me and stuff like that... They can be quite mean... sure they are only words, but sometimes it can get to you.”*
- *“I feel like I always have to make an effort to change people's perceptions, it's always there, it's always an agenda, it's always something I need to do.”*
- *“It's hurtful. It really is. You really feel that you don't matter. It's all about people who drive—actually I really feel that this whole thing is all about cars. Every—almost every decision that's made in this city is about cars.”*

### **Connection with UNCRPD:**

- Article 5: Equality and non-discrimination
- Article 9: Accessibility
- Article 20: Personal mobility
- Article 29: Participation in political and public life.

### **Hot Issue 2: Work And Employment**

#### **Common Rights Principles:**

- Participation, exclusion and lack of accessibility, lack of respect for difference, discrimination and inequality, dignity.

***Linkage Between Hot Issue and the Rights Principles:***

- The labour market and the workplace constitute another realm of exclusion and inequality for a large proportion of participants. Many were unable to find a job and others reported feeling discriminated against, with little opportunity for advancement and professional growth on the grounds of their disability.

***Quotes that illustrate the type of barriers:***

- *“I’ve applied for director positions. I’m not getting interviews and I’m not sure why. Even here, there was a director position that opened up and I applied for that and was not even given an interview...I suspect that... there’s some perceptions about whether I have the stamina or whether I’m energetic enough...”*
- *“I don’t think they really value people with disabilities as equals ... it’s chronic in the helping professions, people love to help out people with disabilities but, sure as hell, they don’t want to work side by side with them.”*
- *“It makes me feel very bad because I’ve gone to school. I want to work because I am bored. I live alone, but I cannot work. Nobody wants to give me a job...”*
- *“I’ve been looking for work and haven’t managed to get any, which really frustrates me because I know I can work.”*
- *“You lose self esteem, the satisfaction that you’ve done a day’s work. You certainly don’t have any money to show for it, so you lose all around.”*

***Connection with UNCRPD:***

- Article 5: Equality and non-discrimination
- Article 9: Accessibility

- Article 24: Education
- Article 27: Work and Employment

### Hot Issue 3: Income Security and Assistance Services

#### *Common Rights Principles:*

- Participation, exclusion and lack of accessibility, lack of respect for difference, discrimination and inequality, dignity.

#### *Linkage Between Hot Issue and the Rights Principles:*

- Another prominent issue that emerged in this study concerns the lack of opportunity to make autonomous choice around the provision of disability-related services. This creates unnecessary dependence and prevents many people with disabilities from living independent lives and taking part in society as equal citizens. It is clearly a violation of their human rights.

#### *Quotes that illustrate the type of barriers:*

- *“I had a lot of problems with that organization, and the quality of service ...certainly felt... almost like I didn’t have a right to run my own life”*
- *“If I want to do something on the way home... if I want to stop here and do an errand, I can’t. Wheel-Trans will not do that kind of stuff for you. I cannot organize to do anything in an evening because all I can do is get home with any certainty.”*
- *“So for myself, I’m in what they call chronic pain most of the time so I need a place to rest. There isn’t such a place provided. It’s not available. Some shelters apparently do, but there is no opening there. What do I do? I lie on a park bench during a day, I have my master’s degree and I lie on a park bench in Toronto.”*

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- *“Until their policies and their way of implementing things change, I think that’s where most people are going to run into problems... they’re looking at it in certain parameters and certain barriers that they’ve deemed as the eligibility criteria for whatever and if you don’t fall into it you’ve missed the boat.”*

### **Connection with UNCRPD:**

- Article 5: Equality and non-discrimination
- Article 9: Accessibility
- Article 19: Living independently and being included in the community
- Article 28: Adequate standard of living and social protection.

### **Hot Issue 4: Health, Habilitation and Rehabilitation**

#### **Common Rights Principles:**

- Non respect for difference, exclusion, lack of dignity

#### **Linkage Between Hot Issue and the Rights Principles:**

- In this realm of life, some interviewees, especially those with psychosocial disabilities, reported experiences of exclusion and disrespect or labeling. Participants with mobility disabilities, on the other hand, reported the lack of physical accessibility in medical facilities, hindering their right to access health care.

