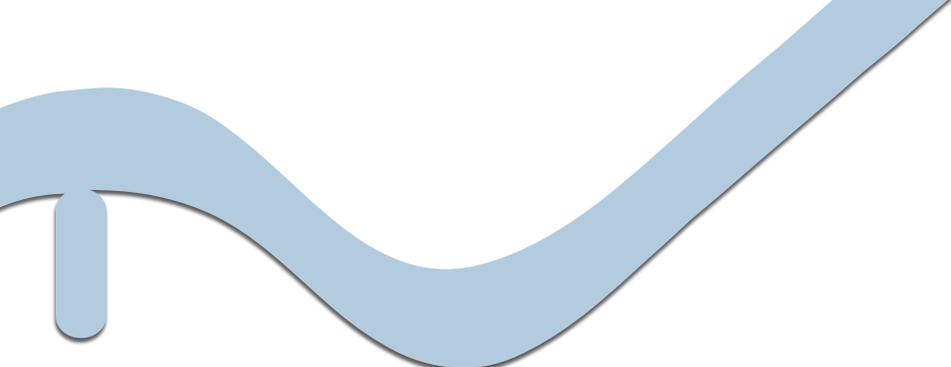


Italian Development Cooperation Disability Action Plan

The document was prepared in compliance with the "Guidelines for the introduction of the disability issue within the policies and activities of the Italian Cooperation" approved by the DGCS in November 2010.

Final editing: July 2013



Foreword

Italy was among the first signatories to the UN Convention on the Rights of Persons with Disabilities, adopted by the United Nations General Assembly in 2006. It was also the first country to issue Guidelines on disabilities in accordance with the Convention, as well as a Disability Action Plan in line with international reference standards.

The preparation of this document is an example of good practice. It is the outcome of a fruitful process of cooperation across the various offices of the Ministry of Foreign Affairs/Directorate-General for Development Cooperation, especially its Central Technical Unit and Offices VI and VII. This process led to produce a document that reflects, among others, and enhances the value of Italian civil society's experience. Further insights were gained from the numerous meetings, which were held with representatives from central - and local - government institutions, civil society, decentralised cooperation, academia, research centres and companies.

Therefore, the document is the result of a broad-ranging consultation during which it was gradually developed, obtaining wide approval and support.

We hope that the dialogue with civil society and institutions will continue for the implementation of the actions described in this document, because we believe that these mechanisms of consultation can increase the effectiveness of Italian Cooperation efforts.

The Director-General for Development Cooperation
Giampaolo Cantini

The “Italian Development Cooperation Disability Action Plan” is a document issued by the Italian Ministry of Foreign Affairs, Directorate-General for Development Cooperation (MFA-DGCS)

Panel: MFA – RIDS (Rete Italiana Disabilità e Sviluppo)

The Action Plan was prepared as part of the INFOEAS project (Action Plan implementing the *Guidelines for the introduction of the disability issue within the policies and activities of the Italian Cooperation*). The project is covered by funds MFA-DGCS made available to AIFO (Associazione Italiana Amici di Raoul Follereau) and EducAid, and implemented jointly with DPI Italia Onlus (Disabled People’s International - Italy) and FISH (Federazione Italiana per il Superamento dell’Handicap).

The Action Plan was drafted by a Panel consisting of representatives from MFA-DGCS and RIDS, which includes AIFO, DPI Italia Onlus, EducAid and FISH. Invaluable inputs to the Action Plan were also provided by the convenors, facilitators and members of the Working Groups.

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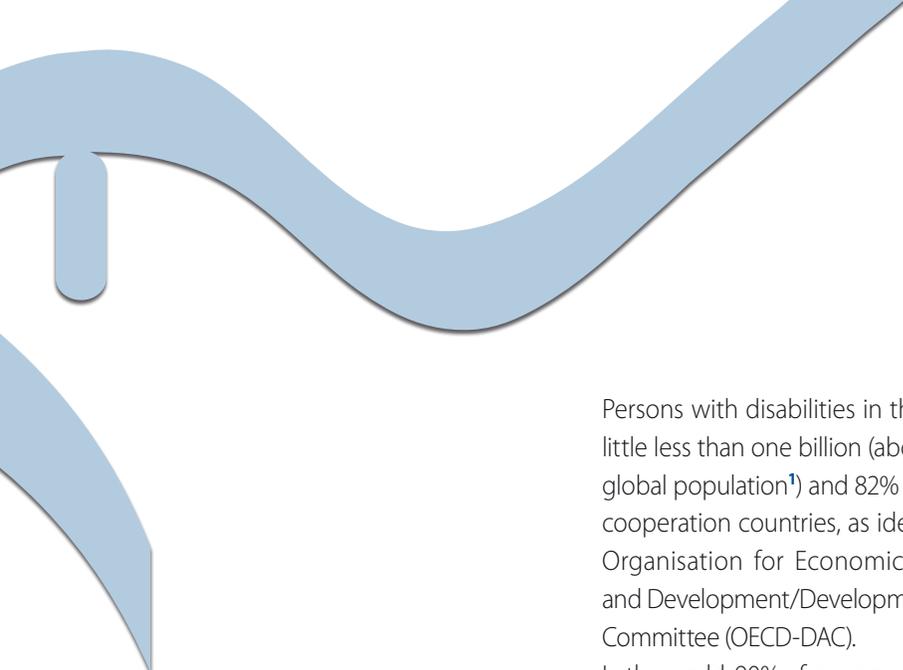
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Acronyms

CRPD	UN Convention on the rights of persons with disabilities
DGCS	Directorate-General for Development Cooperation <i>(Direzione Generale per la Cooperazione allo Sviluppo)</i>
DAP	Disability Action Plan
DPOs	Disabled People's Organisations
ICF	International Classification of Functioning, Disability and Health
MFA	Ministry of Foreign Affairs
NGO	Non-Governmental Organisation
OECD-DAC	Organisation for Economic Cooperation and Development- Development Assistance Committee
RIDS	Italian Network on Disability and Development <i>(Rete Italiana Disabilità e Sviluppo)</i>
CTU	Central Technical Unit
LTU	Local Technical Unit



Introduction

Persons with disabilities in the world are a little less than one billion (about 15% of the global population¹) and 82% of them live in cooperation countries, as identified by the Organisation for Economic Cooperation and Development/Development Assistance Committee (OECD-DAC).

In the world, 90% of persons with disabilities have no access to services, over 85% are unemployed and less than 4% of minors with disabilities have access to formal education. These persons are nearly always excluded from the advantages of development.

Disability is therefore both the cause and the effect of poverty, since persons with disabilities are subject to discrimination and have no access to equal opportunities. This situation limits their participation in society and entails continuous violations of their human rights.

The negative attitudes of society towards persons with disabilities produce a very strong social stigma, which is reflected in all the spheres of economic, cultural, political and social life. In case of wars, natural and man-made disasters, persons with disabilities are the first to suffer the direct consequences of emergency situations, often resulting into death and neglect.

This is why persons with disabilities are the most marginalised among the marginalised, the most discriminated against among the discriminated against, the poorest of the poor. The some 800 million persons with disabilities living in partner countries account over one fourth of the poorest people in the world.

¹

World report on disability, World Health Organization, Geneva, 2011.

Since Italy's signature of the UN Convention on the Rights of Persons with Disabilities (CRPD)² in 2007 and ratification in 2009, the Central Technical Unit of the Directorate-General for Development Cooperation (DGCS) of the Ministry of Foreign Affairs (MFA), has been mapping and analysing the funded projects, with a view to mainstreaming disability in the Italian development agenda³.

The CRPD, ratified by 132 countries and, in January 2011, by the European Union, has become a new international standard. It protects the rights of all persons with disabilities "who have long-term physical, mental, intellectual or sensory impairments" and thus marks a turning point in international cooperation policies as well. Indeed, the CRPD introduces new principles into development cooperation (art. 32) and emergency response (art. 11) activities. The European Disability Strategy 2010-2020⁴ includes the theme of the external action of the European Union (being the world's biggest development aid donor), requiring that appropriate attention be paid to persons with disabilities in bilateral agendas, as well as in development and emergency programmes.

The Italian Forum of International Cooperation⁵ (Milan, October 2012) relaunched the role of international cooperation in Italy. The Forum saw a strong participatory process, which gave useful inputs, brought forward new themes for reflection and development and emphasised the need for pursuing national policies of inclusion of persons with disabilities, to be promoted as part of international cooperation activities. In November 2010, the DGCS approved the document "Guidelines for the introduction of the disability issue within the policies and activities of the Italian Cooperation", drafted on the basis of international standards.

The document is the result of an inclusive process of consultation with Italian institutions (including regions, autonomous provinces and local authorities), decentralised cooperation actors, civil society and DPOs. It provides

2

Ratified by Italy with Law no. 18/2009.

<http://www.un.org/disabilities/default.asp?id=259>

3

This work resulted into the report Disability, International Cooperation and Development – The Experience of the Italian Cooperation 2000-2008, which provides a detailed analysis of the scale and characteristics of Italian Cooperation investments in area of disabilities..

4

Communication from the Commission to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions – European Disability Strategy 2010-2020: a Renewed Commitment to a Barrier-Free Europe, COM (2010) 636 final.

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52010DC0636:en:NOT>

5

See the final documents of the Forum at <http://www.cooperazioneallosviluppo.esteri.it/pdgc/italiano/Speciali/ForumCooperazione/Intro.htm>

for the drawing-up of an Action Plan aimed at implementing the above-mentioned Guidelines.

To this end, ad-hoc Panel was set up between MFA-DGCS and Rete Italiana Disabilità e Sviluppo (RIDS)⁶ in 2011. RIDS includes AIFO (*Associazione Italiana Amici di Raoul Follereau*), DPI Italia Onlus (*Disabled People's International/Italy*), EducAid and FISH (*Federazione Italiana Superamento Handicap*)⁷.

After a year's work and a number of meetings extended to other major stakeholders, the Panel produced this Action Plan, which is divided into the thematic areas arising from the debates.

The document relied on a participatory process, involving various stakeholders in its first drafting stage and 50 entities (institutions, associations, local authorities, universities, research centres and companies) in the 4 working groups, which put forward valuable suggestions and proposals.

The five pillars of the Italian Development Cooperation Disability Action Plan

The Action Plan rests on five pillars, each of which includes actions in terms of:

- Policies and strategies. National disability policy planning and monitoring tools
- Inclusive project planning & design
- Accessible and usable environments, goods and services
- Humanitarian aid and emergency situations including persons with disabilities
- Leveraging the experience and skills acquired by civil society and companies in the area of disability.

Within 3 months of the submission of the Action Plan to the Steering Committee of DGCS, the Panel (set up in 2011) and the MFA members of the Working Groups will develop, among others, the timeline for implementing the above activities, in contact with the MFA offices concerned (see Table A below). In the implementation stage, resort will also be made to external experts in the various sectors.

6

RIDS:

Pietro Barbieri, (FISH) Alfredo Camerini (Educaid) Giampiero Griffo (DPI), Francesca Ortali (AIFO)

7

RIDS:

www.ridsnetwork.org

websites of the individual associations:

www.aifo.it, www.dpitalia.org,

www.educaid.it,

www.fishonlus.it

Table A
The 5 Pillars of The Italian Development Cooperation Disability Action Plan

Policies and strategies. National disability policy planning and monitoring tools	MFA-DGCS/CTU, Local Offices, Task Force, Assessment Group, Offices I, II, VI, VII, VIII and IX, Decentralised Cooperation, LTU
Inclusive project planning & design	MFA-DGCS CTU, ISDI (Diplomatic Institute of the Ministry of Foreign Affairs), MFA-DGCS IX, LTU, University Cooperation Coordination, Decentralised Cooperation
Accessible and usable environments, goods and services	MFA-DGCS/ CTU, Offices VII, XI, XII, DGAI (Directorate-General for Administration and ICT), Embassies/LTU
Humanitarian aid and emergency situations including persons with disabilities	MFA-DGCS/CTU, Offices VI and VII, Crisis Unit, LTU
Leveraging the experience and skills acquired by civil society and companies in the area of disability	MFA-DGCS/CTU, Office VII, LTU

Taking into account available resources, the actions to be initiated in the first year of implementation will concern, among others, education, training & awareness, mapping and data collection.

All the activities envisaged in the Action Plan will be implemented by activating synergies with other sector-specific Italian Cooperation Guidelines (gender⁸, minors⁹, poverty, health¹⁰ and decentralised cooperation).

8

Linee Guida per uguaglianza di genere e empowerment delle donne – 2010. *(Guidelines for gender equality and women empowerment). These guidelines were published in 2010 in compliance with the Treaties signed by Italy not only on gender equality but also on the affirmation of rights. This is why, in the planned areas of action (violence and rights; health, in particular reproductive health; economic empowerment; rural environment, etc.), reference is made to criteria of both inclusion and elimination of “multiple discrimination” against women. With regard to women and disabilities, a specific cooperation programme will be put in place to eliminate problems that prevent disabled women and girls from fully enjoying their rights.*

9

Italian Cooperation Guidelines on children - official document of December 2011 updating the 2004 Guidelines on childhood and adolescence. *The Italian Cooperation recognises the rights of disabled minors as an integral part of fundamental human rights and is firmly committed to supporting actions aimed at combating social exclusion, as well as social, cultural and educational marginalisation of minors with disabilities. This activity is aimed at ensuring that disabled minors have access to education and participate in the social, cultural and recreational activities of their community on an equal basis with others. Prevention of causes of disability and removal of obstacles which hinder the full participation of disabled minors in society are among the top priorities of these Guidelines.*

10

Global Health: Guiding Principles of Italian Cooperation – July 2009. *The purpose of this document is to guide Italian Cooperation health care programmes, strengthen the complementarity and coherence of the Italian Cooperation system, bring Italian Official Development Assistance (ODA) policies in line with those of partner countries, harmonise Italian policies with those of other donors (in particular the EU), promote the rights and dignity of persons with disabilities, by strengthening rehabilitation centres for motor, sensory and psychic impairments and establishing links with community-based rehabilitation programmes.*

1

Policies and Strategies. National Disability Policy Planning and Monitoring Tools

1.1 Policies

Mainstreaming of disability

With the advent of the CRPD in 2006, disability can no longer be considered only as a health care issue giving rise to health care-focused projects. The CRPD has established, once and for all, the respect for human rights as the founding principle for the protection of the rights of persons with disabilities.

The conditions of disabled persons largely depend on environmental and social factors. Often, these persons are invisible citizens, beneficiaries of health and welfare policies but neglected on all other political fronts.

The CRPD emphasises that persons with disabilities must be the beneficiaries of all policies, since they are citizens like all others. The CRPD redefines the concept of disability as “*resulting from the interaction between persons with impairments and attitudinal and environmental barriers that hinders their full and effective participation in society on an equal basis with others*”. This model of bio-psycho-social disability¹¹, based on respect for human rights, assigns

11

This model provides a further contribution to the International Classification of Functioning and Disability (ICF). Under this model, both the ICF and the CRPD should be used as guidance in the area of disability: the former as a technical tool, the latter as a legal and cultural instrument.

new tasks to governments and society in general, which have often created disability conditions. It is thus crucial to intensify efforts with a view to encouraging policies that *mainstream* disability by removing hindrances, barriers and discrimination.

Just as for gender issues, a strategy should be formulated to achieve equal opportunities for persons with disabilities and to integrate the disability perspective into all the stages of development policies and practices: planning, design, implementation, monitoring and evaluation so as to foster equal opportunities for persons with disabilities in every aspect of social, economic and cultural life. This *mainstreaming* strategy implies the involvement, the taking of responsibilities, the linkage and integration of all stakeholders through a participatory approach. In this sense, the need for taking a *twin-track approach* was stressed at international level: on one hand, pursuing initiatives specifically targeted at persons with disabilities, taking into account their rights and specific needs; on the other hand, favouring the inclusion of persons with disabilities among the targets of all projects. To this end, any useful linkage and coordination with other sector-specific guidelines (e.g. on children, gender, decentralised cooperation, emergencies, poverty) should be sought. Particular emphasis will be placed on the role of LTUs: as they collect data and provide information on development plans and programmes in the countries where they are established, they can advocate inclusive policies among the representatives of institutions and civil society. Raising awareness of the rights of persons with disabilities among the personnel of MFA is a priority to successfully *mainstream* disability.

Actions planned

1.1. a Disability awareness of the MFA personnel

Raising awareness of the rights of persons with disabilities as per art. 8 (awareness-raising) of the CRPD is the leitmotiv and one of the top priorities of the Action Plan. Under this article, State Parties undertake to adopt effective and appropriate measures:

- To raise awareness of persons with disability throughout society and to foster respect for their rights and dignity;
- To promote the dissemination of an inclusive culture based on new development paradigms;
- To combat stereotypes and prejudices;
- To promote awareness of the capabilities of persons with disabilities and of their contribution to society.

To this end, an awareness campaign will be launched to improve the understanding of this issue and thus induce a change of attitude vis-à-vis persons with disabilities.

The campaign will involve simple and direct messages drawing attention to

and favouring the perception of disability as a condition which, albeit temporarily, may concern all human beings.

Further goals of the campaign will be to disseminate knowledge of:

- Italy's role in promoting the rights of persons with disabilities;
- disability-related initiatives supported and promoted by the Italian Cooperation;
- Italy's role at international level, with an overview of international reference standards.

The tools used will be:

- meetings, workshops and seminars;
- leaflets, booklets, posters and postcards.

The periods of time and places for discussion and distribution of material will be selected in such a way as to ensure a fast, lean and effective communication.

Representatives from central and local institutions, civil society, companies and DPOs with communication and disability-specific skills may also take part in the above activities. Personnel members will be interviewed at the end of the campaign to know their opinion about it. The campaign will also lay the groundwork for the education & training activities described in Chapter 2.

Posting news about the campaign in the disability section of the Italian Development Cooperation website will be key to achieving the goals of this action. A small fund will be set up from the resources of the *Communication and Visibility Office* to finance the improvement of the dedicated section of the website, make it interactive and translate it into English.

Funding of projects specifically targeted at persons with disabilities

Support for and development of projects for persons with disabilities must rely on a sound planning process, based on both project coordination, to prevent geographic fragmentation, and resource availability. As regards the latter aspect, the three-year Italian Development Cooperation Guidelines should establish specific priority and allocation of funds for projects targeted at persons with disabilities, especially at regional level. The DGCS planning process (actions in the poorest as well as in middle income countries¹², in conjunction with other Italian institutions, since persons with disabilities are the poorest among the poor worldwide) should periodically identify projects and initiatives to be funded, assigning priority to institutional capacity-building with a view to promoting the rights of persons with disabilities in different countries, especially the signatories to the CRPD.

¹²

Middle Income Countries are identified by the World Bank on the basis of the world development indicators.

Actions planned

1.1. b Setting up an “accommodation fund” in the yearly budget of the DGCS

In line with the good practice adopted by the World Bank and as set forth in the Guidelines, an accommodation fund will be created to cover the additional costs associated with the participation/inclusion of persons with disabilities (e.g.: costs of printed material in Braille, subtitling, accessible transport, alternative communication settings, etc.).

1.1. c Placing emphasis on and allocating specific resources for persons with disabilities in the three-year Guidelines

Persons with disabilities in partner countries are the poorest groups in the world, since economic poverty goes hand in hand with social, cultural and educational impoverishment resulting from barriers, obstacles and discrimination created by society.

The three-year Italian Development Cooperation plan should include this population among its top priorities, as it is often subject to multiple discrimination (disability is compounded by the fact of being a woman, a child, an elderly person, etc.).

