

IDDC is a network of 23 international NGOs¹ supporting the inclusion of persons with disabilities in development efforts in over 100 countries. The IDDC promotes **inclusive development**, i.e. respecting the full human rights of every person, acknowledging diversity, eradicating poverty and ensuring that all people are fully included and can actively participate in development processes.



Briefing for MEPs on people with disabilities in developing countries and what the European Parliament can do.

This paper will give:

- basic facts about people with disabilities in developing countries
- information on the basic EC framework for including the rights of people with disabilities in European international cooperation policies
- suggestions for concrete actions MEPs can take in committees, in delegations and in discussions with the European Commission

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¹ Action on Disability and Development (ADD), Associazione Italiana Amici di Raoul Follereau (AIFO), CBM, Disabled Peoples Organisation - Denmark (DPOD), Dutch Coalition on Disability and Development (DCDD), EU-CORD, Finnish Disabled People's International Development Association (FIDIDA), Handicap International (HI), Healthlink Worldwide, International Federation of Anti-Leprosy Associations (ILEP), Leonard Cheshire Disability, LIGHT FOR THE WORLD, Liliane Fonds, Norwegian Association of Disabled (NAD), Organismo di Volontariato per la Cooperazione Internazionale la Nostra Famiglia (OVCI), Platform Disability and Development Cooperation (PHOS), Save the Children UK, Sense International, Sightsavers International, Swedish Organisation of Disabled Persons International Aid Association (SHIA), The Leprosy Mission International (TLMi), Voluntary Service Overseas (VSO), World Vision UK

Persons with Disabilities in Developing Countries EU Policy

There are about 650 million people with disabilities worldwide. 1 in 5 of the poorest people on earth is a person with a disability. They comprise one of the single largest groups of excluded and chronically poor people in the world and have consistently faced discrimination, stigma and disadvantage. The European Commission manages about one fifth of the EU's total development aid and is committed to poverty reduction as the objective of its development cooperation. The EC is a signatory to the Convention on the Rights of Persons with Disabilities but has no specific policy on including people with disabilities in development cooperation.

80% of persons with disabilities live in developing countries. Many disabilities in developing countries are preventable and 50 % of all impairments are poverty related. Children and women are worst affected:

- 20 million women per year acquire a disability due to inadequate care during pregnancy and/or childbirth
- 87 % of all children with disabilities live in developing countries. It is estimated that one in three children not attending school is a child with a disability
- 150 million children with disabilities in developing countries have no access to social care facilities, schools or basic services.

In addition to impairments being poverty related, poverty is a consequence of disability. Persons with disabilities are frequently denied the opportunity of an education, of gaining skills or employment and are thus an added burden on a family's resources. This is a vicious circle with an economic impact on the entire family of every person with a disability. The EC's investments to reduce poverty in developing countries are wasted if disability is not addressed and the families of persons with disabilities are de facto excluded from the opportunity of being lifted out of poverty.

The UN Convention on the Rights of Persons with Disabilities (CRPD)

Discrimination on the basis of disability is global. To respond to this, the CRPD was adopted to ensure that the rights of persons with disabilities would be recognised and protected on an equal basis with others. Having come into force in May 2008, the

CRPD sets the standard for their full participation in economic, social, cultural and political life. The EC and EU Member States are all either signatories or parties to this Convention. This is the first UN human rights treaty that the EC will be a party to. As such, the role of the EP in monitoring its implementation will still need to be shaped. The IDDC sees this as an opportunity for the EP.

Article 32 – International cooperation: This article of the CRPD commits all parties to ensure international cooperation plans, strategies and processes are inclusive of people with disabilities in their design and delivery. The CRPD provides the framework for international agencies, donors and partner governments to build on their existing commitments in the area of disability and development and helps to ensure both donor and partner governments address fundamental elements in inclusive development, such as non-discrimination, equality, participation and accountability. Inclusive development is primarily a human rights issue. The role of parliaments in promoting and monitoring these fundamental elements is crucial.

Recognising the particular vulnerability of persons with disabilities in times of crisis, the CRPD also includes provisions on the inclusion of people with disabilities in situations of risk and humanitarian emergencies. The Lisbon Treaty will bring humanitarian aid within the treaties and thus will make it easier for the EP to monitor whether this obligation is being respected.

Process so far: When the Commission put forward its proposal to the Council for a Decision to allow the EC become a party to the CRPD, it failed to list its existing powers for development cooperation as relevant to the CRPD. This year the EP drew attention to this gap in its report on the Commission proposal for a Council Decision.