#### **Quotes that illustrate the type of barriers:**

- *“I have some mental health issues. They don’t always understand that... they label you as crazy instead of just depressed or having post-traumatic stress symptoms. I even had...doctors that quit on me because they couldn’t figure out how to cope with my mood swings... and my anger.”*
- *“In the doctor’s office I go to, the door’s so tiny that they have to open two doors to get me in... and they don’t have buttons on the doors anywhere. A lot of bathrooms are not accessible for a large scooter... and*

*if they do, usually somebody else is in there that shouldn't be there, like a mother with a child or something because they sometimes put the changing table in the large bathroom..."*

- *"It made me feel like I was a nobody because they didn't listen; they didn't want to be kind. They just thought that brutality was the way to treat me and other times they even gave me antipsychotic medicine... when I don't have any psychotic problems."*

### ***Connection with UNCRPD:***

- Article 5: Equality and non-discrimination
- Article 9: Accessibility
- Article 17: Protecting the integrity of the person
- Article 25: Health
- Article 26: Habilitation and Rehabilitation

### **Hot Issue 5: Family Life And Privacy**

#### ***Common Rights Principles:***

- Respect for difference, participation and inclusion, lack of autonomy and discrimination

#### ***Linkage Between Hot Issue and the Rights Principles:***

- For a significant number of participants, intimate relationships and family life experiences are intermingled with stories of disrespect and loss of dignity. These experiences stem from feeling largely misunderstood as a result of the disability, particularly due to deeply entrenched perceptions that cause shame or embarrassment in those who are around or care for the person with the disability.

#### ***Quotes that illustrate the type of barriers:***

- *"Most of my friends are able-bodied and...they thought I was absolutely ... mad, I mean they thought I was making it up. I was over-exaggerating. I*

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*was not trying... hard enough because that was very much a teacher-parent kind of role. But for my friends, it was more like...maybe you're just overreacting, maybe you're being a little too sensitive. I bought into that a lot. They didn't really get it..."*

- *"I had very few ties with my family. I ended up separating from my wife...we got a separation agreement... and I lost contact with my son who was very hostile to me."*
- *"My family, my sister thought I was being ridiculous... She was like you're not disabled at all... Because being disabled meant being physically disabled or having a visual impairment or anything like that. It was not something that people could see... so it was not believable."*
- *"They put me out earlier to a home for special care for five years... homes for special care, they are the bottom of the bottom rank...they are really bad and particularly the one I was in was a farmhouse...just a farmhouse where I slept three in a room with just a rotten mattress... it was just horrible. It was horrible."*

### **Connection with UNCRPD:**

- Article 5: Equality and non discrimination
- Article 6: Women with disabilities
- Article 7: Children with disabilities
- Article 9: Accessibility
- Article 19: Living independently and being included in the community
- Article 22: Respect for Privacy
- Article 23: Respect for home and the family

### **Hot Issue 6: Education**

#### **Common Rights Principles:**

- Respect for difference, dignity, discrimination and inequality, exclusion and lack of accessibility.

***Linkage Between Hot Issue and the Rights Principles:***

- The majority of experiences collected in this area of life indicate instances of discrimination and lack of accommodation of disability-related needs. Some participants, however, also reported positive experiences of inclusion and accessibility, thus suggesting that the education system is a changing environment for persons with disabilities in Toronto.

***Quotes that illustrate the type of barriers:***

- *“Sometimes I feel really sorry for myself and I pity myself and I think I’m a horrible person... Often especially in a university and in an environment that is not made for people with disabilities.”*
- *“There have been several times where I have applied for continuing education courses at a fairly advanced level, and have been told by the educational centers that they cannot offer these courses to a blind person.”*
- *“If someone... said something to me in school, and I had received the help I needed in school, then I would not have been in the predicament I was in, where I was feeling suicidal and depressed. I mean, just getting that help earlier on and people believing me would have been really helpful.”*
- *“I was told that I demanded a lot. I had a lot of expectations cause I did not understand the work and I was very lost in the classroom. Things were happening that I didn’t process very well... so this professor made me feel terrible and I ended up crying in her office.”*

***Connection with UNCRPD:***

- Article 5: Equality and non-discrimination
- Article 9: Accessibility
- Article 24: Education

## COLOMBIA

### Analysis of DRPI Holistic Report of Colombia: Psychosocial Disability (2012)

#### Hot Issue 1: Social Participation

##### *Common Rights Principles:*

- Non-discrimination and equality (50%); Participation, Inclusion and Accessibility (49%); Respect for difference (45%) Dignity (41%); Autonomy (20%);

##### *Linkage Between Hot Issue and the Rights Principles:*

- This report includes social, cultural, and political life, as well as the sports, recreational, or amusement activities referenced by the interviewees. Included here also are the barriers in relation to the access to technologies and support (INDICATOR), especially guides and interpreters for people with sensory disabilities (INDICATOR). The violation of this right directly affects the other spheres analyzed in this study since it marginalizes and restricts the involvement of persons with disabilities in the different social scenes. On the other hand, the way in which the massive media strengthen images based on disabilities, through the use of terms such as "the handicapped," "the crippled," "the crazy," "poor thing," among others, greatly affects the dignity of people with disabilities. In the matter of social participation of persons with psychosocial disabilities, this is affected by the social stigma there is regarding mental illnesses, which causes the circle of friends to be minimal or reduced, they are usually loners with no active social life.