1.1. d Specific investments on support for and development of projects targeted at persons with disabilities under a twin-track approach

According to the WHO World Report on Disability, about 15% of people in the world have a disability and are often the poorest members of society. Disability can be experienced by persons of all age and social groups (minors, women, elderly persons). In order to channel resources towards the Millennium Development Goals (MDGs) and eradicate extreme poverty, a fund will be set up to implement the *twin-track* strategy. This fund will be allocated to:

- Mainstreaming: including the disability perspective into projects targeted at disadvantaged populations (see Chapter 2 on project planning & design);
- Sustaining partner countries, especially those that ratified the CRPD, in implementing its principles;
- Dedicated projects based on the needs and potential capabilities of the partner country, giving particular support to projects which foster accessibility to rights, goods and services, as required by the CRPD.

Countries expressing interest in implementing the CRPD may contribute to the fund, in addition to the resources allocated by MFA-DGCS.

Among the dedicated projects, particular emphasis will be placed on training courses for the personnel of MFA and of project implementing agencies on

how to respond to emergencies (see Chapter 2 on project planning & design). Consideration will also be given to inclusive education, vocational training and youth employment.

In the first year of activity, preference will be given to projects of education, training & awareness, in accordance with the CRPD and the European Disability Strategy, in five priority countries.

1.1. e Consultation about decentralised cooperation with regions, autonomous provinces and local authorities to pursue the Twin-Track approach and fund projects targeted at persons with disabilities

Decentralised cooperation activities are, by their nature, based on partnerships between Italian local governments and partner countries. These activities can provide a major contribution to achieving the goals of this Action Plan, not only because local governments qualify as cooperation entities (with own or EU funds), but also because they have gained experience in this field under Law no. 328 of 2000¹³. A forum of consultation with municipalities, provinces and regions will be put in place to discuss procedures and initiatives, so that the planning and implementation of international cooperation projects may accommodate the methods and goals of this Action Plan.

Coordination and consistency of disability policies to enhance the effectiveness of international development cooperation

The CRPD opened the way to a new monitoring system, requiring all of its 132 ratifying countries to implement it under the supervision of the United Nations. A consistent action by Italian representatives in the relevant international and European institutional fora, as well as in bilateral and multilateral agreements, should sustain and complement this new commitment in the international and European agenda. Hence, Italy must strengthen its action at various levels:

- In dialogues and negotiations with partner countries, in order to identify policies to be supported and activities to be carried out, to evaluate initiatives after their implementation and to favour the long-term sustainability of the programmes set in motion;
- In the dialogue with the EU, which receives substantial contributions from the Italian Development Cooperation. The EU, which acceded to the CRPD in 2011, has delegated competences in the area of international cooperation. In particular, point 8

¹³

Law 328/2000 Framework-law for an integrated system of social services and projects (Legge quadro per la realizzazione del sistema integrato di interventi e servizi sociali) implemented the reform of Title V of the Italian Constitution, by devolving fundamental sector-specific planning responsibilities to local governments.

(External Action) of the European Disability Strategy (2010-2020) draws attention to the fact that persons with disabilities should be taken into account by allocating resources, increasing awareness among offices and delegations and adopting a mainstreaming approach;

- Within the framework of multilateral cooperation (UN system, World Bank, regional development banks, etc.);
- Within the framework of *Beyond 2015*, the UN global initiative concerning the future prospects of the MDGs.

Actions planned

1.1. f Formulating a strategy of action in international and European fora aimed at mainstreaming disability and developing a system to monitor actions and projects based on lessons learned

In order to participate effectively in international and European fora, Italy will have to coordinate its positions and policies on disability issues, involving all of its delegations and institutions at both central and local level.

Among the identified priorities, it is worth mentioning:

- Promoting the setting-up of panels with other cooperation agencies in order to include disability as a self-standing sector into the OECD-DAC list (*see point 1.2.i*);
- Taking part in the review of and incorporating the disability dimension into the MDGs by 2015; thus, in working with other cooperation agencies and international organisations, the Italian Cooperation must set the monitoring of the review process as a priority and support the integration of disability issues into the MDGs by 2015 (as reiterated by UN resolution 64/131 of 3 February 2010);
- Within the permanent representation of Italy to the EU in Brussels, identifying a contact person from MFA for disability issues and establishing a regular flow of reports and updates on related policies;
- Sharing the experience gained within the Civil Society Platform of the European Fundamental Rights Agency (FRA) in Vienna;

Based on policies and monitoring systems existing at international and European level (namely the CRPD monitoring system of the EU), Italy should play a key role in mainstreaming disability, by taking part in various working groups within: European Council, European Commission, Conference of Parliamentary Committees for Union Affairs of Parliaments of the European Union (COSAC), Council Working Group on Human Rights (COHOM) and Council of Europe.

1.2 Tools

Setting up a monitoring system

The implementation of the Action Plan will have to be monitored. Monitoring Italy's international cooperation activities in the area of disabilities calls for gathering appropriate data so as to know and evaluate the relevant MFA-DGCS activities. The need arises for gradually designing a special monitoring tool, capable of collecting, processing and reporting both quantitative data on the activities of MFA-DGCS and other international cooperation agencies, and qualitative data on the policies pursued, so as to evaluate the impact of the projects on the individual countries and identify their outcomes. The goal is to develop a set of procedures permitting to incorporate disability concerns into all the projects funded by the Italian Cooperation (including those not targeted at disabilities) and assess their implementation, as well as their impact on their final recipients.

Sharing data through regular meetings of representatives from the different Directorates-General of MFA is absolutely necessary to track all the actions undertaken for the social inclusion of persons with disabilities, whatever their mode of funding.

Actions planned

1.2. a Funding a project for developing a monitoring system that involves all the units of DGCS

This project will be funded to monitor the activities conducted in response to the goals of the Action Plan, both at national level and in partner countries. The monitoring process will take into account, among others, the findings of the working groups that will work on specific issues, favouring the exchange of views and data among the various stakeholders.

Funds will be allocated separately to technical support and to data collection and analysis; these activities may be carried out jointly with research agencies and relevant Italian institutions.

1.2. b Identifying specific indicators to measure the impact of the projects on the conditions of persons with disabilities

No internationally agreed indicators are yet available to measure the impact of policies and projects on the conditions of persons with disabilities. Nonetheless, use may be made of general indicators, by identifying the specific needs pertaining to disabled persons¹⁴.

¹⁴

See *human rights indicators published by the UN in 2012*
http://www.ohchr.org/Documents/Publications/Human_rights_indicators_en.pdf

A review of monitoring mechanisms will be carried out in order to single out process indicators (i.e. processes that have been initiated), result indicators (quality of results achieved), resource indicators (amount of resources used in the various activities), commitment indicators (quality and extent of investments made and level of commitment achieved), as well as accessibility and usability indicators (access to services, as required by the CRPD, and actual opportunities to use them) to be measured vs. predetermined goals. These indicators may also be shared and discussed in consultation with agencies/institutions engaged in research, statistics and international classification systems associated with the CRPD (ISTAT, CNR, ISFOL, CCOMS-ICF) (see Panel on data collection and statistics).

1.2. c Using an effectiveness marker for disability issues similar to the one adopted for gender issues

The “Effectiveness Marker” is a tool that DGCS uses to ensure that: i) it abides by the principles of Aid and Development Effectiveness established in Rome, Paris, Accra and, above all, Busan; ii) it follows the policy guidelines issued by OECD-DAC. The marker is applied to initiatives undergoing the approval process. It is a “dynamic” tool, which can facilitate the interaction between the various offices of DGCS and the Technical Assessment Group and improve the formulation of the investment proposal and of the technical-economic feasibility analysis.

The Effectiveness Marker consists of a grid of questions and of a score. The grid is a kind of “vademecum” to be used when identifying and presenting cooperation initiatives and not a checklist to be used only when submitting a funding proposal to the relevant decision-making body. Specific markers will have to be identified to show the impact of the project on persons with disabilities¹⁵.

1.2. d Developing a model for the report to be submitted to the Italian Parliament

DGCS will prepare a *Yearly Report to the Italian Parliament* with a section devoted to actions and projects to the benefit persons with disabilities. The structure of this section will have to be clearly defined, in order to provide a comprehensive picture of activities implemented and good practices adopted. The report should highlight the following aspects:

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- Does the project include activities for the empowerment of persons with disabilities, their associations and organisations?
- Does the project use a participatory approach, involving representatives from institutions, civil society, etc. active at local level in the area of disability?
- Does the project provide for accessibility actions (art. 9, CRPD)?
- Is the programme part of a nation-wide or of a sector-specific disability strategy?
- Is the project in line with the principles of the CRPD adopted by the UN General Assembly on 13 December 2006?

- Methodologies used;
- Activities in line with international standards;
- Financial investments by geographic area;
- Critical issues which arose and are to be considered when planning new initiatives;
- Overall financial investments.

A yearly report on the monitoring of the activities envisaged in the Action Plan will be produced with contributions by all the DGCS offices involved in the different types of funding. The report on the monitoring of the Action Plan will provide insights for the new planning of initiatives and will be disseminated through the MFA information channels.

National Committee on the Status of Persons with Disabilities

The National Committee on the Status of Persons with Disabilities was established by Law 18/2009, by which Italy ratified the CRPD. It has, among others, the task of preparing the Italian report on the implementation of the CRPD to be submitted to the UN Committee on Persons with Disabilities. DGCS/CTU participates with one representative in the activities of the Observatory and has already contributed to the first report on the monitoring of the CRPD, by supplying a detailed paper on the measures adopted for its implementation. The next report to the UN will be produced in 4 years and the contribution of MFA will be based on its Yearly Report to the Italian Parliament (point d) above) and on its general monitoring system. This Action Plan appears under line 7 “International Cooperation” of the draft Two-year Disability Action Programme (*Programma Biennale di Azione sulla disabilità*) released in February 2013 by the National Committee on the Status of Persons with Disabilities¹⁶.

Within the National Committee, a Technical-Scientific Committee is entrusted with conducting analyses on and providing scientific guidance for the activities and tasks of the National Committee itself. MFA participates in the activities of the National Committee with one representative in charge of the activities related to the implementation of art. 32 (International Cooperation) of the CRPD.

Actions planned

1.2. e Encouraging the active participation of one representative from MFA-DGCS in the National Committee on the Status of Persons with Disabilities, taking into account the Disability Action Plan and the report on the implementation of the CRPD to be submitted to the UN

A Technical-Scientific Committee was put in place to coordinate the activities of the Observatory. The representative from MFA may set up and coordinate a working group on internationally relevant themes, given his/her role of liaison for international cooperation activities between associations and central/local institutions. MFA might disseminate the outcomes of this working group within the Technical-Scientific Committee in order to give visibility to the active role that Italy can play in international fora by:

- Introducing disability items into the OECD-DAC list (*see point 1.2.i*);
- Promoting the presence of MFA in European and international fora (e.g. High-Level Group) given Italy's forefront role in the application of the CRPD in its international cooperation activities;
- Enhancing the role of NGOs, DPOs, universities, central and local institutions contributing to the implementation of international cooperation initiatives;
- Adapting Italian data collection and evaluation tools and applying them to initiatives in partner countries;
- Where feasible in international cooperation initiatives, promoting Italian good practices in the area of disability.

Leveraging good practices

MFA-DGCS already implemented *innovative and significant disability-related projects*, which may be used as a model for other cooperation projects. The drawing-up and implementation of the Kosovo National Disability Action Plan is a good practice to ensure that projects of international cooperation are inclusive of and accessible by persons with disabilities (the plan was identified as a case study by UNDESA/UN Secretariat for the Convention on the Rights of Persons with Disabilities in the report *Best Practices for Including Persons with Disabilities in All Aspects of Development Efforts*).

Actions planned

1.2. f Setting up a database of all initiatives funded

This task will be carried out by a working group of MFA. The group will collect appropriate data from various offices (CTU, Office VIII: planning and monitoring/gender, rights of minors and disabilities issues; CED (Data Processing) Office; Office VII: NGOs, local offices and task forces; Decentralised Coopera-

tion Coordination Office; MFA-DGCS Steering Committee Office; Technical Assessment Group, multilateral office). As done in the past¹⁷, **the initiatives funded between 2009 and 2013 will be mapped**; the working group and the relevant office of DGCS will assess the feasibility of issuing a similar publication.

1.2. g Final report

To publicise the methods adopted to protect and advocate the rights of persons with disabilities as well as to build awareness thereof, a final report will be published for each project. The report, highlighting the methodologies adopted and the results achieved, will be prepared jointly with project implementing agencies/associations and project partners. It follows that the financial proposal contained in the project document will have to incorporate a communication and visibility component for the drafting and dissemination of the final report.

The final reports will have a specific format and be published in formats accessible by persons with disabilities.

A system for identification/collection/monitoring of good practices will be developed on the basis of the findings from the final reports. These practices will concern:

- Aspects of innovation and acquisition of new knowledge;
- Participatory and democratic approach;
- Respect for ownership and promotion of self-determination;
- Positive results achieved for participants in the initiative;
- Replicability, portability and adaptability of processes and results;
- Sustainability.

These aspects will have to be in line with the principles of the CRPD.

1.2. h The good practices so collected will flow into a publication

Such publication will specify the sector of interest (legislation, education, infrastructure, ICT, etc.) and the relevant mainstreaming activities. Visibility will also be given to more extensive projects targeting vulnerable population groups and including disability concerns;

- **Dissemination and communication.** The document will be posted on the Italian Development Cooperation website, in the disability page, whose link will also appear on other portals, e.g. the one of decentralised cooperation and DaBaCu, which hosts the on-line Italian university community and the

¹⁷

See MFA document *Disability, International Cooperation and Development: The Experience of the Italian Cooperation 2000-2008*, issued in cooperation with the World Bank.

university cooperation database supported by the University Cooperation Coordination (*Coordinamento della Cooperazione Universitaria*) of MFA-DGCS.

- The publication of documents on the websites of project recipient agencies/ associations and of local partners will also be encouraged.
- Initiatives will also be undertaken in the following areas:
- Use of the web and of social networks: these communication channels proved to be particularly effective in involving players and citizens, who can contribute to disseminating and enriching the contents of the Action Plan. Appropriate use should be made - based on requirements and availability of human resources - of on-line cooperation across the agencies engaged in international cooperation targeted at persons with disabilities.
- Organisation of meetings, conferences and workshops. These events will be open to the public and attended by central and local institutions active in the area of disabilities. These public events will not only publicise the good practices adopted, but also capture ideas and experiences, which would not be accessible at a merely institutional level.

For the above-mentioned activities, reliance will be made on a drafting committee, consisting of human resources from the Communication and Visibility Office and from the Central Technical Unit of DGCS.

The committee will also avail itself of external human resources from institutions and civil society organisations that are willing to contribute to the drafting of the publication and to its translation into English. A small ad-hoc fund will be made available to this end.

Proposal to update the systematic collection of data as part of the OECD-DAC codes

Current international systems for data collection and classification do not pay sufficient attention to persons with disabilities. Failing a specific definition, cooperation initiatives in the field of disabilities are classified under code 16010, "Social/Welfare services" (160 – "Other Social Infrastructure and Services") and code 15162, "Human Rights".

It would be useful to explore the possibility of more clearly identifying the projects targeted at persons with disabilities in the OECD-DAC list of sectors, so as to improve their visibility.

In the past few years, multiple cooperation agencies have produced documents asking OECD to pay closer attention to the relationship between disability and development and to revise the OECD-DAC list of sectors in order to give more visibility to the disability dimension. Cooperation agencies should act in synergy so that the protection

of the rights of persons with disabilities may become a self-standing sector in the OECD-DAC list, just as “women’s equality organisations and institutions” (code 15164).

Actions planned

1.2. i Setting up a working group with the task of analysing current OECD-DAC codes and putting forward a proposal to include the issue of disability more specifically

With a view to mainstreaming disability, MFA will set up a working group, consisting of representatives from the relevant central/local institutions, civil society and development cooperation agencies of other countries. The working group will discuss a technical proposal aimed at integrating a self-standing disability sector into the OECD-DAC list of sectors.

The working group will seek all opportunities of debate with institutions and associations that may provide contributions on specific issues.

Exchanging information with Italian institutions and leveraging their skills and expertise

Italy’s legislation and good practices at both national and local level, as well as the experience gained by DPOs and the non-profit sector have resulted into a wealth of disability-related skills and know-how. This was recently recognised by the Italian Forum of International Cooperation (Milan, 1-2 October 2012) as being the basis of Italian Cooperation initiatives.

Promoting a debate among Italian central and local institutions, cultural, academic and business communities, DPOs and NGOs can raise awareness, improve the understanding and enhance the value of Italy’s disability-related capabilities at home and abroad.

Actions planned

1.2. I Promoting a national debate among all stakeholders and post the related outcomes on a dedicated page of the MFA website

All possible opportunities for discussion, exchange of experiences and knowledge will be sought, in order to identify national good practices in the area of disabilities.

Panels on specific themes are proposed to be set up in conjunction with all stakeholders. These themes emerged during the participatory process leading to the formulation of the Action Plan, through the working groups, which helped draft the document and expressed interest in gaining more insight into the specific aspects of the good practices adopted in Italy.

The panels will address the following themes:

- **Use of the WHO ICF (International Classification of Functioning, Disability and Health)**

The ICF gathers population data and classifies health and health-related states of the global population. This classification is hardly applicable in its original version in cooperation partner countries. What is important is, instead, its conceptual bio-psycho-social approach to the notion of health and disability, whereby disability is described as resulting from a complex interaction between the health of a person and his/her personal and environmental factors.

It has been widely recognised in international fora that the ICF and the CRPD should be used as guidance in the area of disability, the former as a technical instrument and the latter as a legal and cultural instrument. In this regard, the WHO Collaborating Centre and FISH are working together to explicitly and interactively correlate the two perspectives so as to widen the scope of the ICF and give it a multidimensional character;

- **Enhancing the value of Community Based Rehabilitation**

Community Based Rehabilitation (CBR) is an international approach that is used especially in remote and rural areas, where persons with disabilities experience extreme poverty and have no protection whatsoever. CBR is supported by WHO, ILO (International Labour Organisation) and UNESCO and practiced in 90 countries. Italy, through a number of NGOs, has been playing a key role, both in implementing the CBR strategy and in preparing important documents, such as the CBR Guidelines issued by WHO, ILO, UNESCO and IDDC (International Disability and Development Consortium). DPOs and NGOs should develop a joint reflection on the use of this local development instrument, which is hinged on respect for and promotion of human rights;

- **Inclusion of disability concerns into emergency response actions**

This topic is elaborated on in the chapter devoted to activities in emergency situations;

- **Inclusive education**

Italy's good practices in this field should be incorporated into international cooperation programmes, being one of the hot topics of the change in approach to the condition of persons with disabilities and being a core *value* of inclusion in society. However, the notion of inclusive education (in all schools at all levels) should be clarified. Education should be at the core of the fight against poverty, understood as the deprivation of development opportunities and the undermining of aspirations. Access to education should be a priority in the activities that support disabled persons and their families in achieving their life goals;

- **Data collection and statistics**

Data on persons with disabilities available in partner countries are still scanty and very few are in line with art. 31 of the CRPD. To promote inclusive policies, it is important to define the procedures to be used for data collection and the types of data to be collected jointly with the institutions and civil society of partner countries.

Additional consultation panels might be put in place on the basis of new experiences acquired in international development cooperation.

