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SPEAKER:

Hello? Hello to everyone. Good morning. Good afternoon, too. Thanks a lot for your attendance. I am the knowledge management of the European initiative to bridge the gap. It is a European funded project. In partnership with three agencies for development, coordination of the European union, the Spanish Italian and Austrian agencies. And as of the project also to international NGOs, the European Disability Forum and the international disability and development consortium. The project aims to contribute to the social economic inclusion, equality and nondiscrimination of persons with disability through inclusive solutions and policies. We have developed a competitive three pillar knowledge strategy and this webinar training site is proposed in the framework of the third pillar of the strategy, to learn and train.

The cycle is for the different issues that are in consideration by the project and aims to foster culture of visibility mainstreaming in development and to define a homogenous approach to the crosscutting topics. The session of today is the first webinar of the training cycle and it focuses on understanding of the COPD and analysing its principle and structure. We start by explaining the centrality of visibility. It will help us understand what is now, today we can count on the experience and knowledge about this important topic of Sophie, European coordinator of the disability Forum, one of the partners of the initiative.

Before leaving the floor to her, I would like firstly to thank you for participation and give you some technical tips. The webinar is life captioned and you can follow the line captions through the link, you can find the reminder email, you received, you can find the link in the chat box.

During the session, you can download also the document proposed in support of this webinar. You received it also in the reminder email last Friday. Just to give you a quick overview of the webinar, I will leave the floor to our speaker, she will introduce the session, during this phase you can also make questions and interact with the session. Then she will start with the presentation and it will last 30 or 40 minutes. The last part of the session, three minutes again, will be dedicated to answering questions and I will openly debate to the audience. You can put the questions in the chat box or raise your hand and I will allow you to talk and I will allow you to make your question. I think that is everything. Thanks a lot. I leave the floor to Ann Sophie and enjoy the session.

SPEAKER:

Thank you very much. Good afternoon, everyone. I am from the European Disability Forum and I'm here in the room. I'm happy to talk to you this afternoon in this webinar on the UN Convention on the rights of Persons with disabilities and its principles and attributes. I want to thank Alysia, the organiser, for giving as this an opportunity. I have a presentation; I hope you all can see.

Okay. Maybe first on the European Disability Forum itself. It is a European wide organisation of organisations for people with disabilities, we have a number of organisations both at the national level in each of the EU member states but also at the European Union level so does organisations that specifically look and represent people with disabilities from a specific group,



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such as autism Europe, the deaf, including Europe, representing people with intellectual disabilities.

Altogether, we have 98 members and we represent about 1800 people with disabilities in Europe. We aim to have within our membership the full diversity of people with disabilities, we have blind people, deaf blind people, people who are deaf, people who have intellectual, psychosocial disabilities, also people with physical disabilities. Our main aim is to promote human rights both at a European Union level but also international level.

Today, I will introduce to you the UN Convention for rights of people with disabilities and during my presentation please do not hesitate to ask questions. We will aim to answer all of them. I will festival introduce you a bit to the different approaches to disability. How are people disability seen and what is the evolution and looking at the UN Convention on the rights of people with disabilities. Then I will talk about the purpose of the Convention and who wit protects. We will look at general principles, who is responsible for implementing the Convention and what needs to be done by the governments. We will then also lastly focus on how it is enforced at the national and international level. I hope there will be plenty of time left for you to give your comments, questions, for me to provide you with some answers.

First of all, as an icebreaker, I wanted to hear some of you and hear from you how people with disabilities are seen in your country. Can you give me an example of a situation which people with disabilities in your countries encounter? If some of you would feel like commenting on this or answering, that would be great.

Someone is willing to...

SPEAKER:

Thank you. I don't know of people have some questions about this. Or someone wants to say something. Just wait. I have (inaudible) I will give you the floor to make your question. Now you can talk.

SPEAKER:

okay, can you hear me?

SPEAKER:

Yes.

SPEAKER:

First of all, good afternoon to everyone. Thank you for this opportunity.

I am in the (inaudible) from (inaudible) I am working here with the Italian NGO (inaudible) we are working on a project for women with disabilities in particular, people with disability, in particular women. Just to answer, I think this webinar is very important. (inaudible) yesterday was in a



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village here and one reaction, we were discussing about people with disability and one reaction was that they are spirits from somewhere and they have to sometimes they just have to die because this is what God is saying, something like that.

I think that in Africa in particular, there are a lot of situations like this and I wanted just to share this situation, we are doing some... A lot with (unknown term), other NGOs here, we are trying to do some technical training for governments about the convention and about our role... They have responsibility, like civil society, we are working here with the National Federation of associations of people with disability. I wanted just to share our work here and just say thanks for this opportunity.

SPEAKER:

Thank you very much. Really interesting.

We are a bit too close to each other. There is a bit of resignation. Thank you very much for this input. It really shows what I want to explain to you, but that disability, how it works, there is different way to looking at it. Disability how it is actually looked at by the UN convention is what we see in the next life. Maybe I will continue with the webinar now.