##### *Quotes that illustrate the type of barriers:*

- *"...Yes, so that they help me enter with my wheelchair; I have to go with somebody because I can not maneuver the wheelchair on my own. I go because I want to eat something, and I want to enter that place..."*

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- *"...We can't explain how we feel or what we want to say because they (anybody) won't understand, on the contrary... I'd better not say anything."*
- *"...I felt offended, especially because my sister told me that the police officer said that I was crazy, that I should go to a town away from the city where there are crazy people, that I had disrespected authority, I don't know how he can say that if nobody understood me, and it was clear that I was freaked out and that the only thing that I wanted was to explain what was going on with me, but everybody had seen that, I'm sure, but they hide things from people like me..."*
- *"...It has happened to me when they give out information or communications at the meetings that I attend, when they hand in the copy to me they say 'It's such a shame that we don't have it in Braille, we will e-mail it to you later,' and I never receive the information, so I feel left out of the discussion, it happens a lot..."*

### **Connection with UNCRPD:**

- Article 13 - Access to justice
- Article 19 – Living Independently and being included in the community
- Article 20 – Personal Mobility
- Article 8 - Awareness Raising
- Article 9 - Accessibility
- Article 16 – Freedom from exploitation, violence and abuse
- Article 30 – Participation in cultural life, recreation, leisure and sport

### **Hot Issue 2: Employment**

#### **Common Rights Principles:**

- Participation, Inclusion and Accessibility (56%); Non-discrimination and equality (41%); Respect for difference (38%) Autonomy (30%); Dignity (30%);

*Linkage Between Hot Issue and the Rights Principles:*

- 70% of the interviewees reported a direct impact on the process of labor inclusion, related to negative effects on the CRPD principles. 56% claimed not to be acknowledged on an equal footing with other citizens, experiencing segregation and isolation because of their disabilities. This happens both during staffing and selection processes and in the workplace in case they were able to get a job. 41% has been excluded, discriminated against and denied effective enjoyment of the fundamental rights related to this sphere. 38% of the people claimed to have been stigmatized, offended, or simply stereotyped, especially when they participated in staffing and selection processes. This is closely related to the 30% stating that they do not feel valued or respected. 30% of the disabled people state that their freedom to make their own choices has been infringed in job-related matters: they are assigned less challenging tasks in which their opinion and suggestions are not taken into consideration.
- The most prevalent issue is the exclusion and lack of accessibility to enter and stay in the labor market [INDICATOR]. There are multiple barriers: adjustments to the psycho-technical tests to access a job [INDICATOR], lack of profile positions suitable for persons with disabilities, and lack of accommodations to the workplace [INDICATOR] that meet the needs of each disability. A relevant situation among people with psychosocial disabilities is their hiding their condition for fear of losing a job once they have got it. They may even resign before they get fired, so as not to be stigmatized as “crazy people” and affect their reputation or employment records, as this may hinder their possibilities of getting a new job (attitudinal barriers).
- There are also some architectural and communication barriers, such as the unavailability of sign language interpreters [INDICATOR] to assist in processes of staff selection to enter the labor market. Job offers for people with disabilities are scarce, as the reasonable accommodations in the workplace [INDICATOR] are believed to be highly expensive. Many companies refrain from hiring disabled people, due to the imaginary

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argument that they are not productive because of their special characteristics

### **Quotes that illustrate the type of barriers:**

- *“...It was truly disappointing for me to realize that I had passed all of the tests of the application, but when I had to attend the interview I requested a sign language interpreter, mentioning that I am deaf, and they only replied that I should look forward to their call. I am still waiting for that call, and it's been 3 years...”*
- *“...Frustrated, angry, I could not believe that I was not getting a job because of my motor impairment; it was terrible even since the interview, how people stared at me...”*
- *“...The administrator over there asked me why I had glasses, how come somebody even thinks of attending an interview with glasses. I said I'm sorry miss, I have a visual impairment. She said no, don't say anything else, finish this interview, we don't need blind people here. That's what she said. I felt it was sad, actually disappointing, because one is just another ordinary person...”*

### **Connection with UNCRPD:**

- Article 20 – Personal Mobility
- Article 27 – Work and employment
- Article 8 – Awareness-raising
- Article 9 - Accessibility

