

DRAFT THIRD DISABILITY HIGH LEVEL GROUP REPORT
ON IMPLEMENTATION OF THE UN CONVENTION
ON THE RIGHTS OF PERSONS WITH DISABILITIES

(March 2010)

Disclaimer

* **This is an unedited early draft version.** A large part of this document is based on contributions written in English mainly by non native authors. The Commission did not have the time nor sufficient translating resources to correct linguistic imperfections. This linguistic reservation applies even more to most parts of the report dealing with Belgium, France and Luxemburg. These parts were originally drafted in French and then machine translated into English with rapid post editing only.

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INTRODUCTION

The information enclosed in this Report is prepared on the basis of replies to the questionnaire received from 27 Member States¹ and various non governmental stakeholders².

The first chapter summarises the updated information received on the state of play of the process of ratification and implementation of the UN Convention on the Rights of Persons with Disabilities (UNCRPD), including explanation of various procedures, mechanisms that have been set up, pointing out responsible authorities and in cases of countries that have not yet ratified the UNCRPD, the prospects for finalisation of the process.

The second chapter focuses on progress in national implementation and monitoring of UNCRPD, containing both governance aspect as covered by Article 33, as well as information on national strategies and actions developed in order to effectively put in practice the UNCRPD. This can help to identify good practices.

These chapters are complemented by three annexes with practical, detailed information. Annex1 presents in a table a state of signatures and ratifications/formal confirmation of the UNCRPD and the Optional Protocol by the Member States and the Union. Annex 2 lists details of identified responsible authorities, focal points, coordination mechanisms and contact points. Annex 3 provides links to websites where more information on the UNCRPD can be found, including national translations of the text of the UNCRPD and the Optional Protocol.

¹ AT, BE, BG, CY, CZ, DE, DK, EE, EL, ES, FI, FR, HU, IE, IT, LT,LU, LV, MT, NL, PL, PT, RO, SE, SK, SI, UK

² COFACE, EASPD, EDF

1. STATE OF PLAY ON SIGNATURE AND RATIFICATION OF THE CONVENTION AND OPTIONAL PROTOCOL IN THE EU AND THE MEMBER STATES

On 30 March 2007, the day of opening for signature, the UN Convention on the Rights of Persons with Disabilities was signed by the European Community and twenty two Member States. Seventeen of those Member States also signed the Optional Protocol. As of March 2010 the UN CRPD had been signed by the European Community and all its Member States. Eleven Members States: Austria, Belgium, Germany, France, Hungary, Italy, Portugal, Spain, Slovenia, Sweden and United Kingdom have already ratified both the Convention and its Optional Protocol. Czech Republic, Denmark and Latvia ratified the Convention. The EU finalised their internal procedures to conclude the UNCRPD, but have not yet deposited the instruments of ratification/formal confirmation at the UN.

Ratification

The ratification procedures are in most cases complicated and provide for various stages involving several institutions.

Austria signed the UNCRPD and the Optional Protocol on 30 March 2007 in New York. Both instruments were ratified on 6 August 2008 in Vienna and entered into force in Austria on 26 October 2008. (Art. 50 Absatz 2 Ziffer 2 B-VG, Art. 50 Absatz 2 Ziffer 3 B-VG)

In Belgium the statement of the reasons (Exposé des Motifs) was finalised on 21 March 2008. It was presented to the meeting of the Council of Ministers (Conseil des Ministres) by mid 2008. The Council of Ministers addresses it to the State Council (Conseil d'Etat) before presenting the file to the Parliament for a vote. The same procedure was followed at eight various levels of competent authority (federal state, the Communities and the Regions). Belgium ratified the Convention on 2 July 2009. It became executive on 1 August 2009. The first report from Belgium is due at the UN on 1 August 2011 at the latest.

Bulgaria is in the process of ratifying the Convention. The Ministry of Labour and Social Policy has been preparing documents which will be submitted to the Council of Ministers for approval. Under Bulgarian legislation the Parliament has the power to ratify the Convention. Bulgaria also signed Optional Protocol on 18.12.2008. The UN Convention will be translated and published in Bulgarian.

In Cyprus, the next step after the completion of the translation of the Convention is to adapt it to the Cypriot context after consultations with the Organisations for Persons with Disabilities, the responsible Ministries as well as the social partners. Then, it is to be submitted for approval to the Council of Ministers before it will be forwarded to the House of Representatives for ratification, through new legislation. The translation process was completed with the co-operation of Greece as well as the Organizations for Persons with Disabilities, both in Greece and in Cyprus. The overall co-ordination of the ratification procedure has been undertaken by the Department for Social Inclusion of Persons with Disabilities under the Ministry of Labour and Social Insurance through a mechanism of a special technical committee with the participation of all interested parties. The technical committee will also report to the Pancyprian Council for Persons with Disabilities being the highest consultative body on disability issues. The completion of the screening process, the submission of the ratification bill at the House of Representatives and its approval are expected to be fulfilled before mid 2010.

In the Czech Republic a detailed analysis of obligations provided for both, the Convention and the Optional Protocol has yet to be carried out. For each obligation, this means that: its compliance with the Constitutional order of the Czech Republic must be examined; corresponding provisions in national legislation are identified together with any relevant actions/programmes/activities pursued in this regard, which are subsequently assessed for determining whether full implementation of a particular obligation is already ensured. In the cases where implementation failed, no further steps in the ratification process can be made before the obstacles identified are removed, regardless of whether it is of legislative, financial, institutional or practical nature. Subsequently, the proposal will be formally discussed with other Ministries and Central bodies of the Government, submitted to the Cabinet for approval and then submitted to the Parliament. Both chambers of the Parliament have to approve the proposal for ratification. The procedure of ratification was accomplished in September 2009 and the Czech Republic ratified the Convention on 28 September 2009.

Denmark launched a comprehensive consultation process in the autumn of 2008, encompassing all ministries, organisations and the general public and aimed at assessing any legal and financial preconditions for and implications of ratifying the UN Convention on the Rights of Persons with Disabilities. The comprehensive consultation process formed the basis of the government's continued work. As the coordinating ministry of disability aspects, then the Ministry of Social Welfare, established an inter-ministerial working group in autumn 2008 tasked with identifying implications and preconditions for Denmark's ratification of the UN Disability Convention. The inter-ministerial working group held its first meeting on 4 September 2008. The meeting reviewed the obligations of the Convention and concluded that it needed, in particular, to study the scope of obligations inherent in the non-discrimination provisions under Article 5, obligations under the provisions of accessibility under Article 9 and obligations under the provision of education under Article 24. This conclusion led to the set up of three subgroups each charged with performing a detailed analysis of one of the mentioned problem areas. The Ministry of Social Welfare headed up the subgroups on non-discrimination provisions and accessibility, while the Ministry of Education was in charge of the subgroup on education. The subgroups on the non-discriminatory and accessibility provisions held two meetings, supplemented by several written consultation rounds. Concurrently with the work in the inter-ministerial working group, Denmark adopted Act no. 1347 of 19 December 2008 amending the Parliamentary Election Act, the Danish European Parliament Elections Act and the Local and Regional Government Election Act. The amended Act ensures that Denmark meets the provisions of Article 29 of the Convention, which require states to guarantee persons with disabilities political rights and the opportunity to enjoy them on an equal basis with others. In addition to the amendments made to the elections legislation, the inter-ministerial working group concluded that no further legislation was needed before Denmark could ratify the Convention. The analyses carried out by the subgroups and the inter-ministerial working group were presented to the government on 11 March 2009 and constituted the basis for preparing a motion for resolution to ratify the Convention. The draft motion for resolution underwent an external consultation round and was uploaded to the public consultation portal, www.borger.dk, on 23 March 2009, the deadline for comments being 6 April 2009. Stakeholder organisations were able to monitor the ratification process constantly at the Ministry of Social Welfare website and later at the Ministry of the Interior and Social Affairs website and were also able throughout the process to contact the Ministry directly. The final resolution was presented in the Danish parliament on 22 April 2009 and adopted on 28 May 2009. In close cooperation with the Ministry of Foreign Affairs, the Ministry of the Interior and Social Affairs subsequently launched the preparation of the ratification instruments for the formal ratification of the UN Disability Convention. The ratification instrument was deposited on 23 July 2009. The Convention has formally been in force for Denmark since 23 August 2009. The ministry of Social Welfare

and later the Ministry of the Interior and Social Affairs and now the Ministry of Social Affairs regularly briefed the Organisations for People with Disabilities in Denmark throughout the entire ratification process. Additionally, four meetings were held with these Organisations in Denmark, at which the Convention and the ratification process were discussed and reviewed.

Estonia: A detailed analysis of obligations provided for in the UNCRPD is done. For each obligation, this means that: Its compliance with the Estonian Constitutional order is examined; corresponding provisions in national legislation are identified together with any relevant actions/programmes/activities pursued in this regard, which are subsequently assessed for determining whether full implementation of a particular obligation is already ensured. The Ministry of Social Affairs issued a consultation paper to consult with people with disabilities in particular on the impact of the UN Convention in those areas where its articles are at variance with current and proposed law and on the impact of the proposals on individuals, businesses and others. The consultation process is ongoing. The UN Convention articles are formally discussed with other Ministries and the Estonian Chamber of People with Disabilities and soon be submitted to the Government of the Republic of Estonia for approval and then submitted to the Parliament of Estonia. Both, the Government and the Parliament have to approve the proposal for ratification. If the Parliament gives its consent to the proposal, it will finally be submitted to the President, who has the discretion in deciding whether or not to sign the instrument of ratification. Lots of preparatory work has already been undertaken but the final timetable for the legislative work to be completed is still pending. Additional issues requiring further clarification or legislative amendments may also emerge during the preparation for ratification. The preparation takes several years and Estonia would be prepared to ratify the UN Convention in 2010 at the earliest. Estonia will move towards ratification as soon as is practicable.

In Finland, the main part of the legislation already complies with the requirements of the Convention. The Ministry of Social Affairs and Health is preparing the legislative amendments needed for the ratification of the Convention. A new Act on the use of coercion on persons with intellectual disabilities and dementia will be required by Article 14 of the Convention (Liberty and security of person). A working group to prepare the legislation is currently being set up. In relation to the right of persons with disabilities in need of institutional or residential care to move from one municipality to another, Article 18 (Liberty of movement and nationality) and Article 19 (living independently and being included in the community) require that (1) the restriction on choosing one's municipality of residence laid down in Section 3 of the Municipality of Residence Act be eliminated by dividing the relevant costs between municipalities, (2) section 13 of the Social Welfare Act be amended so that social services may be provided not only to the residents of a municipality but also to persons moving there. The Ministry of Social Affairs and Health is responsible for consequently preparing the relevant Government bills. The legislative amendments necessitated by the ratification are being prepared and are to be completed during 2010. Additional issues requiring further clarification or specification of legislation may also emerge during the preparation for ratification. Finland has currently no mechanism that has been, or could as such be, designated to attend to the tasks referred to Article 33.2. of the UN Convention. Thus, the ratification of the Convention will necessitate either the establishment of a new mechanism or the transformation or some existing mechanism into such a mechanism. Preparation of the legislative amendments will probably take several years and Finland would be prepared to ratify the Convention in 2011 at the earliest.

France ratified the UNCRPD and the Optional Protocol on 18 February 2010. The ratification of the UN CRPD and the Option Protocol was enabled by Law 2009-1791 of 31 December 2009. The instruments of ratification were deposited at the UN on 18 February 2010.

Consequently, the Convention and the Optional Protocol entered into force in France on 20 March 2010.

Germany: The German Bundestag passed the law with the consent of the Bundesrat which was necessary for ratifying the Convention and the Optional Protocol. The law entered into force on 1 January 2009. The instruments of ratification were deposited 24 February 2009 at the U. N. Headquarters. Germany ratified the Convention and the Optional Protocol without any interpretative statement or reservation. Germany has translated both the Convention and the Protocol into sign and easy-to-read versions.

In Greece the process of signing the Optional Protocol is almost completed. The qualified ministries have expressed their opinions and their statements and it is considered that in a short time it will be signed. Then the process of ratification the Convention and the Protocol will begin. Consultation will be required with all the involved institutions (also qualified ministries, organizations of people with disabilities etc.) to cover all subjects involved in the ratification. The ratification process is long so until completed, measures are taken to create suitable conditions for a smooth implementation as soon as the ratification process is completed.

Hungary has ratified the Convention and the Optional Protocol on the 20th July 2007 by the Act No 92 of 2007.

Ireland: Ireland signed, subject to ratification, the UNCRPD on its opening for signature on 30 March 2007. It is the Government of Ireland's intention to ratify the UNCRPD as quickly as possible, taking into account the need to ensure that all necessary requirements under the Convention are being met. There will be no undue delay in the State's ratification of it. The National Disability Strategy (NDS) of Ireland in many respects comprehends many of the provisions of the UNCRPD. A high-level Interdepartmental Committee advises on and monitors legislative, policy and administrative actions required to enable the State to ratify the UNCRPD. This Committee has developed a Work Programme to (i) address any elements of the National Disability Strategy that require alignment with the Convention and (ii) address any matters that fall outside the NDS which are required to enable Ireland to ratify. This programme is being progressed across the relevant Government Departments. The Committee will also closely examine the Optional Protocol to the Convention in consultation with the Department of Foreign Affairs and the Office of the Attorney General (the Government's legal advisers). The Optional Protocol will be addressed by the Government at the time of ratification of the Convention.

On 28 November 2008, the Italian Government approved the ratification proposal for the UN Convention and Optional Protocol, which was passed by the Parliament on the 24 February 2009. Under the law no. 18 on 3 March 2009, the Italian Parliament has ratified the UN Convention and the Protocol. The ratification decision establishes also the national Observatory on the condition of the persons with disabilities. The Observatory is responsible for the implementation of the UNCRPD in close co-operation with the Inter-ministerial Committee on Human Rights. It will also assure the monitoring activities provided by Article 33.2 of the UN Convention. On 15 May 2009 Italy deposited its instruments of the ratification with the depositary of the Convention.

On 28 January 2010 the Parliament of Latvia has ratified Convention at the national level and on 17 February 2010 the President of Latvia has proclaimed the Law on Convention on the Rights of Persons with Disabilities. In accordance to the Depositary Notification communicated by the Secretary-General of the United Nations the ratification was completed on 1 March 2010. The Convention will enter into force for Latvia on 31 March 2010 in

accordance with its article 45(2). Furthermore, Latvia has signed the Optional Protocol to the Convention on the Rights of Persons with Disabilities on 22 January 2010. The Law on the Optional Protocol to the Convention on the Rights of Persons with Disabilities has been sent to the Parliament. After readings and acceptance of this law by the Parliament and proclaiming by the President, the Ministry of Foreign Affairs will submit all necessary documents to deposit of this instrument of ratification with the Secretary-General of the United Nations. There should not be any obstacles to ratify the Protocol during 2010.

On 30 March 2007, the Minister of Social Security and Labour of Lithuania signed the UNCRPD and its Optional Protocol in New York. On 27 June 2007, by the Order No. A1-176, the Minister of Social Security and Labour initiated an inter-institutional taskforce to deliver the analysis of relevance and feasibility for ratification of these international documents. The taskforce involves representatives from the Ministry of Culture, the Ministry of health, the Ministry of Education and Science, the Ministry of Transport and Communication, the Ministry of Social Security and Labour, the Ministry of Foreign Affairs, the Ministry of National Defence, the Ministry of Environment, the Office of Equal Opportunities Ombudsperson, the Department of Physical Education and Sports under the Government of the Republic of Lithuania and representatives of NGOs. In a meeting of the taskforce on 23 November, the draft analysis of relevance and feasibility of UNCRPD was introduced. The issued draft investigates the conformity of the Lithuanian legal system with the provisions of the Convention as well as the possibility of ratifying all articles of the Convention and the Protocol. Taking into account the fact that the Convention covers most policy areas and touches upon various legal, social, educational, economic, and health care aspects, it was decided that the draft Convention and the situation of persons with disability in Lithuania had to be analysed in more detail. It was suggested that round tables should be organised in order to discuss separate topical areas of the Convention and to evaluate everything that still needed to be done, i.e. what law-making, administrative, informational, and other measures have to be undertaken in order to implement the rights of persons with disability acknowledged by the Convention. Upon revision of the aforementioned analysis of the Convention and taking into account opinions of various institutions regarding ratification possibilities—following the procedure set out in legislation—a draft Law on Convention and its Optional Protocol Ratification had been prepared and supplied to the Government and the President of the Republic of Lithuania. The Government and the President of the Republic of Lithuania have already approved this draft Law on Convention and its Optional Protocol ratification. At this stage, the draft Law is under discussion in the Committees of the Seimas of the Republic of Lithuania. After the debate of the draft law in the Committees, the Seimas shall ratify the UNCRPD and its Optional Protocol. These documents are expected to be ratified during the spring session of the Seimas (2010). The spring session lasts from March 10th till June 30th.

Luxembourg intends to ratify the Convention in 2010. After having analysed the compatibility of national legislation with the Convention - in order to identify potential conflicting laws or regulations - Luxembourg will start the official ratification procedure during the first trimester of this year. The Convention and the Optional Protocol will be approved through a law. Once the Government Council has approved the bill, it will be passed on by the Minister of Family Affairs and Integration to the Chamber of Deputies (la Chambre des Députés) for further discussion. It is important to mention that the Chamber can't take the final vote before the Council of State (Conseil d'Etat) has advised the bill. The following steps include the sanction of the law, the ministerial countersignature and the promulgation of the law by the Grand duke. The law will become executive once has been signed by the Grand duke. Unfortunately, it is not possible to foresee when the legislative procedure will be completed.

In Malta, the Office of the Prime Minister has set up an inter-ministerial committee to study what steps need to be taken so as to ensure that Malta will be in a position to ratify the Convention and the Optional Protocol. The committee has concluded its deliberations and a draft report is in its concluding stages at present. It is envisaged that amendments to existing laws, or even, in some instances, new legislation may be required. Furthermore, there are also administrative measures that need to be undertaken. Once the required amendments to legislation are enacted it is expected that the Government will proceed with ratification. Only minor internal procedures remain pending for the necessary ratification. These will be settled shortly.

In The Netherlands four major procedural steps towards ratification were identified. 1. Translation into Dutch; that has been finished in 2007; 2. Legal analysis of the content of the convention, based on the adopted text; this analysis is in the final phase. 3. Legal analysis of the Dutch legislation; this analysis is in the final phase. 4. Based on the primarily results of steps 3 and 4 draft versions of the approval and introductory act are prepared. This act contains all changes necessary in Dutch laws to actually implement the Convention. Parallel to steps 3 and 4 the provisions of the Convention will be introduced into Dutch policy and into new legislation.

The Netherlands expect to finish the proposals for legislation for the UNCRPD ratification in June. These proposals will then be submitted to the Council of State's advice. Upon receipt of this advice the proposals for legislation may be amended based on the advice. Subsequently, the proposals for legislation will be sent to the Parliament. It is expected that this will take place at the end of 2010. The ratification process will be concluded when both Chambers of Parliament have consented to the proposals for legislation. This planning might be influenced by the outcome of the forthcoming general elections.

In May 2009 a conference took place where experts in the field of equal treatment discussed the first results of the analyses. The results will be implemented into the final drafts of the acts mentioned before. During 2009 four issues of a first newsletter on the progress of equal treatment in the governmental domain was published. The dissemination of this newsletter will continue in 2010 and it cover all relevant topics on promoting equal treatment of persons with a disability. In February, a congress (sponsored by the government) had indicated actions that citizens (with and without disabilities and service provider) might take towards an inclusive society. The outcome of these actions will be discussed in a second conference in September 2010.

Poland: Polish policy related to the ratification of international agreements maintains that before opening the final stage of the ratification process (preparing the ratification act and submitting it to the Council of Ministers and the Parliament) amendments to the legal acts must be adopted (or at least the adoption procedure should be well advanced), especially as concerns important ones or those with financial implications. The decision on the ratification of the Convention will be taken on the basis of a detailed analysis of its provisions and of the Polish legislation, policy and practice in the areas covered by the Convention. This analysis was initiated in December 2008. A second stage of work (opened in February 2010) consists of preparing an extensive report based on the document "Guidelines on treaty-specific document to be submitted by states parties under article 35, paragraph 1, of the Convention on the Rights of Persons with Disabilities", adopted by the Committee on the Rights of Persons with Disabilities, and published in November 2009. The report will provide a basis for decisions on the ratification. When establishing the report, the Ministry of Labour and Social Policy will undertake extensive consultations within national administration, with social partners and NGOs. The outcome of the work will be presented at the Council of Ministers together with a proposal on future actions. It is expected that these documents will be submitted to the Council of Ministers for final decisions by the end of 2010. For

international agreements concerning human rights, the Polish Constitution requires "a major ratification process", which means that the Council of Ministers has to adopt a draft Act on the ratification and submit it to the Parliament for consideration and approval, before the President can ratify it. Practice has shown that it takes at least 6 months from the opening of interministerial consultations on a draft Act on ratification to the signing of the Act by the President. Ratified agreements are promulgated in the Official Journal of Laws and only then constitute part of the domestic legal order. They are applied directly unless their application depends on the enactment of a statute. By virtue of the Constitution, an agreement ratified upon prior consent granted by statute (i.e. in the "major ratification process") has precedence over statutes if the agreement cannot be reconciled with the provisions of the statutes.

Portugal: The Convention was already ratified by a President of the Republic Decree. As the Convention has an important impact in many relevant subjects of the Portuguese legislation, it will be necessary to make an assessment study in the Parliament to define the legal adaptations needed.

In Romania, the project law of UNCRPD Ratification is currently in the process of endorsement by all the ministries involved. After the endorsement process, the project law will be discussed and voted in the Romanian Parliament. Next, the Ratification Law of the UNCRPD will be promulgated by the President of Romania. It is expected that the UNCRPD will be ratified in 2010.

Ivan Gašparovič, the President of the Slovak Republic, signed the Convention on 26 September 2007. The Government of the SR expressed its agreement to the proposal for ratification of the Convention and the Optional Protocol by its Resolution No. 117 of 10 February 2010, recommending the President to sign the instruments of ratification and, the National Council of the SR, to express agreement to the ratification of the Convention and the Optional Protocol, with a reservation concerning the application of the provision of Article 27 paragraph 1 (a) of the Convention, "with a provision that the implementation of the prohibition of discrimination on the ground of disability in specifying the conditions for recruitment, acceptance in employment and the duration of employment is not applicable to the recruitment in the service relationship of the members of the armed force, armed police force, armed corps, the Slovak National Certification Authority, the Slovak Information Service and the fire and rescue service". The National Council of the SR expressed its agreement to the ratification of the Convention and the Optional Protocol by its Resolution No. 2048, of 9 March 2010, and also agreed to the application of the reservation of the SR concerning the implementation of the provision of Article 27 paragraph 1 (a) of the Convention. At present, the Ministry of Labour, Social Affairs and Family of the SR has requested the Ministry of Foreign Affairs of the SR to issue the instruments of ratification of the Convention and the Optional Protocol. It is expected that these will soon be signed by the President of the SR.

Slovenia: The Act on Ratification of the Convention and the Protocol was adopted in the Parliament on April 2, 2008. Then, the Convention and the Protocol were published in the Official Journal of the Republic in Slovenia. Ministry of Foreign Affairs sent the documents to the UN Permanent Mission of Slovenia, which handed in the documents at the UN on 24 April 2008. The UN Convention and the Protocol were officially translated, submitted to the UN and published on the UN web page by 2007. In 2008, the Convention was printed in Slovenian in both, the usual and the accessible formats for persons with disabilities, namely the easy-to-read, Braille and sign language versions.

Spain ratified the Convention and the optional protocol on 3 December 2007.

Sweden: An investigator within the Government's office has checked Swedish legislation in order to see if it is in harmony with the UN Convention's requirements and those of the Optional Protocol. This work has been published in a report and referred to stakeholders for further consideration. Then, the report formed the basis of a bill to the Parliament. The ratification of the Convention requires a parliamentary resolution. Sweden ratified the UN Convention and its Optional Protocol the 15 December 2008. According to the above mentioned investigation, the Swedish legislation is in harmony with the UN Convention's requirements. The translation into Swedish can be found at www.sweden.gov.se SÖ 2008:26.

United Kingdom ratified the Convention on the 8th June 2009 and the Optional Protocol on 7th August 2009. The UK entered an interpretative declaration and reservation in respect of: education; and reservations in respect of admission into and service in the armed forces; liberty of movement; and arrangements for benefit appointees. The UK is now developing reporting and monitoring arrangements, including the establishment of an independent mechanism comprising the UK's four equality and human rights commissions.

The European Union is in the process of conclusion of the UN Convention. On 29 August 2008, the Commission adopted and transmitted to the European Parliament and the Council two proposals concerning the conclusion by (then) the European Community, of the United Nations Convention on the Rights of Persons with Disabilities and its Optional Protocol.³ Both proposals were endorsed by the European Parliament on 24 April 2009. On 26 November 2009 the Council adopted a Decision concerning the conclusion, by (then) European Community, of the Convention⁴. As required by Articles 3 and 4 of this Decision first a Code of Conduct needs to be adopted before the deposit of the instrument of formal confirmation on behalf of the European Union can take place. The proposal concerning the conclusion of the Optional Protocol is still under discussion in the Council.

Declarations and Reservations

The majority of the Member States do not foresee any reservation as regards to the matter of application of the Convention or of the Optional Protocol. Even though the need for reservations after finalising the screening of the national legislation may arise, most countries express a strong political will to ratify the entire Convention and its Optional Protocol.

As exception, at the signing ceremony the Dutch Ambassador had a statement on several articles. It is not known now whether the need for new reservations or explanations will arise. The Maltese Government has also already made an interpretative statement regarding the phrase "sexual and reproductive health" in Article 25(a) to the effect that Malta understands that this phrase does not constitute recognition of any new international law obligation, does not create any abortion rights and cannot be interpreted to constitute support, endorsement, or promotion of abortion. Malta further understands that the use of this phrase is intended exclusively to underline the point where health services are provided, they are provided without discrimination on the basis of disability. Malta has also made a reservation pursuant to Article 29(a)(i) and (iii) of the Convention. While declaring its full commitment to ensure the effective and full participation of persons with disabilities in political and public life, including the right to vote by secret ballot in elections and referenda, and to stand for elections, with regard to Article 29(a)(i), Malta reserved the right to continue to apply its

³ COM (2008) 530 final

⁴Decision 2010/48/EC <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2010:023:0035:0061:EN:PDF>

current electoral legislation in so far as voting procedures, facilities and materials are concerned and with regard to (a)(iii) Malta reserved the right to continue to apply its current electoral legislation in so far as assistance to voting procedure is concerned. It is envisaged that both the above-mentioned interpretative statement and reservation will be confirmed on ratification. Also, at the moment of signing of the Convention in March 2007. France has not made any reservations; however, it made a declaration on the term 'consent' in Article 15. France will interpret this term in conformity with international instruments such as the Council of Europe Convention on Human Rights and Biomedicine and its Additional Protocol on Biomedical Research, as well as on its national legislation which is already consistent with the latter instruments. Poland submitted a reservation concerning article 23.1 (b) and 25 (a) (reproductive health). International law of treaties asks for the confirmation at the moment of submitting ratification documents. This point will be decided at the moment of ratifying the Convention. The UK has entered reservations in respect of Work and Employment (Convention Article 27 mainly); Equal Recognition Before the Law (Convention Article 12.4); and Liberty of Movement; and an interpretative declaration and a reservation in respect of Education (Convention Article 24, Clause 2 (a) and 2 (b)). The EU in the Decision concerning the conclusion of the UNCRPD states that it concludes the Convention without prejudice to the right, conferred on its Member States by virtue of the Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation, to exclude non-discrimination on the grounds of disability with respect to employment in the armed forces from the scope of the Directive. Therefore the Member States may, if appropriate, enter their own reservations to Article 27(1) of the Disabilities Convention to the extent that Article 3(4) of the said Council Directive.

2. ACTIONS UNDERTAKEN BY THE MEMBER STATES, EUROPEAN UNION AND STAKEHOLDERS TO IMPLEMENT AND MONITOR THE UNCRPD

Austria

1. National Implementation of the UNCRPD

1.1. Focal points and coordination mechanisms for implementing (Article 33.1)

In Austria, the Federal Ministry of Labour, Social Affairs and Consumer Protection is the governmental focal point in this respect.

The Ministry of Labour, Social Affairs and Consumer Protection will be also the coordinating body and thus mainly responsible for the National Action Plan 2011-2020 to implement the UNCRPD, containing the guidelines and strategies for the Austrian policy for persons with disabilities in the upcoming years

1.2. National strategies to implement the UNCRPD

The 'National Disability Action Plan' for 2011 to 2020 has been established with the purpose of implementing the UNCRPD. The Plan shall be built on the basis of the UN Guidelines referring to Art. 35, as well as to the Report of the Austrian Government on the Situation of Persons with Disabilities, published in 2008. It shall thus contain the guidelines and strategies for the Austrian policy for persons with disabilities in the upcoming years. The Federal Government will decide on the Plan.

The Federal Ministry of Labour, Social Affairs and Consumer Protection will be the coordinating body and therefore the main responsible for the National Action Plan. The Federal Disability Advisory Board will be involved in the process. In order to involve all stakeholders, the compilation of the Plan shall be reached in close cooperation with civil society.

The „Government Report on the situation of persons with disabilities in Austria 2008” has been translated into an “Easy to read” version.

2. Monitoring of the UNCRPD

2.1. Framework, including independent mechanisms, for promoting/ protecting/ monitoring (Article 33.2)

The 2008 Federal Disability Act established the Independent Monitoring Committee of the Federal Disability Advisory Board at the Federal Ministry of Labour, Social Affairs and Consumer Protection with representatives from the federal government, the provinces, the social insurance institutions, stakeholders, social partners and the Disability Ombudsman.