I wanted to show you that within the convention, disability is looked at both as an interaction between the personal factors, the factors that we characterise a person, as you said, the person has a certain impairment, seen for that impairment, these might be rich, poor, living in a village or a city, might have an education or not, these older personal factors, the play, but there are also the environmental factors so they might be in a non-accessible city, in my not busy accessible, public transport might not be, also we can think of the legal framework, there might not be any legislation in that persons country that protects against discrimination. These will be called the environmental factors.

How the convention looks at people with disabilities as they say, disability is an interaction between both the personal factors, the impairment of the person, and the environment and it often results really in the fact that people with disability cannot fully participate in society because society is not fully inclusive and accessible to the personal factors, to their impairment. This is the basis of how we will talk about people with disabilities in this webinar and maybe to make it a bit more clear, I have two examples here.

Disability has been (inaudible) between non-exclusive society and individuals, we can think about a man in a wheelchair, I have a picture of a man in a wheelchair who stand in front of a huge staircase and demand has just found a job but unfortunately he is not able to go perform his job because the building where he has to work has a huge has its staircase or the transforming be accessible. This is an example of how we see disability. The same is true for example Ford a deaf woman who has to go with her child with to the doctor and as long as there is no sign language interpretation, she will not be able to communicate with the doctor. These are examples of how we look at disability. However, it has not always been this way, that society



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looks at disability, we have the approach to people with disabilities, have been changed over time. In the next slide, you see the four main approaches that society takes or has taken.

There is the charity approach. There is the medical approach. The social approach and the human rights approach. I will explain all four approaches but you will see that the UN Convention that I speak of promotes and enshrines the human rights approach to people with disability. That will be the last one that I will explain.

The first approach is a charity approach, and the charity approach, the charity approach is the one still being used. These are places that have been responsible for people with disabilities, charity houses and foundations, so this is the first approach for people with disabilities.

Another one is the medical approach. This basically sees people with disabilities as people who are abnormal, people who need to be fixed or cured, people who need rehabilitation to become normal. This approach, most decisions there are made by doctors, the Ministry of health, not by people with disabilities themselves, because they are mostly seen as passive. They have a passive role as a patient, so this would be the medical approach to disability.

However, both this charity and the medical approach has and has had very negative consequences on the lives of people with disabilities, so the next slide, you see some of the examples and consequences of these approaches.

We can think of children with disabilities who are in most cases going to specialist education. They are not enabled to go to mainstream schools and follow education for children without disabilities, so this would be one consequence.

Another consequence is that many people with disabilities are forced to live in institutions. In many countries, people with disabilities do not have the option to choose where or how to live. In many countries, there were not sufficient support systems, so many people are forced to live in institutions.

These approaches obviously have a great negative impact on the self-esteem of people with disabilities, and have created very negative stereotypes about people with disabilities, saying that people are less of a citizen, less of a person that they need to be taken care of, and this has led to a lot of stigmatisation and a lot of disempowerment of the person themselves because they are not informed about their rights or able to claim their rights.

So, in these models, the state is very absent, and if the state intervenes, it is under the auspices of doing voluntary work. This is not a legal duty to support people with disabilities. It is voluntary. So, these are some of the consequences of this charity and the medical approach.

Luckily, we have evolved to some other approaches to look at disability, and for example, the social approach. We look at the personal characteristics but we don't see it as a problem of the



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present itself. We see it as a problem of society, that society is organised in a way that doesn't include people with disabilities, that they face barriers within society that prevents their equal participation. And we can think of barriers such as environmental barriers. Inaccessibility of the public environment, inaccessibility of transport, public services, schools, hospitals.

We can also think of barriers such as attitudinal ones. People with disabilities are stigmatised, so all of these barriers which are created by society prevents a person from actually participating on an equal basis with others.

Here, the social model really calls upon people with disabilities to participate in society, because that is inclusive for all of them, and the ones that are responsible here are obviously the state, but we don't only look at the Ministry of health but all ministries. They make sure that people with disabilities can participate, and everyone has a responsibility for this.

So, this will be the social model. Then, if we look at the next and the last model, the last approach, the one that is actually enshrined in the UN, it is all about people with disabilities, looking at them as part of human diversity, because being a human is of course part of being within a broad spectrum of different possibilities; each and every one of us is different and has a different way of communicating, of seeing things, of thinking, of working.

So, people with disabilities are seen as part of human kind. These people are seen as part of society, and people with disabilities have the same rights and the same obligations, just like anyone else in society. They should enjoy all the human rights as anyone else in society, and they should be full rights holders, so they are really... They should be able to make decisions about their own lives and to do this at all times.

One of the very important concepts is the concept of equal recognition before the law, the fact that people with disabilities should have the legal capacity, because many people with disabilities today are denied this and it means their legal personhood is taken away which prevents them from making any legal decision in their lives. They cannot sign employment contracts, get married, sign a lease contract if they want to rent an apartment.

So, the convention is that people should remain within their legal personhood to organise their own lives and to be able to be fully included in all activities within society, whether that is school or family, work, community. All of this should be enforced so that they are able to participate.