### **Hot Issue 3: Education**

#### **Common Rights Principles:**

- Participation, inclusion and accessibility (28%); Non-discrimination and Equality (27%); Respect for Difference (21%); Dignity (15%); Autonomy (14%)

### ***Linkage Between Hot Issue and the Rights Principles:***

- There are barriers in Colombia that limit education inclusion in regular classrooms: lack of sign language interpreters [INDICATOR], guide interpreters [INDICATOR], and assistants [INDICATOR] are some of the accommodations required for persons with disabilities to be able to not only enroll, but also stay in and finish school; without even taking into account the adjustments to the academic curricula [INDICATOR] and the low to zero training [INDICATOR] that teachers have for handling different disabilities in the classroom. Another big obstacle or barrier to access education is the high costs of registration in private institutions [INDICATOR]. Something worth noting from the sample is that women with disabilities have greater desires of studying and excelling themselves academically.
- In Colombia very few persons with disabilities access higher education [INDICATOR]. This study had the opportunity to interview, as an exception, people who have managed to finish their university or technical studies, many of whom cannot apply them in work environments due to lack of job opportunities and barriers in work inclusion mentioned before.

### ***Quotes that illustrate the type of barriers:***

- *"...In college when I was going to graduate there were some inconveniences with a teacher that was opposed to me receiving my degree as a Social Worker since she thought that I was not capable of that job because of my disability..."*
- *"...Now, with education inclusion, for example, the subject called Radio, is normally oral. But we are deaf and we had to take it, the professor was very flexible, but truth is, he never had those strategies, stuff such as videos in sign language, where we could start the class well, also at least, the English class would be like my third language, since written language is my second language and English is difficult for me. The other subject that I had to take, Radio--- well we never heard, and we have to mix in the same society and it's different and hard, but we want to graduate but it's*

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*complicated, even more so when we have to pay for the interpreter ourselves since the University does not give us that possibility..."*

- *"...I felt pressured in this education institution, as I was saying before, the person who carried out the admission interview closed the doors to me, even though I explained to him that I could move, that I could move around freely, he kept saying that it was an issue of stairs, hallways, entrances, that they would have to invest too much...and make a lot of modifications if I studied there! Besides that, something that made me somehow sad was that he said that if I was accepted, then they would have to open their doors to all the other blind people that wanted to study there..."*

### **Connection with UNCRPD:**

- Article 24 – Education
- Article 9 - Accessibility
- Article 6 – Women with Disabilities

## Hot Issue 4: Guaranteed Income And Support Services

### **Common Rights Principles:**

- Participation, Inclusion and Accessibility (55%); Non-discrimination and Equality (39%); Dignity (32%)

### **Linkage Between Hot Issue and the Rights Principles:**

- Results from the experiences related to access or denial of guaranteed income and support services [INDICATOR] included issues related to sign language interpreters [INDICATOR], discounts, pensions,[INDICATOR] among others.

### **Quotes that illustrate the type of barriers:**

- *"...When I called for a taxi and it arrived at my place, the taxi driver, after seeing me, said he was stranded, that he was unable to drive me. I asked*

*a policeman who was passing by for help, and he said: that is not right! You will please take this lady..."*

- *"...As an adviser in local disability-related matters, sometimes it happens that I am in one of those meetings, I and have no interpreter. Then it's like three hours trying to understand what they are discussing, but I actually don't know what they're talking about..."*

### **Connection with UNCRPD:**

- Article 28 – Adequate Standard of Living and Social Protection
- Article 9 – Accessibility

### **Hot Issue 6: Health, Habilitation And Rehabilitation**

#### **Common Rights Principles:**

- Participation, inclusion, accessibility (28%); Autonomy (20%); Dignity (18%); Non-discrimination and equality (17%); Respect for difference (17%)

#### **Linkage Between Hot Issue and the Rights Principles:**

- Indicators of issues include delays in attention, or hospitals and healthcare facilities have no physical accessibility [INDICATOR], no communication services like a sign language interpreter [INDICATOR], and no guides to help disabled people access the facilities [INDICATOR]. In spite of having health “coverage”, the quality of this service is rather poor. It may also take months to be given an appointment with a specialist, and medication and treatment not covered under the compulsory plan frequently have to be requested by injunctions, whose effective implementation is delayed by the health-promoting entities (EPS). It is also evident that healthcare employees are not trained [INDICATOR] on how to address the specific demands of people with disabilities, or how to provide fair attention in compliance with the abovementioned principles.