The Independent Monitoring Committee has started to work on implementing the UNCRPD. Since December 2008 the Committee has held 15 meetings (one per month). Every 6 months, a public meeting is organized. The second public meeting will take place in April 2010. The last meeting was held at the Austrian Parliament in November 2009.

13 individual complaints were raised until now. The Independent Monitoring Committee deals with statements related to the topic of disability (e.g. inclusive education, occupational and work therapy, guardianship). Although the Independent Monitoring Committee is only responsible for the federal level, it also deals with requests at the regional level if no other monitoring unit is in charge.

2.2 The involvement of civil society in the monitoring process (Article 33.3)

The Committee has taken steps to involve civil society in a high degree.

The Independent Monitoring Committee of the Federal Disability Advisory Board is solely composed of members from the civil society. In fact, the members of the Committee are NGOs, disability related organizations, human rights organizations, development aid organizations and representatives of academic institutions.

Representatives of stakeholder organisations are involved in many authoritative boards of the Federal government (for example protection against dismissal of people with disabilities, most second level authorities in matters of people with disabilities).

The Federal Disability Advisory Board (at the Federal Ministry of Labour, Social Affairs and Consumer Protection) with representatives from the Federal Government, the Provinces, the Social Insurance Institutions, Stakeholders, Social Partners and the Disability Ombudsman has to be heard by the Federal Minister of Labour, Social Affairs and Consumer Protection in all important issues concerning people with disabilities.

Furthermore, there are various tools and methods used in Austria to foster the empowerment of people with disabilities:

- Experts' opinions on laws
- Support in all questions about equal rights
- Raising public awareness: events, campaigns, reports, brochures
- Brochures in 'Easy-to-read'-versions
- Empowerment-programmes financed by the Federal Ministry of Labour, Social Affairs and Consumer Protection
- Working groups with representatives from the Federal Government, the Provinces and NGOs
- 'Peer-Groups'

2.3. Collecting statistics and/or developing indicators (Art. 31)

For the statistics that might be used for monitoring the implementation of the UN Convention, refer to the aforementioned 'Government Report on the situation of persons with disabilities in Austria 2008'.

Belgium

1. National Implementation of the UNCRPD

1.1. Focal points and coordination mechanisms for implementing (Article 33.1)

The federal entities are currently implementing the Convention in their respective competences in order to allow for an effective inclusion of persons with disabilities in the entire state of Belgium.

The working group 'Family, Sports and Well-Being', People with Disability section of the Interministerial Conference (CIM) has been created for this goal. On 9 mars 2010 the CIM unanimously agreed to:

- Put in place the relevant focal point and coordination mechanism as mentioned by article 33.1 of the UN Convention and the information note
- Put in place a interfederal coordination mechanism as mentioned in article 33.1 according to the general principles described in the information note ;

Thereby, focal points were established on a federal level as well as in the Flemish, Walloon, and German-speaking communities.

- At federal level, the focal point is the General Administration of Persons with Disabilities (*direction générale des Personnes handicapées*)
- In the Flemish region, the 'Equal Opportunities' (*égalité des chances*) body is the focal point.
- In the Walloon region, the Agency for Integration of Persons with Disabilities (*l'Agence Wallonne pour l'Intégration des Personnes handicapées*) is the focal point.
- In the German-speaking community, the Authority for Persons with Disabilities (*Dienststelle für Personen mit Behinderung*) is the focal point.

The General Administration of Persons with Disabilities will constitute the coordination mechanism.

Each Belgian authority is currently drafting its report in line with its respective competences. However a single report combining the information from all the authorities must be considered by the various competent authorities in Belgium when the UN convention has been ratified.

1.2. National strategies to implement the UNCRPD

Belgium ratified the Convention on 2 July 2009. It became executive on 1 August 2009. The first report from Belgium is due at the UN on 1 August 2011 at the latest.

The political actors from different federal entities are currently working intensively on the procedures for the implementation of Article 33 in order to:

- develop it in various aspects: focal points, coordination mechanisms, independent mechanisms and civil society association
- respect the individual competences of the federal political entities
- respect the Paris principles
- allow the full integration of people with disabilities in all aspects of daily life

On a regional level, the action plans reveal a transcending policy for the inclusion of persons with disabilities.

2. Monitoring of the UNCRPD

2.1. Framework, including independent mechanisms, for promoting/ protecting/ monitoring (Article 33.2)

According to Article 33, a monitoring mechanism must be deployed by the various competent authorities in Belgium when the UN CRPD has been ratified.

At the interministerial conference on 9 mars 2010 the following decisions have been made:

- To put in place a mechanism to promote, protect and monitor the UNCRPD within the Centre for Equal Opportunities and Opposition to Racism.
- The 'International Relations' working group was established to draft the necessary documents on legislation, regulation and budget. Through regular dialogue with civil society, the working group will decide upon the independence, the mission and the functioning of this mechanism. This working group will have to share its observations with the working group responsible for the 'Interfederalization of the Centre for Equal Opportunities and Opposition to Racism'. This other working group was created in the frame of the Interministerial Conference "Integration in the society".

Furthermore, the National Higher Council of Disabled Persons has given its opinion on the independent mechanism and on the involvement of civil society.

2.2 The involvement of civil society in the monitoring process (Article 33.3)

At national level

The Belgian Disability Forum (BDF) and the national higher Council of disabled persons monitored work on the development of the Convention. The BDF expresses opinions during the implementation of the ratification process and will follow the application of the Convention.

The BDF is an ASBL comprising 20 associations of disabled persons. The ASBL aims to inform its members regarding the repercussions of supranational regulation on the rights of disabled persons. The ASBL also endeavors to make the political, economic and social Belgian actors aware of the need to incorporate the disabled needs of persons into their discussion and decision process. The BDF is the official representative of Belgium within the European Disability Forum.

At federal level

The national higher Council of disabled persons is in charge of examining all the problems relating to disabled persons, falling within the federal competence. The Council is entitled, through its own initiative or at the request of the relevant Ministers, to deliver opinions or to make proposals on these subjects, inter alia for rationalization and of the coordination of the legal and regulatory provisions. The Council is composed of 20 members, specially qualified through their participation in activities of organizations of persons with disabilities or through social or scientific activities.

At regional and community level

People with disabilities and the organizations/associations representing them are represented on the management Board of the Office for Persons with Disabilities in the German-speaking Community. They are therefore directly involved in important decision-making processes during the formation of the policy for the disabled in the German-speaking Community.

There is also an annual plenary meeting attended by the disabled and all the organizations/associations representing them. The aim is to discuss common concerns and questions and work out joint responses to outstanding issues.

In Flanders, the umbrella organization "Toegankelijkheidsoverleg vlaanderen" ('Accessibility consultation Flanders') represents the people with disabilities concerning the accessibility-topic. They are consulted on the issues that the Flemish Equal Opportunities unit works on. It still has to be decided whether civil society, and in particular people with disabilities and their representative organisations, will be represented by means of a board or in another way. In any case, the Flemish Ministry will use the open method of coordination to assess the goals to set for the next four years, and civil society will be actively consulted on both goalsetting and way of representation...."

For the territory of the Walloon Region, a Walloon Advisory Board for Persons with Disabilities was created. This council aims to ensure the participation of persons with disabilities and of their associations to the development of the measures which concern them. To this end, the council:

- represents all the associations representative of persons and can ensure coordination of them;
- Gives to the Walloon regional Council and to the Government, upon their request or own initiative, opinions on the guidelines of the policy for persons with disabilities, and on the practical methods of its implementation;
- delivers its opinion on the operation of the Agency and the way in which it carries out the missions which are entrusted to it

Various tools and methods are used in Belgium to foster empowerment of people with disabilities, both at federal and local level.

The associative sector regularly organizes debates, dialogue and training. For example, training intended mainly for the professionals, including the professionals of the associative sector, is organized by the SPF Social Security. In German speaking community; each disabled person who contacts the Office for Persons with Disabilities is given individual assistance in the form of an *Individuelle Dienstleistungsplan* (Individual Service Plan) (IDP) specifying the measures necessary for their social and occupational integration. Furthermore, awareness-raising measures are also being continually organised to increase the general public's awareness of the needs of the disabled, regular training courses are also available for disabled people. The people concerned and the organisations representing them are actively involved in the *Arbeitsgruppe zur Überprüfung der Umsetzung der UN-Konvention über die Rechte von Menschen mit Behinderung und des Aktionsplans 2006-2015 des Europarates* (Working group for monitoring the implementation of the UN Convention on the Rights of Persons with Disabilities and the Action Plan 2006 – 2015 of the Council of Europe).

In Flanders there were several awareness raising campaign organised to share examples of good policy practice in the field of the built environment:

- The campaign 'Accessible Flanders': This campaign seeks to raise awareness of public building access. The website www.toevla.be contains information on the accessibility of buildings, premises and tourist facilities such as town and city halls, schools, hotels, museums, socio-cultural centres, sports centres, cycle paths, footpaths and other tourist

facilities. A 'search' function makes short work of retrieving information related to one's own limitations and needs. In this way, one can look up accessibility and specific facilities for the motor disabled, visually disabled, hearing impaired or people suffering from respiratory troubles and allergies.

- The week on Universal Design: 1-7/10/2007: In this week on Universal Design, many activities were organized to emphasize the importance of design for everyone. These activities mainly focused on acquainting people with the principles of Universal Design and on giving good examples. Over the week a student contest for architects was organized to encourage students to incorporate the ideas of Universal Design in their creations and way of thinking. The week started with an opening meeting (1/10/07) which purpose was to introduce designers, the construction industry and policy makers to the various aspects of Universal Design: best practices that will show how Universal Design can contribute to a more comfortable living environment for all, an information market providing all sorts of information and an excellent occasion to meet people or authorities that use Universal Design. Over the week various activities were organized all over Flanders: a conference on the accessibility of our cultural heritage; 'blind' dining (eating a three-course-meal in a completely darkened room); publication of an 'accessibility newspaper' (featuring good practices). During the closing meeting an inclusive concert in the spirit of full accessibility for people with disabilities (sign-language, feeling chairs, personal assistance...) was organised.

In Wallonia, pursuant to Article 120 a) of the new communal law, it is permissible to the communes of to establish an Advisory Board of disabled persons.

These Advisory Boards of disabled persons aim to:

- Incorporate the needs of disabled persons into the urban and communal policies of the local authorities.
- Strengthen or establish regular co-operation and dialogue mechanisms enabling disabled persons, by the channel of their representative organizations, to contribute to planning, to the implementation, to the follow-up, to the evaluation of each action of the political and social field aiming at equality and inclusion.

The communal Advisory Boards of the disabled person are charged of:

- providing persons having a disability of the occasions to express their opinion and their concerns via organizations responsible for their governance and for their representation;
- guiding the communal council for the questions concerning the policies, concerning the practices and concerning the programmes of the commune which affect persons having a disability;
- ensuring the defense of the interests of persons having a disability;
- keeping the communal council informed of the effectiveness of the policies and of the practices of the commune which concern persons having a disability;
- following the development of the development and implementation processes of communal or different regulations which affect the life of persons having a disability (for example, parking, mobility, accessibility, approach ramps, obstruction of the pavements, indication of the working sites, etc.) and, if need be, to advise the personnel of the commune and the members of the council on this subject;
- raising questions and to make recommendations concerning the policies and the programmes which make the promotion of the equal access to the communal services for persons having a disability in the fields of the asset provision and employment services, of housing, of adhesion to committees and of the participation in the activities of the commune;

- coordinating the distribution, to disabled persons and to the public in general, give information on the decisions of the Advisory Board and of the commune;
- consulting the population and various groups and organisms in order to determine what are the topical questions and to inform of these in the communal council and in the municipal authorities;
- making the communal population and the public sector aware to the questions which affect the life of persons having a disability.

All the services of reception and of accommodation approved by the AWIPH are required to create a "Council of the users" representing those and, if necessary, their legal representatives.

The users' Council comprises at least three members including an elected President at its centre. Its members can under no circumstances form part of the organizing service power. The persons responsible for the service take care of the constitution of the users' Council. They ensure its regular operation and a member of staff assures its co-ordination and secretariat. Users and their legal representatives have to be informed of the membership of the users' Council by means of a display board updated regularly by the services. The users' Council also ensures that minutes of the meetings are drawn up and are consigned in a register envisaged for this purpose. This Council has to be in possession of the medical, social and pedagogic service project. It aims to formulate all suggestions concerning the quality of life and the practical organization of the reception or of the users' accommodation. In addition, it has to be consulted for:

- the modifications in order rules of procedure;
- Important modifications on the general conditions of housing and of life.

2.3. Collecting statistics and/or developing indicators (Article 31)

Article 31 of the Convention of the United Nations stipulates that states have to collect statistics to monitor the implementation of the Convention. Each entity or body collecting statistics and/or the developing indicators which aims to ensure the effective application of the Convention, can collect and analyze relevant data. Since there is no single definition of 'disability' in Belgium, certain persons with disabilities may not be recorded by various data collection mechanisms, and due to the structure of the Belgian State and of legislation on the protection of privacy, it is not possible to globalize the various statistics.

For example, at federal level, there are statistics on the benefits and on medical certificates allowing for granting benefits as well as various social and tax advantages. In the Walloon Region, the indicators currently used are those relating to the management Contract of the Walloon Agency for the Integration of Persons with Disabilities. Indeed, certain main principles of this contract relate to a number of articles of the Convention.

Bulgaria

1. National Implementation of the UNCRPD

1.1. Focal points and coordination mechanisms for implementing (Article 33.1)

The focal point is the Integration of People with Disabilities Department, in the Ministry of Labour and Social Policy.

Bulgaria is currently in the process of establishing a coordination mechanism foreseen in Article 33 (1) of the UN Convention. Representatives of the NGOs of and for people with disabilities which are members of the National Council for Integration of People with Disabilities will be involved in that discussion and also in the same process of establishment of the coordination mechanism.

1.2. National strategies to implement the UNCRPD

At the moment, a National Council of Integration of People with Disabilities has been set up with the Council of Minister. In accordance with the Integration of People with Disabilities Act, it is responsible for the cooperation in the policy development and conduct in the field of disability. It is an advisory body which includes representatives of the state, named by the Council of Ministers, representative organizations of and for people with disabilities, representative organizations of workers and employees, representative organizations of employers and the National Association of Municipalities.

However, no comprehensive implementation plan has yet been developed by the authorities at national or regional level.

2. Monitoring of the UNCRPD

2.1. Framework, including independent mechanisms, for promoting/ protecting/ monitoring (Article 33.2)

No information provided.

2.2 The involvement of civil society in the monitoring process (Article 33.3)

Representatives of NGOs of and for people with disabilities are members of the National Council for Integration of People with Disabilities, which gives a preliminary stand before the statutory instruments for people with disabilities are adopted.

According to EASPD-Bulgaria, people with disabilities and their representative organizations are not involved in the process. Service providers have a strategy to facilitate the implementation of the UN Convention. For instance, all members of an NGO Network received copies of the UN Convention and are now planning to diffuse information on the Convention through their members in different parts of the country. They are planning to meet with local authorities to discuss the importance of implementing the Convention. The implementation of the "Human Dignity Programme" in some SCHs is part of the work too.

The lack of a plan or a strategy does not give civil society the hope that the issues at hand will be solved properly. Foreign partners should not only trust the written reports, but also check in the country and engage with NGOs to get a clear picture of the situation.

2.3. Collecting statistics and/or developing indicators (Article 31)

No information provided.

Cyprus

1. National Implementation of the UNCRPD

1.1. Focal points and coordination mechanisms for implementing (Article 33.1)

In Cyprus, the Department for Social Inclusion of Persons with Disabilities has been defined as the focal point for the ratification and monitoring of the implementation of the Convention.

The coordination mechanism for the ratification, implementation and monitoring of the Convention operates through the Pancyprian Council for Persons with Disabilities which is the highest consultative body for the issues of persons with disabilities. The role of the Council is to consult the government as to the formulation, monitoring and implementation of social policies for persons with disabilities. The Chairman of the Council is the Minister of Labour and Social Insurance and its members are independent persons and the representatives of co-responsible for disability issues Ministries, the Organisations of persons with disabilities and the social partners (trade unions and organisations of employers).

1.2. National strategies to implement the UNCRPD

Strategy guidelines, aims, policies and measures promoted on disability issues are already included in the Governance Programme 2008-2013, the Strategic Development Plan 2007-2013, the National Strategy on Social Protection and Social Inclusion, the National Employment Strategy and others. Although Cyprus currently has no special Disability Strategy, the formulation of such a strategy, based on the implementation of the UNCRPD, is included in the action plans of the Department for Social Inclusion of Persons with Disabilities.

The Department for Social Inclusion of Persons with Disabilities has circulated the full document of the Convention both in English and Greek to all Ministries and state services, semi-governmental organisations, local authorities, social partners from the private sector and of course the organisations of persons with disabilities.

2. Monitoring of the UNCRPD

2.1. Framework, including independent mechanisms, for promoting/ protecting/ monitoring (Article 33.2)

An independent mechanism pursuant to Article 33.2 of the UN Convention has not yet been nominated. The nature of such a mechanism will be discussed during the screening process of existing legislation under the light of the UN Convention and will be decided in parallel with the ratification process. It must be mentioned however, that there is already a framework including independent mechanisms for the protection and promotion of human rights of persons with disabilities, amongst others. These independent bodies are:

- The Equality Authority
- The National Organisation for the Protection of Human Rights
- The Commissioner for the Rights of Children
- The Committee for the Protection of the Rights of Persons with Mental Retardation

For the time being, the technical committee which has been set up for the monitoring of the ratification and implementation of the UN Convention operates with the participation of all representatives and reports to the Pancyprian Council for Persons with Disabilities.

Furthermore, consultation with the Cyprus Confederation of Organisations of Persons with Disabilities is an obligation by Law for every state service before taking any decision affecting any disability issue. This Law “the Consultation Process for Disability Issues Law” applies since 2006.

2.2 The involvement of civil society in the monitoring process (Article 33.3)

Civil society is involved through the Pancyprian Council for Persons with Disabilities and its technical committee mentioned above.

Also the representative organisations of persons with disabilities participate in many technical and advisory committees for the implementation and operation by the Department for Social Inclusion of Persons with Disabilities of several schemes mainly for the provision of financial and other assistance to persons with disabilities.

2.3. Collecting statistics and/or developing indicators (Article 31)

There is no central Disability Registry for the time being. Each state service collects its own statistical data according to the services provided to persons with disabilities.

The Statistical Service also collects and issues data related to employment and social protection of persons with disabilities according to Eurostat requirements and standards.

Recognising the need for the establishment of National Records on persons with disabilities in Cyprus, the Ministry of Labour and Social Insurance has prepared a plan for the creation of a new System for the Assessment of Disability and Functionality based on the International Classification of Functionality, Disability and Health of the World Health Organisation. The new System will provide updated information to all public services related to persons with disabilities. They will thereby have access to information on the number, nature and degree of disability and the needs and capabilities of each person so that each person will be given adequate support. It will also enable the collection of statistics and the development of indicators related to the application of the Convention.

Czech Republic

1. National Implementation of the UNCRPD

1.1. Focal points and coordination mechanisms for implementing (Article 33.1)

In the Czech Republic, the Convention has entered into force on February 12th 2010, so the relevant bodies are about to start working. In the meantime, special information meetings, seminars and conferences have taken place. Some of them were coordinated by the Ministry of Labour and Social Affairs in cooperation with the Ministry of Foreign Affairs and the Government Board for People with Disabilities. Training seminars on key elements of the UN CRPD were also organised by non-governmental organizations.

1.2. National strategies to implement the UNCRPD

All of the identified areas are part of the new National Plan for Promoting Equal Opportunities for People with Disabilities 2010 – 2014, which will be also available (after its adoption by the Government) in English. The individual chapters of the above mentioned National Plan contain a quotation of the relevant article of the Convention, brief explanation of the field in question, the desirable target situation to be achieved, and clearly formulated measures specifying the competent department and the proposed deadline for fulfilment.

2. Monitoring of the UNCRPD

2.1. Framework, including independent mechanisms, for promoting/ protecting/ monitoring (Article 33.2)

In the Czech Republic some human rights monitoring mechanisms are already in place. After the ratification of the CRPD, their efficiency will be discussed.

2.2 The involvement of civil society in the monitoring process (Article 33.3)

The involvement of the civil society is guaranteed by the Government Board for People with Disabilities and other formal and informal mechanisms of cooperation, e.g. with the Czech National Disability Council. The Government Board for People with Disabilities was established by the resolution of the Czech Government (1991) as its advisory body for the issues of disability. The Board cooperates with the public administration authorities as well as with the non - governmental sphere. It consists of Government representatives and ministries, as well as representatives of associations of persons with disabilities and their employers.

Organisations representing people with disabilities play an important role, not to say the most important, in the policy planning and decision-making process concerning disability issues. Probably the most important part is played by the National council of persons with disability, an umbrella organisation which associates and represents hundreds of organisations of persons with disabilities in the Czech Republic. The Council has its representatives in Government Board for people with disabilities, an advisory body of the Government.

Also other representative organisations are invited to take active part in the policy planning, for example through participation in working groups established to deal with any disability-related issues (preparation of new legislation, proposals for amendments of the existing legislation, creation of disability policy plans and concepts etc.).

At local level, municipalities are supposed to take into account the views and opinions of people with disabilities and their representative organisations when planning disability policy measures (in the field of social services, accessibility etc.). Most municipalities welcome the possibility of discussing the key issues with the organisations and individuals through public hearings, debates, surveys etc.

As far as awareness-raising activities are concerned, several conferences, debates, workshops, seminars etc. are organised in order to mainstream disability issues and to foster active participation of persons with disabilities in public life.

2.3. Collecting statistics and/or developing indicators (Article 31)

There are several resources of statistical data, e.g. in 2007, the Czech Statistical Office was given a task to propose a system of statistical information collection related to people with disabilities and their needs. The results of its work and first comprehensive report on the situation of people with disabilities with statistical data were published in 2008.

Denmark

1. National Implementation of the UNCRPD

1.1. Focal points and coordination mechanisms for implementing (Article 33.1)

The ministry of Social Welfare and later the Ministry of the Interior and Social Affairs and now the Ministry of Social Affairs was appointed as the national focal point for issues related to implementing the Convention. The reason for the appointment is that the Ministry of Social Affairs is the coordinating ministry for disability matters. The appointment of the Ministry of Social Affairs as the national focal point was made by parliamentary decision B 194, which adopted the ratification of the convention. As the coordinating ministry for disability matters, the Ministry exercises its function as the national focal point in close contact and coordination with the other parts of the government and organisations in the disability area.

The inter-ministerial committee of civil servants on disability matters is responsible for coordination.

1.2. National strategies to implement the UNCRPD

No information provided.

2. Monitoring of the UNCRPD

2.1. Framework, including independent mechanisms, for promoting/ protecting/ monitoring (Article 33.2)

Denmark has yet to decide on the institutional framework for fulfilling Article 33(2) of the Convention focusing on promotion, protection and monitoring of the implementation of the Convention. An inter-ministerial committee of civil servants has been set up to analyse how existing structures in the area can be developed to underpin a decision on how Denmark will promote, protect and monitor the implementation of the Convention. The activities of setting up the national framework for promoting, protecting and monitoring the implementation of the Convention will use the existing institutions as the basis.

2.2 The involvement of civil society in the monitoring process (Article 33.3)

It is not finally decided how monitoring will be organised, but civil society will be involved in accordance with the relevant provisions of the Convention.

The Danish Disability Council is a Government-funded body made up of an equal number of representatives from people with disabilities, nominated by the Danish Council of Organisations of Disabled People, and from public authorities. The council's task is to monitor the situation of people with disabilities in society and to act as an advisory body to the Government and Parliament on issues relating to disability policy.

Organisations of people with disabilities (Danske Handicaporganisationer) are consulted on a regular basis on relevant matters and during all stages of the policy-making process.

Furthermore, dialogue through consultation with civil society/disability organisations at all stages of new initiatives, financial support to disability organisations, public funds (satspuljen) support of training schemes, awareness raising activities are used to foster empowerment of people with disability.

2.3. Collecting statistics and/or developing indicators (Article 31)

The responsibility for disability matters in the individual sector areas rests with the sector ministry in accordance with the Danish sector accountability principle, the basic principle of disability mainstreaming in Denmark. The sector accountability principle also covers responsibility for data needed to highlight disability policies of the individual sector areas. Consequently, each sector ministry is responsible for data compilation in its area. However, accessible statistics are generally compiled by Statistics Denmark and the National Social Appeals Board, including local authority reports on social services, employment statistics, etc. In addition to the general monitoring of local key figures, specific studies and evaluations are also used for developing disability policy initiatives. Legislative implementation is subject to specific evaluations, and legislation is monitored where difficulties are expected in relation to implementation.

Denmark has no common standard for data compilation of specific statistics related to disability areas. Statistics Denmark compiles statistics for all sector areas, but no established standards are in place for highlighting disability aspects in all sector areas. Generally, disability-related statistics are available as statements of the scope of social benefits and services, categorised in accordance with relevant legislative provisions. Such statistics are compiled by Statistics Denmark and the National Social Appeals Board. Disabilities are not registered centrally on individuals. Instead, Denmark performs nationwide surveys, which can be merged with registered data for the purpose of highlighting general developments in, for instance, the employment situation for disabled people compared to the population in general. Such surveys are made by the Danish National Centre for Social Research, an independent, national research centre under the auspices of the Ministry of Social Affairs. The centre performs several surveys and analyses in the area of social welfare, including the area of disability. The results of the surveys are accessible to the public and constitute a key part of public discussions on the development of social welfare in general.

Estonia

1. National implementation of the UNCRPD

1.1. Focal points and coordination mechanisms for implementing (Article 33.1)

The responsible Ministry is the Ministry of Social Affairs of Estonia and Social Welfare Department; which in future shall become the focal point. The Ministry of Social Affairs cooperates with the Estonian Chamber of Disabled People⁵.

1.2. National strategies to implement the UNCRPD

Estonia has not yet drafted any special strategy to implement the UN Convention but it is planning to do so.

However, disability policy of Estonia is based on two main documents: the United Nations Standard Rules on the Equalisation of Opportunities for Persons with Disabilities, which is the abridged and adjusted version of the UN general assembly resolution 48/96 and the recommendation of the Committee of Ministers to Member States on the Council of Europe Action Plan to promote the rights and full participation of people with disabilities in society (improving the quality of life of people with disabilities in Europe 2006-2015).

Both mentioned documents, which are at the basis of Estonia's disability policy follow UN Convention principles. We will continue to work within an anti-discriminatory and human rights framework to enhance independence, freedom of choice and the quality of life of people with disabilities and to raise awareness of disability as a part of human diversity. The Estonian disability policy acknowledges the basic principle that society has the duty, towards all its citizens, to ensure that the difficulties related to disability are minimised through actively supporting a healthy lifestyle, adequate health care, rehabilitation, supportive services and supportive communities.

The following tools and methods are used in Estonia to foster the implementation of the UN Convention:

- Dialogue with other ministries (working groups, councils, written statements) to promote awareness about the UN Convention,
- Dialogue with Estonian Chamber of People with Disabilities (projects, seminars),
- Financing and supporting the activities of non-governmental organisations,
- Training of target groups (organisations for people with disabilities).

2. Monitoring of the UNCRPD

2.1. Framework, including independent mechanisms, for promoting/ protecting/ monitoring (Article 33.2)

A mechanism pursuant to Article 33.2 of the UN Convention has not yet been nominated.

⁵ The Estonian Chamber of Disabled People is the national umbrella organization for people with disabilities in Estonia. The Chamber has 46 member organizations. These umbrella bodies was established in 1993 and have since then continuously gained new members. In 1998, 16 regional umbrella bodies of the Estonia counties became members of the Chamber.

2.2 The involvement of civil society in the monitoring process (Article 33.3)

Estonia is using different tools and methods to foster empowerment of people with disabilities, such as meetings, conferences, dialogue, awareness raising and training. The state moreover consults civil society when working on laws, strategies or other important documents related to disability.

In the context of nominating/establishing a mechanism referred to in Article 33.2 of the UN Convention, particular attention should be paid to the need to ensure that civil society, in particular persons with disabilities and their respective organisations are included in the monitoring work of the mechanism. A high-level, inter-ministerial group, non-governmental organizations, the Interdepartmental Committee to implement the UN Convention on the Rights of Persons with Disabilities, will be established after ratification, to monitor the implementation of convention in different sectors and different levels.

The Committee will remain in constant contact to consult people with disabilities through their representative organisations during the implementation and monitoring of the UN Convention.

Civil society is already involved in the ratification process and will be involved in the implementation and monitoring process as well after the ratification. The main partner is the Estonian Chamber of Disabled People, which is the national umbrella organisation for people with disabilities in Estonia. The Chamber has 46 member organisations. This umbrella body was established in 1993 and also member of European Disability Forum. The Estonian Chamber of Disabled People is the national co-operation and co-ordination body for the work implemented by and for disabled people in Estonia. The goal of the Chamber is to facilitate raising disabled people quality of life in Estonia. For this purpose, the Chamber co-operates with governmental bodies and social partners in order to secure that the Estonian legislation and enforcement of the legislation take the disability perspective seriously.

The Estonian Chamber of Disabled People will be member of high-level committee, which will be established. Discussions on involvement of civil society are currently being held.

The Ministry of Social Affairs will, as a focal point in accordance with Article 33(2), continue to involve civil society. The Ministry is planning a seminars and workshops on the implementation of UN Convention, which civil society is involved in preparing via the Estonian Chamber of Disabled People.