MFA might act as convenor of these panels, by relying on facilitators from the relevant participating agencies. The members of these panels will come from central and local institutions, academia, businesses, cooperatives, DPOs, NGOs, research centres and the non-profit sector. The panels will have the following goals:

- a) Establishing contacts favouring cooperation relationships among Italian stakeholders;
- b) Identifying good disability-related practices adopted in partner countries;
- c) Fostering the dissemination of information, including through the Local Technical Units of DGCS, so as to favour and improve the exchange of information between Italian participants and their counterparts from partner countries participating in the panel.

Events will be organised to give visibility to the activities carried out and to induce an open debate. Debates will also take place within the State-Regions Conference (*Conferenza Stato-Regioni*), the Unified Conference (*Conferenza Unificata*), the DGCS/Regions Panel and the interinstitutional Development Cooperation Panel. The data collected by and the findings from the panels will be widely disseminated and posted in Italian and in English on the website of the Italian Development Cooperation and on those of the panel members.

Regular and systematic interinstitutional meetings

To favour coordination and exchange of information within institutions carrying out international cooperation activities, meetings will be organised between MFA and other governmental institutions (Ministry of Labour and Social Policies, Ministry of Health, Ministry of Education, University and Research, Equal Opportunities Department, Ministry of Infrastructure, etc.).

Working with other development cooperation agencies to improve aid effectiveness and sustain harmonisation policies

The approval of the CRPD marked the beginning of a reflection about the ways in which international cooperation might help achieve its objectives in terms of respect for the human rights of persons with disabilities, as stressed by art. 32 thereof.

The CRPD, ratified so far by 132 countries, has become an international standard. The cooperation agencies of many industrialised countries, both in Europe (Austria, Finland, Germany, Norway, Sweden, United Kingdom, etc.) and in other continents (Canada, Japan, USA), have long since issued guidelines on disability and implemented initiatives and projects¹⁸.

The European Union, which ratified the CRPD in January 2011, included a point dedicated to external action¹⁹ in its European Disability Strategy 2010-2020 and initiated a reflection on the issue of disability²⁰. Furthermore, persons with disabilities were included as an important target group in the UN MDGs²¹ and the Human Rights Council adopted an ad-hoc resolution on the basis of a study conducted by the UNHRC²². All these initiatives point to the need to promote the exchange of information and the sharing of experiences in terms of inclusive development with other cooperation agencies engaged in development aid and with the Human Rights Commissions of partner countries.

18

See the World Bank study on Disability and International Cooperation and Development: a review of Policies and practices, St. 2010.

19

“Point 8 – External action. The EU and the member States should promote the rights of people with disabilities in their external action, including EU enlargement, neighbourhood and development programmes. The Commission will work where appropriate within a broader framework of non discrimination to highlight disability as a human rights issue in the EU’s external action, raise awareness of the UN Convention and the needs of people with disabilities, including accessibility, in the area of emergency and humanitarian aid; consolidate the network of disability correspondents, increasing awareness of disability issues in EU delegations, ensure that candidate and potential candidate countries make progress in promoting the rights of people with disabilities and ensure that the financial instruments for pre-accession assistance are used to improve their situation. EU action will support and complement national initiatives to address disability issues in dialogues with non-member countries and where appropriate include disability and the implementation of the UN Convention taking into account the Accra commitments on aid effectiveness. It will foster agreement and commitment on disability issues in international for a (UN, Council of Europe, OECD).”

20

See European Commission - Study of Disability in EC Development Cooperation. November 2010, Brussels, funded by the European Union (project implemented by Soges S.p.a; consultants: Peter Coleridge, Claude Simonnot, Dominique Steverlyncck).

http://ec.europa.eu/europeaid/what/social-protection/documents/223185_disability_study_en.pdf

21

Realizing the Millennium Development Goals for Persons with Disabilities (A/RES/64/131).

22

Resolution adopted by the Human Rights Council (13/11, Human Rights Council, Thirteenth session). Human rights of persons with disabilities: national implementation and monitoring and introducing as the theme for 2011. The role of international cooperation in support of national efforts for the realization of the rights of persons with disabilities.

Actions planned

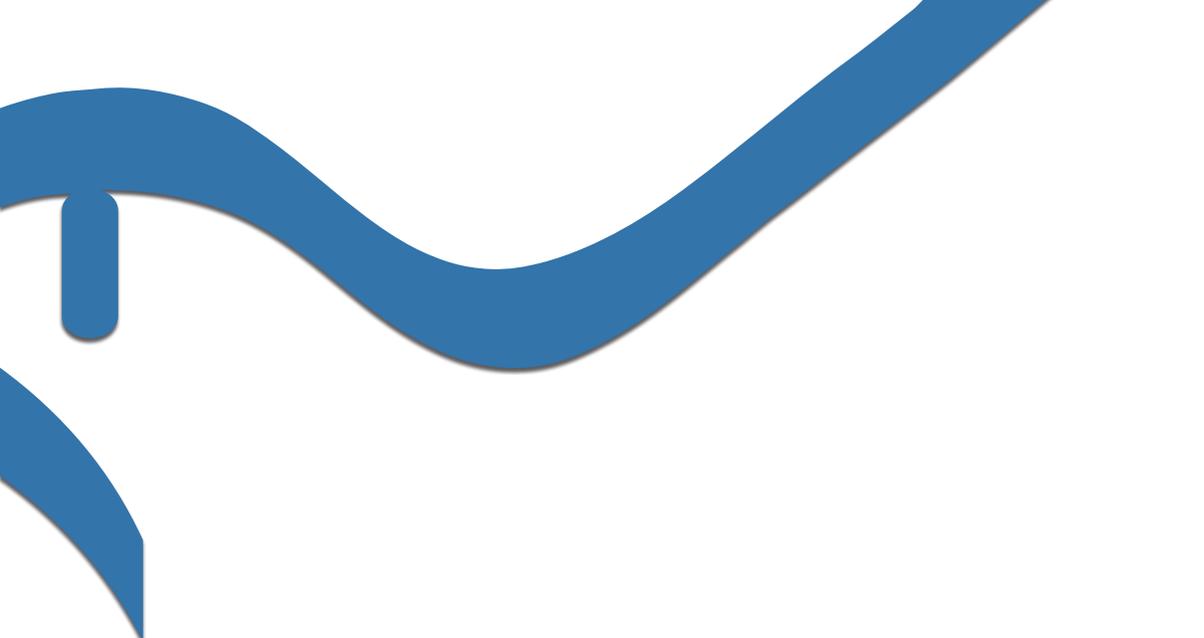
1.2.m Organising an international event at regular intervals on the theme of international cooperation and persons with disabilities, highlighting Italy's positive international role in this field

The international event, which may also cover multiple days, might be organised in connection with major international anniversaries (International Day of Persons with Disabilities on 3 December, approval of the CRPD, etc.) or national ones (National Conference on Disability Policies to be held every three years pursuant to art. 41 bis of Law 104/92, etc.).

The event will be organised in conjunction with other institutions/associations that will propose consistent disability-related initiatives. Other agencies (national or in partner countries) engaged in international cooperation and international agencies promoting the rights of persons with disabilities (European Commission, United Nations and related agencies, World Bank, International Disability and Development Consortium, European Agency for Development in Special Needs Education, etc.), with which Italian actors already cooperate in specific sectors, may also participate in the event.

1.2.n Promoting the sharing of information, research and experiences in the area of inclusive development with other development aid agencies and with the Human Rights Commissions of partner countries

For several years, national agencies of international cooperation in many European and G20 countries have developed policies, programmes and projects in support of the rights of persons with disabilities. Studies and research activities (disability studies, international research and study groups, etc.) have also been conducted on how to promote the mainstreaming of disability in public policies and international cooperation projects. International and national human rights agencies have an increasingly important role to play in ensuring the legal protection and promotion of the rights of persons with disabilities. Relationships will be established across institutions, universities, human rights agencies, NGOs and DPOs with a view to sharing good practices and effective solutions. These relationships will translate into organising meetings on a regular basis, setting up working groups, exchanging structured data, sharing databases, issuing periodical publications and preparing papers to be published in national and international scientific journals.



2 Inclusive project planning & design

Supporting initiatives and projects for persons with disabilities requires adequate planning & design capabilities, permitting to integrate disability concerns into the projects funded by MFA, while respecting the human rights enshrined in the CRPD and keeping the focus on international initiatives, instruments, tools and standards (e.g. CBR, MDGs, etc.).

This involves: on one hand, appropriate skills to carry out context analyses (collection of data on population by age and gender, on the conditions of persons with disabilities, on related services and equal opportunities, on institutional and civil society resources, on good practices, etc.); and, on the other hand, capabilities to plan & design inclusive and participatory projects, capitalising on lessons learned (where available), and to introduce tools and methodologies suitable for the contexts of the individual countries, while respecting and promoting their ownership.

The goal is to acquire adequate competences in inclusive project planning & design under a twin-track approach. Equally important is moving away from the medical/individual approach to disability (the right to health is just one of the human rights), which is centred on specialist medical care, often inappropriate and stigmatising. The terminology used in and the contents selected for education & training programmes should take into account the evolution of international language and the multidimen-

sionality of disability and well-being, leading to accountability for respect of the rights and aspirations of persons with disabilities.

In this regard, NGOs might be encouraged to acquire disability-related skills (now limited to few cases) by giving priority to disability-accessible projects, relying on the experience acquired at EU level in the planning of the 2014-2020 structural funds. At the same time, the actual sustainability of the CRPD depends, in many countries, on the acquisition or fine-tuning of skills and capabilities of action by the local DPOs. This process may be favoured by putting in place projects that embody actions of capacity-building, capability and empowerment targeted at DPOs, persons with disabilities and their families, so that they may be actively involved in the decision-making processes concerning them (article 4).

The participation of persons with disabilities in education & training activities should be fostered by sustaining the creation of a team of disability experts to be used in international cooperation projects.

Another strategic theme is inclusive education (art. 24). Italy is the only country in the world where persons with disabilities participate in mainstream education & training. Inclusive education should be addressed to support participation in cultural life, recreation, leisure and sport (art. 30). It is also important to involve universities engaged in cooperation activities in the introduction of inclusive project planning & design modules into their courses.

Actions planned

2. a **Defining an inclusive project planning & design course for the personnel of MFA-DGCS, of project implementing entities (NGOs, DPOs, decentralised cooperation agencies) and of local actors in partner countries, including through the university cooperation channel**

Contents:

- The basic training course will be modular, flexible, integrable and capable of reaching all cooperation actors and of becoming a cultural asset at all levels of international development assistance in a *mainstreaming* perspective;
- The basic course will have a duration of 12-18 hours (topics to be covered: CRPD, international instruments, inclusion and equal opportunities, etc.); depending on the target audience, three or four 4-hour modules may be added to the basic course, so as to provide an improved understanding of technical topics (e.g. assistive devices and technologies, accessibility, inclusive education, health and well-being, etc.). Use will be made of manuals already published and circulated²³;

²³

For instance, the manual of the International Disability and Development Consortium or the one issued by AIFO and DPI Italia Onlus; also the Index for Inclusion may be helpful.

- Particular stress will be put on the introduction of courses or actions to improve the understanding and raise the awareness of human rights and the CRPD into projects of cooperation concerning persons with disabilities; these courses or actions will be targeted at persons with disabilities, their families and organisations, as well as institutions and agencies participating in the projects;
- Higher-education activities may be based on international agreements, if any, made between universities and cooperation countries.

Teachers/educators and participants:

- For education & training activities, reliance will be made on the personnel MFA, on representatives from central and local institutions, associations and academia (involvement of teachers, researchers and students of partner countries);
- The education & training methodology will be based on packages in various languages and use a variety of methods (classroom lectures, distance teaching & learning, *“on-the-job” training, project work, learning by doing, cooperative learning, community of inquiry/practices*), with a view to facilitating productive reflection and supporting *“double-loop learning”*;
- Education & training will be provided in inclusive and dialogic learning settings, using disability-accessible tools, methodologies and assistive devices or technologies;
- Participation of persons with disabilities in education & training activities will also be favoured and supported through special scholarships/fellowships and internships/on-the-job training.

2. b Encouraging the introduction of “development, human rights and disabilities” modules into graduate, post-graduate or 1st-level/2nd-level Masters courses

- Strengthening Italian university curricula by introducing specific modules on “development, human rights and disabilities”, also through the **University Cooperation Coordination** of MFA-DGCS with Italian universities ²⁴;
- Supporting higher-education (graduate, post-graduate or 1st-level/2nd-level Masters) and training courses in partner countries, also in conjunction with local universities; these courses, intended for all cooperation actors (cooperation workers, civil servants, cooperation and disability experts, recipients),

may also be delivered with the distance teaching & learning method; furthering the exchange of good practices;

- Promoting an award for degree theses and/or research PhD theses for students wishing to undertake a research project on human rights and, in particular, on the rights of persons with disabilities in recipient countries;
- Integrating education & training modules on development, human rights and disabilities into cooperation initiatives and into the educational background of cooperation experts allowing the acquisition of i) historical, technical and legal knowledge of international cooperation institutions (Italian Cooperation, international agencies, NGOs); ii) knowledge of international legislation on human rights and persons with disabilities.

Internships and on-the-job training:

- Integrating internships or on-the-job training into international cooperation projects, with a view to enabling Italian students to acquire skills in interaction with and work in culturally different settings; planning internships or on-the-job training for students within the MFA-DGCS. This activity should take into account the applicable legislation on internships/on-the-job training and might involve the introduction of internships/on-the-job training into a well-defined project with results-based goals.

2. c Defining a specific format for mainstreaming the disability perspective into projects

- The format should accommodate the disability perspective:
 - in the objectives of the individual measures/actions (maximum inclusion)
 - in the preparation of the individual working plans
 - in the final check list
- Integrating the disability dimension²⁵ among the criteria for assessing the project proposals to be funded by DGCS (by introducing additional scores so as to give priority to inclusive projects); the project proposal may also be linked to programmes of inclusion of persons with disabilities that are already under way in the target country. Emphasis should be placed on the participation of organisations of persons with disabilities and their families;
- Analysing the context and collecting data about initiatives for persons with disabilities in the target country;
- Planning mechanisms of monitoring and evaluation taking into consideration

²⁵

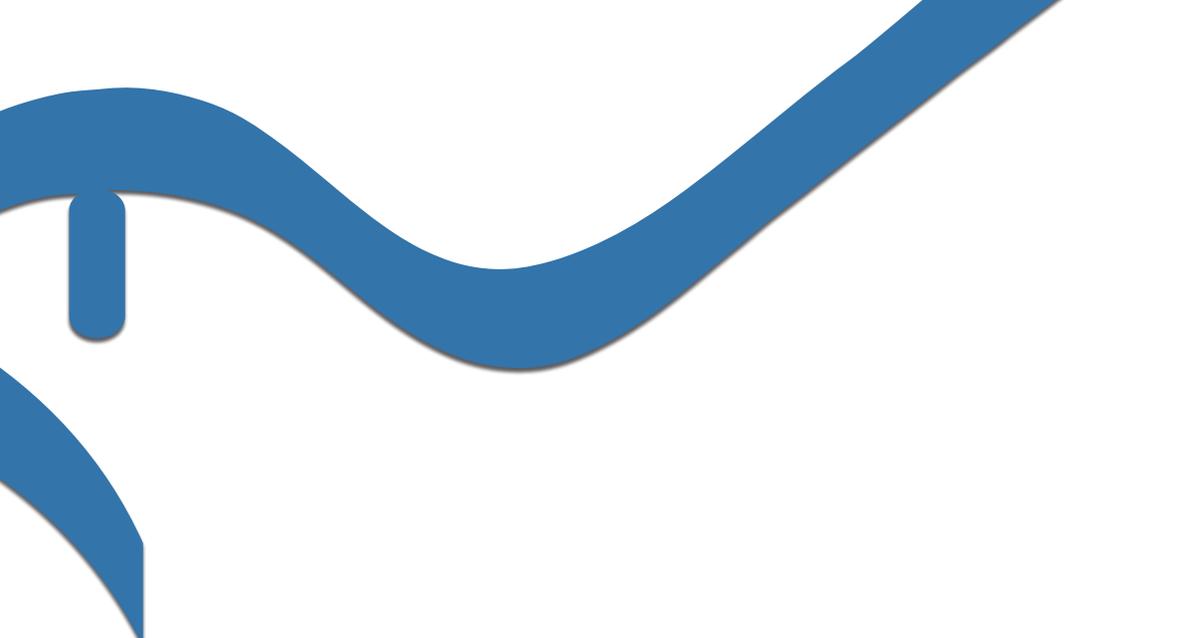
Reference will also be made to the principles laid down by the EU. See EU Strategy, 5th principle "Ensure that EU funded projects are truly inclusive of disabled persons and their families".

- the level of involvement of persons with disabilities in the funded projects;
- Planning an *ex-post* evaluation stage with specific formats to identify the impact of the disability perspective on the overall project and on the recipient local community.

2. d Creating “lean” education, training & awareness-raising tools

In addition to university courses, “lean” education, training and awareness-raising tools should be conceived and developed jointly with relevant agencies and interested parties, in order to reach the maximum possible number of recipients. These tools should be based on both conventional media (brochures, hard-copy publications, etc.) and digital media (video lectures delivered over the Internet or via streaming, special websites for universal-design and accessibility literacy and basic training, applications, TV and radio programmes, etc.). These tools may be used by the personnel of MFA-DGCS and of project implementing agencies, as well as directly (thanks to appropriate multi-language versions) by the target local communities.

The activities described in this chapter will rely on a working group with the task of defining procedures and timescales for the planned actions. This group will bring together representatives from MFA (DGCS/CTU/Offices VII, VIII and IX, DGRI, Directorate-General for Human Resources and Innovation) and external experts with proven experience in disability education, training & awareness.



3

Accessible and usable environments, goods and services

Significant factors that hinder and often prevent persons with disabilities from fully and effectively participating in community life are barriers of access to environments, goods and services - architectural, communication, orientation barriers and also new technologies, where inadequately planned, may hinder access to and enjoyment of goods and rights. Even special solutions (dedicated means of transport, sheltered workshops, etc.) often represent a segregating factor, which does not favour the full respect of the human rights enshrined in the CRPD. This issue is often neglected and/or underestimated in international cooperation efforts. Projects of reconstruction after natural disasters, such as earthquakes, or of construction of new public buildings or of technological facilities of different type are often implemented without taking into account this issue. This activity should be regulated so that public funds may favour the inclusion of all persons.

There are various areas in which to take action: i) ensuring that the diplomatic and consular posts of MFA are accessible; ii) requiring co-operation projects to comply with legislation/regulations on accessibility and usability for all.

The Italian legislation lays down specific provisions on removal of architectural and sensory barriers in the foreign posts of MFA, but no specific regulations exist for projects: here, consideration should be given to the economic, social and cultural

aspects of the target country settings, also relying on the experiences of other cooperation agencies²⁶.

Actions planned

3. a Setting up a working group (consisting of representatives from MFA and relevant institutions, as well as experts) with the task of issuing technical rules on accessibility and usability for projects of construction/refurbishment of buildings and/or facilities supported by cooperation funds and defining technical specifications for planning, designing and implementing these projects in partner countries

The working group will analyse international and national legislation/regulations available as part of international cooperation activities. The working group will include experts in the different types of disability. A technical regulation will be issued and submitted to MFA for approval. Obviously, the final regulation will have to comply with the relevant national legislation/regulations. The actions/results of the working group will be as follows:

- Approving a technical regulation on accessibility and usability for projects of construction/refurbishment of buildings and/or facilities supported by cooperation funds; all the projects funded by MFA will have to comply with this regulation;
- Including safety/security aspects of persons with disabilities into the regulation;
- Including compliance with the regulation among the Effectiveness Marker;
- When updating guidelines on decentralised cooperation, providing for an agreement - to be entered into with the participating agencies - that extends the technical regulation on accessibility and usability of buildings and/or facilities to be built/refurbished to the projects funded by these agencies.

