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 BRIDGING THE GAP II

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>> The broadcast is now starting. All attendees are in listen-only mode.

>> ALESSIA ROGAI: Good afternoon to everyone. My name is Alessia and I'm the knowledge and learning coordinator of the Bridging the Gap. It's a European Funded Initiative coordinated by the international -- public policies in relationship with corporation and NGOs, the European Disability Forum and International Disability and Development Consortium.

It is to include to a more accountable and institution. In the framework of the project knowledge management strategy, we built the cycle to gradually explore the different issues to take into consideration by Bridging the Gap.

The webinars are prepared and conducted by global and field experts selected by our partners, and the session are prepared to be as much as possible interactive, and each webinar is conducted in English, French, Spanish in separate sessions.

As usual, for those who missed the previous sessions, you can find the recordings of the webinars together with the transcription and the learning ideas on our website, on Facebook pages, and also on our YouTube Channel. The links, you can find the link it's here in the Chat Box and I will paste the links in a while.

Today, finally we arrive to the succession that we talk about legislating for disability rights. This session proposes a general overview of legislation and policies consistent with international human rights standards that needs to be adopted in order to create the necessary environment in which it is possible to introduce and sustain disability rights.

In particular, this session will try to identify potential gaps and in legislative systems and in relation with the CRPD and also how it's possible to harmonize national legislation with the Convention.

In many countries around the world, legal and policy frameworks offer in a big way protection and technically

address the rights and inclusion of persons with disability in society and development. In many cases, still there is discrimination against people with disabilities.

We are for the CRPD, the general obligations requires state parties to harmonize their domestic with the Convention. For example, the general provisions contained in the Article 4 the Convention provides for legislative matters that should be applied in relation to specific rights.

Of course, their involvement of the Civil Society and especially of persons with disabilities in their decision-making process is essential, and the CRPD requires the State's party to ensure that persons with disabilities in the representative organization take part in the forum and policy development.

This session will provide guidance on how to bring national legislation live with the convention rights of persons with disabilities and how to advocate for that.

Today with us our speaker is Paula Hearn, is a Disability Consultant specializing in human rights and monitoring. She has worked in the international development and disability rights field for over eight years. Paula has collaborated on projects throughout the world which has focused on disability, research, and socioeconomic development.

Thank you very much, Paula. I give you the floor in a while. Before starting, I just would like to inform that this webinar is live captioned, so you can find already the transcription live by clicking on the link here in the Chat Box.

So well, thank you very much again to the audience and especially to Paula. I give you the floor.

>> PAULA HEARN: Thank you very much. Hopefully you can hear me okay. Thank you for the introduction and thank you for Bridging the Gap II for holding this webinar and the other webinars. This webinar is an important piece in terms of bringing the international law to domestic legislation and ensuring that what's written on paper is actually getting enforced domestically and to people with disabilities and actually makes real change within your countries.

Just as was mentioned, this will be a overview webinar, so I'll be touching on a few different pieces as we go along, but I just want to stress that this is going to look different in terms of implementing the legislation in each country in a different way, so what's presented to today is for future discussion for ideas for provoking how to go forward and bringing legislation nationally.

So this will be different in your country, and it will be different from country to country, so it will be good for you

to keep this in mind as we go through this webinar so that you can envision what it might look like within your laws and your policies.

Just so you know I'll be using the term CRPD or the Convention, instead of repeating the Convention on Rights of Persons with Disabilities, I don't mean to shorten it down but to keep things moving, I'll try to use the short form.

Please note that I do have a PowerPoint here. I will read everything that's on the actual slides, so if you can't actually see it, you're not missing anything because everything will be verbally said and captioned.

I have a few questions throughout the webinar and I hope that you'll be able to think through them. We won't be discussing them during the webinar, but we will have a turn at the end to have a bit more of a debate and discussion.

So, the presentation is going to fall a little along these lines, and this is what it's going to look like. So we're going to look a bit closer at Article 4 which was just mentioned, around the actual state obligations, what a map of implementation may actually look like, what a administrative implementation will look like, what legislative review and reform and some tools for legislative review and reform. Looking at the human rights principles and how they work into legislation and codes and policies, looking a bit closer at international development legislation. Most importantly, looking at people with disabilities and their participation within this process, and finally, discussing a bit about monitoring and ensuring that the CRPD is actually being implemented and monitored and reviewed consistently in years to come.

