Reporting Guidance for States Parties: Tips for Reporting on Disability Inclusive Development and Implementation of Article 32 of the CRPD

1. In accordance with Article 35, paragraph 1, of the Convention on the Rights of Persons with Disabilities (the Convention), each State Party undertakes to submit to the Secretary-General of the United Nations, for consideration by the Committee on the Rights of Persons with Disabilities (the Committee), a report on measures taken to give effect to its obligations under the Convention: (a) within two years after the entry into force of the Convention for the State concerned, and (b) thereafter at least every four years and whenever the Committee so requests. Article 36, paragraph 1, also provides that the Committee may request further information from the States Parties.

2. The purpose of reporting guidelines is to advise States Parties on the form and content of their reports, to facilitate the preparation of reports and ensure that these are comprehensive and presented in a uniform manner by States Parties. Compliance with the reporting guidelines will also reduce the need for the Committee to request further information under Article 36 and under Rule 36, paragraph 3, of its rules of procedure.

3. States should consider the reporting process, including the process of preparation of their reports, not only as a means to ensure compliance with their international obligations, but also as an opportunity to take stock of the state of human rights protection within their jurisdiction for the purpose of more efficient policy planning and implementation of the Convention. The report preparation process thus offers an occasion for each State Party to:

(a) Conduct a comprehensive review of the measures it has taken to harmonize national law and policy with the provisions of the relevant international human rights treaties to which it is a party.

(b) Monitor progress made in promoting the enjoyment of the rights set forth in the treaties in the context of the promotion of human rights in general.

(c) Identify problems and shortcomings in its approach to the implementation of the treaties.

(d) Plan and develop appropriate policies to achieve these goals.

Furthermore, States Parties should encourage and facilitate the involvement of non-governmental organizations, including organizations of persons with disabilities in the preparation of reports. Such constructive engagement on the part of these organizations will enhance the quality of reports as well as promote the enjoyment by all of the rights protected by the Convention. The reports should contain an explanation of the procedure used to consult with civil society and in particular with representative organizations of persons with disabilities and the measures taken to ensure that this process was fully accessible.

Specific Guidance to States on Article 32 Reporting: CRPD Reporting Guidelines on Article 32 with Commentary

The CRPD Committee in its reporting guidelines to State lists several questions to guide States Parties in their Reporting on Article 32.

1. What measures have been taken to guarantee that international cooperation be inclusive and accessible by persons with disabilities?

   > **Commentary:** Here, the Committee will want to understand whether a country has adopted a policy on disability inclusion if it is a donor country or whether it has a policy on disability inclusion in relation to the receipt of international development funding if it is a recipient of donor development funding. Measures that could be reported on include:
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   > - Does the country's development plan address the inclusion of persons with disabilities?
   > - For donor countries, is there a disability inclusive development policy for the agency/ies that is in charge of development assistance?
   > - Is there a focal point in the development agency on disability inclusion?
   > - Are organizations of persons with disabilities engaged in development decision-making (relevant for donor and recipient countries)?

2. Measures taken to guarantee that donor funds are properly used by recipient States (including by providing examples, numbers and percentages of successful targeted funding)

   > **Commentary:** Here, the Committee wants to understand whether States that give donor funding or that receive funding are actually monitoring the use of such funding. Questions to consider are:
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   > - Are there any monitoring reports on disability inclusion in development programs? Are there disability specific indicators in monitoring and evaluation framework for development projects? Is data disaggregated on the basis of disability to understand whether persons with disabilities re being reached? Do stakeholder engagement plans address disability inclusion?
   > - Are there evaluations undertaken of disability inclusive development projects to ascertain if the projects have impact?
   > - Do Terms of Reference and Statement of Work for development project address the inclusion of persons with disabilities?
   > - Do Requests for Proposals for development funding require disability inclusion in the responses?

3. Programmes and projects which specifically target persons with disabilities and the percentage of the total budget allocated to them.

