



EU Task Group, 20/02/2018

## Towards an inclusive Partnership Agreement between the EU and countries of the African, Caribbean and Pacific Group of States

### RECOMMENDATIONS

Global development will never be sustainable nor inclusive if persons with disabilities are left behind. IDDC believes that the EU has the power to make a fundamental difference by adequately addressing disability in its negotiating mandate on post-Cotonou

The International Disability and Development Consortium (IDDC) welcomes the EC recommendation for a council decision authorizing the opening of negotiations on a Partnership Agreement with between the European Union and countries of the African, Caribbean and Pacific Group of States.

This document contains IDDC's **recommendations** to ensure the future relations between the EU and the countries of the African, Caribbean and Pacific Group of states respect and promote the rights of persons with disabilities, in line with the commitments of both EU and ACP countries in the UN Convention on the Rights of Persons with Disabilities (UN CRPD) and the 2030 Agenda for Sustainable Development.

#### Key recommendations

- Keep the attainment of the **Sustainable Development Goals**, and particularly poverty eradication, as a key objective of the agreement. This objective should underpin the agreement at all levels.
- Include the rights of persons with disabilities as a **cross-cutting issue**, similar to gender equality.
- Respect for all **Human Rights** should be included as a key principle in the agreement and they should be respected and promoted at all levels in all priority sectors.
- **Civil Society**, including organisations from persons with disabilities (DPOs) should be recognised as an important actor in the future partnership and mechanisms to allow for meaningful participation should be created at all levels.
- All monitoring and evaluation of the future agreement should be based on the collection of **data disaggregated** by amongst others sex, age and disability, in line with the SDGs and the UN CRPD.

## RECOMMENDATIONS AT FOUNDATION LEVEL

### 1. Add a point on the Legal framework underpinning the agreement

We very much appreciate that the attainment of the Sustainable Development Goals, and in particular the eradication of poverty, is mentioned as one of the key objectives in the draft negotiation mandate. We are also happy to notice that the future agreement intends to respect the principles of the **UN charter and international law**. This commitment should underpin the entire agreement and we call on the EU to support the inclusion of a specific reference to the main human rights treaties, including the **UN Convention on the Rights of Persons with Disabilities**.

IDDC also supports that all parties will take the necessary steps to the **ratification, implementation and domestication of key international treaties and conventions**. This should apply to all UN Conventions and definitely to the UN CRPD, as it is ratified by the EU, all but one EU member state and the majority of ACP countries. The future agreement should therefore encourage all countries who haven't done so to ratify the UN CRPD, and should support those who have ratified with the implementation and the monitoring and review process before the UN Committee for the Rights of Persons with Disabilities.

### 2. Key principles

IDDC is happy to notice that equality, non-discrimination, solidarity and mutual respect are recognised as part of the key principles of the future Partnership. However, we do believe that in addition, a number of **other key principles** should be recognised in the agreement:

- In order to really accelerate progress towards the attainment of the SDGs (as confirmed in the objectives), the new Agreement should include **'leave no one behind'** as a key principle. Under this principles, the parties should agree to pay specific attention to the most marginalised, including persons with disabilities, throughout the entire agreement. This also means that specific solutions for social exclusion should be addressed in all regional compacts.
- Respect for all **human rights and fundamental freedoms** similar to the commitment in article 9 CPA. Human Rights are universal, indivisible and interrelated. We call on the EU and the ACP countries to promote and protect the rights of all including persons with disabilities, in line with the UN Convention on the Rights of Persons with Disabilities.
- In line with the two recommendations above, IDDC also suggests to include the **promotion of rights based policies**, encompassing all human rights and ensuring equal access to opportunities for all members of society, as a key principle. This is mentioned as part of the Human Rights section in the Foundation, but we believe this should cross-cut the entire document: all regional compacts and all strategic priorities.

- IDDC was happy to see non-discrimination listed as a key principle. We suggest to go one step further and specifically include a commitment to combating **double discrimination** for example based on gender and disability.

### **3. Recognise Civil Society as a key partner in the partnership**

While we are happy that a multi-stakeholder approach will be promoted in the future Partnership Agreement and that a wide variety of actors should be engaged in the dialogue and cooperation processes, IDDC is worried about the lack of specific references to the role of civil society in the foundation of the future partnership.

We therefore call to include a reference in the foundation of the agreement to the **different roles** civil society organisations can play in policy processes, political dialogue, joint institutions and the development, implementation and monitoring of programmes.