So, the ones that are responsible are the state, obviously an obvious one, as well as society as a whole.

These are the four approaches to society, and with the convention, we have what we would call a paradigm shift in attitudes and approaches to people with disabilities because people are not seen by the convention as charity, of social protection, people with disabilities are rights holders. They are capable of claiming their own rights and making decisions about their own lives, and



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they should be able to be active citizens within society.

This is the human rights model, one enshrined within the convention, and we can go to the convention itself, we can see in this article that those who have long-term mental, physical impairments with different barriers that may hinder their full and effective participation in society on an equal basis with others, so this is a key article within the convention.

This is not quite a definition of disability because the convention is preamble, so when the text of the convention that goes before, the preamble, it says that disability is an evolving concept, one that changes over time, one that changes from society to society, because some societies may be more accessible and inclusive than others, so this article one really reflects the human rights-based approach, and it is important to look at the word 'include.'

To say that this article does not have an exhaustive list (inaudible), and it might not be included in this list.

So, this was article 1. When we turn to the convention itself, we will look at the UN conventions of people with disabilities, and then I would like to tell you it is internationally agreed as a document, and recognises the universal human rights standards on the rights of people with disabilities, so we often say it supersedes all others and older ways of talking about disabilities.

In Europe, we can talk about the European Convention of human rights, or other legislation that predates the CRPD. They should be interpreted and applied in light of UN conventions, as it is the latest and the most universal legal instrument that enshrines all human rights.

So, it talks about the rights of people with disabilities, and it also looks at the obligations for the states to promote and protect human rights, and as always, it sets out the ways of implementing the rights that are enshrined in a convention and how to monitor them, both at national and international level, but I will explain that a bit later on in the webinar.

So, the UN approach was adopted by the United Nations General assembly in 2006, and it was actually quite a unique process because, for the first time in history, not only the state parties of the United Nations were drafting and negotiating on the text, but also, organisations were sitting around a table and were actually debating with the state parties, negotiating the text, which is a very unique way of working.

It was opened for signatures in 2007, and already, very many countries have ratified conventions quite quickly, so today, we have 176 countries worldwide who have ratified, and within Europe, we have universal ratification of the UN Convention because since two weeks we have all member states that have ratified the convention, and also we have the European Union itself which has ratified the convention. This was the first time in its history.

So, this is a little bit of the history of the convention itself. When we turn to article 1 of the



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Convention, it talks more specifically about what is the purpose of the convention, and it reads that the convention is there to promote, to protect and to ensure the full and equal enjoyment of all human rights and fundamental freedoms by all people with disability, and to promote respect for the inherent dignities. This is the purpose of the UN Convention.

When we look at the word promote, protect, ensure, we can think that we want to promote all rights, and states have to uphold all the rights that are presented. Nobody is denied what is enshrined in the convention, so people should not discriminate against people with disabilities, and ensuring that the state has to take many proactive measures so that people with disabilities actually have access to all of the rights that are written down in the convention.

So, these are three important words that we could spend another webinar on, so too are the words that I also wanted to highlight is the word enjoyment of all human rights by all people with disabilities because I do want to stress that there was really no hierarchy between the human rights that are written in the convention, and also, no hierarchy between certain groups of people. The convention says that all people with disabilities should be able to enjoy all human rights, for example, children with intellectual disabilities or deaf children, they should have access to mainstream inclusive education.

People with psychosocial disabilities and people with wheelchairs should equally have access to be living in a community and living where they want and with whom they want, so really, there should not be a hierarchy between certain groups of people with disabilities and certain groups of rights. This is also a very important thing to consider.

So, when we turn to whom is actually protected by the convention, we already said this, and then we turn back to this concept of disability that is enshrined within article 1, and here, as I said, the convention covers the diversity of people with disabilities, so it protects people with physical disabilities, people with disability, people who are deaf, deaf blind etc. It is important to think of this diversity of people with disability and support these different groups. I also already wanted to tell you that the convention looks more into depth into specific groups of people with disabilities, women, children with disabilities, they each have a specific article within the convention. Article 6 of the convention and for children, article 7.

Of course they have recognised as other groups also but for women and children with disabilities, they are even more at the margins of society and have even more difficulties for enjoying the human rights. It is important in the actions that everyone is undertaking, the statement also their parties, you mainstream the rights of women and girls and boys with disabilities. You also undertake specific actions to ensure that they are always included in anything you undertake. They are the groups that we have to pay attention to, older people with disabilities, very specific barriers, very recently, my organisation has a working on refugees disabilities which is another group within Europe that face many barriers to being included in all the public services that are out there for refugees in general and have obviously more obstacles and others to participate in education, work, there is obviously many different groups of people



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with disabilities that we have to think of.

Another important article within the convention's article 3. It looks at what are the principles of the Convention. Basically means what is the basis you have to take when you are undertaking any project or proposal for new laws, policy, this kind of principle has to also be respected. They also apply to all of the rights within the convention, all of the different areas of life. They are connected with each other. This is one of the most important articles within the convention and this is something to look at whenever you are doing anything on the rights of people with disabilities. For example, we can read that one of the principles is the respect for dignity and individual autonomy.