**Quotes that illustrate the type of barriers:**

- *“...In medical and clinical psychiatric-wise processes, when one is hospitalized, one has no choice, no information, no rights to anything... the more one fights it and objects to it, the more medication one gets. So that's it, stay quiet if you want to get over it quickly...”*
- *“...The fact that they won't value me. The queues, those long queues. Even if I get there early, the chill of the early morning. How is it possible that I have to sleep on that tiny chair I take, until 10 am that they finally receive me...”*
- *“...I have a really hard time getting upstairs, and one of the greatest barriers I face is the lack of accommodations in many (even) healthcare institutions. One goes to some institutions, for example, the dentist's, where there are stairs. And this difficulty makes you demand, almost rudely, that somebody helps you...”*

**Connection with UNCRPD:**

- Article 8 – Awareness Raising
- Article 9 – Accessibility
- Article 20 – Personal Mobility
- Article 25 – Health
- Article 26 – Habilitation and Rehabilitation

**INDIA**

**Analysis of DRPI Holistic Report of India (2009/2013)**

**Hot Issue 1: Income Security And Support Services**

**Common Rights Principles:**

- Participation, inclusion and accessibility, Non-discrimination and equality, Dignity, Respect for differences, Autonomy

### ***Linkage Between Hot Issue and the Rights Principles:***

- High unemployment rates, exposure to poverty, lack of jobs, no data on demand and supply side on labour markets, inadequate amounts of disability pensions. Lack of available support services for people with disabilities (e.g. personal assistance, sign language interpretation). Transport is inaccessible for persons with disabilities.

### ***Quotes that illustrate the type of barriers:***

- *“When I approach people for help they used to say, go, go. They are so rude to me, if they don’t want to lesson to me then they could have told me politely that they cannot help but they directly used to tell me to go. Brother I know you would help me but people used to treat me as dogs because of my disability.”*
- **Monitor:** *“You were saying about pension so what do they say about that?”*  
**Interviewee:** *“they used to ask my name, photos and my address but I don’t get.”*

### ***Connection with UNCRPD:***

- Article 5 – Equality and non-discrimination
- Article 19 – Living Independently and being included in the community
- Article 20 – Personal Mobility
- Article 21 - Freedom of expression and opinion, and access to information
- Article 8 - Awareness Raising
- Article 9 - Accessibility
- Article 28 - Adequate standard of living and social protection

## **Hot Issue 2: Privacy And Family Life**

### ***Common Rights Principles:***

- Participation, inclusion and accessibility, Non-discrimination and equality, Respect for differences, Autonomy, Dignity

***Linkage Between Hot Issue and the Rights Principles:***

- People with psychosocial and intellectual disabilities do not have right to marry. Government came up with public schemes of paying non-disabled people to marry person with disabilities in order to “mainstream” disability into society.

***Quotes that illustrate the type of barriers:***

- *“I don’t want to marry. If I marry a normal girl I feel that it will be under a consideration by her to me. I don’t want to be the part of the sympathy of others”*
- *“I have two children. He was very talented during my guidance. But now in his adolescent period I can’t control him. I feel trouble to guide him. If I ask what are you doing now. He tells me lie. He calls me pita. When I know that he gives me lie I feel hurt. I can’t able to give him proper guidance. So I feel disturb.”*
- *“If my mother will die nobody is there to look after me. Though I have a huge family nobody is coming up to help me. They never come to help me during my crisis days. My brother left me during my crisis time.”*

***Connection with UNCRPD:***

- Article 5 – Equality and non-discrimination
- Article 28 - Adequate standard of living and social protection
- Article 19 – Living Independently and being included in the community
- Article 23 - Respect for home and the family
- Article 6 - Women with disabilities

**Hot Issue 3: Social Participation**

***Common Rights Principles:***

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- Respect for differences, Participation, inclusion and accessibility, Autonomy, Dignity, Non-discrimination and equality

### *Linkage Between Hot Issue and the Rights Principles:*

- Limitations in participation in public and political life due to the lack of accessibility. People with psychosocial disabilities are completely excluded from the political process. There is limited participation in cultural life due to lack of accessibility. Sport facilities are unevenly distributed across the country. Only 4 or 5 star hotels have accessibility features for persons with disabilities. Reported experiences relate to mockery and lack of tolerance towards disabled people.

