# Capacity Building Training Seminar

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## How to monitor the implementation of the UNCRPD through articles 33/35

35 of the European Blind Union’s 44 member countries have now ratified the UN’s Convention on the Rights of Persons with Disabilities, EBU has already created a database to monitor the implementation of certain articles particularly relevant to the blind or visually impaired. It appeared necessary to consider the various mechanisms implemented by each country in order for the CRPD to be genuinely applied in its entirety. These mechanisms are set out in article 33 of the CRPD, while article 35 requires each State to submit a comprehensive report on the measures taken to give effects to its obligations under the Convention and on the progress made in this respect.

Only 15 countries have responded to the questionnaire sent for them at the beginning of this year: Belgium, Bulgaria, Croatia, France, Germany, Hungary, Italy, Malta, Montenegro, Netherlands, Serbia, Slovenia, Spain, Switzerland and UK. I would be happy to receive other answers through the champion’s network established by the World Blind Union.

This report is a summary of the answers, completed with information found in the report of the European Commission dated June 2014.

The main points evoked are:

Designation and role of focal points ;

Coordination of actions for the implementation of CRPD ;

Monitoring of implementation of the CRPD ;

Protection of the rights included in the CRPD ;

Promotion of the Convention ;

Role of the associations of blind or visually impaired persons ;

- Additional resources made available for the implementation of CRPD

- CRPD implementation monitoring report and shadow report

- Conclusions

### 1 - DESIGNATION OF FOCAL POINT(S)

Article 33 of UN Convention asks each state to « designate one or more focal points within government for matters relating to the implementation of the Convention. »

a) At EU level, the Commission has been designated as the focal point for the implementation of the Convention

b) In Belgium, in theory, appropriate focal points have been identified at both the regional and federal level and a coordination mechanism has been put in place that oversees all the actions concerning the UNCRPD. Within every federal administration, a reference person has been designated to support the transversal principles of the convention. In practice, a lot of work is needed to make this theory work in practical terms.

c) In Croatia, the Ministry of Social Policy and Youth, the Committee for Persons with Disability and a Disability Ombudsman have been designated.

d) In France, the General Secretary of the Interministerial Committee for Disability is the main focal point, a reference person has to be nominated in every administration but we are still waiting for this designation.

e) In Italy, the Ministry of Labour and Social Policies, Directorate General for Inclusion and Social Policies serves as focal point, in coordination with other relevant ministries and departments, as well as regional and local authorities.

f) In the Netherlands, even though the Convention has not been formally ratified yet, the Ministry of Welfare, Health and Sports has been designated as focal point, coordinating an intersectional meeting in which various ministries participate.

g) In Slovenia, the Ministry of Labour, Family, Social Affairs and Equal opportunities has been assigned as the main focal point.

h) In Spain, the Office for Human Rights in the Ministry for Foreign Affairs and Cooperation and the Directorate General for Disability Policies are focal points.

i) In Switzerland, the Federal Bureau for Equality of People with Disabilities will be such a focal point in future. At cantonal or regional level, coordination is not yet determined.

k) The UK Government’s Office for Disability Issues is the focal point at UK level.

l) Finally, no decision has been made in Bulgaria, Hungary, Montenegro and Serbia, we have no enough precise information for Germany and Malta.

### 2 - ROLE OF FOCAL POINT(S)

a) In Europe, as a focal point, the Commission promotes cross-sector coordination between its departments, with the other EU institutions and bodies, and between the EU and the member states.

b) In Croatia the role of the focal point is to advise the government when drafting legislation or regulations, policies or action plans, and to assess their impact on people with disabilities.

c) This is exactly the same role as in France where a circular from the Prime Minister dated 4 September 2012 specially refers to the Convention and states that disabilities must be taken into account in all public policies and that specific provisions for disabled persons should be included in every parliamentary bill in a « disability diagnostic sheet » developed by focal points. They will also represent civil society‘s points of contact for any questions regarding disability within the government administration that appoint them.

d) In Italy the Ministry of Labour and Social Policies favours the implementation of the Convention and ensures that a coordination mechanism is put in place within the government to facilitate related action in different sectors and at different levels.

e) In Malta the role of the focal point is also to address matters relating to implementation and to consider establishing a coordination mechanism within government and be the point of reference for other ministries.

f) In the Netherlands the Ministry coordinates the ratification and implementation of the CRPD.

g) In Spain the focal points have several precise roles:

To inform, address and provide guidance on the issues within their remit ;

To handle complaints and consultations on questions of non-discrimination ;

To initiate briefing reports on issues related to non-discrimination for study and analysis ;

To open files on those cases which may lead to lack of equal opportunities, disability-based discrimination or discrimination due to lack of universal accessibility ;

To reply to complaints and consultations by offering information and advice ;

To report on cases in which advice is sought to the Management Committee of the National Disability Council ;

To prepare an annual report to be submitted to the Board of the National Disability Council ;

To cooperate and collaborate with other institutions and public or private bodies in areas concerning compliance with the purpose of the focal points.

h) In Switzerland the Federal Bureau will be responsible for the upcoming first report.

i) In the UK the Office for Disability Issues promotes, protects and monitors the implementation of the Convention.

j) In several countries there is no legal document which defines the role of focal points.