Through social benefits the governments compensate the extra costs for disabled people what is occurred because of the need for external help in the daily life. The severity of disability can be reviewed as a result of rehabilitation, use of technical aids, adaptation of housing or other improvement of the situation.

The tasks of The Chamber are:

- To participate in the elaboration of the national social policy, special initiation of the elaboration and implementation of laws and other drafts of legal acts, development plans, programs and projects related to disabled people;
- To support social and working activity of disabled people; to support the development and professional growth of member organizations;
- To promote awareness of the society about issues related to rehabilitation, treatment, general and vocational education, re-training, employment of disabled people, as well as their independent ability to cope in the society;
- To serve the state, municipalities, disabled people and institutions working with disabled people;

- To improve the collection and generalization of information and statistical data related to disabled people, supporting the activity and research of the respective branches of science;
- To form positive public opinion on issues related to disabled people;
- To co-operate with associations of disabled people from different countries to mediate information and experiences received from collaboration and participation in international collaboration projects;
- To engage with the activities of the European Disability Forum as the chamber organization of European disability organizations;
- To monitor the implementation of the United Nations standard regulations in Estonia; requesting the implementation of the corresponding national action plan, as well as to demand improved efficiency of observing the implementation;
- To represent its members in other interests connected with disabled people if required;

In order to better organize these tasks, the Chamber established the following commissions to ensure more effective policy work:

- Education commission
- Health care and rehabilitation commission
- Employment commission
- Organizational development commission

2.3. Collecting statistics and/or developing indicators (Art. 31)

In accordance with Article 31 of the Convention of the United Nations, Estonia has to set up a statistical mechanism intended to follow the implementation of the Convention. But the Estonian government is already collecting statistics, which can be useful for monitoring the UN Convention.

Throughout the past years, many surveys were carried out. The aim is now to pay more attention to the needs and wishes of persons with disabilities in the context of the UN Convention. The aim of the surveys on people with disabilities is to identify the changes that have taken place in the situation of independent living and employment and thereby to evaluate the implementation and effectiveness of relevant policies and measures designed.

The surveys were carried out on the following topics: “Measures supporting the employment of the disabled”⁶, and “Survey on measures promoting the employability of people with disabilities”, “Survey on the provision and management of rehabilitation services”, “Survey on individuals with disabilities”, “Survey on children with disabilities and their families” “Survey on the care burden of people with disabilities” (Only available in Estonia).

⁶ http://www.sm.ee/fileadmin/meedia/Dokumendid/Sotsiaalvaldkond/kogumik/PITTM_final_EN__2_.pdf

Greece

1. National Implementation of the UNCRPD

1.1. Focal points and coordination mechanisms for implementing (Article 33.1)

Until the governance structure is established, all ministries are called to take the provisions of the UNCRPD into consideration, when working on questions related to disability.

1.2. National strategies to implement the UNCRPD

Until now, no concrete measures were taken for the implementation of the Convention. Greece is in the stage of investigation relevant methods, processes and policies. One of the main priorities for all government-owned-mechanisms involved in the issue of disability is also adapting the existing legal framework to the requirements of the Convention. The review of the existing legal framework in relation to the UN CRPD provisions as well as the establishment of new or additional regulations, are considered necessary for the implementation of the Convention. The establishment of a central mechanism that will examine the subject of disability in all the dimensions will strengthen the effort for a united and completed approach of disability.

In terms of major developments, the deinstitutionalisation is a basic pylon in the area of health and social care. Within this aim, 35 structures (small houses with a limited number of patients and staff) have been established, where people with disability are under constant care from specialized personnel (nurses, psychologist etc.). The aim is to increase the number of these establishments in the next few years. (Report 2008, chapter: 4.Indepente living).

2. Monitoring of the UNCRPD

2.1. Framework, including independent mechanisms, for promoting/ protecting/ monitoring (Art. 33.2)

As required by Article 33.2 of the UN CRPD, a monitoring body should be defined to facilitate and supervise the application of the Convention in different sectors and on different levels. In Greece, such a body has not yet been defined. All ministries are thus reminded to recall the provisions of the Convention until a new body is established.

2.2 The involvement of civil society in the monitoring process (Art. 33.3)

The national organizations of people with disabilities are much consulted by the governmental bodies. They offer essential advice and support the rights of people with disability. After the development of an independent mechanism, the participation of organizations of people with disabilities is considered as essential. They will fully participate in the process of monitoring the implementation of the Convention.

The role of the National Confederation of Disabled People (ESAMEA) and the National Confederation of Parents and Tutors of Disabled People (POSGAMEA), the most representative NGOs of people with disabilities, may participate in the dialogue with the Ministries' services for the determination and implementation of the UN Convention and also for the nomination of the monitoring body.

People with disabilities and their representative organisations participate as full members in several committees and working groups at national, regional and local level contributing in the formulation of policies relating to people with disabilities. In addition, they are members of political parties on an equal basis with ordinary members and to several non-profit organisations.

According to Law 2430/1997, every year on the 3rd December – which is the official Day of people with disabilities - several events take place under the aegis of Greek Parliament, the Ministry of Health and Social Solidarity and the National Confederation of Disabled People (ESAMEA) with the aim to raise awareness on the human and social rights of people with disabilities in Greece. On the same day, each year, ESAMEA submits a report on the situation of people with disabilities in Greece to the president of the Greek Parliament.

It is a priority for all authorities, ministries and unions of people with disabilities to raise awareness on issues related to disability and to participate in dialogues to implement related programmes and actions more effectively.

Seminars, lectures and conferences are organized on a regular basis, covering subjects that are related to disability. They are not only relevant for people with disabilities but for the society as a whole. For example, such a conference took place in Athens in June 2007 under the title of: “People with Disabilities and Media”. These meetings, seminars and conferences are organised each year by the Secretariat General of Communication/ Secretariat General of Information throughout the country aiming to promote positive attitudes towards people with disabilities. Advertising campaigns also are promoted by the government authorities or by non- governmental organisations, aiming at the sensitization of society in the subject of disability, showing ways of improving the lives of people with disabilities.

2.3. Collecting statistics and/or developing indicators (Article 31)

The central administration - mainly government bodies and the ministries – meet on a regular basis to exchange information and statistical data on people with disabilities so that they have a complete overview of the issue in the whole of Greece.

As an institution assembling individual statistical indicators, the national statistical service produces regularly centralized statistical bulletins with regard to disability. Thereby, it is possible to locate weaknesses and omissions concerning the obligations mentioned in the UNCRPD. Consequently, adequate policies can be developed in order to effectively implement the Convention.

Finland

1. National Implementation of the UNCRPD

1.1. Focal points and coordination mechanisms for implementing (Article 33.1)

Finland has signed both the UN Convention and its Optional Protocol on 30 March 2007; however it has not yet ratified them. Therefore neither focal points nor a coordination mechanism have yet been specifically designated nor established. Information on the UN CRPD is spread by the Ministry of Health and Social Affairs and by disability organisations. The Threshold Association, a disability organisation founded by disabled people themselves, created an internet based contact point.

1.2. National strategies to implement the UNCRPD

The Ministry of Social Affairs and Health is currently preparing a specific Government Disability Policy Programme in order to guarantee equal treatment of persons with disabilities. The objective of the programme is to create a strong foundation for human rights, non-discrimination, equality and inclusion. The work is based on the first national Report on Disability Policy⁷ given by the Government to the Parliament in 2006, as well as on the UN CRPD and the Optional Protocol. The programme will be prepared in cooperation between the different administrative sectors, expert bodies, NGOs and other stakeholders.

The programme will be launched in 2010 and it is planned to cover the time period of 2010 to 2015. The intention is that the Council of State will make a specific decision based on the programme. The programme will contain concrete proposals on how to promote and implement the UN convention in different sectors. Areas that are covered are: Independent living, social inclusion, building, transport, education, work, social protection, health and rehabilitation, safety, culture, international cooperation and statistics. More info in English at: http://www.vane.to/vampo_eng.html

Furthermore, there have been major developments related to the priorities for action described in the previous reports in relation to Independent living (point 4 of the 2nd HLG report), namely, the legislative reform on personal assistance services and moving into community-based settings.

Background

There are 342 municipalities in Finland, which are in charge of providing *e.g.* social and health services, including services for persons with disabilities, to their inhabitants. Services are funded by a block grant subsidy from the state, municipal taxes and by the service user. The services for persons with disabilities are mostly free of cost.

In providing the services, the starting point is that services are provided to all citizens on an equal basis. In addition, special services tailored to the needs of persons with disabilities are provided in accordance with the Act on Services and Support for the Disabled and the Special Care Act for Persons with Intellectual Disabilities. According to these Acts, severely disabled persons have a subjective right to the following services: transportation services, interpretation services, service housing, daily activities, personal assistance and alterations and assistive devices in housing. In this connection a subjective right means that the

⁷ http://www.stm.fi/c/document_library/get_file?folderId=28707&name=DLFE-3927.pdf

municipality is obliged to provide the service as soon as the criteria set out in the legislation are fulfilled irrespectively of the financial situation of the municipality.

Legislative reform of personal assistance

An amendment of the Act on personal assistance for persons with severe disabilities entered into force on 1 September 2009.

This new Act is part of an extensive reform agreed on in the Government Programme, in which reform the present Services and Assistance for the Disabled Act and the Act on Special Care for Mentally Handicapped Persons will be gradually merged into one Act. According to the Act, persons with severe disabilities who are in need of necessary and repeated assistance in their everyday life activities at home or outside the home, are entitled to personal assistance.

According to the Act, personal assistance will be regarded as social service free of charge for persons with severe disabilities that the municipal authorities are responsible for providing. A municipality cannot refuse to provide a service referring to appropriations if the applicant fulfils the criteria under the law for access to the service. Personal assistance is thus a new subjective right to severely disabled persons.

Services for persons with disabilities must be planned carefully and within a reasonable period of time. To guarantee this, there are provisions in the law on exploring the person's need for services, drawing up a service plan and handling the case without delay. The exploration of the service need must be started on the seventh weekday from the contact at the latest. The decisions concerning services and supportive measures should be made within three months from the date when the application for them was submitted.

Personal assistance should be provided for everyday activities as well as for work and studies to as great an extent as the persons with severe disabilities necessarily need. Support for other purposes should be given, at first at least for ten hours per month and from the beginning of 2011 at least 30 hours per month.

The municipalities could use several alternative ways of organising the service. The first alternative is that the municipality compensates a person with severe disability for the costs of employing an assistant in the same way as in the present system, in which the assistant has a contractual employment relationship with the person he or she assists. According to the second alternative the municipality will give the person with severe disability a service voucher for purchasing assistance service. The third alternative is that the municipality organises the service in the form of a purchased service, through its own service production or in a contractual cooperation with one or several municipalities. In this way, the law amendment will make it possible for persons with disabilities to obtain personal assistance in the form of a service – without employer obligations.

The Government Bill and the related Act were prepared in close cooperation with the Finnish Disability Forum, representatives of the Association of Finnish Local and Regional Authorities and other bodies operating in the field.

The total costs for personal assistance have been estimated to have amounted to about 50 million Euros a year in 2006. The reform in question entered into force on 1 September 2009. It will increase the total costs with approximately 6.3 million Euros in 2009. The municipalities will bear the biggest part of the additional costs, 4.1 million Euros. The state will subsidize municipalities with an additional 2.1 million Euros. When the reform has reached its full potential in 2011, the costs will increase with 25.5 million Euros compared to the situation before the reform.

2. Monitoring of the UNCRPD

2.1. Framework, including independent mechanisms, for promoting/ protecting/ monitoring (Article 33.2)

The main part of the legislation already complies with the requirements of the Convention.

A framework, including one or more independent mechanisms pursuant to Article 33.2 of the UN Convention has not yet been specifically nominated or established. However, in the context of nominating/establishing a mechanism referred to in Article 33.2 of the UN Convention, particular attention should be paid to the need to ensure that civil society, in particular persons with disabilities and their respective organisations are included in the monitoring work of the mechanism.

2.2 The involvement of civil society in the monitoring process (Article 33.3)

In Finland, there is already a well-established practice to cooperate and involve organisations in all stages of reforming legislation. This practice covers planning, preparing the bill and decision-making in the Parliament, as well as follow-up.

Also, in its existing human rights reporting practice, the Finnish Government encourages civil society to actively participate in the reporting to the international organisations. When a periodic report is prepared, civil society is asked to provide views on the information to be included in the report. At the drafting stage of the report, the interested civil society representatives are invited to attend a discussion on the draft report before its finalisation. Civil society is also encouraged to participate in the so called "shadow reporting", i.e., to send parallel reports to the human rights treaty monitoring bodies.

The organisations and councils of persons with disabilities⁸ have actively participated in international processes related to the human rights of persons with disabilities, in particular in relation to the drafting of the UN Convention. Organisations of persons with disabilities and the National Council on Disability have also been consulted on the legislative amendments necessitated by the ratification of the UN Convention as well on the unofficial Finnish translation of the Convention.

The organisations of persons with disabilities and the National Council on Disability are also consulted in relation to the overall human rights policy of Finland, which includes a focus on the rights of persons with disabilities.

Furthermore, the following tools and methods are used in Finland to foster empowerment of people with disabilities:

- Dialogue (working groups, councils, written statements),

⁸ **The National Council on Disability (VANE)** is a co-operative organ for authorities, disability organisations and organisations for relatives of disabled people. It has 18 members. More info in English at <http://www.vane.to/english.html>

Municipal Councils on Disability - There are about 170 Disability Councils at local level. They function as cooperative bodies for municipal decision makers, different municipal sectors and persons with disabilities and their organizations.

The Finnish Disability Forum. It comprises of 27 associations of and for disabled persons. More info in Finnish at <http://www.vammaisfoorumi.fi> Disability organizations are always involved when legislation concerning persons with disabilities is being prepared. Organizations also take part in working groups preparing programs and measures at national, regional and local level.

- Financing the activities of non-governmental organisations through the Slot Machine Association. More info on: <http://www.ray.fi/inenglish/index.php>,
- Training of target groups (VANE, disability organisations),

In connection with awareness-raising, organisations of persons with disabilities have been notified in various contexts of the legislative amendments necessitated by the ratification of UNCRPD.

In addition, the preparation of the Government Disability Policy Programme was based on a process of active participation of people with disabilities and their organisations. This included - among other activities - a series of ten open seminars in different parts of the country, where both representatives of key ministries and people with disabilities have met and debated on the challenges of promoting “a society for all”.

The Finnish Association on Intellectual and Developmental Disabilities (Kehitysvammaliitto), has been very active in the promotion of the content of the UNCRPD, even before its ratification. Other service providing organisations have been less active so far in the process of the implementation plan etc.

FAIDD’s strategy for the implementation of the UN Convention in Finland is as follows:

- Exercising influence to develop legislation in the field of intellectual and developmental disabilities.
- Raising awareness on the needs and opportunities of people with disabilities.
- Influencing service systems so that they represent a high standard from the perspective of people with disabilities.
- Promoting research.
- Promoting accessibility, promoting access to information by means of plain language material and communication.
- Promoting participation, right of self-determination and empowerment for people with disabilities, e.g. influencing attitudes through public and media relations.
- Promotion of lifelong learning opportunities.
- Networking with different actors in the field in order to influence and enhance quality of life, opportunities and personal growth for people with disabilities

2.3. Collecting statistics and/or developing indicators (Article 31)

The collection of statistics has not yet been linked to the Convention. However, statistics are collected by mainly the following three different institutions, National Institute for Health and Welfare, Statistics Finland and the Social Insurance Institution.

In general, statistics have a basis in national legislation. However, as to Statistics Finland, it collects statistical data on disability according to EU-legislation in connection with other subject areas (for instance Labour Force Survey’s ad hoc module 2011 on employment of people with disabilities). All the definitions and specifications are given by Eurostat. Statistics Finland does not conduct any analyses on the basis of data concerning disabled persons. Demographic factor of disability is not included in general population surveys.

Statistics on disability describe mostly services provided to persons with disabilities. Therefore, the number of persons with disabilities and their gender cannot in general be identified. For example in the SOTKANet Indicator Bank (www.sotkanet.fi), which is a National Institute for Health and Welfare (THL) information service that offers key population welfare and health data from 1990 onwards on all Finnish municipalities. On

disability there are five indicators on the following services: transport services, personal assistants, housing alterations, sheltered housing and interpreter services. To introduce new statistics into our system takes several years since the information has to be collected from 342 municipalities.

France

1. National Implementation of the UNCRPD

1.1. Focal points and coordination mechanisms for implementing (Article 33.1)

The implementation and monitoring of the UN CRPD and the Optional Protocol are of great importance to the French government. Therefore, the government will very shortly designate the focal points mentioned by Article 33.1 of the Convention.

Since disability policy is of cross-cutting nature, it is expected that rather than nominating a single focal point, the government will designate all ministerial bodies directly involved in disability politics. Depending on the organization mechanisms of the different ministries, the focal point will either be an administration, a bureau or even a mission.

Since the dissemination of knowledge on the Convention onto the entire country is necessary for its effective implementation, focal points could perhaps be put in place at the level of decentralized services and regional authorities. The practical details of such a designation still require further analysis, so as to respect the constitutional principle of free administration of regional authorities.

Even though the coordination mechanism is deemed voluntary according to the Convention, France has decided to yet put in place such a mechanism. The Interministerial Committee of Disability (Comité interministériel du handicap (CIH)), established by the decree nr. 2009-1367 of 6 November 2009, will be responsible for setting up this mechanism. By appointing the interministerial CIH as the coordination mechanism, the French Government wishes to highlight that it regards disability politics as a political priority.

Moreover, the CIH's secretary general will be able to appoint and call together the focal points as deemed necessary. The secretary general has already set up meetings with responsible persons and administration on several occasions ever since its creation, even though they have not yet been officially appointed.

The French Government also expresses its wish to establish close relations between the coordination mechanism and the representatives of persons with disabilities. Therefore, the government asked the CIH secretary general to also exercise the duties of the secretary of the national advisory council for persons with disabilities (conseil national consultatif des personnes handicapées), in order to establish an institutional link between both bodies.

1.2. National strategies to implement the UNCRPD

The implementation of the obligations arising from the UN CRPD and its Optional Protocol has been foreseen through the law nr. 2005-102 of 11 February 2005. Through its adoption, the adaptation of the French national legislation to the UN Convention will be very limited. The law of 11 February 2005 moreover goes further than the UN Convention on certain points, and thereby it gives a functional nature to most general obligations in the UN CRPD.

As the Convention sets out the establishment of a national action plan, the law of 11 February 2005 requires the holding of a national Conference on disability every three years. These conferences will gather representatives of organizations of persons with disabilities, social/medical institutions or services working with persons with disabilities, social insurance

institutions, trade unions and employer organizations and other bodies relevant in disability policy.

In order to prepare the Conference, the law maintains that the Government has to deposit a report on the implementation and future developments of the national disability policy at the parliamentary assemblies' bureau, after a consultation with the National Advisory Council for Persons with Disabilities.

The first Conference was held on 10 June 2008. It gave the opportunity to the French President to present his action plan in relation to persons with disabilities. The Plan consisted of seven parts:

- To allow residential homes for persons with disabilities to fully fulfil their mission.
- To further develop benefits for persons with disabilities in the light of the establishment of a fifth risk of social welfare (un cinquième risque de protection sociale)
- Turn benefits for adults with disabilities (l'allocation aux adultes handicapés (AAH)) into a tool to increase resources and facilitate persons with disabilities' access to the labour market.
- Conclude a National Employment Pact for persons with disabilities
- To decide upon an annual plan to support employment of persons with severe disabilities
- To increase and improve the accessibility to all aspects of city life
- To allow all children with disabilities to have access to education adapted to their needs.

2. Monitoring of the UNCRPD

2.1. Framework, including independent mechanisms, for promoting/ protecting/ monitoring (Article 33.2)

Along the High Authority against Discrimination and for Equality (Haute autorité de lutte contre les discriminations et pour l'égalité (HALDE)), the National advisory Council for Human Rights (conseil national consultatif des droits de l'homme (CNC DH)) should be responsible for promoting, protecting and monitoring the Convention, since it is already responsible for dealing with other UN Conventions in related issues.

With the ratification of the Convention, the CNC DH membership will be extended as to include representatives of persons with disabilities, in order to fully fulfil its duty to promote, protect and monitor the UN CRPD.

The HALDE has extensive knowledge about the national laws or international agreements prohibiting direct or indirect discrimination. Therefore HALDE has perfect knowledge about cases of discrimination as touched upon in the Convention. Moreover, the HALDE has already been dealing extensively with discrimination of persons with disabilities, since in 2008 21% of complaints were related to discrimination on the grounds of disability or health issues.

2.2 The involvement of civil society in the monitoring process (Article 33.3)

Co-operation with disabled persons is ensured by the Advisory national Board of disabled persons (CNC PH).

The law of 17 January 2002 had created the CNC PH to ensure the participation of disabled persons in the development and in the implementation of the policies related to disability (article L. 146-1 of the CASF). The CNC PH links the public authorities and civil society. Indeed, it assembles the following institutions: organizations for persons with disabilities and their relatives, administrative bodies, bodies financing social protection of disabled persons

or relevant research projects, trade-unions, professional organizations, the representatives of territorial associations.

The participation and the citizenship of disabled persons are guaranteed by the law of 11 February 2005. Also, this law widened the scope of responsibility of the CNCPH beyond its right of initiative or the optional rights granted by the Government, by giving it the responsibility to assess the situation of persons with disabilities. It is given the role to analyse whether the situation corresponds to the national principle of solidarity. According to Government's proposals it shall be granted this responsibility "by continuous multi-annual programming". Especially, the last article of the 2005 law envisages an obligatory consultation of the CNCPH for all regulatory texts of application of the law of 11 February 2005.

The CNCPH plays therefore an essential role for both, in the implementation of the law and in the evaluation and development of policies dealing with disability.

Since the 2005 law was implemented, the CNCPH has already examined some 140 application texts.

The CNCPH organized the work of its Committees as to examine the most complex decrees and foster the co-operation with the administrations, which allowed for a smooth development of certain draft texts. Thus, the CNCPH was not an advisory body solely responsible for approving or disapproving. Rather, it could play an active role in the development of regulation. In 90 % of the cases, the application texts of the 11 February 2005 law were given favorable comments by the CNCPH.

The CNCPH discussed several topics which developed into a report on disabled persons in situation of dependence and on the granting of minimal incomes. The Minister of Labour, Solidarity and the Civil Service, and the secretary of State responsible for Solidarity also contributed to the report on the development of "trade plans".

The CNCPH is responsible for "coordinating" the Departmental Advisory Board of Disabled Persons (CDCPH) provided for in article L. 146-2, evaluating the departmental implementation of disability policy and the situation of disabled persons. To facilitate their analyses, the CDCPH gather information on the activities of the Departmental Houses of Disabled Persons (MDPH) and of the contents and the application of the Departmental Programmes for the Inclusion of Disabled Workers (PDITH). They moreover have access to the data of the Committee of the Rights of Autonomy of Persons with Disabilities (CDAPH) and of the institutions working with persons with disabilities.

2.3. Collecting statistics and/or developing indicators (Art. 31)

In accordance with Article 31 of the UN Convention, France has to set up a statistical mechanism specifically for monitoring the implementation of the UNCRPD. Currently, France does not yet have this type of mechanism. However numerous tools used on a national level for collecting information on persons with disabilities could be used to this end. For instance, one may refer to the survey on disability and dependence (HID), which relates to all persons residing or being looked after in special facilities or living in ordinary homes. The HID survey is being updated since April 2008, carried out with 40,000 participants. Numerous statistics are also available in the field of employment.

Moreover, an interministerial Observatory for accessibility and universal conception has been established on 11 February 2010, with the mission to monitor the developments, identify the

challenges to the implementation of accessibility, disseminate good practice and create monitoring indicators. The first progress report will be presented in 2011 during the national disability conference. The Observatory is composed of construction and transportation experts and representatives of organizations for persons with disabilities. The secretary general of the interministerial committee for disability issues is in charge of its secretariat.

At the same time, numerous studies carried out for Community coordination use indicators which are also relevant to disability-related issues (employment, fight against exclusion, social welfare...) and could therefore be used for collecting statistics of developing indicators.

Germany

1. National implementation of the UNCRPD

1.1. Focal points and coordination mechanisms for implementing (Art. 33.1)

Germany highlights the importance of national implementation and monitoring structures as a precondition for an effective implementation. Due to the federal structure of Germany, an important part of the implementation of the convention lies with the German Länder.

The Federal Ministry for Labour and Social Affairs (www.bmas.bund.de) is appointed focal point according to Article 33. Some of the Länder have appointed focal points on their level as well. Others work with a comparable structure.

The Federal Government Commissioner for Matters relating to Persons with Disabilities (www.behindertenbeauftragter.de) is appointed Coordination Mechanism according to Article 33. From January to March 2009 the Commissioner in cooperation with various organisations of and for persons with disabilities organised a series of conferences themed "All inclusive! The new UN convention". Each conference focused on a different aspect of the convention, such as education, health, equal treatment/antidiscrimination, freedom/protection/safety, rehabilitation and employment, women, accessibility and independent living/social security. The aim of the campaign was to identify and publish legal and other need for action in regard to the implementation of the convention in Germany.

1.2. National strategies to implement the UNCRPD

The UN convention is the international equivalent to the change of paradigms, which was initiated in Germany especially by the Ninth Book of the Social Code and the Equality Act for Persons with Disabilities. The Federal Government will use the UN Convention to strengthen and promote new developments in disability policy in order to further advance a self-determined and discrimination-free participation in Germany.

In their coalition agreement for the 17th election period (2009-2013), the government parties agreed on the development of a national action plan as comprehensive strategy to implement the UNCRPD in Germany.

The Federal Ministry of Labour and Social Affairs has set up the structure and the roadmap for this plan, the rough outline is as follows:

- The action plan shall constitute a long-term comprehensive strategy of the federal government for the implementation of the convention. The Federal Ministry of Labour and Social Affairs is in charge of the developing process. Current disability-related projects and tasks will be incorporated into the action plan. Another focus will be on awareness raising and public relations.
- The federal action plan should be supplemented by further action plans of the German Länder, local authorities, enterprises etc. The Federal Ministry advises, supports and cross-links these actors.

The voice of the civil society, esp. of organisations of and for persons with disabilities, shall be streamlined in a special advisory board. The closest cooperation with persons with disabilities and their organisations is not only postulated by the UN convention. It is also of tremendous importance for the Federal Ministry and the Federal Commissioner.

Preparation talks within the federal government, with the Länder, organisations of and for persons with disabilities have started in the beginning of 2010. Expert conferences on the joint development of the action plan involving all stakeholders including the civil society are to follow. Cornerstones for the action plan shall be elaborated until the end of 2010. A Federal cabinet's decision on the action plan is planned for March 2011.

For consultations with civil society, a special website linked to the portal www.einfach-teilhabe.de will be launched in summer 2010 (URL t.b.a.).

A first of the Länder, Rheinland-Pfalz developed an own action plan that was presented to the public in March 2010 (<http://www.un-konvention.rlp.de/>). Other Länder have started to work on comparable projects.

2. Monitoring of the UNCRPD

2.1. Framework, including independent mechanisms, for promoting/ protecting/ monitoring (Article 33.2)

The Federal Government's Cabinet decision of 1 October 2008 initiating the legislative procedure for ratifying the Convention and the Optional Protocol entrusted the Deutsche Institut für Menschenrechte e.V. (German Institute for Human Rights) with the monitoring task under Article 33(2).

The Institute is an independent body operating on the basis of the United Nations Paris principles, to which Article 33(2) refers. It is currently financed by the Federal Ministry of Justice, the Foreign Ministry and the Federal Ministry of Economic Cooperation and Development and its independence is guaranteed via its legal form and the articles of association. It started work in 2001 and in the same year was recognised internationally as the national human rights institution. The website address is: www.institut-fuer-menschenrechte.de. To comply with the monitoring task under UNCRPD, a separate department within the Institute for the tasks under Article 33(2) has been set up. The Federal Ministry for Labour and Social Affairs provides some 430 000 EUR a year to support the independent body.

The Monitoring Mechanism has six staff members – besides the head, the body is comprised of two Research and Policy Professionals (one law, one social science), one assistant, one public relations and communications and one for administrative matters. The existing budget of the National Monitoring Mechanism provides enough additional resources to organise conferences, to cover travel costs and conferences fees, and to commission research to some minor extend.

The German Institute started to set up the National Monitoring Mechanism in May 2009, which is under full operation since November the same year. Since then, it has developed a great number of activities, e.g. it held two consultations with civil society, conducted a press conference before the federal elections in September and organised a public conference on the concept of reasonable accommodation in December.

2.2 The involvement of civil society in the monitoring process (Art. 33.3)

All three pillars involve civil society in the implementation and/or monitoring process:

1) Federal Ministry of Labour and Social Affairs as focal point

Civil society was consulted during ratification process, for the implementation of the convention by means of a national action plan these consultations will be continued with workshops and a special website (URL t.b.a.).

As mentioned above, the closest cooperation with persons with disabilities and their organisations is not only postulated by the UN convention. It is also of tremendous importance for the Federal Ministry and the Federal Commissioner.

Furthermore and with a view to implementing the UN convention, the Federal Ministry of Labour and Social Affairs takes –among others - the following measures to inform the public about the Convention:

- regular lectures for civil society and other institutions
- Translation of the convention into accessible formats (simple language and sign language) and distribution of all versions via brochures, dvd and/or internet.
- the Federal Government's report on persons with disabilities: Presentation of political activity on behalf of persons with disabilities, using the Convention as a reference document
- Handbook for persons with disabilities: The handbook is the Ministry's most important publication in the area of disability policy. The new version will print the text of the Convention and provide information on it.
- Online portal www.einfach-teilhabe.de, which gathers information for persons with disabilities, their families, enterprises and administration.