### *Quotes that illustrate the type of barriers:*

- *“If I travel in public bus I face lots of problem as the buses hardly stop for long enough for me to get on board. Therefore I usually travel in public buses either with my mother or brother. Due to unconscious attitude of the bus driver once I fell down from the bus. I don’t want to go in rikshaw because the rikshawala demands more money due to my disability”*
- *“I have a problem in speaking clearly and people laugh at that which makes me angry.”*
- **Interviewee:** *“In the village sometimes if I fall in the pit or if I hit with the trees people use to laugh at me.”*  
**Monitor:** *“If people laughed at you how do you feel about it?”*  
**Interview:** *“I feel sorry for myself because I am visually impaired that is why people got to laugh at me.”*  
**Monitor:** *“This happened to you only some time or regularly?”*  
**Interviewee:** *“Every day.”*
- *“Yes, sometimes people treated me bad. Once I asked people to keep all my belongings in one room at some definite place then all started making fun of me. They said that I became a saint and they started believing that I am practicing untouchability, while I did this all for*

*sake of my convenience but others took it in another way. I wanted my all things in one place, I asked people not to move my belongings so that I don't face any problem in finding them. But people made fun of me."*

**Connection with UNCRPD:**

- Article 8 - Awareness-raising
- Article 16 - Freedom from exploitation, violence and abuse
- Article 19 - Living independently and being included in the community
- Article 29 - Participation in political and public life
- Article 30 - Participation in cultural life, recreation, leisure and sport

**Hot Issue 4: Work And Employment**

**Common Rights Principles:**

- Participation, inclusion and accessibility, Respect for differences, Non-discrimination and equality, Dignity, Autonomy

**Linkage Between Hot Issue and the Rights Principles:**

- Lack of reasonable accommodations and assistive technologies. Negative attitudes of employers and direct discrimination of disabled workers. Lack of support services, accessible working premises and accessible transport.

**Quotes that illustrate the type of barriers:**

- *"Since last 4 years I have been giving training. I never get any problem during my training. Sometime some problems has come. Some moments disturb me during the discussion with my trainee about the training. I feel tension if I can't able to teach properly to the trainee. Some courses during the training need the practical lecture. Due to my blindness I can't use the board. So I feel tension and it affects my health. Quickly I avoid this situation and divert my mind in other field. These types of problem that, I have been facing from my disability days."*

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- *“[I] found out that you know corporate job is not suitable for me because of accessibility lots of cases so I... yes you know in Guwahati in Assam we don't have building that is accessible with disable person. We have to climb to about fifth floor you know some doesn't have lift and you know transportation is also very big problem. We can't get down and we can't get off a bus. To get somebody.”*
- *“After my operation I have lost my eyesight. After this the department didn't permit me to join in the job. They stopped my salary.”*

### **Connection with UNCRPD:**

- Article 6 – Women with disabilities
- Article 5 - Equality and non-discrimination
- Article 8 – Raising awareness
- Article 19 - Living independently and being included in the community
- Article 20 - Personal mobility
- Article 27 – Work and employment
- Article 28 – Adequate Standard of Living and Social Protection

### **Hot Issue 5: Education**

#### **Common Rights Principles:**

- Respect for differences, Participation, inclusion and accessibility, Autonomy, Dignity, Non-discrimination and equality

#### **Linkage Between Hot Issue and the Rights Principles:**

- Education institutions are not barrier free and accessible. It is especially evident in the rural areas. There are negative attitudes of teachers and professors who often exclude students with disabilities and there is evident lack of reasonable accommodations and willingness to provide those.

#### **Quotes that illustrate the type of barriers:**

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- *“I faced a lot of problems in last 5 years, for instance in examination I was in need of writer. Despite of rule of giving extra time in examination, investigators didn’t give much time. I was unable to pay money for writer, while it was duty of state government to allot writer. The fourth grade officials like peon, clerk they don’t understand the problems of (Blind) Physically Handicapped and for this I have to get assistance of officials.”*
- *“...In college when I was going to graduate there were some inconveniences with a teacher that was opposed to me receiving my degree as a Social Worker since she thought that I was not capable of that job because of my disability...”*
- **Monitor:** *“Did you go school?”*  
**Interviewee:** *“No, I didn’t go since nobody was there to support and help me.”*  
**Monitor:** *“You didn’t want to go to school?”*  
**Interviewee:** *“I wanted but what to do if there was nobody to support me how will I go. Only my mother cannot afford for my schooling. My mother was poor and if she gets money from her work also it is just enough for hand to mouth.”*

### **Connection with UNCRPD:**

- Article 5 – Equality and non-discrimination
- Article 8 – Awareness Raising
- Article 9 – Accessibility
- Article 24 –Education

## KENYA

### Analysis of DRPI Holistic Report of Kenya

#### Hot Issue 1: Abuse And Violence

#### **Common Rights Principles:**

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- Lack of autonomy, discrimination & inequality, respect for diversity, exclusion & inaccessibility, lack of dignity

