



Future ACP – EU relations: promoting the rights of persons with disabilities

The Cotonou Partnership Agreement (CPA), defining the relations between the ACP countries and the EU, is expiring in 2020 and both EU and ACP are defining their position for the upcoming negotiations. With this position, the International Disability and Development Consortium (IDDC) wants to offer a number of concrete recommendations to ensure that in all future ACP – EU relations, whatever form they will take, the rights of persons with disabilities are promoted and protected.

Challenges with the Cotonou Partnership Agreement

Although the CPA's objectives were sound (poverty eradication and sustainable development) and it protected a number of fundamental principles (for example civil society participation), the results of its implementation were not as good as one could have expected and many challenges remain.

According to Article 1, The Cotonou Partnership Agreement aims to reduce and eventually **eradicate poverty**, consistently with the objectives of sustainable development, and to gradually integrate ACP countries into the world economy. When looking at poverty eradication however, the partnership did not live up to its commitment. Although poverty has indeed decreased over the years, progress has been uneven across regions and countries, leaving significant gaps. Millions of people have been left behind and continue to live in poverty, especially the poorest and those disadvantaged because of their sex, age, disability, ethnicity or geographic location.

Equal access to education is still problematic for children with disabilities. Poverty, social stigma, inadequate basic social services, inaccessible infrastructure and negative attitudes remain major barriers. Equitable access to comprehensive and quality health care is another problem. Persons with disabilities in general have higher health care needs (treatment of impairment, rehabilitation and higher risk on malnutrition) but face many barriers to access quality health care such as higher costs, distance and access to transport, inadequately trained medical staff. The CPA has thus also not delivered on its objective to **improve access to basic social services** for everyone.

Another important topic in the CPA is the **economic and trade cooperation**. The main goal of economic and trade cooperation is the gradual integration of ACP states into world economy. This goal is built on the assumptions that a higher level of output automatically leads to more quality jobs and that private sector investment automatically leads to poverty eradication. However this definitely does not hold true for persons with disabilities and other marginalised groups. With regards to **trade**, free trade agreements such as the EPAs do involve a lot of risks. The most marginalised in society, including persons with disabilities are disproportionately affected. This holds

especially true when the trade agreements include provisions on intellectual property as technology plays a crucial role in breaking down barriers for persons with disabilities.

The **participation of civil society** in decision making processes is essential to promote human rights, democracy, good governance and rule of law. CSOs are crucial to identify where efforts should be prioritised and reach out to those people most difficult to reach. Article 6 of the CPA, defines civil society (CS) as an official actor of cooperation. This means that civil society should be involved in consultations on cooperation strategies and be associated in the political dialogue. However, despite all the provisions in the CPA, specific mechanisms for participation were never defined and cooperation happens at an ad hoc basis. Whenever consultation happens, organisations representing persons with disabilities, representing 15% of the world population, are often forgotten or unable to participate due to accessibility restraints, ignorance, negative attitudes or other barriers.

Changes at international level

In 2006 the General Assembly of the United Nations adopted the **UN Convention on the Rights of Persons with Disabilities (UN CRPD)**. The purpose of this 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 promote respect for their inherent dignity. According to article 32 of the UN CRPD all signatories shall ensure that their international cooperation, including international development programmes, is inclusive of and accessible to persons with disabilities. The CRPD, ratified by the EU and a majority of EU member states and ACP countries, also contains articles on accessibility, inclusive education, accessible health care, work and employment and social protection.

The 2030 Agenda for Sustainable Development sets a new phase in the area of international development, aiming to eradicate poverty and combat climate change. The Agenda 2030 is built on the principle of leaving no one behind, implicitly promoting the inclusion of persons with disabilities. Further, the 17 goals in Agenda 2030 also contain explicit references to the rights of persons with disabilities. There are, amongst others, references to inclusive education (SDG 4), decent work for persons with disabilities (SDG 8), reducing inequalities (SDG 10), accessibility (SDG 11) and the importance of collecting disaggregated data (SDG 17).

Concrete suggestions for a future partnership

1. The UN CRPD and Agenda 2030 as the building blocks for the future partnership

Any future partnership between the ACP and the EU has to be framed within the context of the 2030 Agenda for Sustainable Development. This means that the new partnership should respect all Agenda 2030 objectives (eradication of poverty, protection of the planet, provide a life of dignity for all) and principles (leave no one behind, participation, inclusion, universality, human rights, accountability) and should contribute to its implementation at all levels.