Here, the convention means that every person should be able to make decisions for him or herself. It talks about self-determination. As I said, every person with disability should have their legal capacity, they should have the right to decide themselves where they go to work, school, live, whom to marry, where they go to the theatre, which sport they want to undertake, where they are voting, this talks about individual autonomy.

The next principle is a cornerstone of the convention, they should not be discriminated against in any area of life whether healthcare or the right to vote, many people with disabilities are not able to vote because they are deprived of the legal capacity.

Also people with disability should not be discrimination against in all areas of life.

People with disability should be able to participate and be included in society which is the next principle. They should not be put in separate or segregated structures, be it institutions, segregated schools.

People with disabilities should always be supported to be able to be included and participate in all activities of society just like anyone else.

Then the next principle looks at the respect for difference and diversity and this comes back to the human rights-based approach and the diversity we have within humankind and respect that we need to have for this.

Another very important principle is the one on accessibility. Accessibility here we don't only mean accessibility of the buildings or transport, we also mean accessibility of information and communication. There it is important to think of, providing information in Braille for blind people, or easy to read information for people or with deaf people, sign language or captioning as we have today. This is really also one of the cornerstones of the convention.

I would just take another one which is equality between men and women. As I already said, there is article 6 of the convention that talks about women and girls with disabilities but also gender equality is a very important component of this convention. The difference between women with



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disabilities and women without disabilities is obviously big, women with disabilities face more barriers to enjoyment of their rights than women without, but they even face more barriers than men with disabilities. This is also an important aspect to take into account.

These were the principles, I really would encourage you to have them next to you, they are the ones that should be followed at all times.

Then we have another look at who is responsible for implementing the Convention and here we have already said, the state is basically all ministries are responsible, not only health but social affairs, but ministries should take responsibility but also parliament and courts play an important role in this. The state basically has to ensure that all of its government, parliament, just the system works to implement the convention but also the private sector, the business sector does not discriminate against people with disabilities.

Also all professionals working within the justice sector and police, teaching, health sector, basically they respect the UN convention of rights of people with disabilities and of course all of society around us is being raised on this and everyone does not describe get it with disabilities and you can give an example of how the state has to ensure that the business sector should not discriminate against people with disabilities, when we think of an employer that wants to employ a new colleague, see the employer cannot say but you have a disability so I will not take you. You are not suitable for the job because of your disability. This will be discrimination, the state has to ensure that doesn't happen and it can ensure this by adopting nondiscrimination legislation.

These are the different actors in society that are responsible for implementing the Convention.

What needs to be done, very many different things need to be done and here we can look at article 4 of the convention which looks more specifically at what general obligations there are. What needs to be done by the state is busy the state needs to look at all of its legislation and policies and needs to see where it discriminated against people with disabilities. For these laws and policies that discriminate, they have to change them. They might also have to adopt new pieces of legislation and they also might have to look at mainstreaming the rights of people with disabilities within all relevant laws and policies. This is one of the first things that the state should do for in implementing the convention.

Also the state should raise awareness. It is important that society as a whole is aware that people with disabilities are just like anyone else, citizens with rights and obligations. The state should also provide and fund training for professionals, as we already said, professionals both in justice, police, health, employment, trade unions, they should all be trained in what is the UN Convention and what is human rights-based approach to disability.

It is also important that more research is undertaken on the right to be with disabilities and so we really like a lot of information on who are people with disabilities, what any support needs of



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people with disabilities, also research go in making certain goods and services more accessible. This will allow people with disabilities to participate fully in society, to take a public transport, take the train to another country, to be able to go to the ATM and take out money, just like anyone else. Also goods and services should be made accessible. The state has the make priority to collecting data on people with disability and this data should always be desegregated by gender. Also preferably by age, we have a huge gap in Europe on data on the rights of people with disabilities.

Obviously, the state also has to strengthen its own institutions, its own ministries, courts, for example, by training on the convention. Also national human rights institutions should receive necessary training and funding to work on the convention.

Lastly, the state should also build the capacity of organisations with people with disabilities and people themselves, to inform them about the rights they have, how they can claim their rights, and they should build the capacity and fund organisations to meaningfully participate in policy-making. These are some examples of what the state needs to do, there are probably other ones you might think of. These are some of the main ones that the state needs to be doing when it is implementing UN Convention on the rights of people with disabilities.

I will just have some water.

Another thing that a state has to do which is very important is let people with disabilities and their representative organisations participate in the development of new legislation and policy.

As I said earlier, people with disability in their organisations are sitting around the table in New York when the Convention was drafted. From that time comes the slogan you might have heard, nothing about us without us, which is really a call of people with disabilities themselves to be involved whenever the others talk about the lives.