So how does implementation fit into this picture? So I won't go much back into the process of ratification. Let's think about this from a perspective that a state has made the commitment and signed and ratified the Convention on the Rights of Persons with Disabilities, and it's now time to take the international law and implement it domestically, so that's what we're going to focus on today, and focus on actually changing and making sure that domestic laws are being compliant with the international law, establishing those domestic frameworks so there is a structure there for the Convention domestically, monitoring, reporting, and also adjusting and reforming policies after monitoring and analysis is done. And then also, of course, most importantly, protecting and promoting the rights of persons with disabilities via the Convention.

So the general -- oh, should I say obligations. It's focused on Article 4 (1) comes from the General Obligations from the CRPD. I'm just going to read this to you because this

is an important part of the article that is going to progress through the rest of what we're going to talk about.

So it says Article 4 (1) says state 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, State Parties undertake...and then this is where we get into the various articles under Number 1 from (a) to (i).

The first one looks at assuring that all legislation, administrative and other measures for the implementation of the rights are recognized in the present Convention are established.

B, is specifically looking at wanting to abolish any laws and regulations that exist in the country that may be discriminating against people with disabilities.

C, specifically speaks to ensuring that there is a protection and promotion of human rights of persons with disabilities within policies and programs.

And then E to I look at eliminating discrimination in the private enterprises, promote research and development, research, promote and inform around new technologies and of course train professionals on all of this new change that's coming.

There is additional General Obligations but these are the ones that I just want to pull up for you now. So what does an implementation map potentially look like? Again, this will look different in terms of different components of your country and your state, what is required and how things have been done before. So the CRPD is an international treaty, the Convention, and most likely the state has had a process before of bringing other international law within the domestic legislation and may have a process in place.

This is going to be pulling from what the CRPD itself says, but this is what a map could look like. So first of all, it will be important to establish a commission for actually implementing and being responsible for this initial implementation and reform. There will be a legislative review, and then also creating a platform for people with disabilities in administrative establishments and frameworks.

In terms of what legislative review, we'll talk about that a bit more, but there will be a consultation and policy proposals that go forward. After review is done, reform will take place ensuring compliance with the CRPD, and also allowing for awareness and training to take place with these new legislations.

It will be important to create a platform for people with disabilities to participate throughout this process, and this

will be an ongoing measure for implementation and monitoring the CRPD.

On the next side I'm going to talk a bit more about establishing the administrative frameworks, and I just wanted to mention to you that part of this map, it's very, very important that resources, including financial resources and leadership are included in this process. And if that buy in and the financial resources are not there from the very beginning, this will be a challenge in terms of implementation from the start.

So let's look a little bit closer at administrative implementation. So in terms of administration, so there will be a commission that should be brought in around your parliamentary system for coordinating and implementing. This commission should be multidisciplinary, should be filled with people from different parts of the government or different levels. People with disabilities should be involved. The overall process should be coordinating this initial implementation, getting things set up, creating timelines, and having the overall structure for sustainability in place.

So, what are they going to be setting up in terms of administration? The first is a permanent disability focal point, and this focal point could be, for example, a disability office but there also should be cross-ministry or cross-department input or committees or working groups formed so that the focal point on disability is not lost within the administrative system and is not working in isolation.

It's very important that all different parts of government are connected to the disability focus in order for real change to happen. If someone from the Ministry of Finance is not connected, there may not be disability within a yearly budget, for example. If the Education Ministry is not connected, there is going to be gaps in a country's or state's legislation around education.

The next is identifying a framework and an external monitoring mechanism. So this is what the CRPD calls for, and this is an important part of ensuring that the the Convention is actually implemented and continuously being monitored down the road.

This usually in some cases may be a national human rights institution, for example, or may be another body that is external from the government that is currently monitoring other international treaties and would be responsible and knowledgeable on how to monitor within the country. Or it may be something new that needs to be established and identified.

Also, there will be a process and framework for setting up a long-term, permanent engagement mechanism for people with

disabilities. The who, what, where, and why, and how people are going to engage in the initial process of bringing the Convention into the country and how they're going to be involved down the road, so 5, 6, 10 years down the road and so on.

And of course, the other part of this initial implementation will be to do the legislative review, so a body should be created such as committees that are focusing on persons with disabilities -- or I'm sorry, persons with disabilities should be included along with experts from across institutions and ministries. There could be a committee that's specifically looking at compliance with the CRPD, so there is reviewable legislation that's happening, and this -- we'll talk about this in a second what it looks like, but this could also be considered a baseline review for future monitoring.

