

Engagement of the article 33(2) Independent Monitoring Mechanisms with the UNCRPD Committee and Disabled Persons' Organisations

Training event for equality bodies and National Human Rights Institutions

Riga, 3-4 October 2018

Concept note

BACKGROUND

The 2006 UN Convention on the Rights of Persons with Disabilities (hereafter “the Convention”) and its Optional Protocol are the key international instruments protecting the human rights of persons with disabilities. The UN Treaty Body set up to monitor the implementation of the CRPD is the Committee on the Rights of Persons with Disabilities (CRPD Committee). State Parties are obliged to submit regular reports to the Committee on how the rights are being implemented, which examines them and provides general recommendations.

Article 33(2) of the Convention foresees the designation of “*a framework, including one or more independent mechanisms (...) to promote, protect and monitor implementation of the (...) Convention*”. It also highlights that “*States Parties shall take into account the principles relating to the status and functioning of national institutions for protection and promotion of human rights*”.

The unique mandate of both equality bodies and National Human Rights Institutions (NHRIs) in protecting and promoting human rights and equality makes them a **logical choice when designating independent mechanisms at national level**. In 2017, 32 equality bodies and NHRIs were designated independent mechanisms to promote, protect and monitor the implementation of the CRPD under article 33(2) in 29 countries (*see list in annex*).

In practice, independent mechanisms raise awareness about the Convention, handle complaints and produce recommendations to improve its implementation. They have therefore a strategic role in engaging with the Committee when their State Party is being examined. In February 2018, the Global Alliance of NHRIs (GANHRI) held a [joint conference](#) with the CRPD Committee, and both parties committed to strengthening collaboration and co-operation.

More importantly, the involvement and expertise of Disabled People’s Organisations (DPOs) are key to feeding into the work of independent mechanisms. As they are predominantly composed of persons of disabilities, their voices are essential to ensuring representation of those concerned by the Convention. Article 33(3) UNCRPD also secures their involvement and full participation in the monitoring process.

Rationale for the organisation of a training event

All independent mechanisms are now invited to a training event in order to:

- Reflect upon how best to engage with DPOs to ensure the key concerns of disabled persons and civil society in the implementation of the CRPD are taken into account and also to support DPOs to conduct their own independent monitoring and follow up on effective national implementation.
- Build effective engagement with the CRPD Committee with the aim to achieve a **better implementation of the Convention** at national level.
- In spite of the mention of Paris Principles in the Convention, the designation of equality bodies and NHRIs as independent mechanisms is **not always accompanied by adequate human and financial resources** to implement their new mandate and to engage with the CRPD Committee. This makes the need for building the capacity of IMMs even more essential.
- State Parties are at different stages of being reviewed by the CRPD Committee. This implies **various levels of experience** of the equality bodies and NHRIs when monitoring the implementation of the Convention and engaging with the CRPD Committee.

OBJECTIVES

- Increase and support strategic capacity of equality bodies and NHRIs to engage with DPOs
- Increase and support strategic capacity of equality bodies and NHRIs to engage with the UNCRPD Committee, taking into account input from DPOs
- Strengthen links and peer support among independent mechanisms including through the work of ENNHRI's CRPD Working Group¹

PARTICIPANTS

The training event targets staff members of equality bodies and NHRIs who are responsible for the monitoring, protection and promotion of the Convention and would like to increase their skills and capacity to engage with the CRPD Committee and DPOs as well as to explore ways for securing participation of DPOs in the engagement process with the CRPD Committee.

The training event is designed for maximum **25 participants**. The list of potential interested institutions is available in the annex.

The event will be preceded by a meeting of ENNHRI's CRPD WG, taking place on Tuesday, 2nd October.

LOGISTICS

ENNHRI and Equinet will cover travel and reimbursement costs (including two hotel nights), according to usual policies.