The convention has really enshrined this right and this call in both article 4 and 33. Article 4 looks more generally about the factory with disability should always be closely consulted and actively involved through their organisations in all decision-making processes that the state undertakes. If the state is adopting a new law, drafting a new policy, monitoring how its implementation is going, from the very beginning till the end, people with disabilities through their representative organisation should be involved in this process. This is at all levels of policy-making, be it international, regional, national and local. This is really one of the key articles of the Convention.

The convention states the same for monitoring of the convention, also the process of monitoring what the state is actually doing in implementing the Convention, also there people with disabilities should be fully involved and participate in this business.

We are almost getting to the end. Just a few words on how the convention is actually enforced. Here again we could talk about this much longer and if you have questions, please do not



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hesitate to ask. The convention is enforced at a national level through implementation, who is responsible, the state, the state needs to appoint a focal point within its government, the one that is responsible for implementing the convention, you can have a main one but then you can have smaller focal points within all the other ministries because as we also said all ministries will have some responsibility to implement the convention. It is important that this focal point sit at the strategic place within the government, preferably at the level of the Prime Minister or the ministry of justice, it is important to promote the human rights approach. Too often in Europe and the European Union, the focal point is still sitting in the Ministry of health or social affairs, which brings us back more to the medical approach to people with disabilities, it is important that this focal point sits within the Ministry of Justice for example. Preferably the state should also have a coordination mechanism where all the focal points are brought together and their work is coordinated. This happens at the level of the government.

Then there is also responsibility to monitor the implementation of the convention and this happens with an independent monitoring framework that the state has to establish.

In many countries, this is the national human rights institution or it can also be the ombudsman that will look at how the state is doing in implementing the Convention and there again as I said before, it is important to involve people with disabilities and their representative organisations and other civil society organisations in this monitoring.

Then at the international level, I wanted to mention to you that there is of course United Nations committee on the rights of people with disabilities that meets twice in Geneva per year and so this committee is a group of experts that revises how every country is doing with regards to the implementation, they receive state reports and have a general constructive dialogue with the state and they make also recommendations on how states can improve.

The committee can also receive individual complaints, so if an individual feels that their rights have been violated, they can write to the committee and that can be investigated and the Optional Protocol to the convention, which is an additional legal instrument which gives his rights to these individuals.

So, this is, in a snapshot, an introduction to the convention, to its principles and attributes. I hope it was helpful to you. Please, I hope... As I said, we will aim to answer all questions, but please do not hesitate to send us questions you might have afterwards.

I have included my email address, so you are welcome to send me an email, to drop me a line, and you continue this conversation, but thank you very much.

SPEAKER:

Thanks a lot for this really interesting presentation. I think that we really understood how much it is important, the convention, and how much has really changed in the approach. Let me just say, finally, we are doing this in the right way, and the work may be long, but we are on the right way,



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and for the first time, I think we have a strong and usable tool to refer to.

So, thanks again. I would just like to open the question and answer session. We have time enough, so I would really like to have an interactive session, so I would like to give you the floor, so just raising your hands, you can also type the question in the chat box, but just raise your hands and I will allow you to talk, so maybe we can build an interactive session now.

So, just let me check. Please feel free to raise your hand and ask some questions, because we have the opportunity to have someone here with strong experience on CRPD.

We have a question from Thomas. Thomas, I will allow you to talk now. Sorry, I lost you. OK, Thomas, you can talk now.

SPEAKER:

My name is Thomas, and I am calling from Uganda. Thank you for the presentation. Can you hear me?

SPEAKER:

Yes, of course.

SPEAKER:

I have a question. (inaudible)

SPEAKER:

Please, let's talk because we can hear you.

SPEAKER:

OK, the first question... I don't remember how the CRPD gives an option of increasing definition of disability. For this case, in Uganda, we have other categories of disabilities that we are working with, and these are the (inaudible)

The second question is, I am curious to find out how... What is the Genesis of the Washington group of questions in the ability assessments. Thank you.

SPEAKER:

Thanks, Thomas. I don't know if you want to answer this question directly or if we want to collect some... OK. Just keep the floor (inaudible), now you can talk.

SPEAKER:

Hello? Are you getting me?

SPEAKER:

Yes.



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SPEAKER:

OK, (inaudible) in Liberia. Thank you for your presentation. It was a splendid presentation and I would like to applaud you for that. My question is (inaudible)

SPEAKER:

And sorry, we can't hear you. The sound is really bad. If you type in the chat box, we will answer you directly by reading your question. Sorry.

So, I will try to get the Sandy. Sorry, Sylvester Roberts. You can type your question in the chat box. Sandy, I will give you the floor to talk.

SPEAKER:

Thank you. My question is... First, you mention the countries (inaudible), and is able to determine which countries have reached the minimum requirements to understand this implementation. Looking at everything that needs to be done in developing countries (inaudible), so basic services can be provided (inaudible) implement the way it should be.

So, any suggestions as to what you think should be done? I see Europe and Africa are thousands of years apart, and I wonder if we can provide buses without any problem, where we can provide schools for the children with disabilities, so while this is all good, I am all for it, I am really struggling to understand how this can be practical where I live.