So that's the administrative implementation. Let's talk a little bit now about the legislative review to consider. So again, this will look different in different countries, but overall in general, when starting a legislative review, it will be important to start looking closely at what sources are in the country, so is there a institution, a legislation, codes, standards, regulations, policies, programs? These are the pieces of legislation that need to be reviewed, considered, are they compliant with the CRPD and do they need to be reformed?

We also need to consider what is the legal context? Does the CRPD, for example, automatically become domestic law or is new legislation required? It also could depend on what type of legal system is in place within the country.

So what kind of legislation specifically can be considered? So again, the constitution could be looked at, is it in compliance with the CRPD, is discrimination happening against people with disabilities? Law related to marginalized populations, such as that may or may not include people with disabilities already, that piece of legislation should be looked at. Any disability-specific laws such as a Disability Act and maybe there is one now or maybe one needs to be made. Any human rights laws, anti--discrimination legislation, and perhaps budgetary legislation.

So we have to remember that before the CRPD came into effect and before a state actually signed or ratified the CRPD, there was actually standards before. And this could be the case that a state has already implemented a disability within similar legislation already and so it's really looking at what's there and what are the larger pieces of legislation and doing a lens through the CRPD in terms of review.

The CRPD is not new human rights, but these are -- human rights before the CRPD already existed. People with

disabilities already had those rights, but the CRPD and the Convention basically takes those rights and provides a pathway for specifically guiding states and making states obligated to follow specific ways of functioning around disability.

And so having disability rights wrapped with the human rights will help us be more specific around treatment of people with disabilities, legislation, policies, programs, and that's how it should be reviewed when there is actually reviews taking place.

So what are we looking for? What is legislative reform? We really want to get at what are the gaps between what the national laws, policies, and programs are saying on paper, and on the other hand, we want to look at what's the gap between that and what needs to be done for full implementation of the CRPD? Which really means, what are the experiences of people with disabilities? On a daily basis, what does a person with a disability experience? Are they going discriminated against? If there is a law that says a person should not be discriminated against and allowed into school, but a person with a disability is still not going to school, what is going on? What's the gap? What's missing?

So we're looking for that gap between the two, the lived experience and what's on paper in terms of laws and policies. You can have a great law, a great policy, great programs and services, but if the person with the disability isn't actually receiving those benefits, then it's actually not a great law and that's what we need to make sure that we flush out in our review.

So we're going to look at existing legislation that's already there and look for anything that's not consistent with the CRPD. We're going to look at laws or policies that discriminate against people with disabilities and remove those laws or change the laws so they don't reflect discrimination. And any laws that are missing or anything that needs to actually be built from scratch so that the government is being compliant with the CRPD.

So I want to propose a question; again, you can just think about this yourself where you are, sitting in your home or your office or wherever you're watching this webinar.

In your country, which laws and policies will be priority for review and reform?

So, I want to ask this because every country is going to be different in terms of where they're at, and there is a lot of priorities that may happen and need to be identified in terms of which pieces of legislation need to be reviewed and reformed, but I want to discuss a few pieces of potential legislation that may or may not exist in your country that are

of wide note within the CRPD and of greater discussion in terms of very specific pieces of law that should be considered.

So, I have a chart here around priorities, priority laws for review and reform. On the left-hand side, I have list add few of the domestic laws that could be considered for review, and then on the other side I have a few of the articles that potentially may be associated with those standards.

Think about it this way. The articles are there to help guide and shape the domestic laws, so for example, Article 12 looks at equal recognition before the law, it cannily around legal capacity. Article 13 discusses access to justice and Article 25 is related to health.

Now, domestically some of the laws that might be associated with and guided by those articles I just mentioned could be guardianship laws, civil or criminal law, healthcare law, or electoral codes.

Furthermore, another example, Article 27 Work and Employment and Article 26 is Habilitation and Rehabilitation and now these can be related to some of the domestic laws and guide and provide a pathway for how those laws should be including people with disabilities, including the labor laws or vocational training legislation.

Education, for example, Under Article 24 of the CRPD or Article 9 is accessibility, and these can help guide educational law or construction law or codes, for example, what does a school look like, how are things built, what are the codes and standards laid out in construction, and accessibility, Article 9, can provide a pathway for that.

The other example I wanted to give was Article 19, Living Independently and being included in the community. And in Article 23, respect for home and family, and these can specific provide some guidance around what family law looks like in your country or social and protection laws.