2) Federal Government Commissioner for Matters relating to Persons with Disabilities as coordinating mechanism

In order to ensure a long-term and strategic consultation process with civil society, particularly with organisations of and for persons with disabilities, the Commissioner seeks to establish a council. One of the main tasks of the council shall be to advise the federal government in questions related to the national action plan to implement the UNCRPD. In addition, the Commissioner seeks to establish a consultative committee with members only from organisations of and for persons with disabilities. The Commissioner also plans to launch a website that includes participatory elements of web 2.0 in order to ensure the participation of individuals (URL t.b.a.). In addition, the coordinating mechanism will inform the public in expert meetings and campaigns on all relevant aspects of the implementation of the convention

3) Monitoring Mechanism at the German Institute for Human Rights:

The National Monitoring Mechanism has underlined in public statements that monitoring the implementation is a task involving a number of non-state actors besides the National Monitoring Mechanism, such as the UN Committee on the Rights of Persons with Disabilities at the international level and civil society, in particular persons with disabilities and their representative organisations within Germany. Consequently, the collaboration of these actors is of great importance. Thus, the German civil society organisations have the standing invitation to participate in the regular consultations with the National Monitoring Mechanism. These meetings take place two or three times a year. Although the National Monitoring Mechanism does neither have the mandate nor the resources to handle complaints, it is open to receive individual communications and to learn from them, since individual cases might indicate deficits in structural terms.

2.3. Collecting statistics and/or developing indicators (Article 31)

Statistics on the population, labour market and housing situation in Germany are collected by the Federal Statistics Office and the Regional Statistical Offices under the *Mikrozensusgesetz 2005* (2005 Micro-Census Act). The micro-census is a multiple random sample survey which provides detailed information on the economic and social situation of the population and answers questions about employment, the labour market and training.

On the basis of §131 SGB IX a statistical survey of persons with severe disabilities, which started as early as 1979, is carried out every two years.

In addition to the evaluation of existing data, part of the action plan shall be a comprehensive study on the quality and quantity of this existing data, identifying lacks of data and paving the way for the collection of missing data (pre-study planned for 2011).

Hungary

1. National Implementation of the UNCRPD

1.1. Focal points and coordination mechanisms for implementing (Article 33.1)

The National Council on Disability Affairs (NCD) was established by the act on the rights of people with disabilities in 1998. The NCD is an advisory body to the Government with the following rights:

- To take initiatives, make proposals, and provide consultation and co-ordination in all decisions related to persons with disabilities;
- To carry out analysis and evaluation in the process of implementing such decisions,
- To comment on draft legislation concerning persons with disabilities;
- To make proposals for decisions, programs and legislation affecting persons with disabilities;
- To be involved in co-ordinating activities related to the affairs of persons with disabilities;
- To brief the Government regularly about the situation of persons with disabilities;
- To elaborate the National Disability Program and monitor the implementation thereof.

1.2. National strategies to implement the UNCRPD

The Hungarian Parliament adopted the National Disability Action Plan in 2006 for 2007-2013. In order to implement the DAP the Government adopted the midterm Action Plan for 2007-2010. These legal and policy instruments have not yet been modified due to the UNCRPD. Since the midterm Action Plan will expire at the end of this year, the Government has to adopt a new Action Plan during 2010 for 2011-2013. This new Action Plan has to be elaborated and adopted in a way that it will contain the necessary steps for the implementation of the UNCRPD.

Furthermore, in Hungary, the following developments have taken place in relation to implementation:

- The Hungarian Parliament adopted the Act No 125 in 2009 on the Hungarian Sign Language and the use of Hungarian Sign Language. This Act implements Article 9 subsection 1.b), Article 21, Article 24 subsections 3.b), 3.c), 4.
- The new Civil Code was adopted at the beginning of 2010. The Civil Code reformulates the rules on legal capacity by giving a wider scope of rights to people with mental disabilities and introduces a system of supported decision making. These new measures implement Article 12.

2. Monitoring of the UNCRPD

2.1. Framework, including independent mechanisms, for promoting/ protecting/ monitoring (Article 33.2)

Taking into account that the NCD has already have the right and duty to co-ordinate activities related to persons with disabilities as well as monitor the implementation of the National Disability Program, the Government invited the NCD in its decision No 1065 in 2008 to promote, protect and monitor the UNCRPD. This means that the NCD is designated for these activities.

Nevertheless this solution is not fully in line with the UNCRPD since the NCD is not considered as independent body because it is constituted by representatives of the relevant ministries and governmental organisations and representatives of the civil society.

It is also important to mention that in 2009 the Hungarian ombudsman for civil rights carried out an ex officio thematic review about the effectiveness of the rights of people with disabilities.

Also, the compilation of the report required by Article 35 UNCRPD has already started. It is a good tool to evaluate the measures that have already been taken. The report will be elaborated by the relevant governmental organizations and commented by the NGOs.

2.2 The involvement of civil society in the monitoring process (Article 33.3)

The National Council on Disability Issues was appointed by the Government for the task of monitoring. The representatives of civil society, NGOs and major civil organisations are members of the National Council on Disability Issues and are therefore deeply involved in the process.

Every policy document, proposal, draft, etc. which deals with disability issues or may have an impact on people with disabilities, has to be submitted to the Council for further comments. Besides, during the elaboration of such documents, the relevant civil organisations are consulted about the draft proposals and provisions.

The National Council on Disability Issues has the right to discuss, comment all policy documents and draft legislation dealing with disability and/or having any impact on people with disabilities.

The Hungarian Ministry of Social Affairs has subcontracted the Hungarian Autistic Society (HAS) to set up a mid-term strategy for the development of the services for people living with autism. It can be downloaded from the following website: www.esoember.hu (in Hungarian and in English as well). During the working process on the Strategy HAS was fully involved in every phase.

Awareness raising is a key issue. Therefore there is an ongoing campaign in Hungary, financed by the Prime Minister's Office for raising public awareness of people with disabilities. During this campaign, 1-minute-long TV-spots have been shot to show problems experienced by people with autism, visual and hearing impairment, mental difficulties and on people using wheelchairs. The aim of the campaign is to make people aware of the needs of people with disabilities as well as the need of stronger social integration.

Pilot programmes were carried out to train students and teachers about the integration of people with disabilities. Since 1993, this programme is also part of elementary school education.

2.3. Collecting statistics and/or developing indicators (Article 31)

The development of indicators has already been launched, though the procedure is not yet finished. A project has been launched in 2009 to set up indicators by the end of 2010 regarding the implementation of UNCRPD.

Ireland

1. National implementation of the UNCRPD

1.1. Focal points and coordination mechanisms for implementing (Article 33.1)

Focal point and coordination arrangements pursuant to Article 33.1 will be settled in due course following Ireland's ratification of the UNCRPD.

The Disability Equality Unit (DEU) of the Department of Justice, Equality and Law Reform co-ordinates both the implementation of the National Disability Strategy and the work of the Interdepartmental Committee on the UNCRPD, which are the primary elements at present in meeting the requirements of the UNCRPD.

1.2. National strategies to implement the UNCRPD

The Irish Government launched its National Disability Strategy (NDS) in September 2004 to underpin the participation of people with disabilities in Irish society. The NDS builds on existing policy and legislation, including the policy of mainstreaming public services for people with disabilities, and comprehends many of the provisions of the UNCRPD. The NDS continues to be the focus of Government policy and its implementation, which is ongoing in spite of current economic circumstances, will also provide the basis for implementation of the UNCRPD.

The NDS has been endorsed in Ireland's national social partnership agreement "*Towards 2016*" in which the Government and social partners agreed that the NDS represents a comprehensive strategy and that its implementation should be the focus of policy over the lifetime of the agreement. The [Towards 2016 Strategic Document on Disability \(PDF, 30.3KB\)](#) was published, following the approval of the Irish Government, in May 2009. This document brings together the vision, mission and strategic objectives of the NDS.

The key elements of the National Disability Strategy are:

- the [Disability Act 2005](#)
- Sectoral Plans for services prepared by six Government Departments
- the [Citizens Information Act 2007](#) which provides for a personal advocacy service for people with disabilities
- the [Education for Persons with Special Educational Needs Act 2004](#)
- a multi-annual investment programme 2006-2009 targeted at high-priority disability support services.

The Disability Act 2005 is designed to support the provision of disability-specific services and improve access to mainstream public services for people with disabilities. In accordance with the Act, a review of its operation has to be carried out by the end of July 2010. This process has been initiated. Under the Act, six Government Departments published Sectoral Plans in December 2006 that set out the programme of measures to be taken in relation to the provision and mainstreaming of services for people with specified disabilities. The Departments are: Enterprise, Trade and Employment⁹; Health and Children¹⁰; Transport¹¹;

⁹ Sectoral Plan is at www.entemp.ie/labour/strategy/sectoralplan.pdf

¹⁰ www.dohc.ie/publications/fulltext/disability_sectoral_plan/

¹¹ www.transport.ie/upload/general/7760-0.htm

Social and Family Affairs¹²; Environment, Heritage and Local Government¹³; and Communications, Energy and Natural Resources¹⁴.

The Disability Act also requires the preparation of reports relating to the progress made in the implementation of the Sectoral Plans at intervals of not more than three years after their publication. These Reports were approved for publication by Government in February 2010. The general finding was one of significant and substantial progress by all six Departments.

In terms of the UNCRPD, the NDS is complemented by a high-level Interdepartmental Committee on the UNCRPD which advises on and monitors legislative, policy and administrative actions required to enable the State to first ratify the UNCRPD. The committee is chaired by Disability Equality Unit (see 1.1. above) and contains officials from the six Sectoral Plan Departments as well as the Departments of Foreign Affairs, Education & Science, Defence, Arts Sport & Tourism and the Office of Public Works. It has developed a Work Programme to address (i) any elements of the NDS that require alignment with the Convention; and (ii) any matters outside the NDS required for ratification. This programme is being progressed across the relevant Government Departments.

An example of legislation required for ratification of the UNCRPD is the Mental Capacity Bill, which is expected to be completed by mid-2010 and which represents root and branch reform of the law with respect to persons who lack capacity and will include modernisation of the Wards of Court system. The Bill will provide greater protection for adults with intellectual disabilities, persons suffering from dementia or mental illness, and persons who have acquired brain injuries through trauma or accident.

2. Monitoring of the UNCRPD

2.1. Framework, including independent mechanisms, for promoting/ protecting/ monitoring (Article 33.2)

The role of the Interdepartmental Committee on the UNCRPD was outlined at 1.2. It is likely that this committee will continue to monitor the process towards implementation following Ireland's ratification.

The National Disability Strategy (NDS), as also outlined at 1.2, comprehends many of the provisions of the UNCRPD. Progress on its implementation is monitored by the Senior Officials Group on Disability (SOGD), which reports to the Cabinet Committee on Social Inclusion. SOGD comprises officials representing Disability Equality Unit (see 1.1.), the six Government Departments responsible for Sectoral Plans and the Departments of the Taoiseach (who is the head of Government); Finance and Education & Science.

The National Disability Authority (NDA) is an independent public body under the aegis of the Department of Justice, Equality and Law Reform which promotes and secures the rights of people with disabilities. It develops and monitors standards in services for people with disabilities and advises Government on disability policy and practice. The NDA is actively involved with the implementation of important aspects of the National Disability Strategy and supports Government Departments and agencies in meeting relevant objectives.

¹² www.welfare.ie/EN/Policy/CorporatePublications/HowWeWork/Disability%20Sectoral%20Plan/Pages/index.aspx

¹³ www.environ.ie/en/LocalGovernment/LocalGovernmentAdministration/SectoralPlan/PublicationsDocuments/FileDownload,2011,en.pdf

¹⁴ www.dcenr.gov.ie/NR/rdonlyres/86EAF9C1-6F7C-45ED-9F30-60775F3EF42D/0/justicerevisedpublishableplan.pdf

Progress on the overall implementation of the NDS is further monitored by the National Disability Strategy Stakeholder Monitoring Group (NDSSMG), which provides a means of facilitating dialogue between all parties involved. It comprises:

- the Senior Officials Group on Disability (SOGD)
- the Disability Stakeholder Group (see also 2.2 below)
- the National Disability Authority
- the Irish Congress of Trade Unions and the Irish Business and Employers Confederation

2.2 The involvement of civil society in the monitoring process (Art. 33.3)

"Towards 2016" the national social partnership agreement for Ireland for 2006–2015 was negotiated and agreed between Government, trade unions, employers, farming organisations and the community and voluntary sector. It sets out a vision for Ireland which envisages an internationalised participating society and economy with a strong commitment to social justice, sustainable economic development and competitiveness. In respect of people with disabilities, the NDS provides for the lifecycle approach and its implementation is the focus of policy over the period of the Agreement.

The National Disability Strategy Stakeholder Monitoring Group (NDSSMG) was established under *"Towards 2016"* to maintain a constructive relationship with stakeholders, provide them with a forum to raise issues and a means of facilitating dialogue between all parties involved in the NDS. Membership of the NDSSMG (see also 2.1. above) includes the Disability Stakeholder Group (DSG). The DSG is an umbrella group comprising the following six organisations:

- People with Disabilities in Ireland
- the Disability Federation of Ireland
- the Irish Mental Health Coalition
- Inclusion Ireland
- the National Federation of Voluntary Bodies
- the Not for Profit Business Association

The Interdepartmental Committee on the UNCRPD consults with people with disabilities through their representative organisations and has prepared Irish language and Braille versions of the UNCRPD.

People with disabilities, their families, carers, advocates and service providers were consulted on the Sectoral Plans before they were completed. Each plan includes arrangements for complaints, monitoring and review procedures. The DSG, apart from being part of the NDSSMG, is in ongoing consultation with relevant Government Departments in relation to Sectoral Plans and all aspects of disability.

Disability organisations are also being consulted in respect of the review of the operation of the Disability Act which is currently in progress (see also 1.2.).

2.3. Collecting statistics and/or developing indicators (Art. 31)

The National Disability Authority (see also 2.1.) has a statutory remit to undertake, commission or collaborate in disability research and to contribute to the development of statistical information relating to programmes and services for people with disabilities. The NDA fulfils this remit in a number of ways, including:

- the production and dissemination of disability research on a wide range of policy and service related issues;

- contributing expertise to national research and development initiatives - such as the Central Statistics Office's National Disability Survey, the Health Research Board's National Disability Databases (see below), and projects in partnership with agencies such as the National Women's Council, the Council for Ageing and Older People, the Equality Authority and many others;
- hosting the NDA Annual Disability Research Conference;
- the NDA Database of Disability Research in Ireland;
- funding research at grassroots level through the Research Promotion Scheme (RPS); and
- funding postgraduate research through the NDA Disability Research Scholarships

There are two national service-planning databases in Ireland for persons with disabilities managed by the Health Research Board: the National Intellectual Disability Database and the National Physical and Sensory Disability Database. These databases inform decision-making in relation to the planning of specialised health and personal social services for people with intellectual, physical or sensory disabilities.

Italy

1. National Implementation of the UNCRPD

1.1. Focal points and coordination mechanisms for implementing (Art. 33.1)

The Ministry of Welfare is responsible for the coordination of the activities, but the process has not yet started.¹⁵

1.2. National strategies to implement the UNCRPD

The tasks assigned to the National Observatory aim at giving new and constant inputs regarding public policies in the field of disability and can be summarized as follows:

- a. implementation of the UN Convention on the Rights of Persons with Disabilities, also through a detailed report on the measures taken, as provided by Article 35 of the Convention, in close co-operation with the Inter-ministerial Committee on Human Rights;
- b. to set up of a two-year plan of action for the promotion of the rights and integration of people with disabilities, as provided by national and international provisions;
- c. to collect statistical data on the situation of people with disabilities, with reference to the local peculiarities;
- d. to set up a national report on the implementation of policies in the field of disabilities (as provided in national Law n. 104/1992);
- e. to promote studies and researches that can contribute to the identification of priority areas of actions and programs for the promotion of the rights of people with disabilities.

Service providing organizations have started to work on the implementation of the UN CRPD informing their clients and families on the rights of people with disabilities outlined in the UNCRPD, and also on specific services, such as: work, health, rehabilitation, leisure time and so on. Anyhow it should be noted that this work started years before the UNCRPD was launched. The Federation of the rehabilitation centers is also giving its contribution on the implementation.

2. Monitoring of the UNCRPD

2.1. Framework, including independent mechanisms, for promoting/ protecting/ monitoring (Article 33.2)

The ratification act of the UN Convention on the rights of people with disabilities was adopted by the Italian Parliament by national Law n. 18/2009, also providing the establishment of a National Observatory in order to monitor the condition of people with disabilities. The national Observatory for monitoring the condition of people with disabilities will also assure the activities provided by the Article 33.2 of the UN Convention.

The Observatory is a collective body that will facilitate the constant link between government and people with disabilities and their families and supporting organizations; where the

¹⁵ Information provided by EASPD-Italy

various needs of people with disabilities can be discussed in order to identify proper and joint solutions; based on an effective coordination of policies and programs.

2.2 The involvement of civil society in the monitoring process (Art. 33.3)

In the Observatory the following entities are represented: the administrative departments from the national level involved in the definition and implementation of policies in favour of persons with disabilities; regions and autonomous provinces of Trento and Bolzano; the local autonomies, i.e. provinces and municipalities; the national Institutes of social provisions and protection; the national institute of statistics; trade unions representing persons with disabilities, workers, retired people and employers; national associations representing persons with disabilities; organizations from the non profit sector dealing with disabilities issues.

The organisations representative of people with disabilities are been involved in the decisional processes on disability, at National, regional and local level. Since 1992 the law n. 104/1992 introduced a National Conference on the policies for disability (organised every three years) with the active participation of people with disabilities and their representative organisations. The law provides a Communication to the Parliament on the conclusions of the National Conference.

However, before the ratification of the UN Convention, Italy lacked an institutional body for the permanent consultation of persons with disabilities. For this reason, the consultation of the organisation up to now has happened by an informal dialogue and within the public debate at national, regional and local level. In the near future, the mainstreaming strategy on disability issues will be implemented by the National Observatory for monitoring the condition of people with disabilities, established by the recent national law for the ratification of UN Convention on the rights of people with disabilities.

2.3. Collecting statistics and/or developing indicators (Article 31)

A specific data collection related to the implementation of the Convention has not been launched yet. At www.disabilincifre.it, however, a website promoted by the Ministry of Labour in co-operation with ISTAT, the national institute for statistics, various data on PWD are available.

Latvia

1. National Implementation of the UNCRPD

1.1. Focal points and coordination mechanisms for implementing (Article 33.1)

According to the Law on Convention on the Rights of Persons with Disabilities, accepted due to ratification, the **Ministry of Welfare is the focal point** for matters relating to the implementation of the Convention (responsible for coordination of implementation of the Convention).

The Ministry of Welfare of Latvia is directly responsible for disability policy in the area of social protection, at the same time the ministry has taken charge of monitoring of implementation and development of equal opportunities policy for disabled in Latvia at large. This is done by gathering information from other ministries and preparing respective annual reports, by keeping track of developments of other ministries' policy related to disability, and by taking into consideration complaints and ideas for improvement of legislation in different areas. These are proposed by NGOs. The ministry then tries to solve these problems in cooperation with other involved ministries. As the ministry is responsible for disability policy, it is also responsible for the monitoring of the implementation of the UN Convention. All ministries involved are responsible for the implementation of their specific activities, according to sphere of competence.

The coordination mechanism (procedure of coordination and monitoring of the Convention) within the government formally is not established. It is carried out through the **National Council of Disability Affairs** (NCDA), established by the Ministry of Welfare. The NCDA is an advisory institution that takes part in development and implementation of integration policy of disabled people. NCDA involves line ministers, Chairperson of the Latvian Association of Local and Regional Governments, Ombudsman, Chairperson of Public Utilities Commission, Director of Society Integration Foundation, President of Free Trade Union Confederation of Latvia and also representatives of key non-governmental organizations. Chairman of the NCDA is the minister of welfare. Starting from 2009 the progress and challenges of implementation of the Convention has been discussed in every NCDA meeting. This year separate items of the Convention, article by article, will be included in every NCDA meeting's agenda. At January meeting members of the NCDA decided to set up the working group tackling an accessibility matters. The task of this working group will be finding bottlenecks and generating solutions of problems related to all kinds of accessibility and presenting results at the NCDA meetings on regular basis.

Coordination of implementation of the Convention will be carried out also through several working groups formed by the Ministry of Welfare for implementation of the Convention Implementation Action Plan 2010.-2013 (accepted by the Cabinet in October, 2009), as well as indirectly through preparation by the Ministry of Welfare annual reports on implementation of the concept paper „Equal opportunities for all” (adopted by the Cabinet in 1998) and „Action Plan for Implementing the Basic Principles on Policy for Elimination of Disability and it's Consequences 2005-2015”, adopted in 2006.

Information about all NCDA meetings is available at the Ministry of Welfare home page www.lm.gov.lv (in Latvian). There will also be information available about meetings of all working groups related to the implementation of the Convention.

1.2. National strategies to implement the UNCRPD

Several strategic documents or advanced plans for a strategy directly devoted to the disability policy matters are already in place:

- Different ministries carry out implementation of the concept paper „Equal opportunities for all” (adopted by the Cabinet in 1998). The concept paper covers actions until 2010 within the following fields: health, education, employment, proper environment, social security. Planned actions for the implementation of this conception have to be included in the annual action plans of ministries. The Ministry of Welfare prepares each year the report on progress and presents it at the NCDA meeting.
- The „Basic Principles on Policy for Elimination of Disability and its Consequences, 2005-2015” elaborated by the Ministry of Welfare has been adopted by the Cabinet in 2005. This strategic document contains guidelines for preventing disabilities and the basic principles, objectives and priorities of state social protection policy for persons with disabilities. The implementation of this strategy is supported by the „Action Plan for Implementing the Basic Principles on Policy for Elimination of Disability and its Consequences 2005-2015”, adopted by the Cabinet in 2006. An aim determined in the Action Plan is to eliminate or to reduce the risk of disability for the persons with threatened/prognosticated disability, to reduce the effect of disability on persons with disability and to reduce the risk of social exclusion for all those persons. The Ministry of Welfare prepares each year the report on progress and submits it to the Cabinet
- The UNCRPD Implementation Action Plan 2010-2013, adopted by the Cabinet in October, 2009, envisages initial steps for promoting implementation of the Convention. Due to the significant financial restrictions caused by the recession, this plan in general outline includes only short term activities where additional financing is not required, or reduced to a minimum, or supported by the EU financial instruments. One of the tasks of this Action plan is to elaborate the UNCRPD implementation programme for 2013-2019 which will be a comprehensive strategy to reach the UNCRPD objectives.

All above mentioned documents as well as annual reports on their implementation are available at the Ministry of Welfare home page www.lm.gov.lv (in Latvian)

2. Monitoring of the UNCRPD

2.1. Framework, including independent mechanisms, for promoting/ protecting/ monitoring (Article 33.2)

According to the above mentioned Law on Convention on the Rights of Persons with Disabilities **the Ombudsman office as the independent institution** ensures monitoring of implementation of the Convention. Representatives of the Ombudsman office participate in above mentioned NCDA and in all working groups of implementation of the Convention.

2.2 The involvement of civil society in the monitoring process (Art. 33.3)

Civil society, in particular persons with disabilities and their representative organizations, shall be involved through the NCDA and above mentioned working groups. Starting from 2007 each month Ministry of Welfare organises meetings with persons with disabilities and

their representative organizations to discuss and solve practical and political issues. Starting from 2010 the key NGOs will be invited to report to the Ministry of Welfare, or in above mentioned working groups and to the NCDA their activities in implementation and monitoring of the Convention.

Information about all monthly meetings with NGOs is available at the Ministry of Welfare home page www.lm.gov.lv (in Latvian)

NGOs representing persons with disabilities have the opportunity to participate in the process of policy planning as well as monitoring of implementation. During preparation of draft laws and regulations and developing amendments on existing legislation (for example, Policy Guidelines for Reduction of Disability and its Consequences, draft law On Disability and its sub laws, the conformity assessment of national legal acts to the United Nation Convention), the NGOs have played the significant role. Therefore such a fruitful cooperation will be continued and broadened also further in the future. The first task this year where the NGOs will be deeply involved will be elaboration of the above mentioned strategic document “Basic Principles of Implementation of the Convention on the Rights of Persons with Disabilities for 2013-2019”. The Ministry of Welfare is open for more intensive cooperation with NGOs at the Convention implementation monitoring process and would wish the more support and the interest from the NGOs side, inviting NGOs to report to the Ministry of Welfare, or in above mentioned working groups and to the NCDA about their activities in implementation and monitoring of the Convention.

2.3. Collecting statistics and/or developing indicators (Article 31)

In Latvia the statistical data which cover also disability matters, are collected and available in several institutions, depending on respective policy area. It should be mentioned at this stage that the Ministry of Welfare has subordinate institutions (the State Social Insurance Agency, the State Employment Agency, the State Medical Expertise Commission of Health and Capacity for Work (SMECHCW)) whose regular statistics are applicable for the monitoring disability policy. Besides, relevant data related with disability statistics are collected also in other ministries (for instance the Ministry of Education and Science, the Ministry of Health etc.) and, of course, at the Central Statistical Bureau (CSB). Some statistics are provided in the annual public reports of respective ministries, or institutions, in their home pages, and in the CSB publications. Data is mostly longitudinal.

The improvement of data collection for the total number of persons with disability is in progress: During the EU structural funds` planning period 2004-2006 under the National programme “Provision of information and communication technologies in administrative institutions of the social services system” the SMECHCW, involving the ERDF co-financing, created the disability information system, i.e. a **unified database of disabled people**. To continue the development of this database during the EU structural funds` planning period 2007-2013 under the operational programme`s “Infrastructure and services” activity "Information systems and electronic services development" the SMECHCW, involving ERDF co-financing, has started the new project “Digitalization of the archive data basis and implementation of e-services”. It is envisaged, that one of the outputs of this project will be an improved disability information system, which will allow to obtain comprehensive and detailed statistical data distributed by gender, age, region, as well as by diagnosis, covering all persons with disability (and also persons with threatened/prognosticated disability), including also historical data, which currently in many cases are available only in paper form. In general, the above mentioned data sources are successfully used for policy formulation and monitoring of implementation. However, it is not sufficient for monitoring the

implementation of the Convention because the available data cover multidimensional and multidisciplinary area of the Convention only partially.

The monitoring mechanism of the implementation of the Convention, including Article 31, is not yet adjudicated. Therefore in a view of ensuring both the monitoring of implementation of the Convention and preparation of reports on progress (in accordance with the article 35, paragraph 1 of the Convention) the development of indicators will be discussed during the forthcoming meeting of the working group for preparation of the strategic document “Basic Principles of Implementation of the Convention on the Rights of Persons with Disabilities for 2013-2019”. The working group will start its activities in March 2010 and in parallel to the elaboration of the strategic document for 2013-2019, all relevant ministries will be asked to make proposals for specific indicators which could support the analysis of the implementation of the Convention. After reaching an agreement on the indicators, the involved relevant ministries will be obliged to ensure collecting and maintenance of these specific statistical data.

Lithuania

1. National Implementation of the UNCRPD

1.1. Focal points and coordination mechanisms for implementing (Article 33.1)

The resolution of the Government of the Republic of Lithuania No. 1540 of 18 December 2001 accords the Ministry of Foreign Affairs the responsibility for coordinating the preparation of statements, reports and information under the UN convention on the protection of human rights. The Ministry is also obligated to present and submit the most important information about the state to the UN Secretariat.

It is anticipated that upon ratification of the UN Convention on the Rights of Persons with Disabilities, the Ministry of Social Security and Labour will assume responsibility for the organisation of the preparation of statements, reports and information thereunder. The Ministry of Social Security and Labour is responsible for the implementation of the Convention as well as other ministries as per their competence.

The nomination of a coordination mechanism within government is being considered but no decision has been adopted as the UN Convention has not yet been ratified.

1.2. National strategies to implement the UNCRPD

The main aims and objectives of the Convention and its implementation are included in the National Social Integration Programme for Persons with Disability. Taking into account the spirit of the Convention, currently the new project of this document is prepared. This project will soon be presented to the Government of the Republic of Lithuania.

The main aim of this programme is to achieve equal opportunities and improve the quality of life for people with disabilities in line with international and national public policy objectives and commitments.

The main objectives of the programme are: 1. to increase aid to the families of people with disabilities (children, adults); 2. To develop services for people with disabilities in the community and improve their quality of life; 3. To improve environments for people with disabilities, the legal framework, improve accessibility of the disabled; 4. To improve health care and medical rehabilitation services for people with disabilities and improve the quality of these services; 5. to increase and raise the effectiveness and accessibility of the disabled; 6. to improve the social assistance system; 7. To increase access to employment and labour market; 8. to strengthen legal protection; 9. To increase participation in cultural, public, political life, sport and active leisure activities; 10. To improve the management of the social inclusion process and etc.

This programme is coordinated and monitored by the Department of Disabled Persons under the Ministry of Social Security and Labour.

It is noteworthy that, during the ratification process, the active publicity and public awareness campaign of the Convention was organized (started in 2008). In order to inform the society about the main provisions of the Convention and its Optional Protocol, the visual aids, booklets, the publication of the text of the Convention (including Braille writing) and the CD were prepared and distributed.