SPEAKER:

Thanks a lot. I don't know if you want to start answering or if we continue with the questions. Maybe one more. I will give the floor to Andrea. Now you can talk.

SPEAKER:

Thank you. Yes, I am calling from the village foundation in Finland. We are supporting DPOs in the global South, and we have a case in Tanzania where we are not quite sure how to advise them. GPOs have grouped together to form a consortium, and they have written the shadow report, but nobody is going to treat that because Tanzania has not fulfilled their reporting duties, and we are in trouble as to how to advise their DPOs and had to go on with their shadow report. Any experiences of the listeners from your site as to how to go about this case? Thank you.

SPEAKER:

Thank you. Now, we stop for a bit with the questions and I will hand over to answer your questions. Then we will start again with more questions.

SPEAKER:

Yes, thank you for the questions, everyone. All very interesting, and maybe the first one on people with albinism. It is important to include this when we talk about disabilities. These people are often excluded from society, so in all the work you undertake, I would really encourage you to



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also involve people with albinism.

On the Washington group of questions, I think it is a very good step forward in having CRPD compliant collection of data because it has been several international instruments and systems that have been collecting data, but it was more based on looking at the medical model of people with disabilities, so collecting medical information, and the Washington group set of question is a step forward in the good direction, so also here within the European disability Forum, we really promote this set of questions, so I would encourage you to continue working with them.

Then the question regarding the fact that what would be the minimum standards and which countries have already implemented a minimum level of the UN Convention, it is a very good question, and as you said, the situation differs greatly from country to country, and from continent to continent, and a good way of finding some inspiration and some good practice or minimum standards which can be applied is to look at the concluding observations of human equalities. We can see there are many state parties still facing the same difficulty, the same issues, and many countries are not able to vote, many children are not able to go to mainstream education. In Europe, it may be because we have developed and well resourced education that is very hard to make a shift, and countries in Africa... (inaudible)

The recommendations we should take and we should take forward are the same, and the question on the alternative report in Tanzania, I think that is really to applaud (inaudible). It really shows that we are monitoring what the state is doing, and if the state has not submitted its report, (inaudible), and I would really encourage you to maybe ask them how they have encouraged the states to submit, there is a report from the DPOs themselves, encouraging the government to submit the national reports, and I think you should not wait for the review processes and you still send them the report, all the data you have collected.

SPEAKER:

Thanks a lot. Now, we have some written questions that I'm going to read. The first one is from Julieta. So, she asks that she understands that there are mechanisms to measure the convention, but what mechanisms are there to enforce that the state fulfils their commitments?

Then we have another question from (inaudible), and he says that he observes the people with physical disabilities like polio (inaudible). Several disability (inaudible) and they have a special provision to include people with disabilities. Then I suggest you just give the answer to this question and then I will give the floor again to the audience. Thanks a lot.

SPEAKER:

Yes, thank you for these questions. The mechanism to monitor and you really ensure that the state is actually implementing correctly, as you already said, is at the national level, the monitoring mechanism that really should have the competence and the mandate to issue recommendations on how the state should impairment a convention and how to really follow closely what the state is doing, and you go and have meetings with the government incorporation



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with the different organisations, to follow up very closely and to really enforce the government that they are moving forward with this.

If this is not sufficient, individuals can take a certain case to court at a national level. In Europe, we have had cases where people with disabilities or their family members us to go to court and they have been successful. In some countries, the national human rights organisation might be able to support you in going to court because we know it is a very costly and time costly process. So, this could be another way of really enforcing the government to do this, and if this doesn't work, you can always go to the international level and I would go to the UN committee. Both through the process do with every country, go through the state report and see how the government does, make recommendations, this is a way of enforcing the implementation of the convention.

If it has not worked for you at the national level, to bring your case to court, you could also submit an individual complaint at the UN committee itself. This will not be a legally binding decision but it might also help your government to push for implementation of the convention to make sure that they respect your rights.

If the convention really is specifically looking at people who have multiple disabilities and people with high support needs, the convention talks about this group of people in its preamble, it doesn't have a specific article on this but I can tell you that obviously as we have gone through the different approaches and also if you read the convention very carefully, you can see that really attention needs to be paid and support needs to be given to people who need more support than other people so this is also a very important group and within the work of the forum, we try to include in all the proposals we make for new legislation and new policy.

SPEAKER:

Thank you. Now I give the floor to (inaudible). Now you are allowed to talk. Sorry.

I am really sorry. We have some technical problems to allow you to talk so could you please write the question in the chat box. In the meantime, I will read the answer of Theodore marrow, he asked, could you describe how the CRPD works with partner organisations like UNICEF, UNESCO et cetera. Do they have CRPD? Also we have another question by (unknown term), he asks... I am sorry. It is not a question. I will try to give the floor to (inaudible) again. I don't know why it is not allowing me to.

Okay. I will try to give the floor to Murali. I am really sorry for that. Now you are allowed to talk! Finally! Thanks.