Millennium Development Goals:

The “Millennium Development Goals 2015” (MDGs) were adopted by the UN with the intention to halve extreme poverty by the year 2015. The MDGs have the potential to improve life for billions of people in the world’s poorest countries and are meant to be the benchmark for EC development aid until 2015. The connection between poverty and disability has barely been raised in discussions about the MDGs. Whether any progress has been made for lifting persons with disabilities out of poverty cannot even be measured, as recent reports on the MDGs failed to monitor the inclusion of

adults and children with disabilities in poverty reduction processes. People with disabilities are invisible in plans for tackling poverty but the MDGs cannot be achieved, if persons with disabilities are not included in efforts to achieve them. Disability impacts all eight of the MDGs, making it an issue central to reduction of poverty.

The IDDC has been running a campaign www.IncludeEverybody.org to urge donors to act now to include disability indicators and targets in all plans to achieve the MDGs

Over the past few years, the combined efforts to achieve the MDGs and the entry into force of the CRPD has led to growing recognition internationally of the importance of disability in reducing poverty and of the importance of respecting the rights of people with disabilities. Various donors' aid agencies (such as Australian Aid) have launched policy processes to include persons with disabilities in their international cooperation. In light of the CRPD, UN agencies are re-examining their programmes to see how to ensure disability inclusion in a concerted and coordinated way across all UN agencies.

EC Progress so far:

- The highest profile commitment that the EC has made to the inclusion of people with disabilities in development was the publication of a 'Guidance Note on Disability and Development' in 2004. The recommendations of this Guidance Note are for the most part still valid and not implemented. They are not binding on staff and require greater political support.
- The European Union-African Union Strategy adopted in 2007 was the first major political agreement to include objectives on disability in the areas of health and education in the MDG partnership. The European Parliament has supported the IDDC in its efforts to achieve this.

Still a long way to go: The EC should work within the framework of the CRPD and ensure disability is a core component of its development policies, both because it is an obligation and because it is one of the keys to reducing global poverty. In light of the CRPD it is clear that the Guidance Note should be followed up by a Policy on Inclusive Development. The EC can also build on international momentum for inclusive development by addressing disability now and building on the MDG process to include people with disabilities after 2015.

What the European Parliament has done in the past?

- In January 2006 the EP adopted a resolution on disability and development (see annex). Most of its requests and conclusions are still valid.
- Several MEPs, especially in the development committee have included comments on the inclusion of disability in other thematic reports. A good recent example of this is the resolution on 'MDG Contracts' adopted in April 2009. It asks that the Commission ensure that the 'MDG Contracts' being rolled out for ACP Countries, which will have a focus on education and health, include indicators on the inclusion of persons with disabilities
- In the past, MEPs have adjusted budget lines to include specific allocations for promoting the rights of people with disabilities, for example in budgets to implement the European Neighbourhood Policies.
- Delegates to the EU-ACP Joint Parliamentary Assembly (JPA) have used the question and answer sessions to engage the Commission and Council in public discussion about their performance and plans for including persons with disabilities.
- The EP moved swiftly and thoroughly through its examination of the Commission proposal to Council for a decision to conclude the CRPD, including specific requests that the EC's parallel competence for development cooperation be reflected.

What the European Parliament can do:

On average, one in ten of the people MEPs represent is a person with a disability. MEPs have the duty to represent their interests, too. Use your position and scrutiny role to further the rights of persons with disabilities by looking at the laws you are making and ensure that they support the rights of persons with disabilities.

- Participate in the **Disability Intergroup**.
- Keep the CRPD on the agenda for development and humanitarian action.
- Call on the Commission to close the policy gap on inclusive development.
- **Insist on disability as a cross-cutting issue in all areas of policy**
- Ensure **full scrutiny** of the EU budget and EU legislation to monitor for the inclusion of persons with disabilities
- Ensure that the **EC supports inclusive national budgets**, equality legislation and poverty reduction plans **in developing countries**.
- Monitor the performance of the EC so that in future the **EC takes a leadership role** on disability and development issues

The CRPD is the first UN human rights convention which the EP will have an obligation to -respect when playing its legislative and budgetary roles. The exclusion of people with disabilities can be measured in all areas of policy. When addressing EU proposals, MEPs should seek assurances that Disabled Peoples Organisations have been involved in consultations and policy design, monitoring or implementation

and invite their comments. More and more frequently the proposals in committees have an impact on developing nations and they should be 'disability proofed'. All parliamentary activities have the potential to be inclusive of persons with disabilities.