3. b Preparing a questionnaire²⁷ to be circulated among the foreign posts of MFA, so as to gain a clearer understanding of their infrastructure, taking into account Italian legislation on accessibility and usability

- Developing measuring tools based on international and national standard indicators;
- The questionnaire should be prepared on the basis of national and international guidelines; and should include questions with both closed and open answers.

²⁶

USAID has already issued regulations of this type, while the Australian agency is in the process of adopting them.

²⁷

Guidelines proposed by CBM International (www.cbm.org)

3. c Promoting a plan of actions to make the infrastructure of Local Technical Units/Embassies accessible

- Using the Italian legislation on elimination of architectural barriers (Decree of the President of the Republic 503/96 and related instruments) and on security/safety of persons with disabilities;
- Drawing up plans to eliminate architectural barriers (under Law 41/86 on PIBE - plans of removal of architectural barriers) from public buildings used by MFA and open to the public;
- Identifying dedicated routes of access to the premises, provided with appropriate signage, taking into account currently used international and national icons.

3. d Complying with rules on accessibility and usability of infrastructure and/or facilities to be built/refurbished as part of Law 49/87:

- Among the Effectiveness Markers, including compliance with the technical regulation on accessibility and usability for projects of construction/refurbishment of buildings and/or facilities supported by cooperation funds;
- Entrusting the working group with the task of defining the role and responsibilities of the person in charge of the single procedure for project planning & design, contract awarding and project implementation, for the activities carried out by the Italian Cooperation²⁸.

3. e Yearly updating the risk assessment document (DVR²⁹) by including questions on accessibility and usability, as well as on safety/security of persons with disabilities

- Use of Legislative Decree 81/2008 (assessment of the risk of workers with disabilities) as reference legislation and of the implementing instruments issued by the Fire Protection Department³⁰, including the Circular-Letter 4/2002 issued by the Ministry of the Interior.

²⁸

Under art. 10 of Legislative Decree 163 of 2006

²⁹

Legislative Decree 81/2008 on assessment of the risk of workers with disabilities and Circular-Letter of the Ministry of the Interior 4/2002 on safety/security of persons with disabilities.

³⁰

<http://www.vigilfuoco.it/asp/asp/page.aspx?IdPage=364>

3. f Planning education & training courses for persons in charge of security/safety in the foreign posts of MFA

Persons in charge of security/safety are required to attend a course at the ISDI (Diplomatic Institute of the Ministry of Foreign Affairs) in order to be licensed for the service.

- Introducing a section on safety/security of persons with physical, sensory, mental, intellectual/relational disabilities into the above-mentioned course;
- Encouraging the organisation of courses for safety/security agents by funding, among others, Development Information & Education initiatives;
- Introducing a module on how to respond to emergencies involving persons with disabilities into post-graduate (or first-level/second-level Masters) courses on development.

3. g Accessibility of the websites of MFA and Local Technical Units

- Requiring, pursuant to Law 4/2004, that the websites meet international and national ICT accessibility standards;
- Planning the production of texts/documents in a format easy-to-read and understand, with a view to ensuring ICT accessibility for all.



4

Humanitarian aid and emergency situations including persons with disabilities

In the past few years, the number of humanitarian actions in response to man-made or natural disasters and aimed at “preserving life, preventing and alleviating human suffering and maintaining human dignity wherever the need arises if governments and local actors are overwhelmed, unable or unwilling to act” (*The European Consensus on Humanitarian Aid, 2008*) has grown exponentially.

Unfortunately, under these circumstances, poor attention has been paid to persons with disabilities, who are particularly vulnerable to states of emergency, especially in case of migration after crises. Yet, it is the same “European Consensus on Humanitarian Aid”, signed by the Presidents of the European Commission, Council and Parliament on 18 December 2007, and the European Parliament resolution of 18 January 2011 on its implementation that stress the need for paying special attention, in humanitarian actions, to persons with disabilities and to their specific requirements (articles 39 and 17, respectively).

Under art. 11 of the CRPD, Member States undertake to take “... all necessary measures to ensure the protection and safety of persons with disabilities in situations of risk, including situations of armed conflict, humanitarian emergencies and the occurrence of natural disasters ... in accordance with their obligations under international law, including international humanitarian law and international human rights law”.

Since the approval of the CRPD at international level, new interest has arisen in the issues of persons with disabilities, given the growing involvement of DPOs in matters of security/safety, risk prevention and emergency response. In the past, persons with disabilities played a minor role in planning activities and seeking solutions to mitigate risks upon disasters. Recently, however, this part of the population has been recognised as a priority target group in actions of immediate response to natural and man-made disasters, e.g. wars. This approach (revised and corrected) has had implications at various levels, such as the recognition of the right to protection under the applicable legislation on safety/security and civil protection.

In this field, the European Commission funded specific projects falling under the responsibility of national civil protection agencies. In art. 19 of its Resolution of 4 September 2007 on natural disasters, the European Parliament stressed “the need to take special care in cases of natural disasters of the specific needs of people with disabilities in all actions undertaken using the Civil Protection Mechanisms”.

In 2007, as part of a European project, the Verona Charter on the Rescue of Persons with Disabilities in case of Disasters³¹ was approved. The Charter identified the key issues to be tackled in emergency actions including persons with disabilities. However, a distinction should be made between persons with disabilities, who are already resilient, and persons who have become disabled as a result of the catastrophic event.

The various solutions should be in line with art. 5 of the CRPD, which indicates the ways in which to eliminate barriers and discrimination. In particular, this article recognises that all persons are equal before and under the law and are entitled without any discrimination to the equal protection and equal benefit of the law. To this end, “all appropriate steps” should be taken “to ensure that reasonable accommodation is provided”.

Specific actions should be geared to improving the competences of emergency response agents, identifying adequate technical and other facilities and planning initiatives. The complexity of the issue and the existence of non-homogeneous disability conditions make it necessary to take, at all times, a multidisciplinary approach, involving the DPOs as experts. Equally important is to involve the DPOs of areas hit by the event in activities of training on emergency response and management. Additionally, with regard to actions during or after wars (e.g. humanitarian removal of landmines, protection of refugees and displaced persons or infrastructural and social reconstruction of countries hit by wars), persons with motor, sensory, mental or intellectual/relational disabilities have been so far generally excluded from access to

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The text may be downloaded at:
<http://www.eena.org/ressource/static/files/Verona%20Charter%20approved.pdf>

services and facilities. In refugee camps, disabled people face more difficulties than the remaining population, especially in terms of access to basic services (including assistance and support) and facilities.

The resources and services made available to disabled people are often insufficient or inadequate, thus causing their isolation and denying them access to humanitarian aid. Therefore, these people have to count on the help of their family members to use basic services and facilities, including assistance and support services, as well as bathroom and health care facilities.

Moreover, the areas targeted by humanitarian aid are often located in countries where disabled people are subject to strong discrimination, as well as cultural and social marginalisation owing, among others, to the lack of legislation safeguarding their rights.

This discriminatory attitude also proves to be inefficient at local level: the lack of care for, prevention and mitigation of the different disabilities may exacerbate the related diseases or disorders, thus increasing the costs of health care and welfare. Additionally, disasters often induce post-traumatic stress disorders due to impaired mental or physical wellbeing, as well as functional limitations of the disabled person who will have to radically change his/her lifestyle.

Actions planned

4. a Adopting (through appropriate instructions) measures to guarantee the protection and safety/security of persons with disabilities upon natural or man-made disasters; delivering appropriate courses to promote the accountability of institutions at all levels

- In the DGCS guidelines on disabilities, updating the section devoted to humanitarian aid. The initiatives put in place should follow these guidelines, especially upon the drawing-up of General Operational Programmes;
- Facilitating the active involvement of persons with disabilities in project planning activities, both as recipients and as local contributors to and counterparts of the programmes;
- In refugee camps, making sure that persons with motor, sensory, mental or intellectual/relational disabilities are positioned within easy reach of services or facilities;
- In refugee camps and in structures built to protect the victims of conflicts or rebuilt after crises, ensuring access to assistance, education, health care and bathroom facilities (adequate ramps, desks and accessible bathrooms). These structures should follow the principles of accessibility, usability, inclusion, autonomy;

- Supporting the provision of assistance through rehabilitation services for persons with motor, sensory, mental or intellectual/relational disabilities (motor and psychological rehabilitation);
- Preventing or mitigating motor and sensory disabilities caused by landmine explosions, by undertaking landmine risk awareness actions, especially among minors;
- Preventing or mitigating functional limitations or severe mental or intellectual/relational impairments caused by post-war traumas (post-traumatic stress syndromes), especially among the most vulnerable persons, such as children and abused women and, where feasible, war veterans and their families;
- As regards post-emergency actions, local (civil or religious) authorities, heads of communities, teachers, students, parents, social workers and local associations should be made aware of the diversity and rights of persons with disabilities, as well as of the importance of including children and adults with disabilities in social, education and business activities. To this end, the training of local volunteers and trainers/educators on the issue of disability will be useful;
- In post-emergency actions, favouring the participation of disabled people in the labour force, also by undertaking actions of orientation and support for the acquisition of skills and involving the business community in humanitarian aid programmes.

4. b Setting up a working group (including representatives from MFA, relevant institutions, NGOs and DPOs) in charge of identifying how to improve technical and planning skills, so as to better define the needs and rights of persons with disabilities upon natural and man-made disasters

The working group will analyse the international and European debate over emergency actions, taking into account the needs of persons with disabilities, and propose:

- **Actions and programmes** to be undertaken for humanitarian aid inclusive of persons with disabilities, taking into account the specific disabilities and other characteristics of the target population (age, gender, health status, culture, religion, family conditions, recent traumas, etc.);
- **A manual on best practices** to mainstream disability in humanitarian aid programmes; the manual should disseminate knowledge of and enhance the value of the relevant literature and of Italian disability-related experiences;

- **Education & training:**

- Training modules for the personnel of MFA, of relevant NGOs and DPOs, of Italian institutions and of those in the target countries of international cooperation, taking into account: a) the involvement of the DPOs existing in the target area of humanitarian aid; and b) the types of disabilities present and the specific planning requirements (special diets, personal assistance, accessibility and usability of services and facilities, equal opportunities, etc.);

- Education modules on emergencies and persons with disabilities to be introduced into university courses (graduate, post-graduate and 1st-level/2nd-level Masters) in partner countries, also jointly with local universities; these modules should be intended for all parties involved in emergency response (cooperation workers, civil servants, cooperation and disability experts) and include distance learning & teaching;

- Creation of an award for degree and/or research PhD theses for students wishing to undertake research work on emergencies and persons with disabilities;

- Education & training modules and updates on emergencies and persons with disabilities to be integrated into international cooperation actions and into the educational background of humanitarian aid experts.

Plan to progressively upgrade/retrofit technical and other facilities to meet the needs of disabled people upon emergencies; the plan should involve: inclusive design, upgrades/retrofits of and additions to technical and other facilities, innovative initiatives (accessibility and usability of temporary reception camps, prior mapping of target areas and available resources, technical and technological resources to be put in place, etc.).



5 Leveraging the skills and expertise of civil society and companies

It has been stated on various sides that Italian international cooperation should be hinged on a national system capable of enhancing the value of Italian excellences, of adequately combining them with ownership by the individual partner countries, bearing in mind their economic, social and cultural settings.

Italy developed inclusive legislation and good practices and acquired skills and know-how that may be used at international level in many fields (targeted employment, social cooperation, job placement, provision of services, etc.). This knowledge and experience should be harnessed and transferred to partner countries, relying on the support of local public institutions and civil-society organisations, so as to ensure the sustainability of the planned projects. This is why the Italian Cooperation should know how to use the technical and entrepreneurial resources of our country in order to implement projects of high professional content in support of the rights of persons with disabilities in partner countries.

Thus, it is also essential to strengthen the role of civil society in partner countries, by providing adequate support for building capacity and *capabilities*.

The sustainability of many Italian Cooperation projects is conditional upon the active involvement of organised civil society and/or upon the stimulus given to civil society to get organised. To this end, MFA-DGCS should act as coordinator to spur the exchange

of information, of good practices and of fruitful solutions. Actions should be intended for both civil society and the business community.

5.1 Civil society

Actions planned

5.1. a Favouring actions specifically targeted at persons with disabilities, their organisations and networks and prompting their systematic involvement in identifying policies and in shaping, managing and evaluating the DGCS cooperation programmes. As in the past, resort will be made to experts from DPOs

The sustainability of the CRPD, in the partner countries that ratified it, mostly depends on the capability of their civil-society organisations and, namely, DPOs to understand and enforce the rights enshrined therein. Only in the countries where DPOs will develop a strong and conscious voice will there be respect for the rights of persons with disabilities and the most suitable solutions for ensuring their full inclusion, as well as for shaping and implementing adequate public policies. This is the reason why projects of international cooperation should address:

- Capacity building and empowerment actions designed for NGOs, local DPOs, persons with disabilities and their families;
- Support for creating networks of DPOs in partner countries where the Italian Cooperation is present, so as to exchange experiences and documents through the financial support of projects implemented by Italian NGOs in the countries involved or through the direct funding channels of the local Italian Cooperation;
- Education & training courses on the CRPD and development, intended for DPOs, NGOs and local institutions;
- Awareness raising campaigns on the rights of persons with disabilities enshrined in the CRPD, by using all available communication tools and in accessible formats;
- Inclusion of disability experts in the project teams even using, as in the past, experts from DPOs;
- Development of programmes to strengthen the international voluntary service and encourage the exchange of persons (often still students) between associations of different nationalities, in view of mutual learning.

5.1. b Supporting initiatives with a wider involvement of NGOs and DPOs with disability-specific competences; coordinating their presence and implementing regional initiatives

The DGCS will spur, ensure, sustain and coordinate the putting in place of a structured consultation system/network to facilitate data exchange, reflections and good practices among all Italian actors and for identifying the target population in partner countries. The following actions and tools will be put in place and sustained:

- A database storing all useful data about disabilities and the good practices adopted in the projects of MFA, of the decentralised cooperation and at European level;
- Meetings/conferences/workshops/seminars/focus groups involving experts on predetermined issues and related updates;
- Consultation fora, including on-line ones, fostering cooperation across the agencies concerned, including those in partner countries (country-wide fora, thematic insights into assistive devices, inclusive education, employment, etc.);
- A technological *knowledge-management* platform, permitting the creation of e-networks of interested parties and e-groups;
- A newsletter to provide news about projects, good practices, experiences and inclusive solutions.

5.1. c Promoting an active role of and coordination among or between Italian embassies/LTUs/European delegations/international agencies/network of coordination of local NGOs, with a view to creating a single point of reference for getting information about persons with disabilities

Every year, Italian rehabilitation centres assist a number of foreign persons with disabilities (around 5%). Many of these persons are permanently established in Italy however, some of them decide to go back to their countries, after acquiring a permanent functional diversity condition; others come to Italy only to receive intensive care after injuries. In these cases, Italian rehabilitation centres face huge difficulties in retrieving reliable data about the reality of the country of origin to be transferred to the persons and to their families (recognised rights, types of services actually available, institutional and non-institutional parties working in the different districts, locally available assistive devices and related costs, etc.).

A single reference on the ground, in the sector, it is therefore essential.

5.2 Companies

Actions planned

5.2. a Identifying strategies to induce a responsible involvement of the Italian business community in international cooperation activities to the benefit of persons with disabilities

Involving Italian companies in international cooperation activities is important. This involvement should be founded on Corporate Social Responsibility³² (CSR) principles, to be applied both at home and in partner countries, paying particular attention to the issue of disability and taking account other international experiences³³. The activities in which to involve companies should be focused on the following aspects:

- Paying particular attention to including the rights of persons with disabilities - as required by the CRPD (namely by art. 3 thereof), especially in the countries that ratified it - into orders/contracts with partner countries (transportation, ICT, construction, provision of services, solidarity projects, etc.) taking into account, among others, universal design principles;
- Organising awareness raising and training events for Italian companies that are willing to participate in international cooperation projects on disability issues in partner countries;
- Employing persons with disabilities in their own companies in partner countries, always in line with the principle of reasonable accommodation and in contact with local DPOs;
- Involving service providers for persons with disabilities in actions of support for international cooperation activities;
- In the projects funded by MFA, supporting a) the creation of businesses, associations or business networks aimed at manufacturing affordable and technologically sustainable assistive devices (also using alternative energy sources); b) the exchange and transfer of know-how between businesses and between businesses and partner countries and sharing the costs of patents and trademarks, if any;
- Favouring on-the-job training of unemployed young people from partner countries within Italian companies that supply or manufacture assistive devices;
- Cooperating (also as part of funded projects) in initiatives of education, trai-

³²

Reference should be made to the main international CSR models, in particular the UN Global Compact (on human rights), and the OECD Guidelines for Multinational Enterprises, ISO 26000.

³³

See the experience of the European Business and Disability network.

ning & awareness for the business community of the target countries of the Italian Cooperation;

- Encouraging the development of a web-based platform (through an ad-hoc unit) where the DGCS may set up a network - consisting of companies, NGOs, DPOs and representatives of relevant Ministries (e.g. European network on CSR + disability, of which the Ministry of Labour and Social Policies is a partner) working in Italy - aimed at formulating common strategies. This action would enable associations to more easily find project sponsorship and funding sources and companies to more easily identify associations to be contacted for possible partnerships.