### *Linkage Between Hot Issue and the Rights Principles:*

- Interviewed people with disabilities in Kenya reported number of abusive practices experiencing violence within the family context, school, relationships with public authorities, community life and society in large and workplace. Such abusive practices included abusive behavior by assisting persons, incidents related to physical barriers and inaccessibility of environment or crimes against persons with disabilities committed by third persons and misbehavior of public servants towards PWDs (e.g. public service vehicle operators).
- All of the said human rights principles reflected in individual experiences were represented in their negative forms. Lack of autonomy referred to situations where persons with disabilities found themselves in situations with no real choice to freely choose the type of the assistance they'll get or they didn't have any safeguards on their disposal to counteract negative or abusive behavior by public servants for example. Within the family contexts, persons with disabilities were disregarded as individuals with capacity to make their own choices and exposed to violence. Discrimination and inequality lays in the fact that people were exposed to malpractices due to their personal characteristic (disability) which wouldn't be the case with people without disabilities. Moreover, lack of respect for diversity refers to all situations where persons with disabilities were humiliated, abused, insulted or their opinions disregarded by third parties. Women with disabilities reported cases of sexual violence and rape.

### *Quotes that illustrate the type of barriers:*

- *"... He [the person our interviewee asked for help] said, "Can't you hear even if you are blind, what sort of a blind person are you? We have seen many." So I held my pace since I needed the assistance... He climbed one [step] and did not inform me so when I climbed up, he did not tell me, there was a [step] down one next so he left me and I fell down and rolled*

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*and he told me to get up and continue walking instead of picking me up. He said to me, "Stand up. What are you trying to show me? We have seen many people who are blind"...he hurled some insults at me but thank God I had reached well..."*

- *"I tried to board a bus and the conductor [and the driver] kept saying, "Faster! Faster!" and yet we were very many people. Because of this I fell down but the vehicle went on ahead. My hands got hurt"*
- *"... The city council officers confiscated my material and bundled me into the back of the truck the same way you would handle a sack. The rough handling gave me bruises and I cried in pain. However they went ahead and put me in jail."*
- *"When I was arrested, I was mixed with the hearing people in the cell. The police called out names during roll call but I never raised my hand because I couldn't hear. Finally, they looked for me and I was slapped hard..."*

### **Connection with UNCRPD:**

- Article 16 - Freedom from exploitation, violence and abuse
- Article 5 - Equality and non-discrimination
- Article 7 - Children with disabilities
- Article 8 - Awareness raising
- Article 9 - Accessibility
- Article 13 - Access to justice
- Article 14 - Liberty and security of the person
- Article 15 - Freedom from torture or cruel, inhuman or degrading treatment or punishment
- Article - 17 - Protecting the integrity of the person

### **Hot Issue 2: Attitudinal Barriers**

#### **Common Rights Principles:**

- Negative dignity, Lack of autonomy, Disrespect for diversity, Exclusion

***Linkage Between Hot Issue and the Rights Principles:***

- Interviewees were reporting on maltreatment faced in interactions with family members, other members of community, work colleagues and employers and public servants. Negative social attitudes included rejection, deprivation of opportunities (e.g. education), isolation, insults, mockery and perception as useless and burden for families or societies in large.
- Negative social attitudes strongly influenced the self-esteem and dignity of the interviewees. Interviewees who experienced maltreatment and negative social attitudes especially within the family context, were deprived of making autonomous choices and control over their lives being often forced into situations due to lack of available options or due to others bringing decisions instead of him/her. Disrespect by other lays in the fact that PWDs are often labeled and/or insulted in different social contexts (e.g. family, education system, access to public services)

***Quotes that illustrate the type of barriers:***

- *“My parents and my siblings all see me as a burden and have gossiped about me since I was young. My father decided to hide me for 6 months. My mother was not supposed to tell anyone...My father didn’t want to pay the hospital bills, because he thought he would be throwing away his money. He felt I wasn’t worth it. He doesn’t like to be reminded of me. He took me to a pastor, and said I was a bother because of the money he wasted on me while I was as good as dead...”*
- *“...At other times you may sit close to a person on a bus and the person moves away as if blindness is contagious... ...People just look at you and it’s like they are afraid of you. I feel so disrespected...”*

***Connection with UNCRPD:***

- Article 8 – Awareness Raising
- Article 7 – Children with disabilities

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- Article 15 - Freedom from torture or cruel, inhuman or degrading treatment or punishment
- Article 16 - Freedom from exploitation, violence and abuse
- Article – 17 – Protecting the integrity of the person
- Article 19 – Living independently and being included in the community
- Article 23 – Respect for home and the family

### Hot Issue 3: Accessibility

#### *Common Rights Principles:*

- Exclusion, inaccessibility; Discrimination & inequality; Lack of autonomy

#### *Linkage Between Hot Issue and the Rights Principles:*

- When it comes to accessibility, cited experiences related to access to physical environments, transport and information and communication for people with sensory impairments. Inaccessibility was apparent for people with physical disabilities and visual impairments when trying to use public transport or public buildings such as health-care centres or education facilities.
- As interviewees were prevented of using public facilities and buildings due to lack of accessibility they were excluded from services available to general population. It significantly affected their participation in society and their autonomy and independent living preventing them to move around freely (personal mobility). Persons with sensory impairments faced information and communication barriers when accessing public services due to lack of sign language interpreters or materials in Braille or alternative formats.