Furthermore IDDC calls for the **creation of mechanisms at the different levels** to allow for the meaningful participation of civil society, including organisations representing persons with disabilities (DPOs). Such mechanisms should include several accessibility checks to make sure persons with disabilities can participate in all political processes and that information is accessible to all.

### **4. Monitoring and evaluation**

IDDC strongly supports that the Recommendation foresees monitoring and evaluation at all levels of the future Partnership. In line with the SDGs and the UN CRPD, all monitoring should be based on the collection of data disaggregated by income, sex, age, race, ethnicity, migration status, disability and geographic location and other characteristics relevant in national contexts. Indicators should therefore also reflect this need for **disaggregated data**. The introduction of the Washington Group set of questions in all monitoring systems should be considered.

## RECOMMENDATIONS AT LEVEL OF THE REGIONAL COMPACTS

### 1. Basis for cooperation

We are happy that one of the key objectives of the agreement is to deliver on the **Agenda 2030 for Sustainable Development** and that it should refer to key documents such as the European Consensus for Development and at the level of the Africa Compact to Africa's Agenda 2063. In this particular compact, IDDC recommends to also include a reference to the African Charter on Human and Peoples' Rights and more specifically to the recently adopted Protocol to the African Charter on Human and Peoples' Rights on the Rights of Persons with Disabilities in Africa.

Given that persons with disabilities are amongst the most marginalised and discriminated IDDC recommends that, in order to really deliver on Agenda 2030 and to ensure that no one is left behind, the rights of persons with disabilities should be **cross-cutting** through all the different strategic priorities at the level of the regional compacts.

IDDC welcomes the idea of having a system to monitor progress, using dialogue at all levels, however to do so it is fundamental to **disaggregate data** by disability while also integrating Disabled People Organisations at all levels of the political dialogue. We expect that civil society, including organisations of persons with disabilities (DPOs) will get a voice in the political dialogue that will feed into the monitoring system.

### 2. Peace and Security

Inclusive governance is key in sustainable development processes, therefore IDDC promotes the involvement and participation of persons with disabilities in accessible political and social decision-making processes in order to include disability across all aspects of peace building and conflict management.

IDDC recommends that provision is made for disability awareness and inclusion training of security personnel, legal and judicial staff and governments officials, at national, local and community levels.

Finally, IDDC encourages all states to endorse the **Charter on Inclusion of Persons with Disabilities in Humanitarian Action** which will provide guidance on an effective and inclusive humanitarian response. In the same line, the EU should show leadership to ensure that humanitarian actors dedicate enough time and resources to the full inclusion and participation of persons with disabilities, in line with the UN CRPD and the Charter on Inclusion of Persons with Disabilities in Humanitarian Action. All emergency relief operations should ideally promote a 'twin track' approach; which includes specific actions addressing the specific needs of persons with disabilities (i.e. mobility aids, counselling, etc.) while also ensuring that they have adequate protection and equal access to basic needs via mainstream operations.

### 3. Inclusive sustainable economic development

The overwhelming majority of young people with disabilities in ACP countries do not participate in the labour force due to limited employment opportunities, thereby increasing the vicious

circle of poverty and disability. One of the reasons that persons with disabilities are excluded from employment is their lack of skills due to barriers in education and limited access to TVET. In many occasions if TVET for persons with disabilities is available, it happens in a segregated manner (f.e. Sheltered training programmes that are costly). Therefore, IDDC recommends to implement **inclusive TVET systems** thereby providing training to persons with disabilities on an equal basis with the rest of society. All ACP countries should provide an enabling policy environment for such inclusive vocational training and employment systems.

**Empowerment of persons with disabilities in the labour market** benefits economically and socially to society and has to be translated also through economic opportunities. Therefore IDDC recommends to lower the barriers to financial inclusion (often in very low-cost ways) allowing more people including people with disabilities to become economically self-sufficient, and to have the opportunity to earn a living through work they choose on an equal basis with others, and serve as inspirational role models. This is not only good for people with disabilities, but also for society in the sense that it leads to increased business profit and leaves space for a largely untapped consumer market.

IDDC is concerned about the references to **Intellectual Property Rights**. Especially when they are imposed, Intellectual Property Rights might impinge on the rights of persons with disabilities to benefit from basic assistive devices or medical technologies and essential medicines. We therefore call on the EU to ensure that the future partnership would not impose any intellectual property rules which will violate the rights of persons with disabilities. IDDC therefore encourages to always include persons with disabilities and their representative organisations when discussing on intellectual property rights.