5.2. b Promoting work by/employment of persons with disabilities or their associations, as well as financial investments in support of the activities conducted by the Italian Cooperation in its target countries

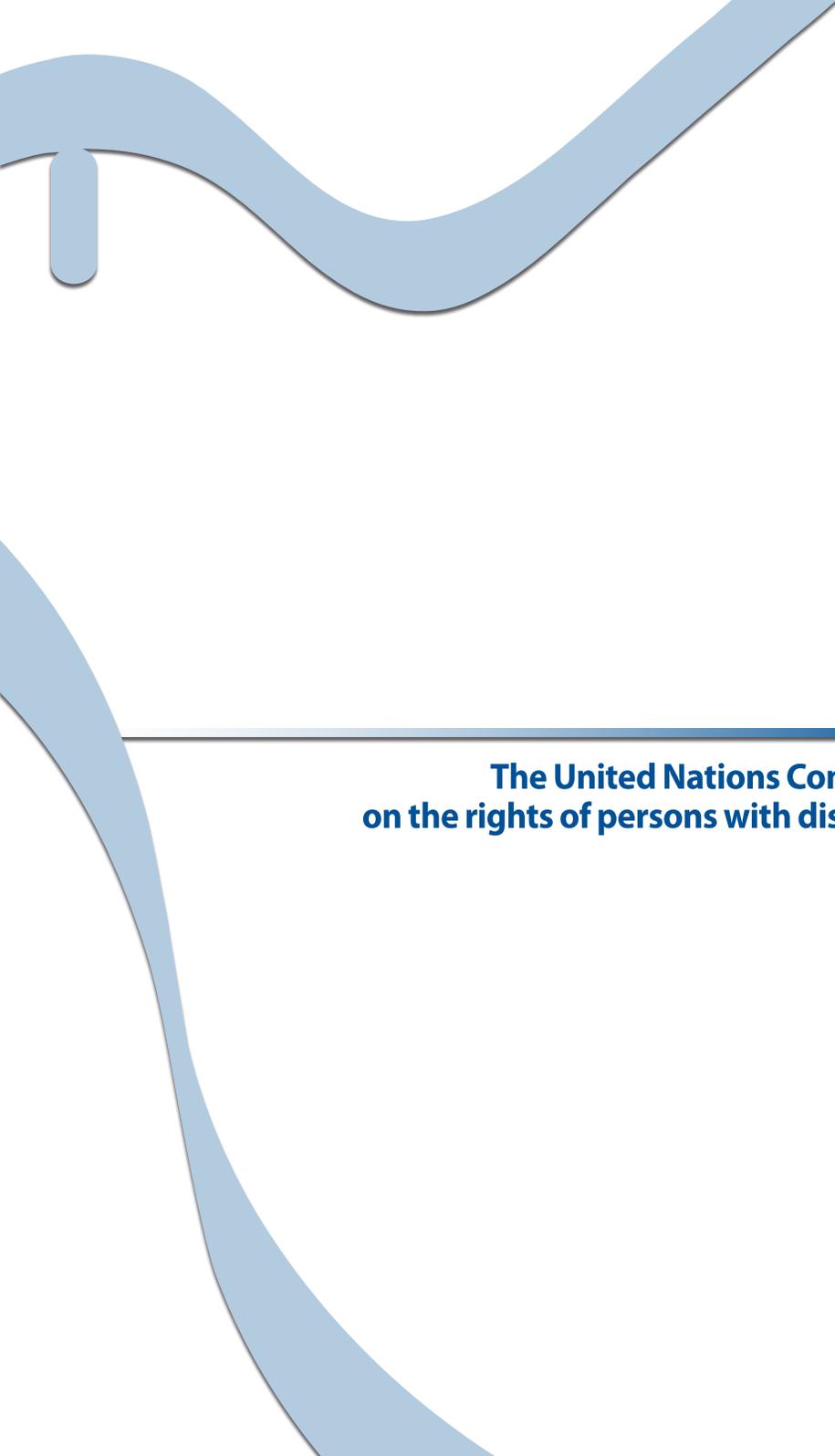
The provisions on persons with disabilities contained in the Italian legislation, based on targeted job placement or social cooperation, represent a good practice to be transposed into the Italian Cooperation projects, while respecting the specificities of project beneficiaries in partner countries. In fact, the methodology of inclusion of persons with disabilities in the mainstream labour force is a practice that is not very widespread in partner countries. To this end, the following aspects should be defined:

- Drawing up an inventory of initiatives for inclusion of persons with disabilities in the mainstream labour force at national and European level, to be transferred to partner countries;
- Promoting social cooperation activities, legislation and projects based on the good Italian practice in this field, also involving Italian cooperatives;
- Supporting local DPOs (and/or project recipients), involving them in programmes of job creation, employed and self-employed work;
- Promoting vocational training scholarships for persons with disabilities; where cooperation projects already include scholarships, explicitly allocating a share of these scholarships for persons with disabilities;
- Advocating the adoption of measures, legislation, regulations and tax breaks at national and local legislative/regulatory level, in order to facilitate the inclusion of persons with disabilities of any kind in workplaces and the labour force;
- Planning the transfer of technical know-how and skills to partner countries, so as to create innovative professional profiles, involving also persons with disabilities;
- Strengthening the micro-business and micro-finance competences of DPOs via specific training initiatives;

- Through appropriate media (leaflets, websites, CDs and DVDs, etc.), making the companies of partner countries aware of the need for including persons with disabilities in mainstream employment;
- Raising disability awareness among migrants' companies, so that they may contribute to funding and evaluating projects for persons with disabilities in their countries of origin.

5.2. c Supporting the design and construction of accessible workplaces in order to really favour the inclusion of persons with disabilities in the mainstream labour force

- Planning the introduction of courses on inclusive design and Universal Design into university curricula;
- Encouraging the setting-up of a network of companies willing to: i) develop information and awareness tools for removing architectural, communication, ICT and other barriers; ii) make available skills and expertise in the latest innovations.



Annex A

The United Nations Convention on the rights of persons with disabilities

Human rights and development

The *United Nations Convention on the Rights of Persons with Disabilities*³⁴, approved on 13 December 2006 by the UN General Assembly, is in line with and represents a significant step forward in the protection and promotion of the human rights and fundamental freedoms enshrined in the *Universal Declaration of Human Rights*³⁵.

The CRPD does not introduce “new rights” for persons with disabilities, but is an instrument guaranteeing that these persons fully enjoy human rights and fundamental freedoms on an equal basis with others.

The path leading to the approval of the CRPD was long and riddled with obstacles. Immediately after the 1958 Declaration, international law took a universal approach to the protection of human rights, without laying down specific provisions on the protection of the rights and fundamental freedoms of persons with disabilities. This approach has dominated the development of international law for about two decades.

For many years, the prevailing approaches to disability have fluctuated between strictly “medical” and “social” models. Under these models, persons with disabilities were regarded as persons needing specific medical care or particular economic-social support³⁶. These models proved to be reductive and insufficient for full recognition of persons with disabilities.

It was only since the 1970s that international law has started introducing ad-hoc instruments and specific provisions. The most significant steps were as follows: in 1975, the UN General Assembly adopted the *Declaration on the Rights of Disabled Persons*³⁷; the year 1981 was proclaimed the International Year of Disabled Persons (IYDP) by the UN, with a view to drawing the attention of the global community to disability and raising its awareness; in December 1982, the UN General Assembly adopted the *World Programme of Action concerning Disabled Persons*³⁸, the first form of structured strategy to promote real equal opportunities for and full participation of persons with disabilities in social life.

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CRPD: <http://www.un.org/disabilities/default.asp?navid=14&pid=150>

35

UDHR <http://www.un.org/en/documents/udhr/>

36

Disability and the Millennium Development Goals. A review of the MDG Process and Strategies for Inclusion of Disability Issues in Millennium Development Goal Efforts, United Nations, New York 2011, p. viii.

Per un approfondimento sul tema si vedano: D. Driedger, The Last Civil Rights Movement: Disabled People's International, St. Martin's Press, New York 1989; L. Barton, *The struggle for citizenship: the case of disabled peoples*, *Disability, Handicap & Society* (1993), 8:3:235-248; D. Pfeiffer, *The conceptualization of disability*, in B. Altman, S. Barnatt (Eds), *Exploring theories and expanding methodologies: where we are and where we need to go*, Oxford: Elsevier 2001; T. Shakespeare, *Disability Rights and Wrongs*, Rutledge, London-New York 2006.

37

Ris. 34/47 del 9/12/1975.

38

Ris. 37/52 del 3/12/1982.

With a view to implementing and monitoring the *World Programme of Action*, the UN organised the International Decade of Disabled Persons (1983-1992), ending with the decision to identify the date of 3 December of each year as the International Day of Persons with Disabilities³⁹. In these years, a new approach to disability started to take root. This approach, which culminated into the CRPD, was based on a “socio-environmental model”⁴⁰. Under this approach, the constraints preventing persons with disabilities from fully enjoying human rights and fundamental freedoms and from participating in society on an equal basis with others are not part of individual impairments, but reflect social, cultural and economic barriers that they face in the social environment.

The experience acquired during the Decade of Disabled Persons formed the basis for the development of the *Standard Rules on the Equalization of Opportunities for Persons with Disabilities*, adopted by the UN General Assembly in 1994. These 22 rules are not binding, but may translate into customary international law if Member States commit to abide by them as international law rules⁴¹. The document sets out the fundamental principles for enhancing the value of and recognising persons with disabilities as active and responsible persons. At the same time, it provides guidance for disability-specific actions and cooperation by organisations and governments. The aim of the Standard Rules is to remove the barriers that prevent persons with disabilities from actively and fully participating in social life and from reaching equality of opportunities.

In 2001, the UN General Assembly set up an ad-hoc Committee⁴² with the task of drafting a *Comprehensive and Integral International Convention on the Protection and Promotion of the Rights and Dignity of Persons with Disabilities*.

The negotiations for the drafting of a shared document went on for four years. They were not only the fastest ones on matters of human rights, but also saw for the first time the active participation of civil society, and namely DPOs, in the UN.

The work of the ad-hoc Committee ended (after eight sessions) on 13 December 2006 with the approval of the Convention on the Rights of Persons with Disabilities by the UN

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<http://www.un.org/disabilities/default.asp?id=1597>

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(United Nations): *Disability and the Millennium Development Goals*, cit., p. viii. Si vedano anche: M., Oliver, *The Politics of Disablement*, Macmillan, London 1990; Id., *Understanding Disability: From Theory to Practice*, Macmillan, Basingstoke, UK 1996; M. Stein, P. Stein, D. Weiss, R. Lang, *Health Care and the UN Disability Rights Convention*, *The Lancet*: 374:1796-1797, 2009.

41

A Special Rapporteur on Disability was appointed to monitor the application of the Standard Rules. Since 1994, the Rapporteur has been sending reports to the Commission for Social Development of the UN Economic and Social Council (ECOSOC).

42

Ris. 56/168 del 19/12/2001. La risoluzione ha stabilito un Ad hoc Committee on a Comprehensive and Integral International Convention on the Protection and promotion of the Rights and Dignity of Persons with Disabilities.

Assembly. The CRPD, which entered into force on 3 May 2008, has been signed so far⁴³ by 156 countries and ratified by 132, whereas its *Optional Protocol* has been signed by 91 countries and ratified by 77⁴⁴. Unlike the 1994 Standard Rules, the Convention and the Optional Protocol are legally binding. Furthermore, the CRPD recognised an international standard of rights that may be claimed even individually. As a result, it is an effective instrument to “promote, protect and ensure” - as set forth in its art. 1 - “the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities”. Article 3 lays down the general principles of the CRPD⁴⁵:

- « (a) Respect for inherent dignity, individual autonomy including the freedom to make one’s own choices, and independence of persons;
- (b) Non-discrimination;
- (c) Full and effective participation and inclusion in society;
- (d) Respect for difference and acceptance of persons with disabilities as part of human diversity and humanity;
- (e) Equality of opportunity;
- (f) Accessibility;
- (g) Equality between men and women;
- (h) Respect for the evolving capacities of children with disabilities and respect for the right of children with disabilities to preserve their identities»⁴⁶

To fully understand the value of the CRPD and its impact on the agenda of the individual governments and, more generally, of the global community, it is worth dwelling on its approach. In its Preamble⁴⁷, the CRPD recognises disability as a continuously evolving concept resulting from the interaction between the individual and the social environment and preventing individuals with impairments from participating fully and effectively in social life owing to social, cultural and economic barriers. This concept is necessary to ensure, with specific provisions, the equality of human rights and fundamental freedoms

⁴³

Data updated as of February 2013.

⁴⁴

Italy signed the Convention and the Optional Protocol on 30 March 2007 and ratified them on 15 May 2009. The European Union signed the Convention 30 March 2007 and officially ratified it on 23 December 2010.

⁴⁵

For the version of the Convention in the Italian language, reference was made to following publication: La Convezione delle Nazioni Unite sui diritti delle persone con disabilità, Ministry of Labour, Health and Social Policies, Art. 1, p. 8, September 2009

<http://www.lavoro.gov.it/Lavoro/md/AreaSociale/Disabilita/ConventionONU/>

⁴⁶

Pages 9-10.

⁴⁷

«(e) Recognizing that disability is an evolving concept and that disability results from the interaction between persons with impairments and attitudinal and environmental barriers that hinders their full and effective participation in society on an equal basis with others [...]» (Convention on the Rights of Persons with Disabilities and Optional Protocol, United Nations, New York 2006, p. 1).

of persons with disabilities, enshrined in articles 1 and 2 of the Universal Declaration of Human Rights⁴⁸. Indeed, the recognition of disability as a concept resulting from inequitable relations involves the principle under which ensuring the equality of rights, freedoms and opportunities to persons with impairments requires more intense efforts to remove the social, cultural and economic barriers preventing their relations with other people and their participation in community life on an equal basis with others.

This new socio-environmental approach to disability taken by the CRPD creates an inseparable link between human rights and development: human rights reflect the recognition of the dignity, freedom and equality of individuals as human beings; human and social development represents instead the pathway to ensure that individuals fully enjoy human rights, fundamental freedoms and equal opportunities for living a full life.

The document *Mainstreaming Disability in the Development Agenda* prepared in 2007 by the Secretary of ECOSOC recognised that the CRPD shows the close relationship existing between human rights and development, two complementary dimensions that had followed parallel tracks in the past without intersecting.

The relationship between human rights and development, established by the CRPD, sheds light on the need for including disability into the Millennium Development Goals⁵⁰ (MDGs), to enable people with disabilities to fully and effectively enjoy human rights and fundamental freedoms⁵¹. Ensuring equality of rights, freedoms and opportunities to persons with disabilities calls for removing socio-environmental, cultural and economic barriers preventing their participation in social life on an equal basis with others. This implies undertaking efforts having an impact on education, poverty, access to medical care, food and water: these topics are part of the development agenda and the key points of the MDGs. As a result, the resolutions of the US General Assembly - including the latest one, 65/186 of 2011⁵² - establishing that the issue of disability should be integrated into the MDGs by 2015, go in the direction indicated by the CRPD.

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Art. 1 «All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood»; Art. 2 «Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty» (The Universal Declaration of Human Rights, 1948).

49

Res. 2008/21 (<http://www.un.org/en/ecosoc/docs/2008/resolution%202008-21.pdf>).

50

MDGs: <http://www.un.org/millenniumgoals>

51

See Disability and the Millennium Development Goals op. cit.; Disability, International Cooperation and Development: The Experience of the Italian Cooperation 2000-2008, The World Bank, Vol 2, June 2010.

52

Res. 65/186 of 4 February 2011: Realizing the Millennium Development Goals for persons with disabilities towards 2015 and beyond (<http://www.un.org/disabilities/default.asp?id=1470>).



Convention on the Rights of Persons with Disabilities

Preamble

- a) *Recalling* the principles proclaimed in the Charter of the United Nations which recognize the inherent dignity and worth and the equal and inalienable rights of all members of the human family as the foundation of freedom, justice and peace in the world,
- b) *Recognizing* that the United Nations, in the Universal Declaration of Human Rights and in the International Covenants on Human Rights, has proclaimed and agreed that everyone is entitled to all the rights and freedoms set forth therein, without distinction of any kind,
- c) *Reaffirming* the universality, indivisibility, interdependence and interrelatedness of all human rights and fundamental freedoms and the need for persons with disabilities to be guaranteed their full enjoyment without discrimination,

- d)** *Recalling* the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Rights of the Child, and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,
- e)** *Recognizing* that disability is an evolving concept and that disability results from the interaction between persons with impairments and attitudinal and environmental barriers that hinders their full and effective participation in society on an equal basis with others,
- f)** *Recognizing* the importance of the principles and policy guidelines contained in the World Programme of Action concerning Disabled Persons and in the Standard Rules on the Equalization of Opportunities for Persons with Disabilities in influencing the promotion, formulation and evaluation of the policies, plans, programmes and actions at the national, regional and international levels to further equalize opportunities for persons with disabilities,
- g)** *Emphasizing* the importance of mainstreaming disability issues as an integral part of relevant strategies of sustainable development,
- h)** *Recognizing* also that discrimination against any person on the basis of disability is a violation of the inherent dignity and worth of the human person,
- i)** *Recognizing* further the diversity of persons with disabilities,
- j)** *Recognizing* the need to promote and protect the human rights of all persons with disabilities, including those who require more intensive support,
- k)** *Concerned that*, despite these various instruments and undertakings, persons with disabilities continue to face barriers in their participation as equal members of society and violations of their human rights in all parts of the world,
- l)** *Recognizing* the importance of international cooperation for improving the living conditions of persons with disabilities in every country, particularly in developing countries,
- m)** *Recognizing* the valued existing and potential contributions made by persons with disabilities to the overall well-being and diversity of their communities, and that the promotion of the full enjoyment by persons with disabilities of their human rights and fundamental freedoms and of full participation by persons with disabilities will result in their enhanced sense of belonging and in significant advances in the human, social and economic development of society and the eradication of poverty,

- n) *Recognizing* the importance for persons with disabilities of their individual autonomy and independence, including the freedom to make their own choices,
- o) *Considering* that persons with disabilities should have the opportunity to be actively involved in decision-making processes about policies and programmes, including those directly concerning them,
- p) *Concerned* about the difficult conditions faced by persons with disabilities who are subject to multiple or aggravated forms of discrimination on the basis of race, colour, sex, language, religion, political or other opinion, national, ethnic, indigenous or social origin, property, birth, age or other status,
- t) Highlighting the fact that the majority of persons with disabilities live in conditions of poverty, and in this regard recognizing the critical need to address the negative impact of poverty on persons with disabilities,
- u) Bearing in mind that conditions of peace and security based on full respect for the purposes and principles contained in the Charter of the United Nations and observance of applicable human rights instruments are indispensable for the full protection of persons with disabilities, in particular during armed conflicts and foreign occupation,
- v) Recognizing the importance of accessibility to the physical, social, economic and cultural environment, to health and education and to information and communication, in enabling persons with disabilities to fully enjoy all human rights and fundamental freedoms,
- w) Realizing that the individual, having duties to other individuals and to the community to which he or she belongs, is under a responsibility to strive for the promotion and observance of the rights recognized in the International Bill of Human Rights,
- x) Convinced that the family is the natural and fundamental group unit of society and is entitled to protection by society and the State, and that persons with disabilities and their family members should receive the necessary protection and assistance to enable families to contribute towards the full and equal enjoyment of the rights of persons with disabilities,
- y) Convinced that a comprehensive and integral international convention to promote and protect the rights and dignity of persons with disabilities will make a significant contribution to redressing the profound social disadvantage of persons with disabilities and promote their participation in the civil, political, economic, social and cultural spheres with equal opportunities, in both developing and developed countries,

Have agreed as follows:

Article 1 - Purpose

The purpose of the present Convention is to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities, and to promote respect for their inherent dignity.

Persons with disabilities include those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others.

Article 2 - Definitions

For the purposes of the present Convention:

- “Communication” includes languages, display of text, Braille, tactile communication, large print, accessible multimedia as well as written, audio, plain-language, human-reader and augmentative and alternative modes, means and formats of communication, including accessible information and communication technology;
- “Language” includes spoken and signed languages and other forms of non spoken languages;
- “Discrimination on the basis of disability” means any distinction, exclusion or restriction on the basis of disability which has the purpose or effect of impairing or nullifying the recognition, enjoyment or exercise, on an equal basis with others, of all human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field. It includes all forms of discrimination, including denial of reasonable accommodation;
- “Reasonable accommodation” means necessary and appropriate modification and adjustments not imposing a disproportionate or undue burden, where needed in a particular case, to ensure to persons with disabilities the enjoyment or exercise on an equal basis with others of all human rights and fundamental freedoms;
- “Universal design” means the design of products, environments, programmes and services to be usable by all people, to the greatest extent possible, without the need for adaptation or specialized design. “Universal design” shall not exclude assistive devices for particular groups of persons with disabilities where this is needed.

