



State Reporting and the Convention on the Rights of Persons with Disabilities

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CRPD Committee

- The CRPD mandates the creation of a Committee on the Rights of Persons with Disabilities when the Convention came into force (Article 34).
- The Committee on the Rights of Persons with Disabilities (CRPD) is the body of independent experts which monitors implementation of the Convention by the States Parties.

CRPD Committee

- The mandate of the Committee includes:
 1. Examining the reports submitted by States
 2. Conduct inquiries into the situation of PWDs in certain countries
 3. Formulate general observations and recommendations on reports as it may consider appropriate.

CRPD Implementation

- All States parties are obliged to submit regular reports to the Committee on how the CRPD is being implemented.
- Submit an **initial report** on implementation of the Convention to the Committee on the Rights of Persons with Disabilities (one of the first duties of State parties under CRPD).

CRPD Implementation

- Initial report is due two years after ratification.
- Subsequent reports submitted every four years.
- Approximately 50 State parties are late with the submission of their initial reports which creates significant backlog in the work of the Committee.

CRPD Reporting Process

- Each State Party to the CRPD is required to submit a **comprehensive (initial) report** to the CRPD Committee within two years after the CRPD enters into force.
- The initial report is composed of a **common core document**, which provides general information common to all human rights treaty bodies, and a **treaty-specific document**, which contains information specific to the implementation of the CRPD.

CRPD Reporting Process cont'd

1. Upon submission, the **report is scheduled for consideration** by the CRPD Committee.
2. Reports are generally considered in the order in which they are received. Generally it takes a minimum of one year before its consideration by the CRPD Committee.
3. The CRPD Committee conducts a preliminary review of the State Party report and prepares a **List of Issues (LOI)** which serves to supplement and update the information provided in the initial report.

CRPD Reporting Process cont'd

4. The State Party is requested to respond to the **LOI** in writing within a set time limit.
5. The report and the responses to the list of issues are then considered at the next **CRPD Plenary Session**.
 - The State Party is invited to participate in the plenary session in order to respond to questions posed by Committee members and to provide the Committee with additional information.

CRPD Reporting Process cont'd

6. At the end of the dialogue, the Committee issues **concluding observations** which point out:
 - The positive aspects, the factors and difficulties impeding the implementation of the CRPD, the principal subjects of concern and concrete suggestions and **recommendations** for future action.

CRPD Reporting Process cont'd

- During this process CSOs can submit a parallel/shadow report to the Committee giving the civil society perspective on CRPD implementation and addressing issues that may not have been adequately addressed in the state report.

1 State party prepares and submits its report

2 The committee presents list of issues to the State party

3 State party submits written replies to list of issues

4 Constructive dialogue between the committee and State party delegation during session of the committee

5 The committee issues its concluding observations on the report, including recommendations

6 Procedure to follow up on implementation of the committee's recommendations



CRPD Reporting:

Key points to remember

- What measures have been taken to harmonize national law and policy with the provisions of CRPD?
- Stock-taking of the state of human rights protection for the purpose of policy planning and implementation
- Identify challenges and shortcomings in its approach to the implementation
- Plan and develop appropriate policies to achieve implementation of CRPD

CRPD Reporting: The preparation of a State party report

- **Consultative** process within the Government and with counterparts
- **Opportunity** under CRPD art. 4(3) for an open and transparent process and the participation of representative organizations of persons with disabilities

CRPD Reporting:

Initial Report

- Each State party to the CRPD must submit to the Committee an initial comprehensive report on measures taken to implement the Convention.
- The initial report should:
 - Establish the constitutional, legal and administrative framework for the implementation of the Convention;
 - Explain the policies and programmes adopted to implement each of the Convention's provisions; and
 - Identify progress made in the realization of the rights of persons with disabilities.

CRPD: Subsequent Reports

- Each State party must submit subsequent reports at least every four years or whenever the Committee requests one.
- Subsequent reports should:
 - Respond to the concerns and other issues highlighted by the Committee in its concluding observations in previous reports;
 - Indicate progress made in the realization of the rights of persons with disabilities over the reporting period; and
 - Highlight any obstacles that the Government and other actors might have faced in implementing the Convention over the reporting period.

CRPD: State Reporting

- States parties should prepare their reports in an open and transparent manner and should consult with and involve persons with disabilities and their representative organizations.

CRPD Reporting:

What constitutes a good State party report....?

- Follows the reporting guidelines- cover every article!
- Indicates how CRPD translates to reality and general conditions in the country
- Includes recent, disaggregated statistics
- Is well structured and paragraphs numbered
- Respects the word limits
 - 31,800 words for initial report
- Is concise and honest
- Is the result of broad consultations with NHRIs and civil society
- Creates state ownership

CRPD Reporting: What not to do

- Merely list or describe the legislation adopted
- Repeat information contained in the Common Core Document
- Be complacent about the human rights situation
- Leave the task to a sole expert/consultant
- Circulate draft with other stakeholders only for information purposes (and not for consultation)

Advantages of Periodic Reporting

- Provides an instrument through which Governments, national human rights institutions and civil society can better understand the objectives and rights included in the Convention;
- Raises awareness about the Convention and the situation of the rights of persons with disabilities in the country;
- Allows the Government to benefit from the expertise of an independent, international committee on how to improve implementation of the Convention;
- Highlights good practices and experiences in the country

Advantages of Periodic Reporting

- Allows a Government to tell its story, about its own people, in its own language (rather than UN agencies or development partners).
- Allows Governments to benefit from the good practices and experiences of other States, as all periodic reports and concluding observations by the committees are public documents; and
- Indicates areas where international cooperation, particularly through the United Nations, might be desirable. The reports are an important source of information for development partners in supporting human rights-based development projects.

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The End