### 3 - COORDINATION OF ACTIONS FOR THE IMPLEMENTATION OF CRPD

The same article 33 imposes each state to « 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.

a) In the EU:

- formal coordination with the Members States is ensured through the Human Rights Working Group « COHOM » of the Council. The reports of EU and Member States are complementary, the two bodies need to work in a spirit of sincere cooperation ;

- Issues relating to the implementation of the CRPD are also regularly discussed at the Disability High-Level Group (DHLG) with representatives of the Member States and their national focal points, the Commission and Civil Society Organisations and Disabled People’s Organisations ;

- The Commission’s Inter-Service Group on Disability plays an important coordination role in ensuring that the needs and rights of people with disabilities are taken into consideration in the formulation and implementation of legislative proposals and policy initiatives ;

- To facilitate the exchanges and mutual learning between the EU and the Member States on the governance of the Convention, the Commission has hosted a Work Forum on the Implementation of UN Convention since 2010, it gathers representatives of different partners amongst them representatives of civil society and persons with disabilities. This Work Forum discusses issues relating to implementation of the CRPD, promotion, protection, monitoring and reporting to the UN.

b) In Belgium, the government installed a coordination mechanism to oversee all the actions concerning the CRPD. It was responsible for the final editing of the report and organised a first meeting in 2013 concerning the identification of the focal points. The lack of commitment and motivation of the politicians in general is an aspect that is important enough to mention. This effects particularly the effectiveness of the coordinating body. The awareness that their decisions can have an influence on the lives of persons with a disability is not high enough.

c) In Bulgaria the government wants the Ministry of Labour and Social Policy to be responsible for coordination, the organisations representatiing persons with disabilities want a State agency to be appointed.

d) In Croatia, according to the first Monitoring Report delivered to the UN in 2011, the coordinating role is jointly undertaken by the Ministry of Social Policy and Youth and the Committee for Persons with Disability. However, there has been institutional confusion regarding the roles and duties of different ministries, due to nature of the Convention itself which cuts across sectors and applies to various spheres of life. The result is a worrying picture that shows how the lack of clarity and consequently accountability in this context leads to further delays in implementation of the CRPD and to a deterioration in the condition of persons with disabilities in society.

e) In France:

- the General Secretary of the Interministerial Committee on Disability is responsible for coordinating all actions and measures for the implementation of the CRPD. In principle, this Committee which is directly in contact with the Prime Minister, meets twice a year.

- The National Consultation on Human Right is responsible for monitoring the implementation of all international conventions ratified by France. It is an independent body within which persons with disabilities are not yet represented, this error should soon be rectified.

f) The federal government and the government of each county play this role in Germany.

g) In Hungary the National Disability Council and its secretary assure the coordination, it holds meetings four times a year.

h) In Italy the National Observatory on the Conditions of Persons with Disabilities facilitates the constant link between the government, other relevant entities, persons with disabilities and their supporting organisations.

i) In Slovenia the Ministry of Labour, Family, Social Affairs and Equal Opportunities coordinate the actions for the CRPD’s implementation.

j) The National Disability Council has this role in Spain, a consultative body chaired by the Ministry of Health, Social Policies and Equality, composed of 40 members: representatives from other ministries, organisations of persons with disabilities and experts.

k) In the UK the Office for Disability Issues coordinates with the human rights bodies.

l) In Malta, Montenegro, the Netherlands and Serbia the design of the structure in charge of coordination is not yet clear.