Article 3 - General principles

The principles of the present Convention shall be:

- a. Respect for inherent dignity, individual autonomy including the freedom to make one’s own choices, and independence of persons;
- b. Non-discrimination;
- c. Full and effective participation and inclusion in society;
- d. Respect for difference and acceptance of persons with disabilities as part of human diversity and humanity;

- e. Equality of opportunity;
- f. Accessibility;
- g. Equality between men and women;
- h. Respect for the evolving capacities of children with disabilities and respect for the right of children with disabilities to preserve their identities.

Article 4 - General obligations

1. States Parties undertake to ensure and promote the full realization of all human rights and fundamental freedoms for all persons with disabilities without discrimination of any kind on the basis of disability. To this end, States Parties undertake:

- a. To adopt all appropriate legislative, administrative and other measures for the implementation of the rights recognized in the present Convention;
- b. To take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices that constitute discrimination against persons with disabilities;
- c. To take into account the protection and promotion of the human rights of persons with disabilities in all policies and programmes;
- d. To refrain from engaging in any act or practice that is inconsistent with the present Convention and to ensure that public authorities and institutions act in conformity with the present Convention;
- e. To take all appropriate measures to eliminate discrimination on the basis of disability by any person, organization or private enterprise;
- f. To undertake or promote research and development of universally designed goods, services, equipment and facilities, as defined in article 2 of the present Convention, which should require the minimum possible adaptation and the least cost to meet the specific needs of a person with disabilities, to promote their availability and use, and to promote universal design in the development of standards and guidelines;
- g. To undertake or promote research and development of, and to promote the availability and use of new technologies, including information and communications technologies, mobility aids, devices and assistive technologies, suitable for persons with disabilities, giving priority to technologies at an affordable cost;
- h. To provide accessible information to persons with disabilities about mobility aids, devices and assistive technologies, including new technologies, as well as other forms of assistance, support services and facilities;
- i. To promote the training of professionals and staff working with persons with disabilities in the rights recognized in this Convention so as to better provide the assistance and services guaranteed by those rights.

2. With regard to economic, social and cultural rights, each State Party undertakes to

take measures to the maximum of its available resources and, where needed, within the framework of international cooperation, with a view to achieving progressively the full realization of these rights, without prejudice to those obligations contained in the present Convention that are immediately applicable according to international law.

3. In the development and implementation of legislation and policies to implement the present Convention, and in other decision-making processes concerning issues relating to persons with disabilities, States Parties shall closely consult with and actively involve persons with disabilities, including children with disabilities, through their representative organizations.

4. Nothing in the present Convention shall affect any provisions which are more conducive to the realization of the rights of persons with disabilities and which may be contained in the law of a State Party or international law in force for that State. There shall be no restriction upon or derogation from any of the human rights and fundamental freedoms recognized or existing in any State Party to the present Convention pursuant to law, conventions, regulation or custom on the pretext that the present Convention does not recognize such rights or freedoms or that it recognizes them to a lesser extent.

5. The provisions of the present Convention shall extend to all parts of federal states without any limitations or exceptions.

Article 5 - Equality and non-discrimination

1. States Parties recognize that all persons are equal before and under the law and are entitled without any discrimination to the equal protection and equal benefit of the law.

2. States Parties shall prohibit all discrimination on the basis of disability and guarantee to persons with disabilities equal and effective legal protection against discrimination on all grounds.

3. In order to promote equality and eliminate discrimination, States Parties shall take all appropriate steps to ensure that reasonable accommodation is provided.

4. Specific measures which are necessary to accelerate or achieve de facto equality of persons with disabilities shall not be considered discrimination under the terms of the present Convention.

Article 6 - Women with disabilities

1. States Parties recognize that women and girls with disabilities are subject to multiple discrimination, and in this regard shall take measures to ensure the full and equal enjoyment by them of all human rights and fundamental freedoms.

2. States Parties shall take all appropriate measures to ensure the full development, advancement and empowerment of women, for the purpose of guaranteeing them the exercise and enjoyment of the human rights and fundamental freedoms set out in the present Convention.

Article 7 - Children with disabilities

- 1.** States Parties shall take all necessary measures to ensure the full enjoyment by children with disabilities of all human rights and fundamental freedoms on an equal basis with other children.
- 2.** In all actions concerning children with disabilities, the best interests of the child shall be a primary consideration.
- 3.** States Parties shall ensure that children with disabilities have the right to express their views freely on all matters affecting them, their views being given due weight in accordance with their age and maturity, on an equal basis with other children, and to be provided with disability and age-appropriate assistance to realize that right.

Article 8 - Awareness-raising

- 1.** States Parties undertake to adopt immediate, effective and appropriate measures:
 - a. To raise awareness throughout society, including at the family level, regarding persons with disabilities, and to foster respect for the rights and dignity of persons with disabilities;
 - b. To combat stereotypes, prejudices and harmful practices relating to persons with disabilities, including those based on sex and age, in all areas of life;
 - c. To promote awareness of the capabilities and contributions of persons with disabilities.Measures to this end include:
 - a. Initiating and maintaining effective public awareness campaigns designed:
 - i. To nurture receptiveness to the rights of persons with disabilities;
 - ii. To promote positive perceptions and greater social awareness towards persons with disabilities;
 - iii. To promote recognition of the skills, merits and abilities of persons with disabilities, and of their contributions to the workplace and the labour market;
 - b. Fostering at all levels of the education system, including in all children from an early age, an attitude of respect for the rights of persons with disabilities;
 - c. Encouraging all organs of the media to portray persons with disabilities in a manner consistent with the purpose of the present Convention;
 - d. Promoting awareness-training programmes regarding persons with disabilities and the rights of persons with disabilities.

Article 9 - Accessibility

- 1.** To enable persons with disabilities to live independently and participate fully in all aspects of life, States Parties shall take appropriate measures to ensure to persons with disabilities access, on an equal basis with others, to the physical environment, to transportation, to information and communications, including information and communications technologies and systems, and to other facilities and services open or provided to the public, both in urban and in rural areas. These measures, which shall include the identification and elimination of

obstacles and barriers to accessibility, shall apply to, inter alia:

- a. Buildings, roads, transportation and other indoor and outdoor facilities, including schools, housing, medical facilities and workplaces;
- b. Information, communications and other services, including electronic services and emergency services.

2. States Parties shall also take appropriate measures to:

- a. Develop, promulgate and monitor the implementation of minimum standards and guidelines for the accessibility of facilities and services open or provided to the public;
- b. Ensure that private entities that offer facilities and services which are open or provided to the public take into account all aspects of accessibility for persons with disabilities;
- c. Provide training for stakeholders on accessibility issues facing persons with disabilities;
- d. Provide in buildings and other facilities open to the public signage in Braille and in easy to read and understand forms;
- e. Provide forms of live assistance and intermediaries, including guides, readers and professional sign language interpreters, to facilitate accessibility to buildings and other facilities open to the public;
- f. Promote other appropriate forms of assistance and support to persons with disabilities to ensure their access to information;
- g. Promote access for persons with disabilities to new information and communications technologies and systems, including the Internet;
- h. Promote the design, development, production and distribution of accessible information and communications technologies and systems at an early stage, so that these technologies and systems become accessible at minimum cost.

Article 10 - Right to life

States Parties reaffirm that every human being has the inherent right to life and shall take all necessary measures to ensure its effective enjoyment by persons with disabilities on an equal basis with others.

Article 11 - Situations of risk and humanitarian emergencies

States Parties shall take, in accordance with their obligations under international law, including international humanitarian law and international human rights law, all necessary measures to ensure the protection and safety of persons with disabilities in situations of risk, including situations of armed conflict, humanitarian emergencies and the occurrence of natural disasters.

Article 12 - Equal recognition before the law

1. States Parties reaffirm that persons with disabilities have the right to recognition everywhere as persons before the law.

2. States Parties shall recognize that persons with disabilities enjoy legal capacity on an equal basis with others in all aspects of life.
3. States Parties shall take appropriate measures to provide access by persons with disabilities to the support they may require in exercising their legal capacity.
4. States Parties shall ensure that all measures that relate to the exercise of legal capacity provide for appropriate and effective safeguards to prevent abuse in accordance with international human rights law. Such safeguards shall ensure that measures relating to the exercise of legal capacity respect the rights, will and preferences of the person, are free of conflict of interest and undue influence, are proportional and tailored to the person's circumstances, apply for the shortest time possible and are subject to regular review by a competent, independent and impartial authority or judicial body. The safeguards shall be proportional to the degree to which such measures affect the person's rights and interests.
5. Subject to the provisions of this article, States Parties shall take all appropriate and effective measures to ensure the equal right of persons with disabilities to own or inherit property, to control their own financial affairs and to have equal access to bank loans, mortgages and other forms of financial credit, and shall ensure that persons with disabilities are not arbitrarily deprived of their property.

Article 13 - Access to justice

1. States Parties shall ensure effective access to justice for persons with disabilities on an equal basis with others, including through the provision of procedural and age-appropriate accommodations, in order to facilitate their effective role as direct and indirect participants, including as witnesses, in all legal proceedings, including at investigative and other preliminary stages.
2. In order to help to ensure effective access to justice for persons with disabilities, States Parties shall promote appropriate training for those working in the field of administration of justice, including police and prison staff.

Article 14 - Liberty and security of the person

1. States Parties shall ensure that persons with disabilities, on an equal basis with others:
 - a. Enjoy the right to liberty and security of person;
 - b. Are not deprived of their liberty unlawfully or arbitrarily, and that any deprivation of liberty is in conformity with the law, and that the existence of a disability shall in no case justify a deprivation of liberty.
2. States Parties shall ensure that if persons with disabilities are deprived of their liberty through any process, they are, on an equal basis with others, entitled to guarantees in accordance with international human rights law and shall be treated in compliance with the objectives and principles of this Convention, including by provision of reasonable accommodation.

Article 15 - Freedom from torture or cruel, inhuman or degrading treatment or punishment

- 1.** No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. In particular, no one shall be subjected without his or her free consent to medical or scientific experimentation.
- 2.** States Parties shall take all effective legislative, administrative, judicial or other measures to prevent persons with disabilities, on an equal basis with others, from being subjected to torture or cruel, inhuman or degrading treatment or punishment.

Article 16 - Freedom from exploitation, violence and abuse

- 1.** States Parties shall take all appropriate legislative, administrative, social, educational and other measures to protect persons with disabilities, both within and outside the home, from all forms of exploitation, violence and abuse, including their gender-based aspects.
- 2.** States Parties shall also take all appropriate measures to prevent all forms of exploitation, violence and abuse by ensuring, inter alia, appropriate forms of gender- and age-sensitive assistance and support for persons with disabilities and their families and caregivers, including through the provision of information and education on how to avoid, recognize and report instances of exploitation, violence and abuse. States Parties shall ensure that protection services are age-, gender- and disability-sensitive.
- 3.** In order to prevent the occurrence of all forms of exploitation, violence and abuse, States Parties shall ensure that all facilities and programmes designed to serve persons with disabilities are effectively monitored by independent authorities.
- 4.** States Parties shall take all appropriate measures to promote the physical, cognitive and psychological recovery, rehabilitation and social reintegration of persons with disabilities who become victims of any form of exploitation, violence or abuse, including through the provision of protection services. Such recovery and reintegration shall take place in an environment that fosters the health, welfare, self-respect, dignity and autonomy of the person and takes into account gender- and age-specific needs.
- 5.** States Parties shall put in place effective legislation and policies, including women- and child-focused legislation and policies, to ensure that instances of exploitation, violence and abuse against persons with disabilities are identified, investigated and, where appropriate, prosecuted.

Article 17 - Protecting the integrity of the person

Every person with disabilities has a right to respect for his or her physical and mental integrity on an equal basis with others.

Article 18 - Liberty of movement and nationality

1. States Parties shall recognize the rights of persons with disabilities to liberty of movement, to freedom to choose their residence and to a nationality, on an equal basis with others, including by ensuring that persons with disabilities:

- a. Have the right to acquire and change a nationality and are not deprived of their nationality arbitrarily or on the basis of disability;
- b. Are not deprived, on the basis of disability, of their ability to obtain, possess and utilize documentation of their nationality or other documentation of identification, or to utilize relevant processes such as immigration proceedings, that may be needed to facilitate exercise of the right to liberty of movement;
- c. Are free to leave any country, including their own;
- d. Are not deprived, arbitrarily or on the basis of disability, of the right to enter their own country.

2. Children with disabilities shall be registered immediately after birth and shall have the right from birth to a name, the right to acquire a nationality and, as far as possible, the right to know and be cared for by their parents.

Article 19 - Living independently and being included in the community

States Parties to this Convention recognize the equal right of all persons with disabilities to live in the community, with choices equal to others, and shall take effective and appropriate measures to facilitate full enjoyment by persons with disabilities of this right and their full inclusion and participation in the community, including by ensuring that:

- a. Persons with disabilities have the opportunity to choose their place of residence and where and with whom they live on an equal basis with others and are not obliged to live in a particular living arrangement;
- b. Persons with disabilities have access to a range of in-home, residential and other community support services, including personal assistance necessary to support living and inclusion in the community, and to prevent isolation or segregation from the community;
- c. Community services and facilities for the general population are available on an equal basis to persons with disabilities and are responsive to their needs.

Article 20 - Personal mobility

States Parties shall take effective measures to ensure personal mobility with the greatest possible independence for persons with disabilities, including by:

- a. Facilitating the personal mobility of persons with disabilities in the manner and at the time of their choice, and at affordable cost;
- b. Facilitating access by persons with disabilities to quality mobility aids, devices, assistive technologies and forms of live assistance and intermediaries, including by making them available at affordable cost;

- c. Providing training in mobility skills to persons with disabilities and to specialist staff working with persons with disabilities;
- d. Encouraging entities that produce mobility aids, devices and assistive technologies to take into account all aspects of mobility for persons with disabilities.

Article 21 - Freedom of expression and opinion, and access to information

States Parties shall take all appropriate measures to ensure that persons with disabilities can exercise the right to freedom of expression and opinion, including the freedom to seek, receive and impart information and ideas on an equal basis with others and through all forms of communication of their choice, as defined in article 2 of the present Convention, including by:

- a. Providing information intended for the general public to persons with disabilities in accessible formats and technologies appropriate to different kinds of disabilities in a timely manner and without additional cost;
- b. Accepting and facilitating the use of sign languages, Braille, augmentative and alternative communication, and all other accessible means, modes and formats of communication of their choice by persons with disabilities in official interactions;
- c. Urging private entities that provide services to the general public, including through the Internet, to provide information and services in accessible and usable formats for persons with disabilities;
- d. Encouraging the mass media, including providers of information through the Internet, to make their services accessible to persons with disabilities;
- e. Recognizing and promoting the use of sign languages.

Article 22 - Respect for privacy

1. No person with disabilities, regardless of place of residence or living arrangements, shall be subjected to arbitrary or unlawful interference with his or her privacy, family, home or correspondence or other types of communication or to unlawful attacks on his or her honour and reputation. Persons with disabilities have the right to the protection of the law against such interference or attacks.

2. States Parties shall protect the privacy of personal, health and rehabilitation information of persons with disabilities on an equal basis with others.

Article 23 - Respect for home and the family

1. States Parties shall take effective and appropriate measures to eliminate discrimination against persons with disabilities in all matters relating to marriage, family, parenthood and relationships, on an equal basis with others, so as to ensure that:

- a. The right of all persons with disabilities who are of marriageable age to marry and to found a family on the basis of free and full consent of the intending spouses is recognized;

b. The rights of persons with disabilities to decide freely and responsibly on the number and spacing of their children and to have access to age-appropriate information, reproductive and family planning education are recognized, and the means necessary to enable them to exercise these rights are provided;

c. Persons with disabilities, including children, retain their fertility on an equal basis with others.

2. States Parties shall ensure the rights and responsibilities of persons with disabilities, with regard to guardianship, wardship, trusteeship, adoption of children or similar institutions, where these concepts exist in national legislation; in all cases the best interests of the child shall be paramount. States Parties shall render appropriate assistance to persons with disabilities in the performance of their child-rearing responsibilities.

3. States Parties shall ensure that children with disabilities have equal rights with respect to family life. With a view to realizing these rights, and to prevent concealment, abandonment, neglect and segregation of children with disabilities, States Parties shall undertake to provide early and comprehensive information, services and support to children with disabilities and their families.

4. States Parties shall ensure that a child shall not be separated from his or her parents against their will, except when competent authorities subject to judicial review determine, in accordance with applicable law and procedures, that such separation is necessary for the best interests of the child. In no case shall a child be separated from parents on the basis of a disability of either the child or one or both of the parents.

5. States Parties shall, where the immediate family is unable to care for a child with disabilities, undertake every effort to provide alternative care within the wider family, and failing that, within the community in a family setting.

Article 24 - Education

1. States Parties recognize the right of persons with disabilities to education. With a view to realizing this right without discrimination and on the basis of equal opportunity, States Parties shall ensure an inclusive education system at all levels and life long learning directed to:

a. The full development of human potential and sense of dignity and self-worth, and the strengthening of respect for human rights, fundamental freedoms and human diversity;

b. The development by persons with disabilities of their personality, talents and creativity, as well as their mental and physical abilities, to their fullest potential;

c. Enabling persons with disabilities to participate effectively in a free society.

2. In realizing this right, States Parties shall ensure that:

a. Persons with disabilities are not excluded from the general education system on the basis of disability, and that children with disabilities are not excluded from free and compulsory primary education, or from secondary education, on the basis of disability;

b. Persons with disabilities can access an inclusive, quality and free primary education and secondary education on an equal basis with others in the communities in which they live;

- c. Reasonable accommodation of the individual's requirements is provided;
- d. Persons with disabilities receive the support required, within the general education system, to facilitate their effective education;
- e. Effective individualized support measures are provided in environments that maximize academic and social development, consistent with the goal of full inclusion.

3. States Parties shall enable persons with disabilities to learn life and social development skills to facilitate their full and equal participation in education and as members of the community. To this end, States Parties shall take appropriate measures, including:

- a. Facilitating the learning of Braille, alternative script, augmentative and alternative modes, means and formats of communication and orientation and mobility skills, and facilitating peer support and mentoring;
- b. Facilitating the learning of sign language and the promotion of the linguistic identity of the deaf community;
- c. Ensuring that the education of persons, and in particular children, who are blind, deaf or deaf-blind, is delivered in the most appropriate languages and modes and means of communication for the individual, and in environments which maximize academic and social development.

4. In order to help ensure the realization of this right, States Parties shall take appropriate measures to employ teachers, including teachers with disabilities, who are qualified in sign language and/or Braille, and to train professionals and staff who work at all levels of education. Such training shall incorporate disability awareness and the use of appropriate augmentative and alternative modes, means and formats of communication, educational techniques and materials to support persons with disabilities.

5. States Parties shall ensure that persons with disabilities are able to access general tertiary education, vocational training, adult education and lifelong learning without discrimination and on an equal basis with others. To this end, States Parties shall ensure that reasonable accommodation is provided to persons with disabilities.

Article 25 - Health

States Parties recognize that persons with disabilities have the right to the enjoyment of the highest attainable standard of health without discrimination on the basis of disability. States Parties shall take all appropriate measures to ensure access for persons with disabilities to health services that are gender-sensitive, including health-related rehabilitation. In particular, States Parties shall:

- a. Provide persons with disabilities with the same range, quality and standard of free or affordable health care and programmes as provided to other persons, including in the area of sexual and reproductive health and population-based public health programmes;
- b. Provide those health services needed by persons with disabilities specifically because of their disabilities, including early identification and intervention as appropriate, and services desi-

- gned to minimize and prevent further disabilities, including among children and older persons;
- c. Provide these health services as close as possible to people's own communities, including in rural areas;
 - d. Require health professionals to provide care of the same quality to persons with disabilities as to others, including on the basis of free and informed consent by, inter alia, raising awareness of the human rights, dignity, autonomy and needs of persons with disabilities through training and the promulgation of ethical standards for public and private health care;
 - e. Prohibit discrimination against persons with disabilities in the provision of health insurance, and life insurance where such insurance is permitted by national law, which shall be provided in a fair and reasonable manner;
 - f. Prevent discriminatory denial of health care or health services or food and fluids on the basis of disability.