So again, I want you to think going forward about what are the priorities in your country? What are the pieces of legislation that need to be considered, and what are the articles that may provide a pathway for that? I would encourage you, if you haven't, to look a bit closer at the CRPD articles and start matching them with your local, domestic legislation. It can be interesting in terms of starting to look at where the gaps are in terms of actual legislation.

I want to provide you with some tools on how you could do a actual review. Again, states may have their own process, but it's just interesting to look at some potential tools or tools that could be used in monitoring in the future of systemic policies and laws.

So the one actually comes from one of the readings that

was suggested for this webinar through the ANED, how they had nice templates set out on how to break down and look at and do an analysis of a law. So they, for example, look at what instrument within a country, and in this case they have an example around community codes relating to medicinal products for human use. Then they want to know and record beside that what type of instrument it is, so it's a legislative act.

And then they look at what articles are relevant, and so in their case they suggest Article 1. They make some remarks, and so in this case they say obligation to print information in Braille on certain types of packaging containing medicine.

And this reflective in accessibility in Article 9.

Another tool is the systemic tool that comes from Disabilities Rights Promotion International. Again, this tool is free to access for anyone that wants to use it. I have put an example on this PowerPoint slide. They have six columns again in their tool that breaks down the review, so they look at, one, what is the piece of legislation international standards, so we're talking about the CRPD. They propose some questions in terms of this example is Article 9, so do the laws of government policies guarantee to persons with disabilities access to physical environment, transportation, information, and communication and so on? Then they talk a little bit more about the analysis, and so these are the questions really around what do people do in the review need to ask about the piece of legislation?

So they have asked, for example, CRPD measures promote the right to access shall include, for example, developing minimal national standards or guidelines for accessibility and so on.

In terms of relevant policies within the country, constitutions, legislations, policies, codes, could all be considered?

AYou can also consider other sources such as budgets or data and stats. For example, does the national statistics account for this piece of legislation and does it account for providing an answer to is this improving?

And the last piece looks at, is this in compliance? So whatever piece of legislation you're reviewing, is it compliant, does it need work, or is it just missing a bit of things?

They also talk about is it including the human rights principles? So let's talk about that. The human rights principles are found the general rights principles of the Convention Article 3 and names what should be considered throughout the whole Convention in itself, which include autonomy, dignity, freedom of choice, independence, equality of

opportunity, non-discrimination, participation, inclusion, and accessibility, and respect for difference.

It's important that we consider, when we are reviewing legislation and making reform for legislation, are these human rights principles actually being achieved?

I want to give you an example of how or what I mean by this. So, let's take the example of a transit system, and we want to look at if the transit laws are actually meeting the human rights standards of a person with a disability. So let's take for consideration that there is a transit system that is accessible and it picks people up and takes them around the community. The law or legislation or policy may be that there is accessible transportation systems in place. The program and service that is put into place is that it transports people with disabilities around the community.

So let's consider a few human rights principles in this scenario. Non-discrimination and equality? Well, yes, it is compliant in a sense that allows the transportation and movement within the community without discrimination of disability. However, this particular mode of transportation is a van, and it picks people up based on certain times, so a person with a disability can only be in transit at certain times that are set by the transit company.

So their autonomy has been taken away and they don't have the right and freedom of movement. They are not able to make a choice of when they get to commute and move.

Furthermore, this van is not part of the public mainstream system, so people with disabilities have to commute in isolation. They're not able to join the rest of society, which takes away their inclusion, their freedom of participation, and their right to accessibility.

So this is just one very simple example, and there are hundreds more out there of how what looks great on paper and national legislation, but we have to consider what policies and programs may come from it and how they actually impact the human rights of an individual on an individual basis.

And this is another important reason why people with disabilities themselves should be constantly involved with establishing, promoting, and building, and reforming all of these pieces of legislation and programs.

Let's talk a little bit about what international development legislation may or may not look like. Again, this is a little bit of overview, but it's important to think about this, especially as we're a community from all over the world in cooperation. Article 32 of the Convention speaks specifically to international cooperation, and so the article suggests to ensure that development programs are inclusive and

accessible. It suggests that they provide technical and economic assistance, an example is accessibility technologies, and then cooperation and research and training and knowledge. And this is a good example, this webinar that we're having cooperation within training and knowledge sharing with people from all over the world.

So, to consider reform within foreign assisted policies and programs, so as a bilateral donor country, for example, what are your policies saying about disability, how is disability included, and how do those policies turn into programs on the ground?