SPEAKER: Thank you. Thank you, I feel great presentation and it is learning for me. Next time, we need to organise specialist training, it is more helpful for me. Quickly, I question because we just participated the CRPD committee, recommendations to the Nepal government, in this situation, how did we work to implement and push the government to implement



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recommendations? The government is not making the monitoring mechanism from the government, they make a focal point. We are to push out also and can you advise me. The third one is, in 2021, Nepal government is going to do the senses, we want to include a broader mechanism in the census questionnaire in line with Washington group questions and others and if you have any examples of that and advice, I think it is limited time but later we can send an email and information for me, it would be so helpful for us to do here.

SPEAKER:

Thank you. Now I will give the floor to Murali. You are allowed to talk now.

SPEAKER:

Okay. Thank you. I have been associated with this forum since 2012. I am one of the first participants in the program. I want to know whether we will have some follow-up because we are trying to get updated. Your views on that.

SPEAKER:

Thank you. Just to read two more questions. I will read to more questions, one from Sylvester Roberts and he asked, how do the DPOs or persons with disability... How do they address their issues to the UN if their countries are not signed the optional protocol? Another one, I am a program manager from (inaudible) as a part of the sensible is Asian of persons with disabilities in the public, we are doing some articles of the COPD. Could you give me advice for example the most important articles and the keywords related to these articles? Just the last question, does the convention have a section of migrants returned back to their home country who might suffer psychological distress after their return? Thank you for these questions. Now I will give the floor to An-Sophie again and then a third session of questions.

SPEAKER:

Thank you very much. Many interesting questions. I will try to answer. The first question on how the UN system itself works and how the different UN agencies work together with UN committee on disabilities. I have to say I don't work for the UN so I am not so familiar, I work for the DPO here in Europe. I know that all the different agencies such as UNICEF and UNESCO obviously also have to look at UN convention and they have to implement the Convention also within their work. I would imagine that within a different agency, for example UNICEF, I know there are people working specifically on UN COPD, also in the other UN agencies it is the same but I can maybe forward your question to our colleagues of the international disability alliance to which EDF is a member which is an organisation of people with disabilities working more at the UN level. I'm sure they will be able to answer that question in detail.

From the gentleman from Nepal on the observation that your country has received from the COPD. You have a very good tool in your hands to reinforce the implementation of the convention and I would advise you to start drafting an action plan on how these observations can be implemented and this action plan can look at each recommendation that the committee has made your government. It can be very detailed, say which is responsible ministry and what does



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this ministry have to do to make sure that these recommendations become a reality. Basically detailed recommendations and address it, talk to the ministry to make sure that it happens. I would say the same for establishing independent frameworks. I don't know if you knew about the possibility or if it has been included within the recommendations of the committee making to your government which we call urgent follow-up recommendations. These are recommendations to which a government has to reply within one year after the concluding observations were published. I think asking for the establishment of an independent framework is really some kind of recommendation that should be in this urgent follow-up recommendation. This might be something for the future to think about.

To also push your government to really move forward quickly as you said rightly, this is an important thing to have in your category, independent framework that will monitor what your government is doing.

On the questions on the census, I'm happy to send you a document. We don't have time in the webinar to go into much detail. Also the question that was on the total program. I think it is the program you refer to of the international disability alliance so again I was not directly involved, I know it exists and it is a great program but I wasn't directly involved so I can put you in contact with my colleagues there to make sure that they can answer your questions.

There was a question to whether if your country has not ratified the protocol, what are the different mechanisms you have to write to... To be in contact with the UN mechanism. There are several ones. The first is the fact that your state will have to report to the COPD committee on the actions it has taken to implement the Convention. We call the review process. As the PO's, you have the opportunity to be really involved in the review process, to draft your reports, saying what is the situation in your country on the rights of people with disabilities and to actively participate, to meet DTR BD committee if you have the chance and have really strong observations.

The UN also has different kind of human rights mechanism, the Council, which is a body also of the United Nations which looks at different states that have to report on human rights overall of their country, they have to report this to other state parties of the UN. I also know that DBAs can provide input. It is another important UN mechanism. There is also the special rapporteur for the rights of people with disability. It can also receive any concerns you have, questions, she is currently drafting a report on access to health and the right to health for people with disabilities. She has put out a questionnaire online where you can and so how is the situation with regards to health for people with disabilities. This is also an important venue or mechanism to contribute to.

There was a question on description of the COPD, other interpretation. I would really, maybe we can continue this conversation over email, I would really encourage you to look at the first article of the Convention up until article 5, maybe article 1, two, three, four, they are important. Maybe article 33 also. There are so many different articles, maybe we can have a conversation over email.



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Then there was a question if I understood correctly on refugees with disabilities and mental health situations, obviously the situation of refugees disabilities is... All the right of the convention apply to refugees with disabilities, also to the mental health situation of refugees with disabilities. Here we have to ensure that refugees return to their country, they are able to access all public services, for example mental health public services that they are able to access them, these mental health services are also inclusive of the support needs that they need, that they are also not discriminated when they have to find a job again or send their children to school. It is important to interpret all the different rights of the convention also for this group of people. I don't know if there are any other questions.