Article 26 - Habilitation and rehabilitation

- 1.** States Parties shall take effective and appropriate measures, including through peer support, to enable persons with disabilities to attain and maintain maximum independence, full physical, mental, social and vocational ability, and full inclusion and participation in all aspects of life. To that end, States Parties shall organize, strengthen and extend comprehensive habilitation and rehabilitation services and programmes, particularly in the areas of health, employment, education and social services, in such a way that these services and programmes:
 - a. Begin at the earliest possible stage, and are based on the multidisciplinary assessment of individual needs and strengths;
 - b. Support participation and inclusion in the community and all aspects of society, are voluntary, and are available to persons with disabilities as close as possible to their own communities, including in rural areas.
- 2.** States Parties shall promote the development of initial and continuing training for professionals and staff working in habilitation and rehabilitation services.
- 3.** States Parties shall promote the availability, knowledge and use of assistive devices and technologies, designed for persons with disabilities, as they relate to habilitation and rehabilitation.

Article 27 - Work and employment

- 1.** States Parties recognize the right of persons with disabilities to work, on an equal basis with others; this includes the right to the opportunity to gain a living by work freely chosen or accepted in a labour market and work environment that is open, inclusive and accessible to persons with disabilities. States Parties shall safeguard and promote the realization of the right to work, including for those who acquire a disability during the course of employment, by taking appropriate steps, including through legislation, to, inter alia:
 - a. Prohibit discrimination on the basis of disability with regard to all matters concerning all

- forms of employment, including conditions of recruitment, hiring and employment, continuance of employment, career advancement and safe and healthy working conditions;
- b. Protect the rights of persons with disabilities, on an equal basis with others, to just and favourable conditions of work, including equal opportunities and equal remuneration for work of equal value, safe and healthy working conditions, including protection from harassment, and the redress of grievances;
 - c. Ensure that persons with disabilities are able to exercise their labour and trade union rights on an equal basis with others;
 - d. Enable persons with disabilities to have effective access to general technical and vocational guidance programmes, placement services and vocational and continuing training;
 - e. Promote employment opportunities and career advancement for persons with disabilities in the labour market, as well as assistance in finding, obtaining, maintaining and returning to employment;
 - f. Promote opportunities for self-employment, entrepreneurship, the development of co-operatives and starting one's own business;
 - g. Employ persons with disabilities in the public sector;
 - h. Promote the employment of persons with disabilities in the private sector through appropriate policies and measures, which may include affirmative action programmes, incentives and other measures;
 - i. Ensure that reasonable accommodation is provided to persons with disabilities in the workplace;
 - j. Promote the acquisition by persons with disabilities of work experience in the open labour market;
 - k. Promote vocational and professional rehabilitation, job retention and return-to-work programmes for persons with disabilities.
- 2.** States Parties shall ensure that persons with disabilities are not held in slavery or in servitude, and are protected, on an equal basis with others, from forced or compulsory labour.

Article 28 - Adequate standard of living and social protection

- 1.** States Parties recognize the right of persons with disabilities to an adequate standard of living for themselves and their families, including adequate food, clothing and housing, and to the continuous improvement of living conditions, and shall take appropriate steps to safeguard and promote the realization of this right without discrimination on the basis of disability.
- 2.** States Parties recognize the right of persons with disabilities to social protection and to the enjoyment of that right without discrimination on the basis of disability, and shall take appropriate steps to safeguard and promote the realization of this right, including measures:
- a. To ensure equal access by persons with disabilities to clean water services, and to ensure access to appropriate and affordable services, devices and other assistance for disability-related needs;
 - b. To ensure access by persons with disabilities, in particular women and girls with disabilities and older persons with disabilities, to social protection programmes and poverty reduction

programmes;

c. To ensure access by persons with disabilities and their families living in situations of poverty to assistance from the State with disability-related expenses, including adequate training, counselling, financial assistance and respite care;

d. To ensure access by persons with disabilities to public housing programmes;

e. To ensure equal access by persons with disabilities to retirement benefits and programmes.

Article 29 - Participation in political and public life

States Parties shall guarantee to persons with disabilities political rights and the opportunity to enjoy them on an equal basis with others, and shall undertake to:

a. Ensure that persons with disabilities can effectively and fully participate in political and public life on an equal basis with others, directly or through freely chosen representatives, including the right and opportunity for persons with disabilities to vote and be elected, inter alia, by:

i. Ensuring that voting procedures, facilities and materials are appropriate, accessible and easy to understand and use;

ii. Protecting the right of persons with disabilities to vote by secret ballot in elections and public referendums without intimidation, and to stand for elections, to effectively hold office and perform all public functions at all levels of government, facilitating the use of assistive and new technologies where appropriate;

iii. Guaranteeing the free expression of the will of persons with disabilities as electors and to this end, where necessary, at their request, allowing assistance in voting by a person of their own choice;

b. Promote actively an environment in which persons with disabilities can effectively and fully participate in the conduct of public affairs, without discrimination and on an equal basis with others, and encourage their participation in public affairs, including:

i. Participation in non-governmental organizations and associations concerned with the public and political life of the country, and in the activities and administration of political parties;

ii. Forming and joining organizations of persons with disabilities to represent persons with disabilities at international, national, regional and local levels.

Article 30 - Participation in cultural life, recreation, leisure and sport

1. States Parties recognize the right of persons with disabilities to take part on an equal basis with others in cultural life, and shall take all appropriate measures to ensure that persons with disabilities:

a. Enjoy access to cultural materials in accessible formats;

b. Enjoy access to television programmes, films, theatre and other cultural activities, in accessible formats;

c. Enjoy access to places for cultural performances or services, such as theatres, museums, cinemas, libraries and tourism services, and, as far as possible, enjoy access to monuments and sites of national cultural importance.

2. States Parties shall take appropriate measures to enable persons with disabilities to have the opportunity to develop and utilize their creative, artistic and intellectual potential, not only for their own benefit, but also for the enrichment of society.
3. States Parties shall take all appropriate steps, in accordance with international law, to ensure that laws protecting intellectual property rights do not constitute an unreasonable or discriminatory barrier to access by persons with disabilities to cultural materials.
4. Persons with disabilities shall be entitled, on an equal basis with others, to recognition and support of their specific cultural and linguistic identity, including sign languages and deaf culture.
5. With a view to enabling persons with disabilities to participate on an equal basis with others in recreational, leisure and sporting activities, States Parties shall take appropriate measures:
 - a. To encourage and promote the participation, to the fullest extent possible, of persons with disabilities in mainstream sporting activities at all levels;
 - b. To ensure that persons with disabilities have an opportunity to organize, develop and participate in disability-specific sporting and recreational activities and, to this end, encourage the provision, on an equal basis with others, of appropriate instruction, training and resources;
 - c. To ensure that persons with disabilities have access to sporting, recreational and tourism venues;
 - d. To ensure that children with disabilities have equal access with other children to participation in play, recreation and leisure and sporting activities, including those activities in the school system;
 - e. To ensure that persons with disabilities have access to services from those involved in the organization of recreational, tourism, leisure and sporting activities.

Article 31 - *Statistics and data collection*

1. States Parties undertake to collect appropriate information, including statistical and research data, to enable them to formulate and implement policies to give effect to the present Convention. The process of collecting and maintaining this information shall:
 - a. Comply with legally established safeguards, including legislation on data protection, to ensure confidentiality and respect for the privacy of persons with disabilities;
 - b. Comply with internationally accepted norms to protect human rights and fundamental freedoms and ethical principles in the collection and use of statistics.
2. The information collected in accordance with this article shall be disaggregated, as appropriate, and used to help assess the implementation of States Parties' obligations under the present Convention and to identify and address the barriers faced by persons with disabilities in exercising their rights.
3. States Parties shall assume responsibility for the dissemination of these statistics and ensure their accessibility to persons with disabilities and others.

Article 32 - *International cooperation*

1. States Parties recognize the importance of international cooperation and its promotion,

in support of national efforts for the realization of the purpose and objectives of the present Convention, and will undertake appropriate and effective measures in this regard, between and among States and, as appropriate, in partnership with relevant international and regional organizations and civil society, in particular organizations of persons with disabilities. Such measures could include, inter alia:

- a. Ensuring that international cooperation, including international development programmes, is inclusive of and accessible to persons with disabilities;
- b. Facilitating and supporting capacity-building, including through the exchange and sharing of information, experiences, training programmes and best practices;
- c. Facilitating cooperation in research and access to scientific and technical knowledge;
- d. Providing, as appropriate, technical and economic assistance, including by facilitating access to and sharing of accessible and assistive technologies, and through the transfer of technologies.

2. The provisions of this article are without prejudice to the obligations of each State Party to fulfil its obligations under the present Convention.

Article 33 - National implementation and monitoring

1. States Parties, in accordance with their system of organization, shall designate one or more focal points within government for matters relating to the implementation of the present Convention, and shall give due consideration to the establishment or designation of a coordination mechanism within government to facilitate related action in different sectors and at different levels.

2. States Parties shall, in accordance with their legal and administrative systems, maintain, strengthen, designate or establish within the State Party, a framework, including one or more independent mechanisms, as appropriate, to promote, protect and monitor implementation of the present Convention. When designating or establishing such a mechanism, States Parties shall take into account the principles relating to the status and functioning of national institutions for protection and promotion of human rights.

3. Civil society, in particular persons with disabilities and their representative organizations, shall be involved and participate fully in the monitoring process.

Article 34 - Committee on the Rights of Persons with Disabilities

1. There shall be established a Committee on the Rights of Persons with Disabilities (hereafter referred to as “the Committee”), which shall carry out the functions hereinafter provided.

2. The Committee shall consist, at the time of entry into force of the present Convention, of twelve experts. After an additional sixty ratifications or accessions to the Convention, the membership of the Committee shall increase by six members, attaining a maximum number of eighteen members.

- 3.** The members of the Committee shall serve in their personal capacity and shall be of high moral standing and recognized competence and experience in the field covered by the present Convention. When nominating their candidates, States Parties are invited to give due consideration to the provision set out in article 4.3 of the present Convention.
- 4.** The members of the Committee shall be elected by States Parties, consideration being given to equitable geographical distribution, representation of the different forms of civilization and of the principal legal systems, balanced gender representation and participation of experts with disabilities.
- 5.** The members of the Committee shall be elected by secret ballot from a list of persons nominated by the States Parties from among their nationals at meetings of the Conference of States Parties. At those meetings, for which two thirds of States Parties shall constitute a quorum, the persons elected to the Committee shall be those who obtain the largest number of votes and an absolute majority of the votes of the representatives of States Parties present and voting.
- 6.** The initial election shall be held no later than six months after the date of entry into force of the present Convention. At least four months before the date of each election, the Secretary-General of the United Nations shall address a letter to the States Parties inviting them to submit the nominations within two months. The Secretary-General shall subsequently prepare a list in alphabetical order of all persons thus nominated, indicating the State Parties which have nominated them, and shall submit it to the States Parties to the present Convention.
- 7.** The members of the Committee shall be elected for a term of four years. They shall be eligible for re-election once. However, the term of six of the members elected at the first election shall expire at the end of two years; immediately after the first election, the names of these six members shall be chosen by lot by the chairperson of the meeting referred to in paragraph 5 of this article.
- 8.** The election of the six additional members of the Committee shall be held on the occasion of regular elections, in accordance with the relevant provisions of this article.
- 9.** If a member of the Committee dies or resigns or declares that for any other cause she or he can no longer perform her or his duties, the State Party which nominated the member shall appoint another expert possessing the qualifications and meeting the requirements set out in the relevant provisions of this article, to serve for the remainder of the term.
- 10.** The Committee shall establish its own rules of procedure.
- 11.** The Secretary-General of the United Nations shall provide the necessary staff and facilities for the effective performance of the functions of the Committee under the present Convention, and shall convene its initial meeting.
- 12.** With the approval of the General Assembly, the members of the Committee established under the present Convention shall receive emoluments from United Nations resources on such terms and conditions as the Assembly may decide, having regard to the importance of

the Committee's responsibilities.

13. The members of the Committee shall be entitled to the facilities, privileges and immunities of experts on mission for the United Nations as laid down in the relevant sections of the Convention on the Privileges and Immunities of the United Nations.

Article 35 - Reports by States Parties

1. Each State Party shall submit to the Committee, through the Secretary-General of the United Nations, a comprehensive report on measures taken to give effect to its obligations under the present Convention and on the progress made in that regard, within two years after the entry into force of the present Convention for the State Party concerned.

2. Thereafter, States Parties shall submit subsequent reports at least every four years and further whenever the Committee so requests.

3. The Committee shall decide any guidelines applicable to the content of the reports.

4. A State Party which has submitted a comprehensive initial report to the Committee need not, in its subsequent reports, repeat information previously provided. When preparing reports to the Committee, States Parties are invited to consider doing so in an open and transparent process and to give due consideration to the provision set out in article 4.3 of the present Convention.

5. Reports may indicate factors and difficulties affecting the degree of fulfilment of obligations under the present Convention.

Article 36 - Consideration of reports

1. Each report shall be considered by the Committee, which shall make such suggestions and general recommendations on the report as it may consider appropriate and shall forward these to the State Party concerned. The State Party may respond with any information it chooses to the Committee. The Committee may request further information from States Parties relevant to the implementation of the present Convention.

2. If a State Party is significantly overdue in the submission of a report, the Committee may notify the State Party concerned of the need to examine the implementation of the present Convention in that State Party, on the basis of reliable information available to the Committee, if the relevant report is not submitted within three months following the notification. The Committee shall invite the State Party concerned to participate in such examination. Should the State Party respond by submitting the relevant report, the provisions of paragraph 1 of this article will apply.

3. The Secretary-General of the United Nations shall make available the reports to all States Parties.

4. States Parties shall make their reports widely available to the public in their own countries and facilitate access to the suggestions and general recommendations relating to these reports.

5. The Committee shall transmit, as it may consider appropriate, to the specialized agencies, funds and programmes of the United Nations, and other competent bodies, reports from

States Parties in order to address a request or indication of a need for technical advice or assistance contained therein, along with the Committee's observations and recommendations, if any, on these requests or indications.

Article 37 - Cooperation between States Parties and the Committee

1. Each State Party shall cooperate with the Committee and assist its members in the fulfilment of their mandate.
2. In its relationship with States Parties, the Committee shall give due consideration to ways and means of enhancing national capacities for the implementation of the present Convention, including through international cooperation.

Article 38 - Relationship of the Committee with other bodies

In order to foster the effective implementation of the present Convention and to encourage international cooperation in the field covered by the present Convention:

- a. The specialized agencies and other United Nations organs shall be entitled to be represented at the consideration of the implementation of such provisions of the present Convention as fall within the scope of their mandate. The Committee may invite the specialized agencies and other competent bodies as it may consider appropriate to provide expert advice on the implementation of the Convention in areas falling within the scope of their respective mandates. The Committee may invite specialized agencies and other United Nations organs to submit reports on the implementation of the Convention in areas falling within the scope of their activities;
- b. The Committee, as it discharges its mandate, shall consult, as appropriate, other relevant bodies instituted by international human rights treaties, with a view to ensuring the consistency of their respective reporting guidelines, suggestions and general recommendations, and avoiding duplication and overlap in the performance of their functions.

Article 39 - Report of the Committee

The Committee shall report every two years to the General Assembly and to the Economic and Social Council on its activities, and may make suggestions and general recommendations based on the examination of reports and information received from the States Parties. Such suggestions and general recommendations shall be included in the report of the Committee together with comments, if any, from States Parties.

Article 40 - Conference of States Parties

1. The States Parties shall meet regularly in a Conference of States Parties in order to consider any matter with regard to the implementation of the present Convention.
2. No later than six months after the entry into force of the present Convention, the Confe-

rence of the States Parties shall be convened by the Secretary-General of the United Nations. The subsequent meetings shall be convened by the Secretary-General of the United Nations biennially or upon the decision of the Conference of States Parties.

Article 41 - Depositary

The Secretary-General of the United Nations shall be the depositary of the present Convention.

Article 42 - Signature

The present Convention shall be open for signature by all States and by regional integration organizations at United Nations Headquarters in New York as of 30 March 2007.

Article 43 - Consent to be bound

The present Convention shall be subject to ratification by signatory States and to formal confirmation by signatory regional integration organizations. It shall be open for accession by any State or regional integration organization which has not signed the Convention.

Article 44 - Regional integration organizations

1. "Regional integration organization" shall mean an organization constituted by sovereign States of a given region, to which its member States have transferred competence in respect of matters governed by this Convention. Such organizations shall declare, in their instruments of formal confirmation or accession, the extent of their competence with respect to matters governed by this Convention. Subsequently, they shall inform the depositary of any substantial modification in the extent of their competence.
2. References to "States Parties" in the present Convention shall apply to such organizations within the limits of their competence.
3. For the purposes of article 45, paragraph 1, and article 47, paragraphs 2 and 3, any instrument deposited by a regional integration organization shall not be counted.
4. Regional integration organizations, in matters within their competence, may exercise their right to vote in the Conference of States Parties, with a number of votes equal to the number of their member States that are Parties to this Convention. Such an organization shall not exercise its right to vote if any of its member States exercises its right, and vice versa.

Article 45 - Entry into force

1. The present Convention shall enter into force on the thirtieth day after the deposit of the twentieth instrument of ratification or accession.
2. For each State or regional integration organization ratifying, formally confirming or acceding to the Convention after the deposit of the twentieth such instrument, the Convention

shall enter into force on the thirtieth day after the deposit of its own such instrument.

Article 46 - Reservations

1. Reservations incompatible with the object and purpose of the present Convention shall not be permitted. **2.** Reservations may be withdrawn at any time.

Article 47 - Amendments

1. Any State Party may propose an amendment to the present Convention and submit it to the Secretary-General of the United Nations. The Secretary-General shall communicate any proposed amendments to States Parties, with a request to be notified whether they favour a conference of States Parties for the purpose of considering and deciding upon the proposals. In the event that, within four months from the date of such communication, at least one third of the States Parties favour such a conference, the Secretary-General shall convene the conference under the auspices of the United Nations. Any amendment adopted by a majority of two thirds of the States Parties present and voting shall be submitted by the Secretary-General to the General Assembly for approval and thereafter to all States Parties for acceptance.

2. An amendment adopted and approved in accordance with paragraph 1 of this article shall enter into force on the thirtieth day after the number of instruments of acceptance deposited reaches two thirds of the number of States Parties at the date of adoption of the amendment. Thereafter, the amendment shall enter into force for any State Party on the thirtieth day following the deposit of its own instrument of acceptance. An amendment shall be binding only on those States Parties which have accepted it.

3. If so decided by the Conference of States Parties by consensus, an amendment adopted and approved in accordance with paragraph 1 of this article which relates exclusively to articles 34, 38, 39 and 40 shall enter into force for all States Parties on the thirtieth day after the number of instruments of acceptance deposited reaches two thirds of the number of States Parties at the date of adoption of the amendment.