Reform within policies and codes related to development programs within a country, so if a state is a recipient of donor funds, maybe through a multinational or through multilateral or bilateral partnerships, a state should consider what dollars come in and how those should be distributed, who is receiving them, and are people with disabilities a part of that picture?

And it's important to consider moving development policies and programs towards a human rights perspective and away from medical perspectives of disability and development.

What I mean by this is ensuring that policies are focused on making sure people get their rights being met and not trying to be fixed and not trying to be medicalized, or in some cases there is programs of rehabilitation that are focusing on change willing the person, when programs could be looking at the larger societal picture and what could be done and how dollars are spent around improving human rights.

And this could easily be done through a lot of the excellent development programs that are out there and how they infuse disability within their programs, either through a twin-track approach or mainstreaming disability. That's a whole other discussion around that, but this is just a general overview of what could be considered.

In terms of the Sustainable Development Goals, this is where it's important that if a state has actually committed to the Sustainable Development Goals, it's important that disability is included in the national roadmaps for the SDGs in terms of implementation and priorities. So roadmaps are typically developed in a country once they've committed to these SDGs and the disability is of course included in the SDGs throughout, and so how does that domestically get transferred into the domestic actions and programs that are happening for development?

There should be disability inclusive indicators for the SDGs at the national level, and so this is something to consider. And there should be cooperation between the

disability focal point, for example, and the SDG focal point. So usually there will be a ministry or department or some kind of focal point taking on the action of implementing the SDGs and there should be consistency and strong partnership between the disability focal point, and that's just an example of that cross -- partnerships across government that will make the focal point on disability stronger.

And of course, when the SDGs are monitored, it will be important to monitor and report on disability and inclusion, and ensuring that those indicators are being measured for disability. It will be important that people with disabilities are at the table for monitoring and also represented perhaps, for example, at the High Level Political Forum in New York which is where the SDGs are reported on.

So the next question I want to propose is, in your country what are existing examples of participation of people with disabilities related to implementation of the CRPD? And how and where can participation be improved?

So this is an important part, as the Convention was made by people with disabilities for people with disabilities, and the slogan of nothing about us without us stands strong within the Convention and monitoring of this Convention is specifically mention the that people with disabilities need to be part of that, so in terms of the Article 4 (3) it indicates, and I'm just going to jump down, it says state's parties shall closely consult with and involve persons with disabilities, including children and disabilities through their representative organizations, and so this is within implementation of legislation and policies.

Article 3 (3), full and effective participation and inclusion in society. So this would include all different things such as Article 29 "right to participate in political and public life" so that's the piece of the Convention that outlines inclusion and participation.

So what does successful engagement look like? Well, it's definitely accessible. It needs to be accessible or people who are benefiting from this will not be involved. This can include physical accessibility, such as accessible location, communication such as captioning, sign language, alternative text, open and welcoming platforms for participation, such as having a roundtable and not having a hierarchy within the room where there are consultations and conversations happening.

Monetary resources should be provided such as transportation. People need to be able to get to the meetings or they can participate online, and an online platform can be good.

Successful participation also is diverse, so when we're

talking about including people with disabilities, this should include cross disability, so representation from people with mobility disability, sensory, psycho social, et cetera, specific populations, socioeconomic, ethnic representation, indigenous, gender, children, LGBT and so on. Age should be represented, seniors, children, youth, adults. Geographic representation, rural, urban, people from all across the country, and especially marginalized populations such as people who are homeless or institutionalized. They need to be a part of participating and also monitoring.

And people with disabilities should be included along with their organizations and representations and NGOs, interest groups such as universities or rights groups and other Civil Society can participate in reform, discussion, you name it. There are people out there who will be wanting to participate.

Most important, it will be good to build networks and sustainable partnerships. It shouldn't be one-off conversations or participations. There need to be partnerships that are sustainable and long term.

So types of participation could include members of committees, cross representation, involve during law reform process from the review to drafting new policies, reviewing a constitution, involved in training professionals, active participation in building policies and programs, community-based public platforms would work really well in terms of having dialogue and conversations, and most importantly, national treaty reporting process needs to include in consultation and also representation at the reporting stage of the CRPD.

So ongoing permanent engagement, like I said, and then also action-based and meaningful dialogue is key.

So let's talk a few more minutes about monitoring. So after implementation has happened, monitoring will be an ongoing process and in Article 33 of the Convention it outlines that States should establish a framework to protect, promote, and monitor the implementation of the CRPD and this includes an independent identifying mechanism and this is a mechanism outside of the government or state and so it's separate, and therefore it won't be bias, such as national human rights institutions.