Furthermore, since both the EU, the majority of its member states and nearly all ACP countries have ratified the UN Convention on the rights of persons with disabilities, its objectives should underpin the new partnership. In addition, its general principles, as listed in article 3 CRPD, should be reflected throughout the relations between ACP and EU. These principles include amongst others: non-

discrimination; full and effective participation and inclusion in society of all people, including persons with disabilities; respect for difference and acceptance of persons with disabilities as part of human diversity and humanity; equality of opportunity; and accessibility. In line with the EU's commitment under article 32 of the UN CRPD, disability should be adopted as a cross-cutting issue, similar to gender, in the financial instrument of the partnership. The inclusion of persons with disabilities should thus also be part of all monitoring and evaluation under the future instrument.

We expect a clear reference to both the 2030 Agenda for Sustainable Development and to the UN Convention on the Rights of Persons with Disabilities in the future agreement.

2. Civil society participation

Since regular consultation and participation of civil society is essential in the framework of both the CRPD and the Agenda 2030, the future partnership between ACP and EU should recognize civil society as a key partner. It should emphasize the role of CS in all policy processes, political dialogue, joint institutions and the implementation and monitoring of development assistance. Specific attention should go to the participation of organisations representing persons with disabilities (DPOs). In this regard the future agreement should:

- Have clear mechanisms in place to involve civil society, including DPOs, in achieving human development and the SDGs.
- Involve DPOs in the design, implementation and evaluation of all policies and programmes, in line with article 32 of the UN CRPD.
- Invest in empowerment and capacity –building of civil society, including DPOs.
- Include a clear reference to the importance of accessibility of venues and information. Providing that accessibility is a pre-condition for persons with disabilities to be able to participate meaningfully and to be included, buildings, conference venues, offices, rest rooms, documentation, information and other facilities have to be accessible. Information on consultations with civil society should also be made available by delegations in accessible and alternative formats to reach out to disability rights representatives.

3. Promote sustainable and inclusive economic development

The future partnership should include a vision of sustainable development that start from people's rights, needs and aspirations. A sustainable economy is inclusive and brings benefits to all, including persons with disabilities. IDDC therefore suggests the following:

- The future ACP – EU partnership should include a combination of policies that promote economic development through productive investments and private sector expansion, while at the same time ensure that the generated jobs are decent. This means that jobs provide those who can access them with a genuine chance to lift themselves out of poverty. Equality of opportunity, without discrimination on any ground, is essential for ensuring sustainable and inclusive economic development.
- In line with the previous commitment, the future partnership should promote just and favourable conditions of work for persons with disabilities, in line with article 27 of the UN CRPD. This also includes access to vocational and rehabilitation training, promotion of self-employment and accessible workplaces.

- The follow-up of the Cotonou Partnership Agreement should include specific provisions on trade, similar to its predecessor, with the purpose to ensure that EU-ACP trade agreements are contributing to a sustainable economic, social and cultural development and to poverty eradication. Furthermore, the EU must commit not to impose any TRIPS –plus intellectual property rules as these might impinge on the rights of persons with disabilities to benefit from basic assistive or medical technologies and essential medicines, such as the ones covered by the Marrakech Treaty to facilitate access to Published Works for persons who are blind.

4. Inclusive human development

Although the objective of human development in the CPA is very relevant, the partnership has clearly failed to deliver on it. IDDC therefore suggest the following for the future partnership:

- The human and social development objective should be maintained and all efforts under this objective should reach the most marginalised. Rather than only focusing on economic progress, the definition of human development should be in line with Agenda 2030 and the UN CRPD and include aspects of inequalities, empowerment and human rights.
- Disability should be a cross-cutting issue in all human and social development policies and actions in the future framework, in line with the commitment under SDG 10 to empower and promote the social, economic and political inclusion of all. This would include for example the promotion of inclusive education and universal health coverage, the provision of rehabilitation services and social protection measures that include disability related costs.
- Creation of mechanisms for monitoring and evaluation in the area of human development, including the collection of disability disaggregated data.
- Rather than focusing on the poorest countries, the future partnership should focus on the poorest people, including persons with disabilities. Channeling development resources based on GDP/ capita fails to measure existing inequality and vulnerabilities. An alternative could be to use a combination of GDP/Capita, the Human Development Index and the GINI coefficient.

5. Including persons with disabilities in climate change responses

In compliance with the 2030 Agenda for Sustainable Development, the future ACP-EU partnership should include commitments in the area of climate change. In these commitments, it should also ensure the inclusion of the rights and needs of persons with disabilities in all climate change policies and actions, in line with the Sendai Framework for Action. The future agreement should include an obligation for governments to include persons with disabilities in the development and implementation of national and local plans in the disaster management cycle, and in all monitoring and evaluation.

The International Disability and Development Consortium (IDDC) is a global consortium of disability and development non-governmental organisations (NGOs), mainstream development NGOs and disabled people's organisations (DPOs) supporting disability and development work in more than 100 countries around the world.