



# 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**