So the monitoring cycle includes this process, so implementation will happen of the CRPD, and then monitoring focuses on collecting information and data and this could include anything from interviews to laws or policies to media. From there analysis will be done, and stats of course as data, and we'll talk about that in a second. Then analysis will be done, reports will be done from this analysis, and then

reports -- reporting will go to the committee on the rights of people with disabilities, the Convention on the Rights of People with Disabilities and also be used in different advocacy work or different settings like the High Level Political Forum for the SDGs or universal periodic reviews. Reports and monitoring can be used in so many different places. The power of data and knowledge and information is so good to have because it will pave pathways for making arguments and showing that things need to change.

From there adjustment and reform will happen, and again, implementation will happen from there. So some of the characteristics and monitoring include collecting evidence-based information. This will inform successes, what's working, the gaps, where are the violations, and any information related to the optional protocol at the -- silence) -- audio halted --

On the CRPD, like I said, this is actually written into the Convention that monitoring will go back for review of the state when they go at the respective time.

So just a few thoughts. Again, that was a very brief overview of implementation in the domestic setting, but to ensure implementation, there needs to be areas working in tandem, legislative review and reform needs to happen, establishing administrative frameworks needs to happen, a monitoring mechanism needs to be set up, and reporting needs to be done after that. Most importantly, establishing platforms and processes for the engagement and participation of persons with disabilities in this overall process.

So, thank you very much, and I'm -- I hope that this gave you a bit of a overview in terms of bringing the CRPD into the local context, and can you start visualizing and thinking about what it means in your own country.

Thank you.

>> ALESSIA ROGAI: Well, thank you very much for that, Paula. Really, really interesting. We have a lot of questions, so I think also our audience has a lot of questions, and so as usual as you know, you can text your questions in the Chat Box and I will read them one by one or also you can raise your hand and making your question directly to Paula. I hope really that in that case the connection will work well.

But, we have already a few questions in the Chat Box, so, Paula, I will start with the question of Thomas that is asking that reminding the gaps between domestic laws and CRPD, are there tips or tools to access the compliance. For example, are the benchmarks or levels of compliance that are acceptable, I imagine countries may not obtain the 100% compliance?

And these a really interesting question, I think, and I

also would like to add to that support in the process in the country really and not the CRPD 100%, so I thank you for your reply for your answer, Paula.

>> PAULA HEARN: Thank you. I I hope I understood the connection properly. In terms of national implementation, the state will be responsible for implementing and to implement and comply and work towards progressive implementation, so realistically this is an ongoing process and so when a State first goes in front of the committee for the CRPD, the State will be able to present what has been done so far in terms of implementation, and from there the committee will provide questions and the state can reply. At the same time, Civil Society will be able to submit shadow reports and build a case around what really does need to change and what's not there yet, and what is not making compliance. The committee will support the state in terms of giving guidance around what can be done for further compliance in the years to come, and further implementation and review and reform should happen within the state, and then again they may go back to -- well, they should go back to the committee and say, all right, we've done all of these steps since we last met and this is what we're working towards.

Legislative reform doesn't happen overnight and change doesn't happen right away, so I think there is some openness around a country presenting what they've done but what they're also working for or towards because the CRPD cannot be implemented totally from the very beginning in one flip of a switch. So it's a process, and the committee will help in that and there is also one of the members of the committee who will be assigned to that country during that process to support them, and I think that's where Civil Society can also take into place how to ensure that compliance continuously moves forward. Hopefully that answers your question, Thomas.

>> ALESSIA ROGAI: Thank you very much. We have another question, and asks do you know how countries change their legislation in line with the CRPD to protect and promote rights of persons with mental disability?

>> PAULA HEARN: Thank you for your question. From Nepal. I love it there and looking forward to going back there. This is a very interesting question about how it can be built with people with psycho social disabilities and what this looks like. So some of the articles speak towards how to move forward with change in legislation. One of the ones, for example, is Article 12 that looks at legal capacity, and for example, the discussion around a person's right to fully appreciate their legal rights and be able to be in front of the law and have their freedom in that and not be under the

guidance of guardianship or something stepping in for them in terms of legal matters, and so that's where states should probably start looking closer at there are different laws or codes or standards that may be blocking those legal rights for people with psychosocial disabilities or who have different cognitive disabilities.