In order to introduce provisions of the Convention and its Optional Protocol to representatives of associations for people with disabilities, county chief administrations, municipalities and social partners, round tables and seminars were organized in the main regions of Lithuania.

It should also be noted that any new laws coming out are harmonized with the Convention's provisions (for example, the Law on education etc.).

2. Monitoring of the UNCPRD

2.1. Framework, including independent mechanisms, for promoting/ protecting/ monitoring (Article 33.2)

An independent mechanism pursuant to Article 33.2 of the UN Convention will be nominated at the moment of ratifying the Convention.

2.2 The involvement of civil society in the monitoring process (Article 33.3)

The rights of people with disabilities are defended and represented by the associations of disabled persons. Decisions are taken only after including the opinions and experiences of persons with disabilities. Responsible authorities agree on the drafts of the laws and other legal acts related to disability issues after taking into account the opinions and views of organizations of people with disabilities. The Public Relations Division of the Ministry of Social Security and Labour constantly prepares and updates information on the process of ratification of the Convention and the Optional Protocol. The information is presented to news agencies and published in the Ministry's website.

The Ministry of Social Security and Labour has several subordinated institutions: the Department of Disabled Persons under the Ministry of Social Security and Labour, the Service for Establishing Disability and Capacity for Work under the Ministry of Social Security and Labour, the Dispute Commission under the Ministry of Social Security and Labour, and the Centre for Technical Assistance for People with Disabilities under the Ministry of Social Security and Labour. They organize regular meetings with relevant NGOs in order to ensure closer cooperation, distribution of information as well as resolution of existing problems. Relevant problems related to the establishment of ability-for-work and disability, determination of the need for professional rehabilitation services, ensuring equal opportunities etc. are issues discussed at these meetings.

Representatives of the organisations for people with disabilities are involved in the observation of the situation of people with disabilities in Lithuania and in the decision-adoption process. The Council for Affairs of Disabled under the Ministry of Social Affairs and Labour analyzes the most important issues in relation to social integration of people with disabilities, and submits proposals to the Minister of Social Security and Labour regarding the implementation of social integration policy relating to the needs of people with disabilities. The Council is formed on voluntary basis on the grounds of equal partnership rights from state institutions and representatives delegated from the Lithuanian Union of Persons with Visual Impairment, the Lithuanian Society of Persons with Hearing Impairment, the Lithuanian Invalids Society, the Lithuanian Union of Persons with Disabilities, "Viltis" Association for Care for People with Intellectual Disorders, the Lithuanian Association for Care for People with Mental Disorders and the Paralympic Committee of Lithuania. They each have one main representative, whether he is the president, the vice-president, or the chairman. The members of the Council representing state institutions are delegated by the Ministry of Social Security and Labour, the Ministry of Health, the Ministry of Education and

Science, the Ministry of Environment, the Ministry of Communications, the Ministry of Interior and the Ministry of the Economy. They have one representative each: The vice-minister, the ministerial secretary of state, the ministerial secretary or department director. The purpose of the Council is to examine the key issues of social integration of persons with disabilities and to assist the Minister of Social Security and Labour and other Ministers in the implementation of the social integration policy. Decisions by the Council inform and advise the Minister of Social Security and Labour.

Programmes on social integration of disabled persons initiated by associations for people with disabilities and state authorities are financed on a regular basis, according to the legal procedures.

2.3. Collecting statistics and/or developing indicators (Article 31)

Lithuania is constantly collecting statistic data and materials, which can then be used for monitoring the Convention.

The Equal Opportunities Division of the Ministry of Social Security and Labour (MSSL), acting within the scope of its competence, collects, systematises and analyses information about the implementation of the equal opportunities policy in Lithuania and abroad. The Department of the Disabled Persons' Affairs under the MSSL collects, on an annual basis, information and statistics related to the social integration of people with disabilities from the state, local authorities and organizations of people with disabilities. It also systematises and summarises them before notifying the MSSL, state and local authorities and organizations of people with disabilities. The Service for Establishing Disability and Ability-for-Work under the MSSL draws up statistical reports on persons with disabilities and submits them to the MSSL and to the Department of Statistics under the Government. The Service exchanges information and collaborates with individual healthcare establishments, the National Labour Exchange under the MSSL, the State Social Insurance Fund Board under the MSSL, local authorities, state institutions and other organisations in accordance with the provisions of the Law on Legal Protection of Personal Data.

Luxembourg

1. National Implementation of the UNCRPD

1.1. Focal points and coordination mechanisms for implementing (Article 33.1)

Luxembourg has not yet nominated a focal point or a coordination mechanism. It seems however clear that the Ministry of Family Affairs and Integration will play an important role in coordinating the implementation procedures.

1.2. National strategies to implement the UNCRPD

The 2009-2014 state agenda plans the development of an outline law on disability proposing a global concept of integration and non-discrimination of persons with disabilities. Simultaneously, the Ministry of Family Affairs and Integration is developing a national strategy to put in place the UNCRPD and the Optional Protocol to allow persons with disabilities to participate fully in all aspects of society.

The analysis of the national legislation in relation to the ratification of the Convention was meant to identify possible laws which may be at the source of discrimination against persons with disabilities. The main findings were related to the accessibility to public services, to higher education as well as adults' legal protection.

In order to raise public awareness about the situation of persons with disabilities and to provide information about the objectives of the Convention, the Family and Integration Ministry has developed an information and awareness campaign on the topic of the UNCRPD.

The principle objectives of the campaign are as follows:

- Informing persons with disabilities about the objectives of the Convention
- Raising awareness of the wider public on the rights of persons with disabilities, showing through various means (posters, adverts) that these rights equal general human rights.
- Providing information to the family members and officials from the social, education, health and care sectors on the UNCRPD.

This campaign was developed in close cooperation with Info-Handicap - Centre National d'Information et de Rencontre du Handicap and various NGOs and other institutions dealing with disability and persons with disabilities.

2. Monitoring of the UNCRPD

2.1. Framework, including independent mechanisms, for promoting/ protecting/ monitoring (Article 33.2)

Luxembourg has not yet nominated an independent mechanism nor has it determined any reporting format as the ratification process hasn't yet come to an end. A final decision will be taken after the law approving the UNCRPD is voted. It seems however clear that at national level a major role will be played by the 'Commission Consultative des Droits de l'Homme' whose mission is to promote human rights throughout the Grand Duchy of Luxembourg "inter alia" for persons with disabilities, by representative organisations and

most importantly by the National Council of persons with disabilities and the Higher Council of persons with disabilities.

2.2 The involvement of civil society in the monitoring process (Article 33.3)

The “Conseil supérieur des personnes handicapées” is a national council which has its legal basis in the law of September 12, 2003 about the income of disabled people. It is composed of 11 members, 5 disabled persons, 4 representatives of organisations for persons with disabilities, one representative of the “Centre national d’information et de rencontre du handicap” and one of the Ministry of Family Affairs and Integration. It is allowed to take the initiative of giving advice on specific disability related issues and it is bound to express its view on every single law or other disability-specific legal instruments and to advise the Minister on other issues on her request.

Furthermore, the Ministry of Family Affairs and Integration cooperates largely with Info-Handicap-Conseil National des Personnes Handicapées which represents Luxembourg in the European Disability Forum (EDF). It is a loose federation currently comprising more than 50 member organisations which are active in many different areas. Some members are major service providers, responsible for running large institutions, while others are very small self-help or support groups. One of Info-Handicap's main tasks is thus to identify shortcomings in these areas and seek solutions to them in cooperation with the authorities. It is also undertaking, on a regular basis, actions to raise awareness in the field of disability.

Consultations between the Ministry of Family and Integration and several organisations of and for disabled persons take place on a regular basis. This cooperation is of variable geometry depending on the questions and problems that need to be tackled.

The pillars of the policy for disabled persons are social inclusion and the participation at all levels as well as the maintenance and development of the personal autonomy and independence of persons with disabilities. An evaluation of the expectations and of the needs is necessarily carried out before the launch of a new project.

Another important tool used to foster empowerment of people with disabilities is the support of the Ministry of Family and Integration for "umbrella" organisations which coordinate the activities of a number of member organisations. For several years, two of those organisations, namely Info-Handicap a.s.b.l. and “Solidarität mit Hörgeschädigten”, have been benefiting from a convention with the Ministry of Family and Integration for their information, consultation and training services.

2.3. Collecting statistics and/or developing indicators (Article 31)

The department for persons with disabilities of the Ministry of Family Affairs and Integration is reflecting upon and developing a common coherent strategy for a coordinated collection of statistical data. In the meantime, Luxembourg uses statistical data collected by different actors working with issues related to disability such as the *Service des Travailleurs Handicapés de l’Administration de l’Emploi*, the *Service de l’Education Différenciée*, *l’Assurance Dépendance et la Caisse Nationale des Prestations Familiales*. While collecting relevant data, the main problems encountered were the double citing of certain figures and the legal protection of specific data.

Malta

1. National Implementation of the UNCRPD

1.1. Focal points and coordination mechanisms for implementing (Art. 33.1)

In Malta, an inter-ministerial committee has been appointed in order to examine the changes that need to be made to national legislation, policies and practices, in order for Malta to be able to ratify the Convention.

This Committee agreed that, once the Convention has been ratified, the National Commission Persons with Disability (KNPD) will be the focal point responsible for monitoring its implementation.

1.2. National strategies to implement the UNCRPD

No strategy is yet in place since Malta still has to ratify the Convention.

2. Monitoring of the UNCRPD

2.1. Framework, including independent mechanisms, for promoting/ protecting/ monitoring (Art. 33.2)

Currently, no mechanisms are in place since Malta has not yet ratified the Convention.

Malta has not yet nominated an independent mechanism pursuant to Article 33.2 of the UN Convention, however it is envisaged that the KNPD will be nominated as the independent mechanism. By law, disability-related, civil society is represented on KNPD's board. Seven board members are appointed by the Prime Minister as individuals who best represent the interests of voluntary organisations working in the field of disability.

2.2 The involvement of civil society in the monitoring process (Art. 33.3)

To date, several seminars and conferences have been held with representatives of disability organisations and other stakeholders in order to disseminate information about the Convention. The text of the Convention is being produced in accessible formats through EU funding. To date, it is available in audio, Maltese and easy-to-read Maltese versions.

KNPD is the national, focal point within the Maltese Government working in this field. Seven members have to be appointed by the Prime Minister; these are people who in the Prime Minister's opinion best represent the voluntary organisations working in the field. Another seven members are appointed from among such persons who, in the opinion of the Prime Minister, best represent voluntary organizations working in the field of disability issues. Furthermore, half the board members must themselves be persons with disabilities, or family members of persons with a mental disability. Either the chairperson, or the vice chairperson must be disabled himself or he must be related to a person with a mental disability. More than half of the employees of the KNPD's secretariat have disabilities.

The KNPD has a comprehensive programme¹⁶ of empowering persons with disability. KNPD organises regular awareness-raising campaigns with the direct participation of persons with disability and often with EU funding. These include an annual national conference and the Parliament of Persons with Disability. KNPD organises training for persons with disability to assume these roles and tasks, as well as disability studies and lectures, mainly for university students. These sessions always include the direct involvement of persons with disability, in both curriculum design as well as lecture-delivery. Disability Equality Training is also provided to public and private organisations and community groups. KNPD, on a regular basis, includes persons with disability when participating in activities organised at EU level (e.g. annual Conference organised to mark the European Day of Persons with Disability in December).

2.3. Collecting statistics and/or developing indicators (Art. 31)

KNPD collects statistics but not with direct reference to the Convention. The information published in KNPD's Annual Equal Opportunities Act (Cap. 413) Report is relevant to this. In 2009, KNPD published statistics about the quality of life of disabled people in Malta, based on the 2005 Census. This will be updated after the next Census due to take place in 2011.

Further information can be obtained from the KNPD website, www.knpd.org.

¹⁶ This programme includes:

(a) **SPEAK OUT!**

Training of Persons with Disability to take part in Disability Equality Training session

This consists of an annual residential training course which is delivered to different groups of disabled persons. One session focuses specifically on persons with an intellectual impairment. The training programme includes talks and activities by well-established local and foreign, disabled activists, sessions on leadership and communication skills and also the preparation of material (for example, powerpoint presentations) to be used during disability equality training sessions

(b) **DISABILITY EQUALITY TRAINING (DET)**

DET is delivered to various entities such as front-office employees in public and private companies and NGOs. As always, the training programmes all involve the active participation of persons with disabled persons themselves in both course development as well as course delivery.

(c) **DISABILITY STUDIES**

These are lectures aimed at university undergraduates. They are intended to serve as a general introduction to Disability Issues and the differing effects which disabling barriers have upon individuals and society. Lectures aim to give students:

an introduction to key texts on disablement and the Social Model of Disability (the theoretical aspect),

a chance to exchange views with disabled activists (the experiential aspect) and

a final assessment which encourages them to critically examine their own and societies attitudes towards disablement and disabled people (the attitudinal aspect)

These lectures are designed and delivered chiefly by disabled persons themselves.

(d) **CONSULTATIVE GROUP OF PERSONS WITH AN INTELLECTUAL IMPAIRMENT**

KNPD has established a consultative group of persons with intellectual impairment to advise KNPD on all decisions taken at policy level.

(e) **KNPD KEY DOCUMENTS IN ALTERNATIVE MEDIA**

In order to ensure effective participation of persons with disability and to truly empower them, KNPD has endeavoured to produce all its publications, in some cases in summary form, in different formats. These include versions in Maltese, English, Easy-to-Read format in Maltese, audio and Maltese Sign Language. Furthermore, all publications are also posted on KNPD's website (which is also accessible to all according to international access standards).

Netherlands

1. National Implementation of the UNCRPD

1.1. Focal points and coordination mechanisms for implementing (Article 33.1)

It is proposed that after the ratification of the UNCRPD the focal point will be the Ministry of Health, Welfare and Sport. The coordination mechanism consists of all relevant government departments and other government (local, provincial and regional) levels.

1.2. National strategies to implement the UNCRPD

Equal treatment and mainstreaming of issues relevant for persons with disabilities are the basic conditions for policies on a local and national level. The Government and the Parliament also assess policies on this aspect. Apart from this, no comprehensive implementation plan for the Convention has yet been put in place.

However, in the course of preparing the UNCRPD the government focal point (Ministry of Health, Welfare and Sport) prepares and supports conferences and publications on the UNCRPD.

Moreover, some measures have already been taken for the implementation of the UNCRPD:

- The Home Office has issued an obligation for municipalities to provide for at least 25 complete accessible polling stations in an every region.
- A detailed regulation will enter into force in 2010 providing for accessible public transport system. Most buses are already accessible and the bus stops will be made accessible in 2011. This regulation sets out different time schemes for different aspects of transport system.
- On the labour market and domain of social affairs, the growing influx of young people into the scheme for young disabled is a worrying development. The cabinet therefore has proposed a new Act in order to increase the labour participation for young persons with disabilities. This new Act came into force on 1st January 2010. Under this Act, young persons must be given the chance to look for a regular job or ‘supported job’ before they apply for a benefit.
- In the domain of education the equal treatment act is broadened to all aspects of primary, secondary and higher education.
- The equal treatment act on the basis of handicap and chronically illness has been made applicable in the field of primary and secondary education and housing. At the moment further extension of the applicability of this act with respect to accessibility of internet is being prepared.

At local level many municipalities have started different stimulating programs.

2. Monitoring of the UNCRPD

2.1. Framework, including independent mechanisms, for promoting/ protecting/ monitoring (Article 33.2)

The Netherlands have not yet nominated an independent mechanism pursuant to Article 33.2 of the UN Convention; however progress has been made to establish a National Human Rights Institute. This institute will be recognised as the Article 33.2 mechanism.

2.2 The involvement of civil society in the monitoring process (Art. 33.3)

Civil society is directly involved in the preparation process of the ratification of the UNCRPD. After ratification the National Human Right Institute will involve civil society in the implementation and monitoring process.

Furthermore, several formal advisory bodies are already in place, where civil society strongly participates. In most cases, the advice is consensus-based. These bodies advise on major subjects. In specific cases, civil society is also consulted in the process of developing indicators. In the policy process too, civil society is consulted or asked for advice depending on the subject. Civil society also publishes advice on relevant subjects.

Civil organizations advise the national government on issues relevant to persons with disabilities. Many government departments consult user organizations on a regular basis; others do so occasionally.

These user organisations are partly financed by the government, in order to empower persons with disabilities. Furthermore, several projects (usually when carried out by user organisations) receive financial support in order to strengthen the position of people with disabilities and elderly people in (health) care systems as well as to support social schemes focusing on independent living and the active participation in daily societal life. The cooperation between relevant organisations is also fostered for further empowerment.

When drafting policies on education, organizations of persons with disabilities and parents of children with disabilities are consulted on a regular basis. Furthermore, in the field of education, funding is made available for special (information) campaigns.

On a local level, the municipalities are legally obliged to establish an advisory structure for persons with disabilities in the area of labour and social support. Furthermore, platforms of persons with disabilities provide advice to local authorities, shopkeepers' associations as well as service providers at both, the local and regional levels. These platforms are supported by a national program aiming at empowerment of persons with a disability (VCP).

A Taskforce (chaired by an ex-senator) encourages closed and public debates on a local level by translating the demands of persons with a disability into policy items and vice versa. These debates aim to show that all general issues have consequences for persons with disabilities too.

In the framework of the program Passend Onderwijs (suited education for each child) the rights of parental organizations for children with disabilities are strengthened in order to participate in the process leading to adequate education on the regional level.

2.3. Collecting statistics and/or developing indicators (Article 31)

A “participation index” has been developed to measure the level of participation of persons with disabilities. This index includes indicators on education, labour, leisure, housing and the level of using mainstream provisions.

After ratification of the UNCRPD it is up to the National Human Right Institute to use this “participation index” and/or to develop further indicators to collect statistics.

Poland

1. National Implementation of the UNCRD

1.1. Focal points and coordination mechanisms for implementing (Article 33.1)

Poland has not ratified the Convention yet, so no “relevant structures, namely focal point, coordination mechanism and a framework including independent mechanism to protect, promote and monitor the UNCRPD pursuant to its Article 33” have been put in place.

Decisions concerning these issues will be taken at a later stage, at the moment of deciding on ratifying the Convention, taking due consideration of the legal system in force, existing human rights protection structures and the Convention provisions.

1.2. National strategies to implement the UNCRPD

As Poland has not ratified the Convention yet, there is no formal obligation to implement it. Preparation of the ratification is carried out within the framework of the administrative procedure applicable to the ratification of international agreements. The adoption of any special strategy is not being envisaged.

The same will apply to the implementation of the Convention once Poland ratifies it. Relevant Ministries apply the principle of disability mainstreaming and include disability issues into legislation, programmes and action plans.

The Polish Government and the self-government authorities have been called upon by the Sejm to undertake activities aiming at implementing the rights mentioned in the Resolution - Charter of the Rights of Persons with Disabilities passed on 1 August 1997. The implementation of these rights aims to enable persons with disabilities to lead an independent, self-reliant and active life and to not be discriminated in any area of life. These goals reflect the goals of the Convention. In the Resolution, the Sejm called upon the Government to submit annual reports on these activities. The reports are prepared (in cooperation with various Ministries and central offices) and presented to the Sejm by the Government Plenipotentiary for Disabled People, situated within the Ministry of Labour and Social Policy.

Several developments have taken place in Poland, in relation to the last Report:

With regards to “Voting rights”, to improve enjoyment of the right to vote by persons with a severe or moderate degree of disability and persons aged 75 and over, a procedure of voting by an intermediary (a representative) was established through amendments to the Act on elections to the European Parliament (by virtue of *the Act of 12 February 2009 on amendments to the Act on election of the President of the Republic of Poland, the Act on national referendum and the Act on elections to the European Parliament*, signed by the President on 20 November 2009 and into force from 16 December 2009).

The institution of “an intermediary” has been also introduced to the act (of 27 September 1990) concerning presidential elections, the act (of 16 July 1998) concerning electoral law for elections to the bodies of self-government, and to the act (of 20 June 2002) concerning elections of persons acting as bodies of local executive power. These were enabled by virtue of *the Act of 19 November 2009 on the amendment to the Act on election of the President of*

the Republic of Poland, the Act – Electoral Law for elections to gmina councils, powiat councils and voivodships sejmiks and the Act on elections of wójt, major and president of the town, which came into force since 24 December 2009.

Amendments introduced at the same time by virtue of *the Act of 19 November 2009 on the amendment to the Act on the election of the President of the Republic of Poland and to some other acts* extended the obligation to provide adjustments to meet special needs of voters with disabilities in the polling stations used for presidential and the self-government elections.

2. Monitoring the UNCRPD

2.1. Framework, including independent mechanisms, for promoting/ protecting/ monitoring (Article 33.2)

In Poland an independent mechanism pursuant to Article 33.2 of the UN Convention will be nominated at the moment of ratifying the Convention. Poland has already well-established procedures for reporting on the application of different UN conventions concerning human rights and it intends to maintain them. Should there be a need for any adaptations, they will be considered at a later stage.

2.2 The involvement of civil society in the monitoring process (Article 33.3)

Means ensuring involvement of civil society in the process of implementation and monitoring of the UNCRPD has not yet been defined. Common legal regulations which are already in force will continue to be applied.

According to the Act on access to the public information, any person has the right to obtain information from public authorities and to request access to the official documents elaborated, inter alia, by the public authority bodies.

The representatives of people with disabilities are consulted within the framework of decision-making processes conducted with the participation of:

- the National Consultative Council for Disabled People (on the national level), which is an advisory body of the Government Plenipotentiary for Disabled People and acts as a platform of cooperation to the benefit of persons with disabilities between bodies of national administration, bodies of territorial self-government and non-governmental organisations. The scope of activities of the Council includes the submission to the Plenipotentiary of proposals for actions aimed at meeting the needs of people with disabilities. It also includes the submission, upon Plenipotentiary's request, of opinions on the proposals for underlying principles of policy concerning employment and vocational and social rehabilitation of persons with disabilities and on legislative projects that can affect the situation of persons with disabilities, as well as informing of the need to establish or change the regulations in this respect;
- the voluntary voivodship councils for persons with disabilities (on the regional level), which are consultative and advisory bodies serving the marshals of voivodships; their task is to inspire actions aimed at vocational and social rehabilitation of persons with disabilities and exercising the rights by persons with disabilities, to issue opinions on the voivodship programmes of action for the benefit of persons with disabilities and to evaluate their implementation as well as to consult draft resolutions and programmes prepared for adoption by the voivodship parliament from the perspective of their impact on persons with disabilities;

- the voluntary powiat councils for persons with disabilities (on the local level), which are consultative and advisory bodies serving the starostas; the scope of their activity is powiat-wide and their tasks are similar to those of the voivodship councils.

Moreover, the Foundation “Regional Development Institute” and the Polish Disability Forum (that is an umbrella organisation in the field of disability) were involved in the assessment of compliance of the Polish legislation and the Convention provisions, which was carried out in 2008 as a part of a project co-financed by the State Fund for Rehabilitation of Persons with Disabilities. Their recommendations included in the report “Polish way to the Convention on the rights of persons with disabilities” are duly taken into consideration by governmental administration when considering necessity of and elaborating proposals for amendments to national legislation prior to a decision on the ratification of the Convention.

Furthermore, consultative and participatory techniques are used to raise the awareness in terms of equal treatment and non-discrimination of persons with disabilities. Moreover they aim at supporting the incorporation of their needs in legislative and practical matters. The application of such techniques results in the participation of people with disabilities in the various evaluation and advisory bodies. It also results in promoting the integration of persons with disabilities in the upbringing and education (starting from pre-school age); organizing of seminars and conferences, media campaigns, events and other actions in order to integrate persons with disabilities into the local communities. It shall also raise awareness of the local self-governments on the needs of people with disabilities.

It should be mentioned that, according to the Resolution of the Sejm of the Republic of Poland - Charter of the Rights of Persons with Disabilities, the Government Plenipotentiary for People with Disabilities annually informs the Sejm on actions undertaken by the Polish Government and local authorities to implement the rights of persons with disabilities defined in the Resolution. This is followed by the Parliamentary debate on the developments in increasing the opportunities of persons with disabilities in the most important areas of daily life, and on questions of avoiding and eliminating any kinds of discrimination of people with disabilities.

2.3. Collecting statistics and/or developing indicators (Article 31)

A more thorough examination of the Convention may reveal the need to collect statistical data which presently is not in place. At the moment, there is no particular need to collect additional statistical data or to develop indicators in view of monitoring the application of the Convention.

Portugal

1. National Implementation of the UNCRPD

1.1. Focal points and coordination mechanisms for implementing (Article 33.1)

Portugal has ratified the UNCRPCD very recently (September 2009). The Government has appointed the National Institute for the Rehabilitation as the Focal Point. The Adjunct Secretary of State for Rehabilitation in the National Institute for Rehabilitation is a national contact point within the Portuguese Government for all disability issues. It is also expected that the Ombudsman for Disability will be involved at a regional and local level.

At national level, the Government is discussing with other stakeholders, including NGOs, the coordination and independent mechanisms.

It is furthermore expected that all social and health service providers will be involved once the plan for implementation is further developed.¹⁷

1.2. National strategies to implement the UNCRPD

The Portuguese Government also approved the first Action Plan for the Integration of People with Disabilities or impairments (2006-2009) by the Resolution of Ministers n° 120/2006 of 21st of September. This Plan defines the measures that will be adopted and implemented by the government in the different areas of general policy and is intended to promote a wide partnership between public and private entities, central, regional or local administration, social partners, NGOs and civil society as well as people with disabilities. It aims to promote the improvement of the quality of life of the people with disabilities and to guarantee the access to a set of goods and services, available for the general society, allowing for their full participation through comprehensive policies and integrators' practices. The Plan conveys an innovative and multidisciplinary approach to the issues of inclusion and participation of people with disabilities in the areas of accommodation, accessibility, innovative information and communication technologies, culture, sports and arts, education and lifelong learning, as well as adaptability and employability of the workers in a view to assure social and tax protection.

A change of the Council of Minister regulation through the publication of the RCM n° 186/2005 should be noted at this point. Its aim was to arrange that the submission of new draft laws that may interfere on issues related to the inclusion or participation of people with disabilities has to be completed with an assessment of its impact on policies related to the prevention, qualification, rehabilitation and participation of people with disabilities.

The support given by the State through the INR,I.P. to the NGOs has contributed to the development of their activities and the increase in the number of relevant projects that come under the objectives of the National Rehabilitation Policy. The National Institute for Rehabilitation undertook some initiatives (i.e. conferences / seminars / presentations) in order to disseminate the UNCRPD. It even published a children's version of the UN Convention and is funding some projects on that matter.

¹⁷ Information provided by EASPD-Portugal

The National Federation of Cooperatives of Social Solidarity has a strategy in place for the implementation of the UN Convention, focusing on two aspects: On the one hand to disseminate the UN Convention within its members; on the other hand, to debate and to discuss the practical implications of the UN Convention on the everyday life of organizations and on self-advocacy of people with intellectual disabilities, aiming to implement a system to support decision-making that tackles the issues raised by the Convention and by the current system of legal capacity.

The National Institute for the Rehabilitation has elaborated a Training Manual for, among others, Public Administration, NGOs and people with Disabilities and a Plan for dissemination of the Convention. Some information actions had been started, as seminars and Working Groups on some themes stated in the CRPD (e.g. Independent living, Personal Assistance, etc). Also, annually the National Institute for the rehabilitation elaborates a Report about the complaints based on the discrimination related to disability presented to the Government.

The Portuguese Government approved also the Decree-Law 163/2006, 8th August that establishes the technical norms of accessibility to all the public and collective equipments, public buildings and housing, this new law reinforces the rules applicable to promote accessibility as well as the sanctions that apply to every one: public or private entities. The intervention of the State in the promotion of accessibility results from National and International Laws.

Portugal approved the National Plan for the promotion of accessibility which makes the systematization of a set of measures to provide to people with disabilities, autonomy, equal opportunities and social participation as citizens. The Plan incorporates a set of measures of accessibility in the built environment, transportation and information and communication technologies (ICT) and supportive technologies (TA) to all citizens without exception, to provide conditions to allow autonomy and mobility. The objective of The National Plan of Promotion of the Accessibility is to establish the bases for an integrated and coordinated politics of promotion of the accessibility in Portugal up to 2015. This plan will take place in two periods: 1st until 2010 and 2nd from 2011 to 2015.

Since the ratification of the UNCRPD, in September 2009, that Portugal is having a public debate on the future National Disability Strategy. The first phase of public consultation is taken place and the NGO's were consulted about the main priorities. The national strategy will define main targets and will be implemented by public authorities and civil society.

2. Monitoring of the UNCRPD

2.1. Framework, including independent mechanisms, for promoting/ protecting/ monitoring (Article 33.2)

Portugal has not yet nominated an independent mechanism as mentioned in Article 33.2 of the UN Convention. Portugal also did not establish any special formats for the reporting to the UN. However, Portugal is currently cooperating on political issues with NGOs.

2.2 The involvement of civil society in the monitoring process (Article 33.3)

The National Institute for the rehabilitation has a financing programme for NGOs in which the implementation of the Convention is mentioned as one of the selection criteria to be financed.

The 38/2004 law ensures full participation of people with disabilities or their representative organisations in the drafting of legislation on disability, execution and evaluation of all policies mentioned in this law, so as to ensure their involvement in all situations of everyday life and society in general.

The involvement of the NGOs is also guaranteed through the National Council for the Rehabilitation and Integration of the People with Disabilities (“Conselho Nacional de Reabilitação e Integração das Pessoas com Deficiência” – CNRIPD), which is a consultative body of the Minister of Labour and Social Solidarity providing the Government with information used in deciding on matters related to the definition of the National Rehabilitation Policies. This body supports and includes representatives of all kinds of organizations of people with disabilities as well as social partners and public authorities. It issues opinions and presents proposals for measures related to the problems of rehabilitation and disability.