The use of inclusive digital connectivity and new technologies can be a great tool to include persons with disabilities in several areas such as education, trainings, employment or access to social services. This is also critical for economic investment and accelerated development especially knowing that technology plays a crucial role in breaking down barriers for persons with disabilities. Therefore, IDDC recommends that specific attention should be paid to the development and dissemination of information and communication technologies, by providing affordable connectivity and prices and wider access to digital applications for all, and the promotion of science and technology and research and innovation. IDDC would therefore call on the future agreement to include a **commitment to universal design and accessibility** to ensure persons with disabilities can access these new technologies.

#### **4. Human Development**

IDDC clearly welcomes the fact that Human Development is considered a key priority in the new agreement. In order to eradicate poverty, tackle inequalities and truly leave no one behind, **inclusive human development** (including education, health and social protection) indeed needs be an essential part of every regional Compact.

Children with disabilities have in general very limited access to education. In line with SDG 4 we would suggest to rephrase this paragraph in all 3 regional compacts: 'All girls and boys have access to complete free, equitable and quality **inclusive primary and secondary education**',

while also making sure that when talking about inclusive education, we keep and protect the same level and quality of education.

IDDC very much appreciates the focus on **Universal Health Coverage and equitable access to health services** as persons with disabilities still face considerable barriers when accessing health services. We trust that under this aspect of each regional compact access for persons with disabilities to health systems at all levels and the inclusion of persons with disabilities in all sexual and reproductive healthcare will be included. Case studies from African countries have shown that especially girls with intellectual disabilities face severe difficulties and discrimination when it comes to their sexual and reproductive health. Finally, although we are pleased to read that the future agreement will promote measures to reduce **non-communicable diseases** with a focus on children and vulnerable groups, we would recommend to also include measures to reduce **Neglected tropical diseases (NTDs)**, such as Trachoma. According to the WHO, these diseases affect more than one billion people and cost developing economies billions of dollars every year. Trachoma for example has caused 1.9 million people to become blind or visually impaired and puts hundreds of millions of the poorest of the poor at risk of infection.

IDDC was very pleased to see references on food security especially knowing that research highlights that “disability has emerged as one of the strongest known factors that affect a household’s food security.”<sup>1</sup> In addition to the recommendations already proposed, IDDC suggests to go even further by making sure that policy and programs on disability but also on maternal and child health recognize and plan for the malnutrition and disability link with adequate resources and actions. IDDC recommends to **mainstream disability into food programmes**, nutrition and food security efforts while also ensuring that persons with disabilities benefit from those actions.

IDDC welcomes the fact that social protection is considered as part of Human Development, as a proper social protection system is essential to keep people out of poverty. However, policies towards income growth should not be defined in overly relative terms. Here, “*attaining and sustaining income growth of the bottom 40% of the population at a rate higher than the national average*”, does not actually automatically translate to the achievement of Agenda 2030 objectives, i.e. the absolute threshold of \$1.25 a day. Furthermore, **extended social protection needs to include the implementation of social protection floors**, such as mentioned at the level of the foundation, in order to ensure that no one falls through the cracks and ends up being left behind.

## 5. Climate Change and Environmental Sustainability

Environmental barriers are not simply obstacles to full participation, they can limit governance and decision making process. **Accessibility is the key to inclusive cities** and it is an essential condition to realize the SDGs, the Sendai Framework for Disaster Risk Reduction, the New Urban Agenda and the UN CRPD. IDDC calls for the **promotion of the universal design** ensuring that all elements of the built environment, including land use, transportation, housing, energy and infrastructure, work together to provide resilient, accessible and affordable places

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<sup>1</sup> <http://www.worldhunger.org/disability-is-an-important-risk-factor-for-food-insecurity/>

for living, working and recreation with a high quality of life that meets the livelihoods needs of all citizens including persons with disabilities.

Many of the Caribbean and Pacific countries are Small Island Developing States (SIDS) and are therefore especially vulnerable to the risks of climate change. Therefore the future agreement should indeed aim to undertake ambitious action to manage and reduce the risks of climate change. IDCC is particularly happy that with regard to disaster risk management the focus lies with the priorities of the **Sendai Framework**, which targets and priorities are considered very inclusive of persons with disabilities, who are amongst those most at risk in emergency situations.

In addition we support the fact that communities and civil society need to be involved in all disaster risk management to build local ownership. Although there is a suggestion to pay attention to the most vulnerable households and marginalised groups, we don't consider this sufficient to ensure people with disabilities will be included. IDDC therefore calls that the future agreement should include a specific obligation for governments to involve persons with disabilities and their representative organisations in the development and implementation of national and local plans in the **disaster management cycle** and in all monitoring and evaluation.

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