#### *Quotes that illustrate the type of barriers:*

- *“People with disabilities were also frequently discriminated against and left out by public service vehicles. Again, the issue here was not so much the particular discriminatory attitude of an individual bus driver, but rather the lack of resources and the total indifference towards the needs of those with disabilities by the whole public transportation system. It*

*was clearly a systemic, rather than an individual issue. In many other cases where people with disabilities were misdirected, left by public service vehicles or even chased away, the problem was a broader social issue. It was social in the sense that the stereotype that people with disabilities are beggars and will not pay for anything is so deeply entrenched that the bus conductors would not direct the individual to the right vehicle for fear that he or she would not pay.”*

**Connection with UNCRPD:**

- Article 9 – Accessibility
- Article 19 – Living independently and being included in the community
- Article 20 – Personal mobility
- Article 21 - Freedom of expression and opinion, and access to information

**Hot Issue 4: Education**

**Common Rights Principles:**

- Exclusion, inaccessibility; Discrimination & inequality; Lack of autonomy; Disrespect for diversity

**Linkage Between Hot Issue and the Rights Principles:**

- Barriers in access to education were apparent in inaccessibility of education facilities, negative attitudes of teaching staff and heads of educational institutions, different standards of learning in special education facilities and negative attitudes within family to enroll in education system.
- Lack of autonomy was expressed through negative attitudes within the family preventing child to attend school resulting in lack of choice and opportunities either due to poverty or negative perception of child’s capacities. Disrespect for diversity was reflected in negative attitudes of teaching staff towards students with disabilities and lack of recognition for their capacities while physical barriers affected in negative way the principle of participation, inclusion and accessibility. Thus, students with

disabilities were not provided with the same educational opportunities like their peers without disability.

**Quotes that illustrate the type of barriers:**

- *“...I was not allowed to study there because I was disabled. I tried to find out why and all they could say was that the boys’ dormitory was upstairs and that I could not manage to get there...The head mistress said that because I had a wheelchair I would have a problem in the school...”*
- *“Our education standards are very low in comparison to other people. We cannot get well paying jobs and have to make do with jobs like being a cleaner or just a subordinate employee. While the technology in the world has been changing over time, the deaf still use obsolete technology used by the missionaries to train”*
- *“Yes, although I work very hard, appreciation is hard to come by. People think that normal people should be appreciated more and despise us. When anything good is happening it is awarded to the normal teachers while I am left out. They (the normal teachers) keep on progressing while we remain static or regress. For example, letters for admission for further studies are awarded to the normal teachers, usually without our knowledge...”*

**Connection with UNCRPD:**

- Article 24 - Education
- Article 5 – Equality and non-discrimination
- Article 9 - Accessibility

**Hot Issue 5: Employment**

**Common Rights Principles:**

- Exclusion, inaccessibility; Discrimination & inequality; Lack of autonomy; Disrespect for diversity, Lack of Dignity.

***Linkage Between Hot Issue and the Rights Principles:***

- Barriers in access to employment lay in the negative attitudes of employers perceiving people with disabilities as a burden and workers with limited working capacity and efficiency. Self-employment schemes are not supported for persons with disabilities wishing to start their own businesses. Low qualifications of PWDs prevents them to obtain well-paid job positions. Many interviewees live in poverty due to exclusion from labour markets.
- People with disabilities are forced to live in poverty due to lack of real chances to obtain employment affecting the principle of autonomy. Employers do not respect diversity of candidates with disabilities for job positions excluding them from labor market putting them in unfavorable position in comparison with people without disabilities.

***Quotes that illustrate the type of barriers:***

- *“Our education standards are very low in comparison to other people. We cannot get well paying jobs and have to make do with jobs like being a cleaner or just a subordinate employee. While the technology in the world has been changing over time, the deaf still use obsolete technology used by the missionaries to train”*
- *“Some workers with disabilities were not paid their salaries”*

***Connection with UNCRPD:***

- Article 27 – Work and employment
- Article 5 – Equality and non-discrimination
- Article 28 – Adequate standard of living and social protection



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