The State encourages and supports people with disabilities, their families and the Association Movement throughout all measures taken for the prevention of disabilities, the rehabilitation and the social integration of people with disabilities.

In recent years, the Association Movement has grown significantly and consolidated its form of acting. In some cases it has taken on an active role of claiming rights for the people with disabilities. The dialogue between the State and the NGOs, and the logistical and financial support that the latter have received, has contributed to encouraging the social role played by the Associations.

In doing so, the Portuguese Government is adhering to both, the principles contained in the Basic Law and to the international recommendations for the participation of people with disabilities in the definition and concretisation of effective related policies.

2.3. Collecting statistics and/or developing indicators (Article 31)

Portugal set up the 2011 Census to general population which includes some questions on disability. The questions were proposed by the Washington Group (UN Statistics on Disability). Also, the National Institute for the Rehabilitation is carrying out 2 Studies on indicators. These studies aim at evaluating the effectiveness and efficiency of policies on Disability and at measuring instruments and monitoring international policies for disability. One of the studies is evaluating the indicators available in public administration and the other is about the application of the ICF/WHO to data collection.

Romania

1. National Implementation of the UNCRPD

1.1. Focal points and coordination mechanisms for implementing (Article 33.1)

The focal point is the National Authority for Persons with Disabilities.
The coordination mechanism is yet to be determined.

1.2. National strategies to implement the UNCRPD

Romania has not yet developed any comprehensive strategy to implement the UNCRPD.

However, the promotion and observance of the rights of disabled persons shall be, mainly, the duty of the local public administration authorities where the disabled person has his/her domicile or residence and, in subsidiary, and complementarily, of the central public administration authorities, civil society and the family or of the legal representative of the person.

Based on the equal chances principle, the competent public authorities shall ensure the necessary financial resources, and take specific measures as to ensure the direct and unlimited access to services. The National Authority for Disabled Persons and the other local and central public authorities shall ensure the necessary conditions for the social integration and inclusion of disabled persons.

2. Monitoring the UNCRPD

2.1. Framework, including independent mechanisms, for promoting/ protecting/ monitoring (Article 33.2)

As Romania has not yet ratified the Convention, no monitoring mechanism has yet been established. The National Authority for Disabled Persons shall draft policies and ensure the monitoring of the observance of the rights of persons with disabilities.

2.2 The involvement of civil society in the monitoring process (Art. 33.3)

The civil society will be involved through the independent mechanism to protect, promote and monitor the UNCRPD.

The NGOs of Persons with disabilities are consulted in regard to all legislative measures for persons with disabilities in the following realms:

- For activities related to the protection and promotion of the rights of disabled persons, the National Authority for Disabled Persons and the local and central public administration authorities maintain dialogue, collaboration and partnership relationships with the non-governmental organizations of persons with disabilities or which represent their interests, and with the cultural institutions recognized by law with activity in this field.
- The Council for the analysis of the problems of disabled persons (hereinafter the Council), shall serve as an advisory body attached to the National Authority for Disabled Persons, composed of the following members:
 - The president of the National Authority for Disabled Persons;
 - The president of the National Council of Disability in Romania;
 - One representative of the National Authority for the Protection of Child's Rights;

- One representative of the Ministry of Labor, Family and Equal Chances;
- One representative of the Ministry of Public Health;
- One representative of a non-governmental organization for the protection of human rights;
- One representative of each of the central and/or local public administration bodies, and of other private or public law bodies in the field, with a status of non-permanent members, according to the problems to be settled.
- The Council shall have the following duties:
 - To issue consultative endorsements regarding the bills having as their object the protection of disabled persons, initiated by the National Authority for Disabled Persons or by other competent authorities;
 - To analyze the problem of the protection of disabled persons and to propose measures regarding the improvement of their living conditions;
 - To notify the competent bodies of the breach of the rights of disabled persons.
- The Council shall meet in quarterly ordinary meetings, and in extraordinary meetings whenever necessary.
- The members shall be called by the National Authority for Disabled Persons.
- The meetings shall be held at the headquarters of the National Authority for Disabled Persons or in any other place it proposes.

The National Authority for Disabled Persons may conclude partnerships with non-governmental organizations of disabled persons, which represent their interests or perform activities in the field of promotion and defense of human rights.

People with disabilities and their representative organisations are very active and constantly push the legislative reform forward; however there is no regular consultation or collaboration between authorities and people with disabilities. It actually seems that the situation is rather deteriorating than improving, despite that the fact that a framework for collaboration exists. Many people with disabilities themselves are not aware of the rights and possibilities promoted by the Convention. Social service providers haven't been involved either in a formal way.

Handicap International has been very active during the entire process of the Convention's elaboration and became afterwards a promoter of the text in the 55 countries where it works, including Romania. There is a project at the level of the organisation, called "Making it Work", which intends to provide a guideline to DPOs on how to collect good practices with regards to the implementation of the Convention. The toolkit is expected for March this year and the website is: www.makingitwork-crpd.org. The project team is based in the USA. The Romanian network of service providers for people with disabilities - already in November 2008 addressed an official request toward the Romanian government and Parliament to support the ratification of the Convention - without receiving any response. Nowadays, the Network plans to send an open letter to the National Authority for People with Disabilities with the same request. During the last 2 years, any meeting/seminar/conference the Network organised had the UN Convention as starting point.¹⁸

2.3. Collecting statistics and/or developing indicators (Article 31)

Romania has not yet ratified the UNCRPD, but the National Authority for Persons with Disabilities is collecting statistics on the number of the persons with disabilities, the kinds of

¹⁸ Information (three last paragraphs) provided by EASPD-Romania

disabilities, the number of residential institutions and the living conditions they offer, the number and the type of the alternative services, data regarding the implementation of the specific quality standards in residential institutions and data regarding the costs.

Slovakia

1. National Implementation of the UNCRPD

1.1. Focal points and coordination mechanisms for implementing (Article 33.1)

In the course of the second half of 2008, the new Government Council for Persons with Disabilities was established as a consultative body to the Government headed by the Deputy Prime Minister of the SR and the representatives of people with disabilities have a distinctive position in it. The transformation of the Slovak Republic Government Council for Issues of Citizens with Disabilities to the Slovak Republic Government Council for Persons with Disabilities on the level of the Deputy Prime Minister of the Slovak Republic for Knowledge-based Society, European Affairs, Human Rights and Minorities and the supra-ministerial character of this body create the prequalification for the delegation of this Council with the coordination of the ratification and monitoring of the gradual implementation of the UN CRPD.

1.2. National strategies to implement the UNCRPD

At the moment, Slovakia has no specific strategies to implement the UNCRPD. However, the National Programme for the Development of Living Conditions of Citizens with Disabilities does exist. This programme is drawn up each two years. The most recent National programme is for 2008-2009; the evaluation of its implementation will be available only at the end of 2009, or in early 2010.

<http://www.employment.gov.sk/index.php?SMC=1&id=799>

<http://www.employment.gov.sk/index.php?SMC=1&id=16332>

2. Monitoring of the UNCRPD

2.1. Framework, including independent mechanisms, for promoting/ protecting/ monitoring (Article 33.2)

Slovakia has not yet nominated any independent mechanisms. Yet, the Slovak Republic Government Council for Persons with Disabilities on the level of the Deputy Prime Minister for Knowledge-based Society, European Affairs, Human Rights and Minorities will be responsible for monitoring the UNCRPD.

2.2 The involvement of civil society in the monitoring process (Article 33.3)

The Council of Government of the Slovak Republic for people with disabilities was created By Resolution of Government of the Slovak Republic No.:488 from 9th July 2008, with participation 15 deputies and representatives of the non-governmental organisations. Those representatives of non-governmental organisations of assembly refer to the UN Convention on the Rights of Persons with Disabilities on access to rights for people with disabilities and their full and active participations in society and recommends that the Government of Slovak Republic proposals to take into account when developing of national policies for people with disabilities and their full active participations in society in each field of the live. They promote an exchange of the best practices on access to rights for people with Disabilities and their full active participation in society and on implementation of the Council of Europe Disabilities Action Plan to promote the rights and participation of people with disabilities in society 2006-2015 at national and local levels.

Communication and cooperation of people with disabilities, of their individual organizations in relation to the central public administration bodies and in relation to the creation of individual policies, is one of the measures of the National Programme for the Development of Living Conditions of People with Disabilities in All Areas of Life. People with disabilities participate in the development of the policies through their organizations within the entire legislation process but also through the Government Council of People with Disabilities, an advisory body to the Slovak Government.

For example, during the entire legislation process of the development of legislation in the area of field planning and Rules of Construction, people with reduced mobility and their representative organizations have the opportunity to consult the addressing of this issue and apply their comments within the interdepartmental comment procedure. The aim of the regulations is to create binding rules for the urban design of the environment and architectonic-constructional design of the constructions which will also create conditions for independent movement and orientation of people with disabilities in such environment, including the accessibility and exploitation of the constructions.

In the area of culture, the Ministry of Culture of the SR support and benefits from the advisory and consultation function of the organizations of people with disabilities, within its working groups and commissions (e.g. the Commission for Culture of Disadvantaged Groups of Population grant programme which allocates funds for culture of disadvantaged groups of population). At the same time, the representatives of organizations representing people with disabilities are invited to participate in the fulfilment of the tasks of the Ministry, and the cooperation with the National Council of People with Disabilities, but also with non-governmental organizations focused on the cultural development of people with disabilities, has been made more efficient.

In the area of education, the organizations representing people with disabilities have the possibility to influence the legislation in the area of training and education of children and students with disabilities, e. g. through the Council of the Slovak Government for the Issues of People with Disabilities; a representative of the Ministry of Education of the SR is also a member.

Representative organizations have the opportunity to consult different proposal (e.g. laws, conceptions) and apply their comments within the interdepartmental comment procedure, meeting with representatives of ministries.

2.3. Collecting statistics and/or developing indicators (Article 31)

Currently the Slovak Republic does not carry out any statistical collection directly related to the Convention.

Slovenia

1. National Implementation of the UNCRPD

1.1. Focal points and coordination mechanisms for implementing (Art. 33.1)

The Ministry of Labour, Family and Social Affairs was designated as the focal point within government for matters relating to the implementation of the Convention in accordance with the Act on ratification of UNCRPD and the Protocol, in accordance with Slovenian system of disability policy.

Within the National Assembly there is a special Committee on Labour, the Family, Social Policy and Disability and within the National Council of the Republic of Slovenia there is a special independent Commission for Social Care, Labour, Health and the Disabled (the actual president of this commission is a person with disabilities).

The framework of organisations which are also dealing with disability issues in Slovenia is composed of National Council of Disabled People's Organisation of Slovenia (NSIOS) with its representative and other disabled people's organisation working on a national level and of several expert and governmental institutions.

1.2. National strategies to implement the UNCRPD

In 2006, Slovenian Government accepted the Action Programme for Persons with Disabilities 2007-2013. The program is based on the Convention on the Rights of Persons with Disabilities, as well as on other UN documents, Action Programme of the EU for persons with disabilities and on the Action Programme of the Council of Europe. Slovenian Government approves a yearly report on implementation and control of the objectives and measures of APPD ([report for 2008 – in Slovenian only](#)).

The purpose of Slovenia's Action Programme for Persons with Disabilities is to promote, protect and ensure the full and equal enjoyment of all human rights by persons with disabilities, and to promote respect for their inherent dignity. The program comprises twelve fundamental objectives together with 124 measures, comprehensively governing all spheres of persons with disabilities life, and referring to the period 2007 – 2013.

In the last section of Action [Programme for Persons with Disabilities 2007-2013 \(APPD\)](#) are listed several actions for implementation and control of the objectives and measures laid down in APPD. Participation of the civil society is ensured in the 2nd article: "ensuring that disabled people's organizations are fully involved in control procedures". Further to that a Disabled Organisations Act (article 4) prescribes that all the state institutions should consult with Disabled People's Organisations in all matters concerning the planning of national policy and actions to ensure equal opportunities and equal treatment of disabled people.

A special Governmental committee, to control implementation of actions laid down in APPD, was established and has a task to prepare an annual report to be send to the Ministry of Labour, Family and Social Affairs. Members of this committee are representatives of all relevant ministries, institutions and of the NSIOS, as representatives of persons with disabilities.

Goals in Action Programme for persons with disabilities 2007-2013:

1. Expand awareness throughout society regarding persons with disabilities, their contribution to the development of society, rights, dignity and needs;
2. All persons with disabilities have the right to decide, on an equal basis with others and without discrimination, where they wish to live and have the right to fully participate in community life;
3. Ensure persons with disabilities access to physical environment, transport, information and communications;
4. Ensure, on an equal basis with others and without discrimination, an inclusive educational system at all levels and lifelong learning;
5. Ensure persons with disabilities access to work and employment without discrimination in a work environment that is open, inclusive and accessible;
6. Ensure persons with disabilities adequate standard of living, financial assistance and social security;
7. Ensure to persons with disabilities effective health care;
8. Enable persons with disabilities full inclusion in cultural activities and collaboration in the area of accessibility of cultural materials on an equal basis with others;
9. Ensure persons with disabilities participation in sports and cultural activities;
10. Ensure that persons with disabilities may participate in the religious and spiritual activities of their communities on an equal basis with others;
11. Strengthen the position of organizations of persons with disabilities;
12. Detecting and preventing violence and discrimination against persons with disabilities.

Besides the governmental regulations there is a big effort to organize press conferences whenever possible to promote UN Convention and in a past year 2009 there were several press conferences. Also, cooperation is planned with Slovenian National Council of People with disabilities, to take targeted actions in the framework of Progress. Several activities are also planned to celebrate the 3 of December, International Day for Persons with Disabilities. Training seminars and meetings on UN Convention were provided on the level of Ministry of Labour, Family and Social Affairs. Articles on UNCPRD were published in the publications and media. The targeted audiences were people with disabilities and their organization, service providers, professionals.

2. Monitoring of the UNCPRD

2.1. Framework, including independent mechanisms, for promoting/ protecting/ monitoring (Article 33.2)

During the ratification process, Slovenia decided that the most appropriate body for monitoring the implementation of the Convention is the Government Council for Persons with Disabilities. It is a professional and consultative body to the Government or Republic of Slovenia and it was established in 1996 to:

- give opinions to legislative and other regulations,
- participate in development and gives recommendations to national programs' implementation,
- analyse co-operation among ministries, professional institutions and organisations of persons with disabilities and
- Yearly reports to the government on disability policy.

The council consists of equal number of representatives from organisations of persons with disabilities, government and professional institutions.

Big efforts to protect, promote and monitor the UNCRPD are provided by NSIOS whose mission is systemic implementation of human rights of disabled people and their legal representatives as well as full inclusion and equality of disabled people in all social areas. In this sense NSIOS is also constantly pursuing to examine Slovenian legislation and provide initiatives for its amendments in accordance with the interests of the disabled; to participate in the preparation of new legislation and to verify whether the interests of disabled people and their organisations are adequately taken into account in the proposed laws. NSIOS also encourages the provision of equal opportunities for disabled persons in the society and is always asserting the principle “nothing about disability without disabled”.

2.2 The involvement of civil society in the monitoring process (Article 33.3)

Civil society and in particular persons with disabilities and their representative organizations are involved and they fully participate in the monitoring process through consulting professional body – Government Council for persons with disabilities of the Republic of Slovenia. They may also submit proposals directly to the drafts of Acts, to the Programmes and are participating at working groups.

The Government Council for Persons with Disabilities ensures that persons with disabilities are given due consideration in all national programme documents and gives expert opinions on proposed acts and implementing regulations.

Besides, the Council discusses all legal acts concerning the status of persons with disabilities in different stages of drawing up and adoption. It monitors the implementation of adopted legal acts and draws attention to problems and deficiencies that arise in the process. Within international cooperation the Council keeps itself informed of new developments in EU concerning persons with disabilities (reports of ministries, National Council of Organisations of Persons with Disabilities and representative organisations of persons with disabilities). The Council considers expert reports of institutions operating in the field of protection of persons with disabilities. It draws up opinions and positions on documents the relevant ministries prepare for the Government and on initiatives and proposals submitted to it by disability organisations, social economy organisations, professional institutions and individuals.

The Council is tripartite – it consists of representatives of representative disability organisations, Government representatives and experts. Of fifteen members, five are representatives of organisations of persons with disabilities.

Due to the fact, that the responsible body for reporting guidelines is the treaty body under CRPD, Slovenia will wait till the guidelines for reporting will be prepared by the body, which are to be prepared during 2009.

It has to be underlined that Slovenia adopted the Action Program for persons with disabilities 2007 – 2013. Every year the government discusses the report on its realisation. The report for 2008 is prepared in a way that it includes also the reporting elements on Convention implementation, even that so far, Slovenia didn't collect any statistic regarding implementation of CRPD.

Under the Slovenian Act on disability organizations adopted in 2002, Article 4 on Engagement to consult disability organisations provides that "Disability organizations participate in shaping the national policies and measures for providing equal opportunities and equal treatment of persons with disabilities. National authorities consult disability organizations on all matters from previous paragraph" Furthermore Article 10 states that, disability organizations among other define interests and defend the needs of persons with

disabilities on all levels concerning the life of disabled persons and contribute to the awareness of general public and have an impact on changes in favour of disabled persons, plan, organize and perform program

Representative and other disability organizations functioning on national level can join into a national council of disability organizations - National Council of Organisations of Persons with Disabilities. The goal of the Council is to coordinate interests of all persons with disabilities in the country, concerning the autonomy of each disability organization and to represent them in the dialogue between professional associations, national authorities, public institutions and other public. The National Council gives suggestions according the regulations on the joint representatives in the authorities of national institutions and authorities of international organizations and cooperation and performs other commonly agreed activities.

The government and line ministries consistently respect this provision and consult the representatives of representative disability organizations on all important issues. Also public discussions on preparatory acts are being held at the same time.

2.3. Collecting statistics and/or developing indicators (Article 31)

Slovenia points out to the following information and data bases:

<http://www.mddsz.gov.si/si/publikacije/>

<http://www.irssv.si/publikacije/leto-2008/index.html>

Dostopnost grajenega in komunikacijskega okolja kot predpogoj za socialno vključevanje invalidov (477.04 kB)

http://www.stat.si/eng/novica_prikazi.aspx?id=2805

Spain

1. National Implementation of the UNCRPD

1.1. Focal points and coordination mechanisms for implementing (Article 33.1)

The focal point for the UNCRPD is the Ministry of Foreign Affairs and Cooperation as well as the Ministry of Health and Social Policy¹⁹, through the Directorate General for the Coordination of Sectoral Policies on Disability.

The government coordination mechanism to protect, promote and monitor compliance with the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) is the National Disabilities Council.

This is a consulting body made up equally of representatives of all of the ministries and representatives of persons with disabilities. It was created in 2004 by Royal Decree 1865/2004²⁰, which regulates the National Disabilities Council. It is assigned to the Ministry of Education, Social Policy and Sport and the participation of the associative movement of people with disabilities is institutionalized together with their families and the General State Administration, for defining and coordinating a coherent policy of integral attention. In particular, promoting equal opportunities and non-discrimination of people with disabilities corresponds to this Council. To do so, the original responsibilities have been extended through Royal Decree 1468/2007²¹, of 2 November, by which the Royal Decree that regulates the National Council on Disability has been modified, by adding to the functions of the National Council on Disability that of constituting the organ of reference for promoting and monitoring legal international instruments regarding human rights for people with disabilities, on account of the recent adoption by the United Nations Organization of an International Convention in this sphere.

Furthermore, the Commission on Integral Policies on Disabilities was created in the Congress of Deputies

Spain is made up of Autonomous Communities. Taking the distribution of jurisdiction between the central government and the autonomous regions into account, the Ministry of Health and Social Policy holds periodic meetings with the general directors responsible for disabilities in each autonomous region, through the Directorate General for the Coordination of Sectoral Policies on Disability. The Ministry thereby ensures coordination between both administrations. The approval and operation of a mechanism such as that of the joint work methodology between the national government and the general directorates of the autonomous regions in matters of disabilities, foment the putting into practice of the focal points and obligations set forth in the UN Convention at the Spanish regional government level.

1.2. National strategies to implement the UNCRPD

Spain ratified the UNCRPD in December of 2006, and it has been incorporated into national law²².

²⁰ www.mtas.es/sgas/Discapacidad/ConsejoDisca/RD1865-04.htm

²¹ http://www.mtas.es/sgas/Discapacidad/ConsejoDisca/RD1865_04modif.pdf

²² boe.es/aeboe/consultas/bases_datos/doc.php?id=BOE-A-2008-6996

In Spanish Law, the evolution in the treatment of disability towards a social model had already occurred before the passing and the coming into effect on 3 May 2008 of the International Convention on Human Rights of People with Disabilities. This evolution starts with the passing of the important Law 13/1982 of 7 April, of Social Integration of Disabled Persons (LISMI) and culminates with the passing of the Law 51/2003, 2 December, of equal opportunities, no discrimination and universal accessibility of people with disability (LIONDAU) and its implementing rules.

The first step taken, within the global strategy of implementing the UNCRPD, was the creation of an inter-ministerial work group to draw up an integral study of Spanish law, with the objective of adapting it to the Convention's provisions. This group was approved by the Council of Ministers on July 10, 2009. It will be presided over by the Ministry of Health and Social Policies and include all the ministries. It will be advised by the CERMI.

On the other hand, the government has approved the III Action Plan for Persons with Disabilities, which sets the government's strategy for this legislature (2009-2012) in matters of disabilities, and which falls within the framework of the fundamentals laid down by the UNCRPD.

The periodic meetings with the general directors of the autonomous regions' governments allow the measures for compliance with the obligations that, within their areas of authority, they must carry out in the application of the UNCRPD, to be promoted as part of their action plans for persons with disabilities.

All of the mechanisms have begun their work of promoting, protecting and monitoring the UNCRPD. One reflection of this is the joint Declaration²³ supporting the UNCRPD, signed by the Ministry of Foreign Affairs and Cooperation, the Ministry of Labor and Social Affairs (currently the Ministry of Health and Social Policies), CERMI and the ONCE Foundation.

At the same time, the dissemination of the UNCRPD has been a priority in the actions undertaken. Thus, the Convention has been published and distributed in different accessible formats: Easy reading (Real Patronato de Discapacidad and the CNSE Foundation), audio format (ONCE Bibliographic Service), Spanish and Catalan sign language (Real Patronato de Discapacidad and the CNSE Foundation) and in Braille. Likewise, it has been translated into all of the official languages: Spanish, Basque, Galician and Catalan. All of these formats are available at: <http://www.convenciondiscapacidad.es/convencionESPANA.html>

2. Monitoring of the UNCRPD

2.1. Framework, including independent mechanisms, for promoting/ protecting/ monitoring (Article 33.2)

By means of Royal Decree 1468/2007²⁴ the National Disabilities Council was assigned the function of being a body of reference for the promotion and monitoring of international legal instruments in matters of the human rights of persons with disabilities, and in particular the UNCRPD. The National Disabilities Council created the CERMI (Spanish Committee of Representatives of Persons with Disabilities), applying the provisions of article 33.2, as the first independent civil society organization. This also fulfills the provisions of article 33.3,

²³ <http://sid.usal.es/idocs/F3/LYN10297/3-10297.pdf>

²⁴ http://www.mtas.es/sgas/Discapacidad/ConsejoDisca/RD1865_04modif.pdf

concerning the monitoring and follow-up in Spain of the Convention's application. The creation of a second independent entity for monitoring the UNCRPD is also under study. The CERMI has sent a proposal for appointing a private non-governmental organism to follow-up the Convention in application of Article 33.2. This issue was treated at the extraordinary meeting of the Permanent Commission of the National Council on Disability on 15 September, when it was agreed to request reports on this matter.

2.2 The involvement of civil society in the monitoring process (Article 33.3)

The Ministry of Health and Social Policy works very closely with civil society and promotes its involvement. Different mechanisms have been created, both on the Ministry's initiative and by the principal organizations of representatives of persons with disabilities. Among them are:

- The participation of the academic sector, through Madrid's Carlos III University, in the elaboration of reports relative to Spanish legislation that needs to be adapted to the provisions of the UNCRPD. This report will be available soon.
- The permanent link with the European Disability Forum (EDF) through the Social and International Relations Area of the ONCE Foundation, headquartered in Brussels.
- The web page²⁵ created by the CERMI to offer specialized information on the UNCRPD, which represents a fundamental instrument for promoting, disseminating and raising the consciousness of society in general about the principles of this agreement.

All projects on regulations and general plans concerning people with disabilities are consulted through the National Disability Council, at which organizations of people with disabilities and their families are represented.

People with disabilities have access to all public means of training that are of interest and; likewise, they have programmes financed by Public Administrations and other collaborators that are undertaken by their Organizations in order to favour their competence and skills.

On the other hand, awareness promotion must be made about the capabilities of these persons who are foreseen throughout this year by Public Administrations and Organizations of people with disabilities. Dialogue is open permanently by these Organizations and those who represent them.

2.3. Collecting statistics and/or developing indicators (Article 31)

In Spain, the National Statistics Institute (INE in its Spanish initials) has been carrying out a macro survey on disabilities since 1986. The updated edition of this survey was published in 2008, under the title: Encuesta sobre Discapacidades, Autonomía personal y Situaciones de Dependencia²⁶ (Survey on Disabilities, Personal Autonomy and Dependent Situations).

Based on Spain's ratification of the UNCRPD, and as relates to Article 31, the government is initiating a project to include the disabilities indicator in all of the active population statistics

²⁵ <http://www.convenciondiscapacidad.es>

²⁶ <http://www.ine.es/jaxi/menu.do?type=pcaxis&path=/t15/p418&file=inebase&L=0>

produced by the INE. On the other hand, all necessary measures are being taken to adapt the statistics in the Civil Register and include the disabilities indicator.

Sweden

1. National Implementation of the UNCRPD

1.1. Focal points and coordination mechanisms for implementing (Article 33.1)

The Social Services Division of the Ministry of Health and Social Affairs is responsible for the co-ordination of disability policy within the Government and has been appointed as the national focal point for matters related to the United Nations Convention on the Rights of Persons with Disabilities.

The Social Services Division of the Ministry of Health and Social Affairs is also leading a working group within the Government consisting of civil servants representing the following ministries: Ministry of Integration and Gender Equality, Ministry of Employment, Ministry of Environment, Ministry of Education and Research, Ministry of Health and Social Affairs, Ministry of Finance and the Ministry of Enterprise Energy and Communication. The purpose of this group is to mainstream disability policy within the Government. The UN Convention is significant in this work.

Furthermore, The Swedish Agency for Disability Policy Coordination (Handisam) plays an important role in co-ordinating, monitor and accelerating disability policy by supporting the sectoral authorities tasked with implementing the national plan for disability policy.

1.2. National strategies to implement the UNCRPD

The current disability policy was established already in the year of 2000 when the Swedish Parliament passed the Government Bill "From patient to citizen: a national action plan for disability policy" This decision by the parliament represented a step of fundamental importance for Swedish disability policy. Since then the objective of disability policy has been a society that makes it possible for disabled people to participate to the full in the life of the community. The aim is to mainstream a disability perspective in all sectors of society by identifying and removing obstacles to full participation for people with disabilities. Another goal is to prevent and fight discrimination against people with disabilities and to make it possible for boys and girls, men and women to lead independent lives and to make their own decisions about their own lives.

The current action plan runs until the end of 2010 and during this year the Government will outline the future disability policy succeeding the present action plan. The implementation of the UNCRPD will form the basis of the future disability policy.

2. Monitoring of the UNCRPD

2.1. Framework, including independent mechanisms, for promoting/ protecting/ monitoring (Article 33.2)

The Government requested the Delegation for Human Rights of Sweden to prepare a report with recommendations on whether the Swedish Agency for Disability Policy Coordination, the Ombudsman against Discrimination or another State agency should be entrusted with promotion, protection and monitoring of the implementation of the Convention. This issue of involving civil society in the process of monitoring the implementation of the Convention will be included in the report. In the report presented in April 2009 the Delegation proposes

allocating the tasks of promoting, protecting and monitoring the Convention to the Equality Ombudsman, on the basis of the conclusions of the research made by the Delegation. The proposals are being processed within the government's office. In the meantime this responsibility lies within existing state agencies in accordance with their respective mandates. In that context, the Social Services Division of the Ministry of Health and Social Affairs and the Swedish Agency for Disability Policy Coordination (Handisam) play an important role in monitoring.

2.2 The involvement of civil society in the monitoring process (Art. 33.3)

The Government has established a delegation as a forum for mutual information and discussions (according to standard rules 17 and 18) The Minister for Elderly Care and Public Health at the Ministry of Health and Social Affairs, who is responsible for disability policies, is chairing the delegation which is composed of members of the Swedish disability organisations together with State Secretaries from seven Ministries. Members of the delegation meet four times a year and the agenda for the meetings are prepared jointly between the government and the disability movement.

The co-operation with people with disabilities and their representative organisations is of great importance. In an agreement between the Government, non-profit organisations in the social area and the Swedish Association of Local Authorities and regions, it is stated that the relationship between the Government and the non-profit organisations is to be characterised by responsibility and mutuality and be based on the circumstances of both and utilise the perspectives and expertise of both. The agreement also contains a description of the principles which should apply to cooperation between the disability movement and the Equality Ombudsman. At the moment the interacting between the Government and people with disabilities and their representative organisation are being under discussion in order to develop the dialogue in accordance with the Convention.