Commissioners' nominations

One of the first and most important tasks the new EP will have is to question the nominees for Commissioner. MEPs committed to including people with disabilities in EC policy can use this opportunity to ensure nominees are committed to equality and inclusion for all. These types of questions will help determine how serious the potential Commissioner is about poverty reduction and the promotion of human rights.

Some sample questions could be:

- Given the EC's obligations under the CRPD, how will you ensure that people with disabilities are benefiting equally from EC investments in infrastructure developments, environment and health and safety policies, education and employment in third countries?
- Are measures in place to ensure data is disaggregated to ensure inclusion of persons with disabilities, as required by the CRPD?
- Will the Commissioner ask that the MDG Review Summit in 2010 to address the exclusion of persons with disabilities?
- Are there rules in place to ensure all EU facilities and infrastructure, both within and outside the borders of the EU, are physically accessible and welcoming to civil society including persons with disabilities?
- Are there rules in place to ensure all EU communication and information is presented in an inclusive and accessible way in third countries?
- How will the Commissioner ensure that the recommendations in the Guidance Note on Disability and Development are followed through as requested by the EP in its resolutions on disability and development in 2006?
- Will the Commissioner support a pro-poor EU budget as an outcome of the forthcoming Budget Review to prepare the next Financial Perspectives?

Employment and Social Affairs: So far this Committee has been responsible for matters relating to the CRPD. Members of this Committee regularly address questions related to the inclusion and rights of people with disabilities. Any instance of this is an opportunity to ask questions or give information about people with disabilities in developing countries. When this Committee starts to monitor the CRPD it must invite contributions from all the relevant committees and especially the Development Committee.

- Monitor the implementation of the CRPD and advocate for a monitoring committee (CRPD article 33) that includes Disabled People's Organisations and organisations with expertise in inclusive development.
- In actions related to the CRPD in the EU, invite speakers from low and middle income countries, where 80 per cent of all people with disabilities live.

Development Committee: This committee has already begun mentioning people with disabilities in its reports.

- Invite relevant UN officials for an exchange with the committee on how they are dealing with the CRPD in international cooperation.
- Use all available opportunities to ask how people with disabilities and their representative organisations have been involved in development programmes and how the EC is satisfying its obligation to ensure they are benefiting equally from EC development aid.

Foreign Affairs and subcommittees on Human Rights and Security and Defence: The impact of the EU's foreign policies on the rights of persons with disabilities should be scrutinised. So far, this committee has not taken an active role in EU policy on the rights of persons with disabilities. Yet the CRPD is the first UN human rights convention that the EC will be a party to.

- The CRPD is also an opportunity for the EP to participate in monitoring a UN human rights convention.
- These committees should also look to mainstreaming the rights of persons with disabilities into their general human rights and policy dialogues and reports.

Budget Committee: This Committee can make money available so that the Commission has no excuses not to include people with disabilities.

- Break down existing budget lines in external affairs to ensure money is being set aside to promote the rights or inclusion of persons with disabilities.
- Insist that the EC delegations be made accessible and earmark budgets for this.
- Monitor the use of the EU budget by asking detailed questions such as how many people with disabilities have benefited from particular programmes.

- Ask the Commission how they ensure that support to the general budgets of developing countries benefits people with disabilities on an equal basis with others.

Women's Committee: the CRPD has a specific provision on women with disabilities which draws attention to the multiple levels of discrimination that they are vulnerable to.

- If the women's committee is addressing for instance issues of violence against women, you could raise questions about the instances of violence against women with disabilities in Europe and their counterparts in developing nations.
- Ask how the Commission's Gender Action Plan in development policy will include women with disabilities?

Delegations: The delegations are important opportunities for MEPs to ask third countries how they deal with the social exclusion of persons with disabilities.

ACP –EU Joint Parliamentary Assembly: The EC will be a party to the UN Convention on the Rights of Persons with Disabilities. The extent of their competence is currently under consideration in the Council.

- The JPA can adopt a resolution on disability and development.
- The JPA can insist that the EC's role as a development actor is reflected in the EC's instrument of conclusion, by including article 32 in it.

Electoral Observation Missions

If an MEP is involved in election monitoring outside the EU they can show that citizenship is for all and check if the electoral process is inclusive of persons with disabilities

- Can people with disabilities register freely and independently?
- Is the polling station and information accessible to people with disabilities?

Further resources for Parliamentarians:

UN handbook on the CRPD for Parliamentarians:

<http://www.un.org/disabilities/default.asp?id=212>

UN 'Enable' website:

www.un.org/disabilities

IDDC website

www.iddcconsortium.net

MDGs and Persons with Disabilities

www.IncludeEverybody.org