SPEAKER: Thank you for your answers. Now we have just time for a couple of questions more. Then I ask you to try to sum up your answers because we have a quarter more. I'm just reading two questions in the chat box. The first one is from Ruth, she says I am concerned about the registration of persons with disability. I am in Uganda, I work with children with spina bifida and hydrocephalus but government ministries, they question about the national statistics but it is not documented. Could it be a problem with the categorisation of disability or a gap in the system to capture the national statistics of persons with disability?

Then I have another question from (inaudible). Do you think that the local organisation for persons with disability can play a great role with the UN in monitoring the state and this change of laws and policies?

I don't know if I will be able... I would like to give the floor to Raya for the last question.

OK, I can see that you have written your question, so I see that you have a problem with the connection, so... If you have any other questions, just please raise your hand. Or try to... Try to text it in the chat box or raise your hand. If not, I will give the floor over for the last answer.

SPEAKER:

Thank you so much. For the first question, it is very problematic, because we are not capturing data collection, and they will not be able to be recognised as people with disabilities, so they will not be able to claim the necessary support services that they need to live, so I would really recommend you go to your government and talk about the situation and make sure that in the next census, in the next data collection efforts, people can be included, so I would encourage you to do that.

The question on local DPOs, that is very valuable information. (inaudible) a national DPO, and with different groups of people with disabilities. I bid it is important to join forces and work together. This would be easier to speak to make claims stronger and interact at an international level, like the UN committee of people with disability rights, and you can all call on the same issues to have very strong recommendations coming out of the review process. That would be my answer.



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SPEAKER:

So, thank you very much. Unfortunately, we have... Yes, we have 10 minutes, so if you have any other questions, you can do that now. I am sorry for some attendees who raised their hand but it seems you don't have the microphone so I can't allow you to talk, so please just text your question in the chat box.

Yes, now I can see that you have a microphone, so I give you the floor for the last question. Thank you. Now you can talk.

SPEAKER:

Can you hear me?

SPEAKER:

Yes.

SPEAKER:

I have just managed to see you. I had problems getting on. (inaudible)

SPEAKER:

Sorry?

SPEAKER:

Have you started the webinar already?

SPEAKER:

Yes, unfortunately, we are going to finish the webinar in 10 minutes. Tomorrow, you will receive the follow-up recording, so I am really sorry for that.

If there is someone else that wanted to make the last question. If not, we are going to close the webinar.

OK, I am sorry, I can see that you have a lot of hands raised. We will try to give the floor now to Sylvia. You are allowed to talk.

SPEAKER:

Yes, good afternoon. I would like to share with the African colleagues some tools that could be very interesting because during the question (inaudible), and the program of people with disabilities, the draft protocol for the African chapter on humans and People's rights on the rise of persons with disability in Africa, for example, these articles, like article 6, it is talking about practice like the one about people with autism, and in each article, seven talks openly about people with disability that are affected by war or emergency situations.



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So, in my opinion, for organisations to start working in African contexts, also, the protocol would be very interesting, but it seems that in a few weeks, it became official. Just to share this important tool.

SPEAKER:

Thanks a lot, Sylvia. I don't know if you want to comment on that. If not, I am going really now to read the last, last question. This could be your perspective as it is related to many countries, having to sign the convention, but less countries signing the Optional Protocol. What could be a safe one (inaudible)

SPEAKER:

Yes, that is a good question. A lot of states have ratified UN convention, but many of them have not ratified it, so I am not necessarily sure as to what would be the fear of the state, rather than fearing that another international body will condemn them or say, OK, you have done something wrong. This is actually what protocol allows (inaudible), and it is a question of legal uncertainty, because for the European Union, they are not sure about the different remedies at the national level, because of the (inaudible), so I think it is a complex mix of reasons why different countries might not feel so eager to ratify the optional protocol, but I think it is important to do, as individuals might actually... Human rights may be violated. They might not have any recourse, any remedy that they can run to, so it is good to have this option at the end.

SPEAKER:

Thank you.

So, thanks a lot. Thank you for this really interesting session. I really would like to say that we are at the end of the session. I invite you, because they saw that there are a lot of raised hands... I am just asking you because we have finished our time, so please text your questions to me or An-Sofie, and we will answer your questions, and you can see the main address on the screen and mine will be in the reminder and the follow-up.

Thank you to everyone who joined the session. I really hope you enjoyed the webinar and it was useful to understand the basic principle of the convention. I would like to remind you that tomorrow, you will receive an email, a follow-up email with the webinar recording, and all the related documents presented today.

You will also receive a survey with a follow-up email, some I can ask you just to answer the survey to help us improve the quality of the webinar.

The second one (inaudible), and this will be for the last week of April. We will come back to you with a definite date as soon as possible, and also with the registration date. For any other question, as I said (inaudible), and don't hesitate to contact me if you have any questions.



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Bridging the GAP

Thank you to everybody. I hope to see you all during the next session. Thanks again. Enjoy the rest of the day. Goodbye.