Looking specifically at does this violate their legal rights? This is just an example. There are ways in education and work that need to be considered as well, and solve it needs to be flushed out through policies and programs, but from the very beginning, those fundamental laws need to be adjusted, and I would say one of the big ones that needs to be reviewed right now around the world is pertaining to Article 12 of the CRPD.

>> ALESSIA ROGAI: Thank you very much, Paula, for your answer. Another question that asks, how the national strategy for persons with disabilities can be integrated with the SDGs.

>> PAULA HEARN: Great question. So, it's an interesting time because the SDGs are coming into, and very much in a lot of countries are well on their way of being worked towards, so again, it depends on the country where the country is at in terms of implementing the CRPD, but I think there is a few important things that we ensure that are lined up between the CRPD implementation and the SDG implementation. This can include, for example, having coordination against or across ministries, across the coordinating bodies that are implementing these too, that they're working together, that there is communication around language, around programming, and also looking specifically at how development programs are incorporating people with disabilities in both future and current projects, existing projects, and ensuring that specific articles are matched up.

So for example, the SDGs, if you look at it it's interesting. You can see -- you can match some of the targets of the SDG with the CRPD itself so you can look, there is a SDG target around education and a Convention Article around education and how do they sit beside each other and how does the associated outcomes and indicators work together between those articles? And are they meshing well together, I guess you would say?

So there are some resources out there that have started to lie these two bodies beside each other, the Convention and SDGs, and so I don't know, if you Google it you might be able to find it. But also, ensuring that people with disabilities are included within the SDG forum is really important so they're not left out within the marginalized groups that are represented.

>> ALESSIA ROGAI: Thank you very much, Paula. Just

following the first question that I did, regarding supporting the pro process, the legislation review and also that leads to the implementation. And I would like to share a comment from my colleague from the Bridging the Gap I, the component of Bridging the Gap implemented by you and the Office of the Higher Commission of the Human Rights of the United Nation. And she reminds us that Bridging the Gap is developing CRPD human rights based indicators linking the CRPD to the SDGs and indeed they can be one of the supported because they can provide assistance with legislative reforms and monitoring that they provide the information regarding what legislation should include based on each CRPD article.

This is really, thank you very much, Navine for this comment. I don't know if Paula wants to comment about it and then we can go ahead with the other questions.

>> PAULA HEARN: That's excellent. Yes. That's an amazing resource around the Bridging the Gap Program, the Bridging the Gap I, and all of those resources are very important and those partnerships and formations are happening, so please do follow those and recommend them to anyone working on this legislative reform to what resources are out there.

>> ALESSIA ROGAI: Thank you. I have another question from Simon. He asks how we can promote disability inclusive development in terms of Article 32 of the CRPD and how we can ensure all of the developmental actors are committed to disability inclusive development. Thank you very much, Simon.

>> PAULA HEARN: Thanks, Simon. This is a big question that is always a challenge because there is so much development work going on. Personally, I feel that one of the strongest things is working from a policy perspective, ensuring that policies are being built properly, and taking on the right perspective of disability, which is the human rights perspective and the social perspective, and hopefully these policies will help trickle down through the programming, and this should also include everything from training and knowledge sharing within staff. Frontline staff of development programming don't necessarily always get the proper tools that they need to ensure that they can reach the population such as people with disabilities, or may not know how to it, so how do they include someone with a disability in their programming?

So these resources of knowledge and training need to be embedded and shared but also from a policy perspective, the right language needs to be there from the beginning and policies will hopefully follow. I would also just really suggest two other things. One is that people with disabilities should be included when developing -- when development programs, proposal writing throughout stakeholder engagement of

programs, and also during reporting and ensuring voices and successes of development are included. Sometimes we don't always look at the good things, but there are a lot of development dollars going to improving the rights of people with disabilities, and those are good examples to share and to spread to other parts of your continent and regions with other partners. Hopefully that answers your question. Thank you.

>> ALESSIA ROGAI: Thank you very much, Paula. I have one other question from Ria and it's another question to go just a little more deeper about how to measure the implementation of the law on persons with disabilities rights.

>> PAULA HEARN: Okay. So hopefully I'm understanding, so you just want to know a little bit more about how to measure the implementation. I think the answer is that this will be flushed out a lot more through monitoring, so once monitoring is -- once the monitoring framework is set in place, that's where after the initial implementation is done and reform is done to the best of the state's ability and the committees that were there to create that proposal of reform, that's where the monitoring piece of this really kicks in and will help to figure out where implementation may have gone wrong and what needs to be adjusted for the future.