> **Commentary:** Here the Committee is interested in knowing whether specific development projects that target persons with disabilities are being funded and what percentage of development funding is allocated to such disability focused projects. It is recognized that disability inclusive development will entail two approaches. First, the mainstreaming of disability into all development projects and two, the targeting of persons with disabilities in specific programs. This is the "twin track approach" and civil society organizations should assess both types of programs – mainstream and disability-specific.

4. Affirmative-action measures taken towards the inclusion of the most vulnerable groups among persons with disability, such as women, children, etc.

> **Commentary:** This is a general question that should be applied to scrutinize and monitor all phases of a development project to assess whether and how the program is inclusive of and accommodating participants with disabilities – whatever their role as development workers, development implementers, or beneficiaries of development. Questions might include whether the following measures are being undertaken:
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> - Do development project budgets contain a line item for reasonable accommodation and other accessibility measures?
> - Do development plans engage with organizations of persons with disabilities to ensure that highly marginalized populations, including persons with disabilities, are reached?
> - Do projects specifically address the needs of persons with disabilities through stakeholder engagement followed by the adoption of measures to reduce barriers (for example, do education projects include training on inclusive education, funding to remove barriers in school facilities, among others)

5. Degree of participation of persons with disabilities in the design, development and evaluation of programmes and projects.

> **Commentary:** Here the Committee is interested in knowing about stakeholder engagement in development. In other words, to what extent are persons with disabilities being consulted and meaningfully participating in all phases of development. This recognizes the role accorded to persons with disabilities in Article 4(3) of the CRPD on the role of person with disabilities in participating in decisions that affect them. Measures might include:
> - The adoption of specific stakeholder engagement requirements that are disability inclusive.
> - The inclusion of OPDs in stakeholder engagement planning documents.
> - Data showing OPD engagement in development decisions and programs.
> - Documentation showing how to reach persons with disabilities and OPDs for stakeholder engagement purposes.

- Assessing through program evaluation whether OPDs and persons with disabilities are being engaged in development projects.

6. Degree of mainstreamed action towards persons with disabilities in the general programmes and projects developed.

Commentary: Here the Committee is interested in knowing whether and how disability inclusion is being mainstreamed in development programs across all sectors. This is an important element of the twin track approach to disability inclusive development, and it recognizes that the vast majority of development cooperation projects are mainstream, large programs that should be inclusive of persons with disabilities, whether education, water and sanitation, heath, employment, democracy and governance, transport, urban development, agriculture or any other sector of development.

7. Actions toward facilitating and supporting capacity-building, including through the exchange and sharing of information, experiences, training programmes and best practices.

Commentary: Here the Committee is interested in knowing how governments are actively supporting the capacity building of organizations of persons with disabilities, leaders from the disability community, among others. Funding of international cooperation very often supports exchanges, civil society capacity building, training, sharing best practices. All of these efforts should both include persons with disabilities and develop targeted programs specifically benefiting persons with disabilities and their representative organizations.

8. Whether policies and programmes targeting the Sustainable Development Goals (SDGs) take into account the rights of persons with disabilities.

Commentary: Here the Committee is interested in knowing whether the most important global policy framework on development is being implemented in a way that ensure the participation and inclusion of persons with disabilities. The predecessor MDGs was not disability inclusive. However, the SDGs are far more disability inclusive and have targets and indicators that are explicitly disability inclusive. In that regard, projects funding the support of the SDGs must be disability inclusive to comply with the commitments undertaken by States. Measures include:

- Providing data on disability inclusion in SDGs reporting
- Developing specific targets for disability inclusive SDGs
- Monitoring to what extent persons with disabilities are being included in SDG programming.

9. On the development, progress, and effectiveness of programmes for the exchange of technical know-how and expertise for the assistance of persons with disabilities.

> **Commentary:** Here the Committee is interested in knowing specifically about programming that supports, through international cooperation, technical knowledge and understanding of assistance of persons with disabilities to facilitate their full participation in society. Many countries have little experience in supporting persons with disabilities consistent with the CRPD, hence the importance of this type of international cooperation assistance