In almost all local municipalities there are local councils dealing with disability policies. The Swedish Agency for Disability Policy Coordination (Handisam) has the task to raise awareness about the UN Convention amongst people with disabilities, authorities, politicians and stakeholders throughout the municipalities and county councils. In 2010 Handisam has been granted slightly more than 190 000 EUR for this purpose.

The leading principle is dialogue and before any major step is taken in the policymaking process the dialogue intensifies with different kinds of public debates. The Swedish Disability Federation has been granted 5,3 millions SEK from The Swedish Inheritance Fund to run a project with the purpose of raising awareness about the UN Convention amongst people with disabilities, authorities, politicians and stakeholders. The disability organisations are also frequently used as bodies to which a proposed measure is referred to for consideration. Civil society usually produces shadow reports in connection to the Government's reports, which are given high priority. In almost all local municipalities there are local councils dealing with disability policies.

2.3. Collecting statistics and/or developing indicators (Article 31)

Statistics Sweden (SCB) is a governmental administrative agency under the Ministry of Finance. The agency supplies statistics for decision making, debate and research to ministries and other customers. Besides producing and communicating statistical data, it is tasked with supporting and coordinating the Swedish system for official statistics. The agency also produces national population studies. Another state agency that produces reports related to people with disabilities is the Swedish National Institute of Public Health. The Institute works

to promote health and prevent ill health and injury, especially for population groups most vulnerable to health risks. The institute produces reports on public health on a regular basis.

The definition of disability in Sweden is related to the environment and not to the diagnoses or level of impairment of the individual. The statistics that are provided in the field of disability can therefore be seen as somewhat scattered or fragmented. You would find rather precise statistics in connection to different support systems or special support measures directed to a well defined group of persons. However, people with disabilities that are not entitled to, or chose not to receive support within the social service system or in the labour market, would be difficult to find within the existing statistics. Some groups within the disability sector, such as persons with minor cognitive disabilities or group of persons with psychiatric disabilities would therefore be very hard to define.

There are continuously a lot of individual studies made in the field of disability. This is of course an opportunity to extract trends or indication of problems also for a broader group of people. Still, there is a need to strengthen the provision of longitudinal statistics in the field of disability. One way of doing this is to use general population studies combined with a well defined screening process to distinguish if a person might be classified as a person with disability or not. Screening questions would probably also be able to roughly distinguish what kind of impairment that is causing the disability.

To promote this work the government is planning to deal with related issues of methodology. The government is also considering ways to find indicators that will enable monitoring of this group and their performance/situation in those fields where statistics are underdeveloped. The general strategy for Swedish disability policy is to include disability into all relevant political areas. Therefore there is also a need to measure the development of the society from the perspective of accessibility and inclusion of persons with disabilities. To promote this the governmental authority Handisam is developing a system of indicators that will measure the progress of accessibility for persons with disability in a broad range of areas.

There will always be a need for special studies as a complement to statistics based on the population. There have been initiatives to create a more holistic system for provision of statistics and data in the field of disability. A number of legal restrictions is however preventing interconnection of such a coherent statistical system. This is a difficult balance between protection of personal integrity and needs of data. A question the government continuously are considering and investigating.

Furthermore, the Delegation for Human Rights and the Swedish Agency for Disability Policy Coordination have recently finished a project on indicators for the implementation of certain selected human rights. The project also includes indicators relating to the rights of persons with disabilities.

United Kingdom

1. National Implementation of the UNCRPD

1.1. Focal points and coordination mechanisms for implementing (Article 33.1)

The Office for Disability Issues (ODI)²⁷ is the designated focal point within the United Kingdom Government for matters relating to implementation of the Convention. It also fulfils a coordination role, liaising closely with other Government Departments and the UK's Devolved Administrations, (in Northern Ireland, Scotland, and Wales), on matters relating to the Convention. For example, the ODI will coordinate the UK report on implementation and is working with other Government Departments and the Devolved Administrations on coordination issues with a view to avoiding duplication, and using existing co-ordination structures where appropriate.

The responsibility for actively implementing the Convention in respect of areas that fall within their policy remits rests with individual Devolved Administrations and Government Departments.

ODI is actively working across government and co-ordinating action on, for example, defining the reporting process. ODI is also looking at awareness- raising outside government and held a major event targeted at disabled people's organisations at the end of March 2010 to raise awareness of the Convention and explore further disabled people's information needs in respect of the Convention and how disabled people's organisations wish to be involved in the monitoring process. More generally, Ministers, ODI and officials in other Government Departments, regularly meet disabled people and their organisations to discuss a wide variety of issues including the Convention. Similar arrangements operate in the Devolved Administrations.

1.2. National strategies to implement the UNCRPD

The UK approach to disability equality is consistent with the UNCRDP, and has not required the development of a new national strategy.

The UK's approach is founded on the Government report "Improving the Life Chances of Disabled People" (published in December 2005) which built on previous achievements in combating disability discrimination and in delivering rights for disabled people through, for example, the Disability Discrimination Act (1995 as amended); the work of the Disability Rights Task Force; the Special Educational Needs and Disability Act 2001; and the Disability Discrimination Act 2005, which among other things introduced a Disability Equality Duty.

The report set out a vision for delivering choices and opportunities for disabled people over the next 20 years (to 2025) together with a programme of actions to support disabled people in leading independent lives and achieving significantly greater participation and inclusion in the economy and in society. In short, the vision is that disabled people will enjoy the same human rights as non-disabled people. The report covered matters such as early years, family support and transition to adulthood, independent living including choice and control of support; housing and employment. Actions being taken by government departments to achieve the vision have been set out in the recently published document: the "Roadmap 2025."

There is a great deal of both synergy between the visions in the Roadmap and the Convention, and compatibility between the measures required to achieve the Life Chances vision and progressive implementation of the Convention. The Roadmap vision is divided into 14 themes, which are based on what disabled people have said equality means. It sets out

²⁷ <http://www.odi.gov.uk/>

what has been done and what Government plans to do and brings together in one place work that has happened or is going on across Government to deliver the 2025 vision. The Roadmap is subject to a monitoring process which is separate to that being developed for the Convention, but they are mutually reinforcing.

Both the Convention and the Roadmap serve as drivers for change in terms of the development and delivery of disability policies and programmes.

2. Monitoring the UNCRPD

2.1. Framework, including independent mechanisms, for promoting/ protecting/ monitoring (Art. 33.2)

The UK's four equality and human rights commissions ie the Equality and Human Rights Commission (EHRC), the Scottish Human Rights Commission (SHRC), the Northern Ireland Human Rights Commission (NIHRC) and the Equality Commission for Northern Ireland (ECNI)²⁸ have been designated as the independent element of the UK's framework to promote, protect and monitor implementation.

The four Commissions, as the independent element of the UK "framework", are developing their plans in respect of promoting, protecting and monitoring implementation of the Convention in the UK. The four Commissions meet regularly and where they consider it appropriate to do so, co-ordinate their activities. For example, in January 2010 the SCHR ran an event on the Convention in conjunction with the EHRC's Scotland Office and the Scottish Government.

The EHRC has information on its website about the Convention, and how its work relates to the Convention and its role within the framework to promote, protect and monitor implementation. The EHRC is working to promote the Convention, for example by: hosting conferences to raise awareness of the Convention; an announcement (3 December 2009) that it intends to conduct a Formal Inquiry into disability-related harassment in England, Scotland and Wales and how public authorities are protecting disabled people's human rights to live free from violence and abuse (EHRC is currently consulting on draft terms of reference); producing guidance for disabled people and disabled people's organisations about what the Convention can mean to them which it anticipates publishing in Spring 2010; and working with legal professionals and legal advisors to increase awareness and use of the Convention.

2.2 The involvement of civil society in the monitoring process (Article 33.3)

The UK government recognises that the involvement and participation, of disabled people and their organisations is crucial for the success of the Convention. Departments and Devolved Administrations are actively encouraged to involve disabled people in policy development and do so in a variety of ways as reported in the UK's contribution to the 2nd HLG report, which referred in particular to the Disability Equality Duty, Equality 2025, and the development of the Independent Living Strategy in England and Wales. Examples from

²⁸ www.equalityhumanrights.com/
<http://www.nihrc.org/>
<http://scottishhumanrights.com/>
<http://www.equalityni.org/site/default.asp?secid=home>

2009 include consultation on a Right to Control and the development of an Independent Living Strategy in Scotland.

As the UK develops its thinking with regard to monitoring and reporting on implementation of the Convention, the Government and the Commissions continue to explore with disabled people and their organisations how they wish to be involved in these processes. This was the theme of a major conference for disabled stakeholders in London on 30 March 2010.

The Office for Disability Issues²⁹ (ODI) has the role of championing disabled people within government. The ODI was set up to help government deliver on the commitments made in 'Life Chances' report, (para 1.2 above refers).ODI works with all departments to help them better understand and meet the needs and aspirations of disabled people.

2.3. Collecting statistics and/or developing indicators (Article 31)

The UK's contribution to the 2nd HLG report referred to the fact that the UK was considering the wide range of statistics that it already collected against the provisions of the Convention and that work continues. An outcome from the work undertaken so far is the inclusion of a set of questions designed to monitor public attitudes towards disabled people's human rights and awareness of the Convention in the British Social Attitudes Survey (which covers England, Scotland and Wales) and the comparable survey in Northern Ireland - the Northern Ireland Life and Times Survey.

²⁹ <http://www.officefordisability.gov.uk/about/aboutodi.asp>

European Union

1. Implementation of the UNCRPD

1.1. Focal points and coordination mechanisms for implementing (Article 33.1)

On 26 November 2009, the Council of the European Union adopted the Decision³⁰ concerning the conclusion, by the European Union, of the UNCRPD. It designates the European Commission as a focal point, both vis-à-vis Member States to the extent of its competence as well as to the institutions of the Union.

However, the details of its function will be laid down in a Code of Conduct to be adopted before the deposit of the instruments of formal confirmation. Similarly, certain aspects of coordination will be detailed in the Code of Conduct, which is currently under discussion.

1.2. Strategies to implement the UNCRPD

Using UNCRPD as a reference, the Commission is currently working on the preparation of a new European Disability Strategy which will set the work plan and priorities for the coming years.

Disability Action Plan and the UN Convention on the Rights of Persons with Disabilities

At the end of the European Year of People with Disabilities in 2003 the Commission launched a Communication entitled "Establishing Equal opportunities for people with disabilities: A European Action plan" 2003-2010 (COM/2003/650) that provided the framework for the European Disability policy.

This framework Communication identified three pillars for the European disability Action Plan as well as one key strategic objective with a time horizon of 2010:

- Legislation
- Mainstreaming disability issues in relevant Community policies and processes
- Improving Accessibility for All
- Involving and supporting stakeholders

Every 2 years the Commission identifies a set of priorities in the context of the European Disability Action plan. Many of those actions are based on the mainstreaming of disability:

-Strategic objectives for 2004-2005

- Access and retention of employment
- Lifelong learning
- Using the potential of new technologies
- Accessibility to the public built environment

-Priority areas for 2006-2007

- Encouraging activity (beyond employment)
- Promoting access to quality support and care services

³⁰ Council Decision 2010/48/EC, <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2010:023:0035:0061:EN:PDF>

- Fostering accessibility of goods and services
- Increasing the EU's analytical capacity

-For 2008-2009 there were 2 Areas with 5 priorities:

Actions for inclusive participation through accessibility:

- Fostering accessibility of the labour market
- Boosting accessibility of goods, services and infrastructures, addressing transport ICT and built environment.
- Consolidating the Commission's analytical capacity to support accessibility

Actions towards full enjoyment of fundamental rights:

- Facilitating the implementation of the UN Convention
- Complementing the Community legislative framework of protection against discrimination

Situation of persons with disabilities

Based on data provided by Eurostat, the Commission estimates that there are approximately 50 million EU citizens with disabilities. They constitute one of the largest categories of vulnerable citizens in the EU.

Presently the proportion of persons with disabilities tends to be in the order of 10%³¹ of the working age population across the Member States, with current demographic trends likely to lead to a further increase.

Available evidence suggests that persons with disabilities suffer explicit or concealed discrimination or are at risk of discrimination.

1) They are socially and economically disadvantaged:

- Employment rates for persons with very severe and severe degrees of disability are respectively 19,5% and 44,1%
- Incidence of poverty for persons with disabilities is 70% higher than average³²

2) The limitations to the ability of persons with disabilities to work carry a significant risk of isolation and exclusion

- The "benefit trap" appears to be a significant obstacle for labour market participation of the persons with disabilities.

3) The limitations of opportunities of persons with disabilities to participate fully in education carry a significant disadvantage for personal development

- Measures to facilitate full inclusion of persons with disabilities at all levels of education would considerably improve their standing in the labour market and their social inclusion

The accession of twelve Member States in 2004 and 2007 increased the number of persons with disabilities in the order of an extra 9 million persons. Because the standards of living in most of the new Member States are substantially below the EU average, this also implies that now considerably more EU citizens with disabilities live in precarious situations. The differences in the situation of persons with disabilities across the EU also increase the difficulties of coordination in the policy area.

³¹ According to the 2002 Labour Force Survey special module, Europe-wide average share of persons who see themselves as restricted in their functioning is 10.4% of the labour force. Further 5.2% have a long-standing health problem but do not see themselves as restricted. As incidence of disability increases with age, these proportions are higher among elderly persons.

³² According to the 2004 EU-SILC data, over 17% of those aged 16-64 who were strongly limited in what they could do had income below the risk of poverty line compared to just over 10% of those not limited at all.

As the likelihood of having an impairment or a long-standing health problem increases with age, the current demographic trend is likely to lead to a further increase of the prevalence of disability. In this context, sustainability of pensions and benefits is an issue.

Many areas mentioned above, such as content and structure of education, the norms for built environment and public spaces, leisure issues as well as social assistance are almost exclusively in the competence of the Member States. Often local authorities have a decisive role in monitoring these norms and delivering these services. The Member States are tackling these issues, but in different manners and to different degrees with very little coordination.

2. Monitoring of the UNCRPD

2.1. Framework, including independent mechanisms, for promoting/ protecting/ monitoring (Article 33.2)

The EU has not yet nominated a framework, including independent mechanisms, for promoting, protecting and monitoring of the UNCRPD. However, certain aspects monitoring will be detailed in the Code of Conduct, which is currently under discussion.

2.2 The involvement of civil society in the monitoring process (Article 33.3)

In line with the principle of the EU Disability Strategy: "nothing about people with disabilities without people with disabilities" as well as with the Convention's obligation³³ to consult and involve representative organisations of disabled people when implementing the UN Convention and the Commission ensures participation of persons with disabilities, their families, their European representatives and relevant stakeholders in developments of disability policies.

People with disabilities are consulted through different tools, such as, communications, consultation documents or participation in expert groups. Representatives of civil society are full members of the High Level Group on Disability where they have possibility to raise their concerns, contribute to discussions, and co-draft policy documents.

Consultation process will be further enhanced in development of the new Disability Strategy.

The yearly conference presents interested individuals and organisations advocating the rights of people with disabilities the opportunity to address their views to the European decision makers. In addition to the thematic discussion the conference expresses political commitment and offers networking possibilities. As the conference is organised by the Commission in partnership with EDF the positions of people with disabilities are considered at all stages.

The Community also recognises that the empowerment of persons with disabilities needs sufficient financial support.

The European Social Fund supports, among other things, projects to promote independent living, through staff training and modernising care systems.

Furthermore, the Commission supports the running costs of various European organisations which have as their primary objectives to represent the interests of disabled people at

³³ Article 4.3

Community level as well as organisations active in promoting equal opportunities for people with disabilities.

The Community recognises the strength of European networks that lies in their capacity to gather and mobilise relevant members from different Member States into an open forum of discussion or exchange of expertise and experience able to inform and influence policy-making, as well as relaying EU action vis-à-vis network members.

Civil society has an important contribution to make towards effective implementation of the UN Convention. Making a difference requires a sustained, cohesive coalition capable of mobilising and analysing information, making that information available to key actors and mobilising many sources of influence. Representative organisations are in a central position to influence policy in the European Community and in the Member states through their national members. Influence is gained through the increased expertise and information which are important to policy formulation and implementation.

2.3. Collecting statistics and/or developing indicators (Article 31)

In order to ensure proper monitoring the collection of data is crucial. In this context and within Eurostat's annual work programme, activities in the European Statistical System (ESS)³⁴ will continue on further developing – through Partnership Health and in cooperation with international organisations – **Community statistics on disability and social integration** in order to provide the relevant and comparable statistical data needed to monitor the situation of people with disabilities.

More detailed statistical data on disability are also needed as part of health information in order to respond to the specific requirements inter alia those that result from the **Programme of Community Action in the field of Public Health (2003-2008)**³⁵. Health information at Community level covers data ranging from health status - including disability – to health determinants, including demography, geography and socio-economic situations, personal and biological factors, and living, working and environmental conditions, paying special attention to inequalities in health. The development of the statistical element of health information is also integral part of Eurostat's annual work programme, with activities carried out in the context of Partnership Health and in cooperation with international organisations.

In general, the aim of producing comparable data on disability and on integration of people with disabilities into society can be achieved only by means of surveys that make use of common instruments. Health Interview Surveys (HIS) and Disability Interview Surveys (DIS) are widely accepted instruments that could provide comparable data for topics related to health, disability and social integration.

However, the main work related to disability statistics in 2007-2008 has been focused on development of

1) **European Module on Disability and Social Integration (EDSIM)**. The project coordinated by the University of Leicester (UK) for the development of a specific EDSIM was finalised in June 2008

³⁴ European Statistical System, see:

http://epp.eurostat.ec.europa.eu/portal/page?_pageid=1153_47169267,1153_47183518&_dad=portal&_schema=PORTAL

³⁵ Decision No 1786/2002/EC of the European Parliament and of the Council of 23 September 2002 adopting a programme of Community action in the field of public health (2003-2008), OJEC L 271/10

2) **2011 LFS ad-hoc module on employment of disabled people.** The proposal was prepared by a Task Force. The aim of the module thus is to measure the extent of disabled people's participation in the labour market (and not to measure the prevalence of disabilities in general) following the current understanding of disability, in particular: 1) Limitation in work participation (in amount, type of work and transport to and from work) (3 variables), 2) Limitation in work participation related to health conditions or diseases (1 variables), 3) Limitation in work participation related to carrying out basic activities, 4) Use of or need for special assistance at work.

The common feature of these two actions is that the effort was made to incorporate/transfer the new concept of disability into questions and variables proposed. During the last three decades the conceptual approaches to the measurement of disability has changed. Three milestones in that evolution have to be mentioned 1) the medical model³⁶ ; 2) the social model³⁷ and 3) the biosocial model³⁸. The biosocial model incorporated into the International Classification of Functioning, Disability and Health (ICF, WHO 2001) attempts to bridge the gap between the medical and social models. The biosocial concept was followed also by the UN Convention on the Rights of Persons with Disabilities.

³⁶ Disability regarded as 'a restriction or lack of ability to perform normal activities, which has resulted from the impairment of a structure or function of the body or mind (concepts and definitions based on the medical model resulted in the International Classification of Impairments, Disabilities and Handicaps (ICIDH) in 1980

³⁷ Disability results from interaction between individuals and non-inclusive society

³⁸ The ICF (WHO 2001) states that disability is a complex phenomenon that is both a problem at the level of a person's body and a complex and primarily social phenomenon i.e. it is a disadvantage experienced by an individual resulting from barriers to independent living or educational, employment or other opportunities that impact on people with impairments, ill health or activity limitations (difficulty seeing, hearing, walking ..)

Civil society

1. Implementation of the UNCRPD – actions/strategies by civil society

The Confederation of Family Organisations in the European Union (COFACE) has been actively encouraging its members to participate in the implementation process of the UN Convention. Its daughter organisation, COFACE-Handicap, adopted a resolution calling on its members to work actively for their respective countries to ratify the UN Convention on the Rights of Persons with Disabilities and its Additional Protocol, if the countries have not already done so. COFACE is involved in developments at EU level as full member of the High Level Group on Disability.

The European Association of Service providers for Persons with Disabilities (EASPD) participates as a partner in a study on “Challenges and good practices on the implementation of the UN Convention on the Rights of persons with disabilities”. This study’s objective is to provide help and long-term guidance to Member States, the EU, and various stakeholders on implementing the UN Convention by carrying out a detailed analysis of the obligations set out by this international treaty as well as gathering information on the various practices in implementing the UN Convention, from a legal and practical viewpoint, identifying challenges and measures to help achieve the UN Convention’s objectives.

EASPD addresses the issue of empowerment of people with disabilities by various activities taken.

- EASPD issued a position paper on the proposal for a Council Directive on implementing the principle of equal treatment between persons irrespective of religion or belief, disability, age or sexual orientation, calling explicitly, among other things, to include a right to receive social support services, making reference to articles 4 and 26 of the Convention.
- EASPD also published a position paper on the new General Block Exemption Regulation calling for higher and better employment opportunities for people with disabilities, and for disabled workers to receive the support they need in order to be able to choose, find and keep a job on the open labour market (see article 27 of the Convention).
- In the course of 2008, EASPD has met with MEPs of all major political parties active at European level to discuss their electoral programmes for the upcoming elections at the European Parliament and to introduce the priorities of social service providers for people with disabilities in Europe. Issues such as their plans on the implementation of the UN Convention, the role of social and health service providers in Europe, public procurement of social services were discussed. The content of articles 3, 9, 19, 21, 27 of the Convention informed this work.
- EASPD prepared a training module on the UN Convention addressed to managers working in organisations providing services for people with disabilities.
- EASPD organised a conference on innovative practices for service providers for persons with disabilities on 3 to 5 April 2008, in Brussels, Belgium. The conference provided an opportunity for participants to interact with organisations from Canada and the USA who have extensive experience of addressing self-determination, family leadership, and innovative service provision and personalised funding in order to make inclusion a reality,

from local, family and community perspectives. This is in line with article 19 of the Convention.

- Also EASPD is organising a Conference on Employment that took place in June 2009 and that focused on the role of vocational training, on a better understanding of the UN Convention and EU's objective in the field of employment.
- EASPD supports the implementation of the UN Convention by promoting a comprehensive and holistic approach to employment in the open labour market.
- Participation in a fair and inclusive educational system is an important pre-requisite for people with disabilities to be employed in the open labour market. This is why EASPD is organising a conference on "Inclusion, a school for all" that will be held in Dublin in November 2009. The conference will address the question of inclusion in mainstream schools and subsequently in adulthood. The conference will strengthen EASPD's commitment to the implementation of the UN Convention's principles on inclusive education. Starting points of the conference will be the Salamanca Statement, outcome of a UNESCO conference held fifteen years ago, and articles 24 and 27 of the UN Convention. It is fair to recall that EASPD is also addressing the issue of empowerment of people with disabilities by coordinating the project PASS IT ON, aiming to raise awareness on the topic of employment of people with disabilities in the open labour market
- EASPD will also continue to organise Provider Fora and Stakeholders Fora. The overall objective of these events is to set up sustainable local and national networks / umbrella structures able to voice the concerns of service providers for people with disabilities, cooperate with peers from other regions or countries and bridge the gap between the local and European levels in close cooperation with EASPD. They also offer an opportunity to inform service managers and leaders on the values and principles of the UN Convention as well as the European Union's and the Council of Europe's Action Plans on Disability.

The European Disability Forum (EDF) continued to be actively involved in the work on the Convention. In 2009, it worked on establishing and maintaining close contacts with the Czech and Swedish Presidencies and was invited to present its concerns during the COHOM meeting on 23 June. Its written communications were also noted by the Presidencies.

Throughout the year, EDF regularly made written and oral submissions to be included in all processes on the ratification and implementation of the CRPD, in accordance with Article 33.3 thereof. To this end, it has regularly addressed the EU Presidencies and the Commission. It also contributed to the EP reports on the conclusion of the Convention (finalised in April 2009).

In 2009, EDF focused on the institutional framework and procedural aspects of the CRPD ratification. Nevertheless, it was also involved in the debates on the interpretation and impact of the substantive articles. In June, it co-organised, jointly with the European Foundation Centre, a symposium on the legal capacity of people with disability pursuant to Article 12 CRPD. The seminar gathered together organisations of persons with disabilities, representatives of the legal community (lawyers, notaries), academics and the Commission representatives. Following the event and based on consultation with its members, EDF published a position paper on its interpretation of the right to equal recognition before the law that is now being used to lobby in favour of full legal capacity in the national contexts

EDF also revised its position on inclusive education to make it compliant with Article 24 CRPD. The revised document was published in February 2009.

In September 2009, a contribution to a thematic study of the OHCHR on Article 33 CRPD was produced and is now available on the EDF website.

The UN Convention is currently one of axes of all ongoing EDF work and is referred to in all our annual work programmes and strategies. All our campaigns insist on the need for adequate implementation of the Convention. Implementation of the UN Convention will be a cross-cutting priority in the next Triennial Work Programme that is currently being drafted by EDF. In addition to the implementation of substantive articles, the Work Programme will have a special focus on implementation of Article 33 (institutional framework).

The European Platform for Rehabilitation (EPR) demonstrated commitment in raising awareness around the UNCRPD among its national member organisations, in monitoring its implementation and in taking inspiration from the Convention and its articles while designing the EPR work plan. EPR did so in different ways such as releasing analytical papers on relevant issues, participating in European projects, and organising and attending information events and relevant meetings.

With the objective to promote the implementation of art. 27 EPR of the UNCRPD on the right to employment, EPR is involved in the design and piloting of services to integrate people with disabilities into the labour market in Romania. Experts from four EPR members are substantially involved in this project, providing international expertise to design new tools and methods of vocational assessment, vocational training, sheltered employment and supported employment.

EPR has been invited as external expert to contribute to a Peer Review Seminar on 'Modernising and activating measures relating to incapacity' in Madrid on the 4th and 5th February 2010. About ten Member States exchanged experiences on a wide range of approaches to get people with disabilities out of the benefit system and into employment. As services are considered to be of crucial importance to bridge the gap between persons with disabilities and the labour market, the expertise of EPR in this field was very much welcomed by the representatives of the Ministries.

As there exists a consensus that the empowerment is an important condition for the implementation of the UNCRPD, EPR gathered on 10 December 2009 about 100 national and European stakeholders in the disability field. The presentations and discussions related to the impact of empowerment on people with disabilities, and how to measure, benchmark and promote this concept at European level.

Another event to stimulate the empowerment concept as a fundament of the UNCRPD was a strategic workshop on self-determination of clients as a strategic driver for service providers in the disability sector (4-5 March 2010). EPR and its members believe that self-determination leads to a better awareness of the users in relation to their needs, and the concept should be on the basis of all aspects of organising service-delivery.

As individualised and tailor-made services are prioritised in the UNCRPD, EPR organised a training seminar on Person-Centeredness in Rehabilitation Services. The evolving self-directed nature of services, the increasing engagement by service users with disabilities and the engagement of family members and significant others requires increasing skills by rehabilitation professionals. An overlay to these evolving changes is the increased scrutiny by government entities, funders of rehabilitation services and insurance companies that are demanding increased accountability and documentation

Finally, EPR held on 15-16 October 2009 in Waterfort (Ireland) its Annual Conference on “Managing Transition in Rehabilitation: Supporting successful integration of people with disabilities”. Participants discussed transition as a trans-sectoral issue and a key factor in the integration or re-integration of persons with disabilities. Amongst the 150 participants from the various EU Member States, awareness was raised about specific challenges of transition, the practices in various fields and the expectations of the service users.

The European Women’s Lobby (EWL), as part of its mission to ensure equality of all women in the EU, is mainstreaming issues relating to women with disabilities into all areas of its work. In this context, the EWL aims to ensure coherence between and across different policies areas with the aim of building and strengthening human rights instruments as part of an overall coherent strategy. The EWL’s work on follow-up to the implementation of the UN CRDP is part of this strategy. It is vital that the multiple identities of women and the forms of discrimination and inequalities that women with disabilities face are addressed in a framework that aims to achieve equality between all women and men. The implementation of Article 6 of the UN CRDP is part of this process. Therefore, the EWL has carried out the following work, which directly relates to the UN CRDP:

- In the context of the 15th anniversary of the Beijing Platform for Action, the EWL produced a report on the activities of the EU (*From Beijing to Brussels – an unfinished journey, The European Women’s Lobby Beijing +15 report on the activities of the European Union*) in which reference to the UN CRDP can be found under section i) “Human Rights of Women”.
- The EWL organised a capacity building Thematic Seminar with experts that aimed at strengthening intersectionality and our work on multiple discrimination for Board members in January 2009. As a result, a 2009 action plan was drafted on the basis of a policy meeting.
- The EWL has been actively involved in the recent discussions in the EU concerning the European Commission’s 2008 proposed Anti-discrimination Directive which seeks to extend anti-discrimination legislation beyond employment on the grounds of religion or belief, disability, age and sexual orientation. The EWL carried joint advocacy work with the Social Platform and the other anti discrimination networks including the European Disability Forum to ensure that this becomes a strong text. One of the key advocacy actions carried by the EWL has been the lobbying around the Buitenweg report on the new anti-discrimination directive with special emphasis on the inclusion of a multiple discrimination clause in the report. The EWL spoke also in various forums with policy-makers and NGOs in favour of a strong new anti-discrimination directive and multiple discrimination.
- In February 2010, the EWL released a publication on “Protecting all women from discrimination: steps to take at European and national level”. Designed as a practical tool for policy-makers, NGOs and law practitioners, it addresses key priorities in EWL work on anti-discrimination such as the need to ensure a uniform and strong legal framework for all grounds of discrimination at the European level; to ensure that victims of multiple or intersectional discrimination are effectively protected by European and national legislation; to include a gender perspective in anti-discrimination policies and to have strong equality bodies.
- In its response to the Commission’s consultation on the Roadmap for equality between women and men 2006-2010 and follow-up strategy, the EWL stressed the need to increase policy coherence and effectively gender mainstreaming in other policy areas and to

strengthen the intersectional approach in the new Strategic Action Plan to integrate the needs of women with disabilities (as well as other groups of women). The EWL worked closely with the Women's Committee of the European Disability Forum (EDF) in the preparation and subsequent submission of its response to the consultation.