Article 48 - Denunciation

A State Party may denounce the present Convention by written notification to the Secretary-General of the United Nations. The denunciation shall become effective one year after the date of receipt of the notification by the Secretary-General.

Article 49 - Accessible format

The text of the present Convention shall be made available in accessible formats.

Article 50 - Authentic texts

The Arabic, Chinese, English, French, Russian and Spanish texts of the present Convention shall be equally authentic.



Optional Protocol to the Convention on the rights of persons with disabilities

The States Parties to the present Protocol have agreed as follows:

Article 1

1. A State Party to the present Protocol (“State Party”) recognizes the competence of the Committee on the Rights of Persons with Disabilities (“the Committee”) to receive and consider communications from or on behalf of individuals or groups of individuals subject to its jurisdiction who claim to be victims of a violation by that State Party of the provisions of the Convention.

2. No communication shall be received by the Committee if it concerns a State Party to the Convention that is not a party to the present Protocol.

Article 2

The Committee shall consider a communication inadmissible when:

- (a) The communication is anonymous;
- (b) The communication constitutes an abuse of the right of submission of such communications or is incompatible with the provisions of the Convention;
- (c) The same matter has already been examined by the Committee or has been or is being

examined under another procedure of international investigation or settlement;

(d) All available domestic remedies have not been exhausted. This shall not be the rule where the application of the remedies is unreasonably prolonged or unlikely to bring effective relief;

(e) It is manifestly ill-founded or not sufficiently substantiated; or when

(f) The facts that are the subject of the communication occurred prior to the entry into force of the present Protocol for the State Party concerned unless those facts continued after that date.

Article 3

Subject to the provisions of article 2 of the present Protocol, the Committee shall bring any communications submitted to it confidentially to the attention of the State Party. Within six months, the receiving State shall submit to the Committee written explanations or statements clarifying the matter and the remedy, if any, that may have been taken by that State.

Article 4

- 1.** At any time after the receipt of a communication and before a determination on the merits has been reached, the Committee may transmit to the State Party concerned for its urgent consideration a request that the State Party take such interim measures as may be necessary to avoid possible irreparable damage to the victim or victims of the alleged violation.
- 2.** Where the Committee exercises its discretion under paragraph 1 of this article, this does not imply a determination on admissibility or on the merits of the communication.

Article 5

The Committee shall hold closed meetings when examining communications under the present Protocol. After examining a communication, the Committee shall forward its suggestions and recommendations, if any, to the State Party concerned and to the petitioner.

Article 6

- 1.** If the Committee receives reliable information indicating grave or systematic violations by a State Party of rights set forth in the Convention, the Committee shall invite that State Party to cooperate in the examination of the information and to this end submit observations with regard to the information concerned.
- 2.** Taking into account any observations that may have been submitted by the State Party concerned as well as any other reliable information available to it, the Committee may designate one or more of its members to conduct an inquiry and to report urgently to the Committee. Where warranted and with the consent of the State Party, the inquiry may include a visit to its territory.
- 3.** After examining the findings of such an inquiry, the Committee shall transmit these findings to the State Party concerned together with any comments and recommendations.

4. The State Party concerned shall, within six months of receiving the findings, comments and recommendations transmitted by the Committee, submit its observations to the Committee.
5. Such an inquiry shall be conducted confidentially and the cooperation of the State Party shall be sought at all stages of the proceedings.

Article 7

1. The Committee may invite the State Party concerned to include in its report under article 35 of the Convention details of any measures taken in response to an inquiry conducted under article 6 of the present Protocol.
2. The Committee may, if necessary, after the end of the period of six months referred to in article 6, paragraph 4, invite the State Party concerned to inform it of the measures taken in response to such an inquiry.

Article 8

Each State Party may, at the time of signature or ratification of the present Protocol or accession thereto, declare that it does not recognize the competence of the Committee provided for in articles 6 and 7.

Article 9

The Secretary-General of the United Nations shall be the depositary of the present Protocol.

Article 10

The present Protocol shall be open for signature by signatory States and regional integration organizations of the Convention at United Nations Headquarters in New York as of 30 March 2007.

Article 11

The present Protocol shall be subject to ratification by signatory States of the present Protocol which have ratified or acceded to the Convention. It shall be subject to formal confirmation by signatory regional integration organizations of the present Protocol which have formally confirmed or acceded to the Convention. It shall be open for accession by any State or regional integration organization which has ratified, formally confirmed or acceded to the Convention and which has not signed the Protocol.

Article 12

1. "Regional integration organization" shall mean an organization constituted by sovereign States of a given region, to which its member States have transferred competence in respect of matters governed by the Convention and the present Protocol. Such organizations shall declare, in their instruments of formal confirmation or accession, the extent of their

competence with respect to matters governed by the Convention and the present Protocol. Subsequently, they shall inform the depositary of any substantial modification in the extent of their competence.

2. References to “States Parties” in the present Protocol shall apply to such organizations within the limits of their competence.

3. For the purposes of article 13, paragraph 1, and article 15, paragraph 2, of the present Protocol, any instrument deposited by a regional integration organization shall not be counted.

4. Regional integration organizations, in matters within their competence, may exercise their right to vote in the meeting of States Parties, with a number of votes equal to the number of their member States that are Parties to the present Protocol. Such an organization shall not exercise its right to vote if any of its member States exercises its right, and vice versa.

Article 13

1. Subject to the entry into force of the Convention, the present Protocol shall enter into force on the thirtieth day after the deposit of the tenth instrument of ratification or accession.

2. For each State or regional integration organization ratifying, formally confirming or acceding to the present Protocol after the deposit of the tenth such instrument, the Protocol shall enter into force on the thirtieth day after the deposit of its own such instrument.

Article 14

1. Reservations incompatible with the object and purpose of the present Protocol shall not be permitted.

2. Reservations may be withdrawn at any time.

Article 15

1. Any State Party may propose an amendment to the present Protocol and submit it to the Secretary-General of the United Nations. The Secretary-General shall communicate any proposed amendments to States Parties, with a request to be notified whether they favour a meeting of States Parties for the purpose of considering and deciding upon the proposals. In the event that, within four months from the date of such communication, at least one third of the States Parties favour such a meeting, the Secretary-General shall convene the meeting under the auspices of the United Nations. Any amendment adopted by a majority of two thirds of the States Parties present and voting shall be submitted by the Secretary-General to the General Assembly for approval and thereafter to all States Parties for acceptance.

2. An amendment adopted and approved in accordance with paragraph 1 of this article shall enter into force on the thirtieth day after the number of instruments of acceptance deposited reaches two thirds of the number of States Parties at the date of adoption of the amendment. Thereafter, the amendment shall enter into force for any State

Party on the thirtieth day following the deposit of its own instrument of acceptance. An amendment shall be binding only on those States Parties which have accepted it.

Article 16

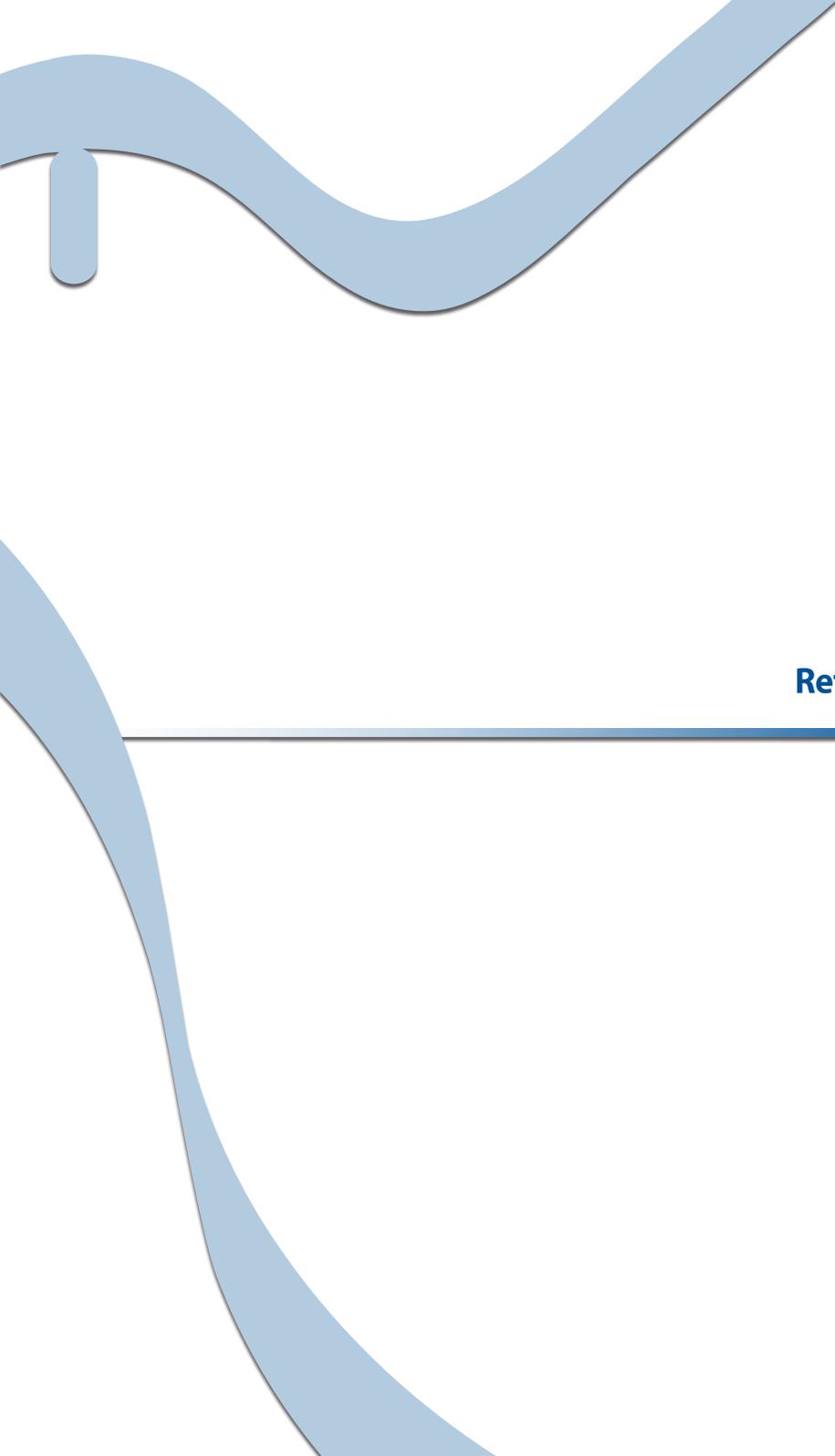
A State Party may denounce the present Protocol by written notification to the Secretary-General of the United Nations. The denunciation shall become effective one year after the date of receipt of the notification by the Secretary-General.

Article 17

The text of the present Protocol shall be made available in accessible formats.

Article 18

The Arabic, Chinese, English, French, Russian and Spanish texts of the present Protocol shall be equally authentic.



References

Unless otherwise specified, all the documents may be downloaded from:
<http://www.cooperazioneallosviluppo.esteri.it/pdgcgs/italiano/>
and
<https://sites.google.com/site/pianodiazionedisabilita>

- *Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions - European Disability Strategy 2010-2020: A Renewed Commitment to a Barrier-Free Europe*
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52010DC0636:EN:NOT>

- *Nota informativa piano di azione disabili*, Ministero degli Affari Esteri

- *La cooperazione italiana allo sviluppo nel triennio 2013–2015*, Ministero degli Affari Esteri

- *UN Convention on the Rights of Persons with Disabilities*
<http://www.un.org/disabilities/convention/conventionfull.shtml>

- *Disability, International Cooperation and Development: The Experience of the Italian Cooperation 2000-2008*, Ministero degli Affari Esteri and World Bank
http://siteresources.worldbank.org/DISABILITY/Resources/Publications-Reports/Volume_II_English.docx

- *Notiziario Cooperazione Italiana Gennaio 2013 - p.19*, Ministero degli Affari Esteri

- *Linee Guida Agricoltura*, Ministero degli Affari Esteri

- *Linee Guida Ambiente*, Ministero degli Affari Esteri

- *Linee Guida Cooperazione Decentrata*, Ministero degli Affari Esteri

- *Linee Guida sulla Comunicazione*, Ministero degli Affari Esteri

- *Linee Guida su Cooperazione Sanitaria*, Ministero degli Affari Esteri

- *Linee Guida su Democratic Ownership*, Ministero degli Affari Esteri

- *Linee guida sulla Disabilità e Cooperazione*, Ministero degli Affari Esteri

- *Linee Guida Patrimonio culturale 1*, Ministero degli Affari Esteri

- *Linee Guida Patrimonio culturale 2*, Ministero degli Affari Esteri

- *Linee Guida su Minori*, Ministero degli Affari Esteri

- *Linee Guida per la lotta contro la Povertà*, Ministero degli Affari Esteri

- *Linee Guida per Uguaglianza di Genere e Empowerment delle donne*, Ministero degli Affari Esteri

- *Linee Guida sulla Valutazione*, Ministero degli Affari Esteri

- *EC - Study of Disability in EC Development Cooperation*, European Commission, November 2010

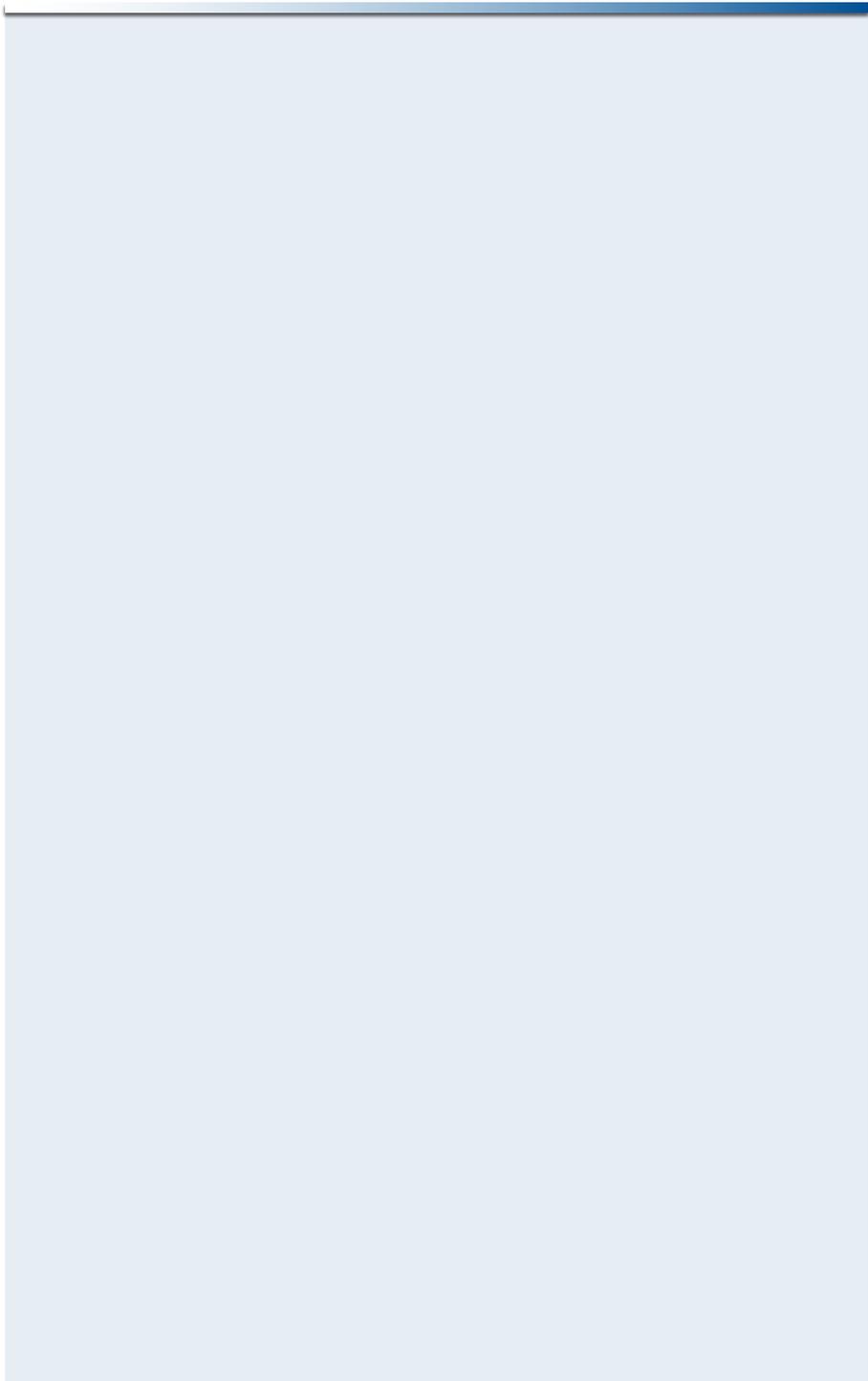
- *European Commission Guidance Note on Disability*, European Commission, 2004

- *Communication to the Commission on the strategy on equal opportunities for women and men within the European Commission*, http://europa.eu/rapid/press-release_IP-10-1742_en.htm

- *CRPD Implementation and monitoring*, Human Rights Council, 2011

- *Mainstreaming disability in the development agenda* – UN Commission for Social Development, 2008
- *Making Poverty Reduction Strategy Papers Inclusive*, Handicap International, Christian Blind Mission (CBM), German Technical Cooperation (GTZ)
- *Making PRSPs Inclusive*, Handicap International
- *Report on Disability*, World Health Organization – Disability and Rehabilitation Team (DAR), November 2012
- *UN Resolution: MDGs 2015 and beyond* – United Nations, 2011
- *UN Resolution: Realizing MDGs for persons with disabilities*, United Nations, 2010
- *IDA and IDDC position paper on MDGs*, International Disability Alliance and International Disability and Development Consortium, 2012
- *OECD-DAC Glossary*, Organisation for Economic Cooperation and Development/Development Assistance Committee, <http://www.oecd.org/dac/dacglossaryofkeytermsandconcepts.htm>
- *Verona Charter*, <http://www.eena.org/ressource/static/files/Verona%20Charter%20approved.pdf>
- *Bibliografia IDDC sul tema dell'emergenza (references on emergencies)* - International Disability and Development Consortium
- *Persons with disabilities in emergency situations*, Swedish Rescue Services Agency
- *Principles and good practices of humanitarian donorship*, Multi-country endorsement
- *Joint Statement by the Council and the Representatives of the Governments of the Member States meeting within the Council, the European Parliament and the European Commission – The European Consensus On Humanitarian Aid*
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2008:025:0001:0012:EN:PDF>
- *European Parliament Resolution on natural disasters*, European Parliament, 2007
- *Linee Guida aiuto umanitario, Tavolo di Lavoro MFA DGCS ONG*, Ministero degli Affari Esteri, 2010
- *Ensuring access to microfinance services for persons with disabilities*, Handicap International
- *Inclusion of Disabled people in Vocational Training and Income, Dark and Light*
- *Skilled to work, work to live*, EU Cord
- *Social Assistance and Disability*, DFID and Sightsavers International
- *Social protection floors for social justice and a fair globalization*, International Labor Organization
- *Social Protection in EU Development Cooperation*, European Commission
- *Assistive Technology Assessment Handbook*, Stefano Federici (Editor), Marcia Scherer (Editor), CRC Press, USA 2012
- *Inclusive Project Cycle Management Guidelines*, IDDC

Notes



This translation is provided for convenience only.
In case of discrepancies, the Italian text shall govern.

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