CONTENT – FIRST IDEAS

- mapping (based on members input through survey) the participants current engagement with DPOs for the purpose of implementing their IMM mandate
- expert input on meaningful inclusion and participation of DPOs + Q/A + interactive session
- expert input on meaningful engagement with UNCRPD Committee (including drafting parallel reports and following up on concluding observations) + Q/A + interactive session

¹ ENNHRI's thematic Working Group on CRPD provides a point of contact and coordinates the activities of NHRIs, equality bodies and other CRPD independent mechanism concerning the Convention.

- brainstorm on steps towards improvement + action plan for participants (including basis for a later survey on progress)

PARTNER ORGANISATIONS

The European Disability Forum (EDF), Inclusion Europe and the UN Office of the High Commissioner for Human Rights (OHCHR) are proposed to partner with Equinet and ENNHRI in order to:

- Provide expertise and feedback on the agenda of the training event,
- Facilitate contacts with potential speakers from DPOs and the CRPD Committee.

CONTACTS

To register interest, contact:

Equinet: Moana Genevey, Membership and Policy Officer (Moana.Genevey@equineteurope.org)

ENNHRI: Siri Berge Engerud, Junior Programme Officer (Siri.Engerud@ennhri.org)

ANNEX: List of Equinet and ENNHRI members designated under the article 33(2) of the UNCRPD

	Equinet member (8)
	ENNHRI member (15)
	Both Equinet and ENNHRI member (9)
N/A	No Equinet or ENNHRI member designated under article 33(2)

	Country	Article 33(2) Framework
1	Albania	No independent mechanism (but People's Advocate Institution is member of ENNHRI UNCRPD WG)
2	Armenia	N/A
3	Austria	Austrian Ombudsman Board
4	Azerbaijan	Commissioner for Human Rights (Ombudsman)
5	Belgium	Unia
6	Bosnia & Herzegovina	N/A
7	Bulgaria	No independent mechanism
8	Croatia	Ombudswoman for Persons with Disabilities
9	Cyprus	Office of the Commissioner for Administration and Human Rights
10	Czech Republic	Public Defender of Rights (<i>from 2018</i>)
11	Denmark	Danish Institute for Human Rights
12	Estonia	N/A
13	Finland	Human Rights Centre and the Parliamentary Ombudsman
14	France	National Advisory Council for Human Rights
15		Defender of Rights
16	Georgia	Office of the Public Defender of Georgia
17	Germany	German Institute for Human Rights
18	Great Britain	Equality and Human Rights Commission

19	Greece	No independent mechanism
20	Hungary	N/A
21	Ireland	Irish Human Rights and Equality Commission (<i>from ratification by Ireland</i>)
22	Italy	N/A
23	Kosovo²	-
24	Latvia	Ombudsman's Office of the Republic of Latvia
25	Lithuania	Office of the Equal Opportunities Ombudsperson
26	Luxembourg	Luxembourg Human Rights Consultative Body
27		Centre for Equal Treatment
28	Macedonia (FYROM)	Ombudsman Institution of the Republic of Macedonia
29	Malta	National Commission for Persons with Disabilities
30	Moldova	People's Advocate of the Republic of Moldova
31	Montenegro	Protector of Human Rights and Freedom of Montenegro
32	Netherlands	Netherlands Institute for Human Rights
33	Northern Ireland	Northern Ireland Human Rights Commission
34		Equality Commission for Northern Ireland
35	Norway	Equality and Non-Discrimination Ombud
36	Poland	Commissioner for Human Rights
37	Portugal	To be clarified
38	Romania	Romanian Institute for Human Rights
39	Russian Federation	No independent mechanism
40	Scotland	Scottish Human Rights Commission

² All reference to Kosovo, whether to the territory, institutions or population, shall be understood in full compliance with United Nations Security Council Resolution 1244 and without prejudice to the status of Kosovo.

41	Serbia	Protector of Citizens of the Republic of Serbia
42	Slovakia	N/A
43	Slovenia	N/A
44	Spain	N/A
45	Sweden	No independent mechanism
46	Turkey	National Human Rights Institution of Turkey
47	Ukraine	No independent mechanism