- As part of its activities in the context of the European Year on Poverty and Social Exclusion (2010), the EWL has and continues to highlight issues relating to women with disabilities, in particular the lack of data and statistics which are vital in terms of the implementation of the UN CRDP relating to article 6 and in terms of gender mainstreaming the UN CRDP.
- Finally, a recent joint policy report by the EWL and Oxfam on the impact of the recession on women's poverty and social exclusion in Europe (*Women's poverty and social exclusion in the European Union at a time of recession – An Invisible Crisis?*), there is evidence that women with disabilities are among the worst hit by the recession especially due to the fact that they face multiple discrimination and inequalities.

2. Monitoring of the UNCRPD

2.1 The involvement of civil society in the monitoring process (Article 33.3)

Subsequently to ratification in the Member States, COFACE members are encouraged to seek to be involved and participate fully in the monitoring process, in accordance with article 33.3 of the UN Convention. To support them in this task, COFACE has started an in-depth analysis of the family dimension of the UN Convention, article by article, which will lead to the adoption of recommendations for a family approach in the implementation of the UN Convention and to awareness-raising on the Convention among family organisations.

In October 2009, the European Disability Forum co-organised a second seminar with the European Foundation Centre on article 33 CRPD, which focused on the understanding of monitoring mechanisms and the setting up of an independent monitoring framework. The seminar featured presentations from the OHCHR, representatives of the independent monitoring mechanisms in a number of the EU Member States (UK, Germany, Spain), Commission and European Parliament. The participants exchanged practices of dealing with this CRPD obligation and raised problems encountered in its implementation. The document outlining its position on the seminar is available on EDF website.

Following this event, EDF continued close cooperation with the European Parliament who expressed vivid interest towards the concerns raised by EDF in respect of the independent monitoring mechanism and the procedure of the ratification of the Convention by the EU. EDF has continuously insisted on the need for a new body that would comply with Paris Principles and have adequate resources and expertise to monitor the implementation of the Convention.

In early 2010, EDF was invited to participate with a speaker in a public hearing on the Convention organised by the Subcommittee on Human Rights of the EP. EDF was also closely involved in the preparation of the programme and the choice of speakers. Among its concerns, EDF raised the following: inadequate involvement of organisations of disabled people in the processes at the EU level (EDF was never consulted on the Code of Conduct that will outline the details of the CRPD implementation in the EU); delayed ratification of the EU that is not supported by any legal (only political) arguments; plans for the independent monitoring mechanism at the EU level, etc.

Also, EDF organises update and consultation session on the Convention for its Board members on a continuous basis. EDF has in particular devoted a training session at its meeting in October to the monitoring of the Convention and the preparation of shadow reports by NGOs.

Finally EDF is an active member of the International Disability Alliance, who is the international advocacy organisation liaising with the United Nations and its agencies on human rights and inclusion of persons with disabilities. In that framework, EDF was particularly active in the preparation of a seminar in January 2010 at the UN premises in Geneva on alternate reporting, which included speakers from OHCHR, the UN Committee on the rights of persons with disabilities, member of other Treaty bodies, DPOs, and representatives of other NGOs with the experience on monitoring. A guidance tool for NGOs is being prepared as a follow up and will be available on EDF website.

The European Platform for Rehabilitation (EPR) released analytical papers on relevant issues:

EPR released an analytical paper “It is your Business: The implications of the UN Convention on the Rights of Persons with Disabilities (UNCRPD) for Service Providers”. The study reviews the UNCRPD from the perspective of service providers operating within the EU. It explores the potential impact of the Convention in general and the impact on the activities of providers of services particularly in the domains of health, education, long term care, independent living, employment and rehabilitation.

EPR released a report on the “EU Equality Employment Directive 2000/78/EC What impact for vocational rehabilitation services?” The study includes an analysis of the Directive’s aim and focuses on key provisions related to people with disabilities, such as the article 5, stating the duty of employers to provide ‘reasonable accommodation’ with regards to candidates or employees with a disability, in full respect of the article 27 of the UNCRPD.

EPR contributed to the Study on challenges and good practices in the implementation of the UN Convention on the Rights of Persons with Disabilities launched by the European Commission in January 2009 and managed by the European Foundation Centre (EFC). The EPR shared the outcomes of the REINTEGRATE project that developed and implemented tools to train employers on managing disability at the workplace, and EQUABENCH project that is developing innovative practice guides in the implementation of quality management principles in the vocational education and training systems in the rehabilitation sector.

The European Women’s Lobby (EWL) supports the work of the European Disability Forum (EDF) particularly the Women’s Committee, in their work on involving civil society in the monitoring process. The EWL will continue to inform its members on the implementation with the aim of strengthening their involvement and participation in the monitoring process.

ANNEX 1: STATE OF PLAY

Dates of signatures and ratification				
Country	Signature		Ratification*/Formal confirmation	
	UN Convention	Optional Protocol	UN Convention	Optional Protocol
AT	30 March 2007	30 March 2007	25 September 2008	25 September 2008
BE	30 March 2007	30 March 2007	2 July 2009	2 July 2009
BG	27 September 2007	18 December 2008		
CY	30 March 2007	30 March 2007		
CZ	30 March 2007	30 March 2007	28 September 2010	
DE	30 March 2007	30 March 2007	24 February 2009	24 February 2009
DK	30 March 2007		23 July 2009	
EE	25 September 2007			
EL	30 March 2007			
ES	30 March 2007	30 March 2007	3 December 2007	3 December 2007
FI	30 March 2007	30 March 2007		
FR	30 March 2007	23 September 2008	18 February 2010	18 February 2010
HU	30 March 2007	30 March 2007	20 July 2007	20 July 2007
IE	30 March 2007			
IT	30 March 2007	30 March 2007	15 May 2009	15 May 2009
LT	30 March 2007	30 March 2007		
LU	30 March 2007	30 March 2007		
LV	18 July 2008	22 January 2010	1 March 2010	
MT	30 March 2007	30 March 2007		
NL	30 March 2007			
PL	30 March 2007			
PT	30 March 2007	30 March 2007	23 September 2009	23 September 2009
RO	26 September 2007	25 September 2008		
SE	30 March 2007	30 March 2007	15 December 2008	15 December 2008
SI	30 March 2007	30 March 2007	24 April 2008	24 April 2008
SK	26 September 2007	26 September 2007		
UK	30 March 2007	26 February 2009	8 June 2009	7 August 2009
EU	30 March 2007		26 November 2009**	

* Ratification means the deposit of the instrument of ratification with the Secretary-General of the United Nations

** Internal procedures achieved, however the instrument of formal confirmation not yet deposited with the Secretary-General of the United Nations

ANNEX 2: RESPONSIBLE AUTHORITIES AND CONTACT PERSONS

This annex contains an overview of responsible authorities, focal points, coordination mechanisms and contact points. The data were provided by the Member States in reply to the following questions:

* Who is responsible for the implementation (putting into practice) of the UN Convention, i.e. the focal point foreseen in article 33(1) of the Convention?

* Have you established a coordination mechanism foreseen in article 33(1) of the Convention?

Austria

Focal Point: Federal Ministry of Labour, Social Affairs and Consumer Protection
(implementation)
Federal Ministry of European and International Affairs (ratification)

Coordination mechanism: Federal Ministry of Labour, Social Affairs and Consumer Protection

Independent mechanism: Independent Monitoring Committee of the Federal Disability Advisory Board at the Federal Ministry of Labour, Social Affairs and Consumer Protection with representatives from the Federal Government, the Länder, the Social Insurance Institutions, Stakeholders, Social Partners and the Disability Ombudsman.

Contact:

Max RUBISCH

Federal Ministry of Labour, Social Affairs and Consumer Protection

Stubenring 1, 1010 Wien

E-Mail: max.rubisch@bmask.gv.at, Tel. +43-1-711 00-6262

Andreas REINALTER

Federal Ministry of Labour, Social Affairs and Consumer Protection

Stubenring 1, 1010 Wien

E-Mail: andreas.reinalter@bmask.gv.at, Tel. +43-1-711 00-2255

Belgium

Focal Point:

- Federal level : SPF Sécurité sociale – DG Personnes handicapées
- Flemish Region: cellule égalité des chances près du Ministre pour l’Egalité des chances (department of Equal Opportunities at Ministry for Equal Opportunities)
- Walloon region: Agence Wallonne pour l’Intégration des Personnes handicapées (Walloon Agency for the Integration of Persons with Disabilities).
- Brussels region: under discussion
- German-speaking community: [Dienststelle für Personen mit Behinderung](#)

Coordination mechanism: SPF Sécurité sociale – DG Personnes handicapées

Independent mechanisms: under discussion

Contact:

- DE BACKER Philippe – Service PHARE – Région bruxelloise (COCOF) – Tél. +32.2.800.81.53 – Mail : pdebacker@cocof.irisnet.be
- HEINEN Helmut – DPB - Dienststelle für Personen mit Behinderung – Communauté germanophone – Tél. : +32.80.22.91.11 – Mail : helmut.heinen@dpb.be
- KENNES Rudi – VAPH - Vlaams Agentschap voor Personen met een Handicap – Région flamande – Tél. : +32.2.225.84.68 – Mail : rudi.kennes@vaph.be
- PLUMET Brigitte – AWIPH - Agence wallonne pour l'intégration des Personnes handicapées - Région wallonne – Tél.: +32.71.20.58.27 – Mail : b.plumet@awiph.be
- TRESEGNIÉ Daniel – Service Public Fédéral Sécurité sociale – DG Personnes Handicapées – Tél. : +32.2.509.82.94 – Mail : Daniel.Tresegnie@minsoc.fed.be

Bulgaria

Focal Point: Integration of People with Disabilities Department at Ministry of Labour and Social Policy

Coordination mechanism: None established

Independent mechanism: Council for Integration of People with Disabilities

Contact:

Petia Demireva - Head of the Integration of People with Disabilities' Department
Nadezhda Harizanova – State expert on Integration of People with Disabilities
Ministry of Labour and Social Policy
+ 359 2 8119 656
Email: demireva@mlsp.government.bg
nharizanova@mlsp.government.bg

Ministry of Labour and Social Policy

National Council on Integration of People with Disabilities.

Council of Ministers, regional governors, regional government in cooperation with civil society.

Ministry of Youth and Education, Ministry of Health, Ministry of Regional Development and Republic Works, Ministry of Justice, Ministry of Culture, State Agency for Child Protection, Agency for People with Disabilities, National Statistical Institute and regional government.

Cyprus

Focal Point: Department for Social Inclusion of Persons with Disabilities at Ministry of Labour and Social Insurance

Coordination mechanism: The Pancyprrian Council for the Persons with Disabilities.

Independent mechanism: is yet to be determined

Contact:

Christina Flourentzou-Kakouri
Department for Social Inclusion of Persons with Disabilities
1430 Nicosia, Cyprus
Tel: 00357 22 406450, Fax: 00357 22 406 480
e-mail: cflourentzou@dsid.mlsi.gov.cy

Czech Republic

Focal Point: The Ministry of Labour and Social Affairs

Coordinating mechanism: Ministry of Labour and Social Affairs in cooperation with the Ministry of Foreign Affairs and the Government Board for People with Disabilities

Independent mechanism: none established

Contact:

Pavel Pokorny Pavel.pokorny@mpsv.cz, (coordination mechanism)
Ministry of Labour and Social Affairs
Tel: +42 22192 2378

Government Board for People with Disabilities
Czech National Disability Council

Denmark

Focal Point: The Ministry of Social Affairs

Coordination: The inter-ministerial committee of civil servants on disability matters

Independent mechanism: none established

Contact:

Anne Bækgaard/ Kaare Vind Jensen; aba@sm.dk ; kvj@sm.dk
The Ministry of Social Affairs
Holmens Kanal 22, DK-1060 København K
+45 33 92 93 00

Civil society: involvement through representative organizations (“Danske Handicaporganisationer”/Danish Council of Organisations of Disabled People, “Center for Menneskerettigheder” etc.)
Each sector Ministry is responsible of implementing necessary changes etc. in their area (the principle of sector responsibility)

Estonia

Focal Point: Ministry of Social Affairs and in future the Social Welfare Department.
Cooperates with the Estonian Chamber of Disabled People

Coordination mechanism: none established

Independent mechanism: none established

Contact:

Monika Haukanõmm, monika.haukanomm@sm.ee

Social Welfare Department, Ministry of Social Affairs, Gonsiori 29, 15027 TALLINN, Estonia.

Tel: +372 6269 233; fax: +372 6992 209

Ministry of Foreign Affairs

Ministries (Ministry of Education and Research, Ministry of Justice, Ministry of Culture, Ministry of Internal Affairs, Ministry of Economic Affairs and Communications, Ministry of Finance) and non-governmental organizations (Estonian Chamber of Disabled People, Estonian Union of People with Visual Impairment, Estonian Association of Hard Hearing, Estonian Union of Persons with Mobility Impairment, Association of Estonian Cities, Association of Municipalities of Estonia
Estonian National Council of People with Disabilities

Finland

Focal Point: none established

Coordination mechanism: none established

Independent mechanism: none established

Contact:

Satu Sistonen

Legal officer,

Ministry of Foreign Affairs

Unit for human right courts and conventions

Email: satu.sistonen@formin.fi

Ministry of Social Affairs and Health

France

Focal point: All administrations, services and bureaus working on the implementation of disability policy.

Coordination mechanism: Interministerial committee of disability, chaired by the Prime Minister

Independent mechanism: Advisory National Council for Human Rights (Conseil national consultative des droits de l'homme (CNCDH));
High Authority Against Discrimination and For Equality (Haute autorité de lutte contre les discriminations et pour l'égalité (HALDE))

Contact:

Laure MICHELET
Bureau des affaires européennes et internationales (BEI)
DIRECTION GENERALE DE LA COHÉSION SOCIALE (DGCS)
Ministère du Travail, de la Solidarité et de la Fonction publique
Tél. : +33 (0)1 40 56 80 13
Mél. : laure.michelet@sante.gouv.fr

Germany

Focal Point: Federal Ministry of Labour and Social Affairs

Coordination Mechanism: Commissioner of the Federal Government for the Interests of Persons with Disabilities

Monitoring Mechanism: German Institute for Human Rights
CRPD National Monitoring Mechanism
Zimmerstrasse 26/27, 10969 Berlin, Germany
Tel.: 0049-30-259359-450
E-Mail: monitoring-stelle@institut-fuer-menschenrechte.de
Fax: 0049-30-259359-459
www.institut-fuer-menschenrechte.de/en/monitoring-mechanism.html

Contact:

Moira Kettner
Desk officer, Federal Ministry of Labour and Social Affairs,
email: moira.kettner@bmas.bund.de
Tel. +49-30-527-4318

Greece

Focal point: None established

Coordination mechanism: none established

Independent mechanism: none established

Contact:

M. Stelakatos Michael,
Ministère des Affaires Etrangères
Zalokosta 3, Athènes
e-mail: m.stelak@mfa.gr
Tel. : +30 210 368 33 19

Hungary

Focal Point: National Council on Disability Issues (NCD)

Coordination mechanism: National Council on Disability Issues (NCD)

Independent mechanism: none established

Contact:

Hanna Páva

pava.hanna@szmm.gov.hu

Ministry of Social Affairs and Labour

Ireland³⁹

Focal Point: will be confirmed following ratification

Coordination mechanism: will be confirmed following ratification

Independent mechanism: will be confirmed following ratification

Contact:

David Spratt

Disability Equality Unit

Department of Justice, Equality and Law Reform

Email: djspratt@justice.ie

Tel: +353 1 4790212

Italy

Focal Point: Ministry of Labour, Health and Social Policies

Coordination mechanism: The Ministry of Welfare

Independent mechanism: National Observatory for monitoring the condition of people with disabilities

Contact:

Romolo de Camillis, rdecamillis@lavoro.gov.it

Head of Unit for persons with disabilities

Ministry of Labour, Health and Social Policies

Directorate general for inclusion, social rights and CSR

Via Fornovo, 8

00192 Roma - IT

Tel +39 06 36754465 / 4463

Ministry of Foreign Affairs

³⁹ Current situation in relation to focal point and mechanisms is outlined in Section 2 of the main document. It is likely that this structure will be retained following ratification. It may or may not be complemented by other measures.

Lithuania

Focal Point: Ministry of Social Security and Labour

Coordinating mechanism: Ministry of Foreign Affairs

Independent mechanism: none established

Contact:

Donatas Jankauskas, DJankauskas@socmin.lt

Minister of Social Security and Labour,

Tel: +370 5 266 42 01

For ratification:

Egle Caplikiene, ECaplikiene@socmin.lt

Head of Equal Opportunities Division,

Tel: +370 5 266 42 61,

For implementation: Genovaitė Paliušienė, Genovaite@ndt.lt

Head of Department of Disabled Affairs at the MSSL

Tel: +370 5 2394422

Ministry of Culture, Ministry of Health, Ministry of Education and Science, Ministry of Transport and Communication, Ministry of Social Security and Labour, Ministry of Foreign Affairs, Ministry of National Defence, Ministry of Environment, the Office of Equal Opportunities Ombudsperson, the Department of Physical Education and Sports under the Government of the Republic of Lithuania, and the Lithuanian Disability Forum.

The Ministry of Social Security and Labour and subordinated institutions: the Department of Disabled Persons under the Ministry of Social Security and Labour, Service for Establishing Disability and Capacity for Work under the Ministry of Social Security and Labour, Dispute Commission under the Ministry of Social Security and Labour, Centre for Technical Assistance for Disabled under the Ministry of Social Security and Labour

Associations of people with disabilities : Association for the Physically Disabled of Lithuania, the Lithuanian Blind and Visually Impaired People, Lithuanian Association of the Deaf, the Lithuanian Association of Intellectually Challenged People Viltis, the Lithuanian Association of Persons with Disability, Association for Application of Environment to Needs of Persons with Disability, the Lithuanian Special Creativity Association Guboja, the Lithuanian Association for Mentally Challenged Persons, the Lithuanian Association of Persons with Hearing Difficulties, and other.

Luxembourg

Focal point: none established

Coordination mechanism: none established

Independent mechanism: none established

Contact:

Pierre Biver

Conseiller de Direction

12-14 avenue Emile Reuter

L-2919 Luxembourg
pierre.biver@fm.etat.lu

Ministry of Family Affairs & Integration

Latvia

Focal Point: Ministry of Welfare

Coordination mechanism: National Council of Disability Affairs (Ministry of Welfare)

Independent mechanism: the Ombudsman office (NCDA and working groups)

Contact:

Inta Vanovska, Tel: +371 67021680, Inta.Vanovska@lm.gov.lv
Liene Kaulina-Bandere, Tel: +371 67021608, Liene.Bandere@lm.gov.lv
Equal Opportunities Policy Division
Ministry of Welfare
28 Skolas Str.Riga, LV-1331
Latvia
fax +371 67021607

Malta

Focal Point: The National Commission Persons with Disability (KNPD)

Coordination mechanism: none established

Independent mechanism: none established

Contact:

Mariella Grech, Global Issues Directorate, mariella.grech@gov.mt.
Ministry of Foreign Affairs
For implementation: Anne-Marie Callus, National Commission Persons with Disability,
Centru Hidma Socjali, St Venera

The National Commission Persons with Disability (KNPD) established by the Equal Opportunities (Persons with Disability) Act (includes representatives of the main Government Ministries and also the voluntary sector working in the field).
The Malta Federation of Organizations Persons with Disability (MFOPD)

The Netherlands

Focal Point: The ministry of Health, Welfare and Sport (VWS)

Coordination mechanism: Proposed network of representatives from all layers of government.

Independent mechanism: National Human Rights Institute

Contact:

Wouter J. den Ouden
Ministry of Health, Welfare and Sport
Department of Social Support
PO Box 20350
NL 2500 EJ The Hague
Tel: + 31 70 340 7166
E: wj.d.ouden@minvws.nl

Poland

Focal Point: Ministry of Labour and Social Policy

Coordination mechanism: none established

Independent mechanism: none established

Contact:

Joanna Maciejewska, joanna.maciejewska@mpips.gov.pl
Ministry of Labour and Social Policy,
Department of Economic Analyses and Forecasts,
Nowogrodzka 1/3/5, 00-513 Warsaw, Poland
Tel: (48 22) 66 11 704, fax. (48 22) 66 11 243
Małgorzata Kiełducka, malgorzata.kielducka@mpips.gov.pl
Ministry of Labour and Social Policy, Office of the Government Plenipotentiary for Disabled
Persons,
Nowogrodzka 1/3/5, 00-513 Warsaw, Poland
Tel: +48 22 55 10 120, fax. +48 22 82 65 146

Portugal

Focal point: National Institute for the Rehabilitation

Coordination mechanism: none established

Independent mechanism: none established

Contact:

Alexandra Pimenta
Director
National Institute for the Rehabilitation
Av. Conde de Valbom 63
1069-178 Lisbon
Portugal
Tel: 00351 21 792 95 00
Fax: 00351 21 792 95 95
E-mail: inr@seg-social.pt

Romania

Focal Point: National Authority for Persons with Disabilities

Coordination mechanism: none established

Independent mechanism: none established

Contact:

Gabriela Dobre,
National Authority for Persons with Handicap
194, Calea Victoriei, 1st District, Bucharest, Romania
Tel: +4 021 212 54 38
Fax: +4 021 212 54 43
gabriela.dobre@anph.ro

Ministry of Labour; Family and Equal Opportunities through National Authority for Persons with Disabilities;

Ministry of Health; Ministry of Education, Research, Youth and Sport; Ministry of Culture and National Patrimony; Ministry of Transportation and Infrastructure; Ministry of Justice; Ministry of Public Finance; Ministry of Regional Development and Tourism; Ministry of Foreign Affairs; Central authorities subordinated to them.

Slovak Republic

Focal Point: Minister of Labour, Social Affairs and Family

Coordination mechanism: Government Council for Persons with Disabilities on the level of the Deputy Prime Minister of the Slovak Republic for Knowledge-based Society, European Affairs, Human Rights and Minorities

Independent mechanism: none established

Contact:

Jana Terkovicova
Ministry of Labour, Social Affairs and Family of the Slovak Republic
Spitalska 4-6
816 43 Bratislava
Slovakia
Tel.: +421 2 2046 1639
Fax.: +421 2 2046 1623
jana.terkovicova@employment.gov.sk

Ministry of Labour, Social Affairs and Family

The Deputy Prime Minister for Knowledge Society, European Affairs, Human Rights and Minorities and the selected sectoral ministers (e.g. Ministry of Education, Ministry of Health, Ministry of Foreign Affairs, Ministry of Finance of the SR)

Representatives of relevant sectors, non-governmental organisations and representatives of self-government, i.e. the Association of Towns and Communities of Slovakia

Slovenia

Focal Point: Ministry of Labour, Family and Social Affairs, Directorate for persons with disability

Coordination mechanism: None established

Independent mechanisms: Government Council for Persons with Disabilities;
National Council of Disabled People's Organisation of Slovenia (NSIOS)

Contact:

Cveto Uršič,
Ministry of Labour and Social Affairs, general director, Directorate for disabled
Kotnikova 5, 1000 Ljubljana, SLOVENIA, tel: + 386 1 369 75 38, fax: +386 1 369 75 64
cveto.ursic@gov.si

Governmental Council for Persons with Disabilities
Relevant ministries
Slovenian National Council of disabled people's organizations

Spain

Focal Point : The Secretary of State for Social Political, Families and Dependence and Disability attention, Ministry of Foreign Affairs and Cooperation as well as the Ministry of Health and Social Policy⁴⁰ - through General Directorate for the Coordination of Policies on Disability.

Coordination: General Directorate for the Coordination of Policies on Disability, National Disability Council (General State Administration + Associations of common public interest+ experts advisors).

Independent Mechanism: CERMI (Spanish Committee of Representatives of Persons with Disabilities) created by the National Disability Council

Contact:

Juan Duarte Cuadrado
Juan.duarte@maec.es
Director Humans Rights Office - Ministry of External Affairs and Cooperation (MAEC)

Juan Carlos Ramiro Iglesias.- dgdiscapacidad@educacion.es
General Director of Coordination of Sectorial Policies on the Disability.
Paseo de la Castellana 67-6ª planta
tel: + 343637190/92

⁴⁰ The recent ministerial reorganization undertaken by the Spanish government, under which social policies, and therefore the UNCRPD, have been assigned to the new Ministry of Health and Social Policies. At the time that the 2nd HLG Report on the Implementation of the UN Convention on the Rights of Persons with Disabilities was drawn up, the UNCRPD was assigned to the Ministry of Education, Social Policies and Sport.

Ministry of Health and Social Policy - Secretariat-General for Social Policy and Consumer Protection attention Ministry of External Affairs and Cooperation (MAEC)

Sweden

Focal Point: Ministry of Health and Social Affairs

Coordinating mechanisms: Social Services Division of the Ministry of Health and Social Affairs; Swedish Agency for Disability Policy Coordination

Independent mechanism: none established

Contact:

Malin Ekman Aldén, malin.ekman-alden@social.ministry.se
Ministry of Health and Social Affairs Social Services Division
Tel: +46 8 405 11 15

UK

Focal Point: Office for Disability Issues (ODI)

Coordinating mechanism: Office for Disability Issues (ODI)

Independent mechanisms: UK's four equality and human rights Commissions i.e. the Equality and Human Rights Commission (EHRC), the Scottish Human Rights Commission (SHRC), the Northern Ireland Human Rights Commission (NIHRC) and the Equality Commission for Northern Ireland (ECNI)

Contact:

Stephen Thrower, Stephen.thrower@dwp.gsi.gov.uk
UN Convention and International Team,
Ground Floor, Caxton House
Tothill Street
London SW1H 9NA
Tel: +44 20 7449 5072,
fax +44 20 7449 5087

Department for Work and Pensions; Office for Disability Issues

European Union

Focal point: European Commission

Coordination mechanism: none established

Independent mechanism: none established

Contact:

Johan ten Geuzendam,

Head of Unit G3 Integration of People with disabilities
European Commission
DG Employment, Social Affairs and Equal Opportunities
Rue Joseph II, 54 - 1000 Brussels

ANNEX 3: WEBSITES

Cyprus

Ministry of Labour and Social Insurance: www.mlsi.gov.cy

Department for Social Inclusion of Persons with Disabilities: www.mlsi.gov.cy/dsid

Czech Republic

Ministry of Labour and Social Affairs: www.mpsv.cz

Czech National Disability Council: www.nrzp.cz

Denmark

Ministry of the Interior and Social Affairs: www.ism.dk

Estonia

Ministry of Social Affairs www.sm.ee

Estonian Chamber of People with disabilities www.epikoda.ee

Finland

Electronic Treaty Data Base www.finlex.fi

Ministry of Foreign Affairs formin.finland.fi

France

Ministry for Labour, Solidarity and the Civil Service: <http://www.travail-solidarite.gouv.fr/>

Germany

Federal Ministry of Labour and Social Affairs:

www.bmas.de

Portal for persons with disabilities, their family, administrations and enterprises

www.einfach-teilhaben.de

Federal Commissioner:

www.behindertenbeauftragter.de

Monitoring Mechanism:

www.institut-fuer-menschenrechte.de/en/monitoring-mechanism.html

Greece

Ministry of Health and Social Security: www.mohaw.gr,

National Confederation of People with Disabilities: www.esaea.gr

Hungary

<http://www.szmm.gov.hu>

Ireland

<http://www.justice.ie/en/JELR/Pages/Disability>

Italy

Ministry for Social Solidarity

www.solidarietasociale.gov.it

Latvia

Ministry of Welfare

www.lm.gov.lv

Lithuania

Ministry of Social Security and Labour and Department of Disabled People
http://www.ndt.lt/id-teises_aktai.html; <http://www.socmin.lt/>

Luxembourg

Ministry of Family Affairs and Integration
<http://www.mfi.public.lu/>

Malta

National Commission Persons with Disability (NCPD) website <http://www.knpd.org/>.

The Netherlands

www.rijksoverheid.nl/onderwerpen/gehandicapten/gelijke-behandeling (Dutch)
www.rijksoverheid.nl

Poland

Ministry of Labour and Social Policy websites: www.mpips.gov.pl,
<http://www.niepelnosprawni.gov.pl/dokumenty-organizacji-narodow-zj/konwencja-o-prawach/>

Portugal

www.inr.pt

Romania

National Authority for Persons with Handicap: www.anph.ro

Slovenia

<http://www.mddsz.gov.si/en/legislation/>
<http://www.mddsz.gov.si/en/publications/>

Spain

Ministry of Health and Social Policy: www.msps.es
Ministry of Foreign Affairs and Cooperation: www.maec.es
Comité Español de Representantes de Personas con discapacidad (CERMI): www.cermi.es

Sweden

Government's home page: www.sweden.gov.se
Contains an Easy Read version of the Convention, Braille and sign language.

UK

www.officefordisability.gov.uk
Contains English language Easy Read version of the Convention.

Other relevant websites

<http://www.un.org/disabilities/>
www.easped.eu
www.handicap.dk
www.nrozp.sk
www.cnditalia.it
www.superando.it
www.edf-feph.org/
www.epr.eu

www.coface-eu.org

<http://www.un-convention.info/index.html>

Independent (part funded by the UK Government) UK website dedicated to promoting disabled persons human rights.