Again, implementation will not be 100% from the state, and the CRPD will not be implemented in terms of creating reform, creating programs perfectly. Nothing is perfect in that sense, and that's where monitoring will come into a better picture.

So if legislative reform is happening, monitoring and talking with people with disabilities, for example, creating the evidence-based data will help us understand if people with disabilities have actually seen a change in their daily life, have they benefited from the legislation and the policies? Are their rights being met? And that's where monitoring will start picking up the gaps and create recommendations for further reform and implementation.

Hopefully that's what you're looking for in terms of trying to understand how implementation will be kept in checks and balances because I think that's where monitoring goes really well with the implementation piece of it because it is that checklist of keeping it separate from the state and ensuring that there is someone outside making sure that it's done properly inside the government.

>> ALESSIA ROGAI: Thank you very much. We have another question from an audience member. She asks where she is a person with psychosocial disability don't have the right to vote, so I would like to know what is other countries if you have any other information about it?

>> PAULA HEARN: Yeah. I don't have a great example offhand, but I can give you my -- if I can get your contact, I can try to send you a good example, but I think one of the important things in terms of the right for political participation and voting will be for the state to look closer at electoral codes and reforming any legislation around the process around voting, is it accessible, are they able to vote, and if the discrimination is there then that needs to be removed if Nepal is going to stay compliant with the CRPD itself and so that legislation needs to be changed if that is the case, and, and from there the electoral system needs to be accessible for people with disabilities. There are, of course, lots of countries that have processes for voting and creating that accessibility, but I would be happy to share or find a good example for you. I just don't have one right now, but if you're interested please contact Bridging the Gap and we'll try to find you a good example.

>> ALESSIA ROGAI: Well, I don't have any other questions in the Chat Box, so I'll just will give you a couple of minutes more to reflect on things if you have any other questions for Paula.

I don't know if you, Paula, want to conclude with just sharing with us, if you have some example on maybe or where we can find some examples, concrete examples, about the change if there are some countries in which the change happen and how we can reach the information out.

>> PAULA HEARN: Sure. I think it would be good to -- for people to maybe check out some of the resources that are coming out of come of the monitoring institutions -- or sorry, bodies that are happening. So for example, P20 is doing some checking of implementation. Equal Measures is doing some checking implementation. The ANED, which is part of the academic network of European Disability Experts, hopefully I didn't mess that up, they are doing a lot of work around legislation, especially. And there are a few others. Legislation is a big part around how we get this implemented, and countries are at different stages, you know, so after one year there might be changes that come out but I would just recommend some of those resources that you can go and look at some of the work that's been compiled and their analysis that they've done.

Disabilities Rights Promotion International also has systemic reports from the last 10 years from different countries where they've done analysis of different laws and policies in a country. Yeah, so those are just some resources that might be able to guide you and digging through some of the material that's there. I would definitely recommend that you

look and read the suggestions that were provided by Bridging the Gap II for this webinar that were presented. They're excellent resources for learning a bit more around the legislation and figuring out how this is all done.

>> ALESSIA ROGAI: So, thank you very much, Paula. We don't have any other questions, and so we are right at the end of this session about legislating disability rights. I thank again to you, Paula, for your participation today. Thanks a lot also to our audience today with their questions and the comments really fit the discussion very well.

Just a couple of last things, the webinar as you know now is issues of certificate of attendance only to those that attend at least 75% of the webinars and respond to the satisfaction survey.

The 75% of the training course corresponds to 9 out of 12 webinars, and you will receive the survey together with the webinar recordings and the learning materials that were made at the end of next session.

The next session will take place Wednesday, 20, February at 2:30 p.m. Brussel time and it will talk about interested education. I really recommend you not to miss this session because as you know very well, it's a key topic when you talk about disability, and so take note on your agenda, so also because we will have two important experts with us talking about inclusive education. The two coordinators of the IDDC task group on inclusive education, from CBM and Juliane from HI UK.

So well, we will receive next week I think, we will receive the invitation to register to the 7th session of the training cycle, so thank you very much again. You'll find all of our communication channels in the Chat Box, so you will receive also the recording of this session with all the learning materials and the certificate of attendance. Thank you very much. Thank you very much, Paula, again, and have a nice weekend. Bye.

>> PAULA HEARN: Thank you. Bye.

(session completed at 8:36 a.m. CST)

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