### 4 - MONITORING OF THE IMPLEMENTATION OF THE CRDP

In accordance with article 33 second paragraph of the CRPD: « States Parties shall maintain, strengthen, designate or establish within the State Party, a framework, including one or more independent mechanisms, to promote, protect and monitor implementation of the present Convention. »

a) In Europe five members jointly form The EU Framework: the European Parliament, the European Ombudsman, the EU Agency for Fundamental Rights, the European Disability Forum and the Commission. The EU Framework held its first meeting in January 2013, followed by meetings in May 2013 and February 2014. Given the specificity of the EU legal order, the EU Framework’s mandate covers only areas of EU competence and complements the national frameworks and independent mechanisms which bear the main responsibility in the Member States. The EU Framework carries out CRPD promotion, protection and monitoring with respect to EU legislation and policy and implementation of the CRPD by EU institutions and bodies. In matters of EU competence, both the national frameworks and the EU framework play a role and are complementary. EDF, independently, performs systematic monitoring of the EU’s implementation of the Convention through law and policies, including by examining new legislative proposals, estimation of progress, stagnation or retrogression in the enjoyment of rights over a certain period of time.

b) In Belgium the Belgian Centre of Equal Opportunities was designated in July 2011 as independent mechanism. We have no information on its composition, we know only that it took some time to install this mechanism and its accompanying Committee, it has started to execute its missions passively and reacts only when it is asked for an advice by a minister or an authority, consequently it is not proactive.

c) In Croatia the Disability Ombudsman and the Committee for persons with Disabilities are in charge of monitoring the implementation of the CRPD and for making recommendations to the Croatian Parliament and Government. The Committee has 24 members: 11 are representatives of state bodies, 11 of national unions of persons with disabilities, and two of scientific institutions. Although the Committee has met several times in September and December 2013 and in March 2014, the results do not truly meet the expectations of the associations of persons with disabilities.

d) In France the Committee for monitoring the implementation of the CRPD makes recommendations to the Government. It comprises:

- the Defender of Rights (an independant Ombudsman in charge of defending certain rights), which presides over it;

- the President of the National Advisory Council for Persons with Disabilities, an organism that gives an opinion prior to the publication of any act or regulation concerning disabilities, or on any other issue submitted to it by the Government. This Council consists of 70 members who represent associations of persons with disabilities (the majority), trade unions, local authorities (municipalities, departments, and regions), social protection agencies, managers of specialised institutions, researchers. It meets once a month. A council commission is specifically in charge of monitoring the implementation of the CRPD;

- The general Secretary of the Interministerial Committee on disability;

- The General Secretary of the National Advisory Council on Human Rights;

- An organization designated by the associations of persons with disabilities to represent them.

The monitoring committee has met three times since July 2013 and its results are not yet really visible.

e) In Hungary coordination of measures to ensure the implementation of CRPD belongs to the National Disability Council, presided by the Minister of State for Social and Family Affairs, a co-President is elected by and from among the 14 disability organisation members. There is continuous monitoring of the implementation of the CRPD by the civilian side: a good example for this is the « Civil Caucus » set up by organizations of persons with disabilities especially for this purpose.

f) In Italy the National Observatory on the Conditions of Persons with Disabilities, in conjunction with the Interministerial Human Rights Committee assures the implementation of the CRPD. In 2013, the Italian Government adopted the biennial action plan for the promotion of the rights and the integration of persons with disabilities, aimed at contributing to the achievement of the general objectives of the European Disability Strategy 2010-2020 and the UN CRPD.

g) In Malta the National Commission for Persons with a Disability, specifically its Disabled Persons Advisory Committee, is the independent mechanism in charge of monitoring the implementation of the CRPD.

h) In Montenegro this task is assured by the Ministry of Labour and Social Welfare.

i) The Dutch Institute for Human Right is competent for this question in the Netherlands.

j) In Slovenia the Government is responsible for insuring that the CRPD is implemented, with the Human Rights Ombudsman.

k) In Spain the focal points and the Spanish Committee of Representatives of persons with Disabilities are monitoring the implementation of CRPD.

l) In Switzerland an independent human rights institution does not exist, but such a project is planned for 2015. The umbrella organization of associations for people with a disability must monitor and promote the implementation of the CRPD.

m) In the UK the National Human Rights Commissions monitor progress being made by the government of Britain in implementing the Convention. They provide advice and information to disabled people and to public authorities and try to mainstream the Convention into their work, for example when enforcing the law or influencing government policy.

n) In Bulgaria and Serbia no committee for monitoring the implementation of the CRPD exists.

Generally speaking on this point we really regret that when establishing mechanisms to monitor the implementation of CRPD, States do not take sufficiently into account the principles relating to the status and functioning of national institutions for protection and promotion of human rights as requested by article 33 of the Convention.

### 5 - PROTECTION OF THE RIGHTS INCLUDED IN THE CRPD

In accordance with article 33 of CRPD, an independent mechanism has to protect the rights included in the CRPD.

a) In Europe the protection of individuals against breaches of the Convention by the Member States when implementing EU law, is primarily a matter for the national frameworks and courts. The EU framework’s role in the protection of individual rights is complementary to the national frameworks.

- Any citizen of the EU and any person residing in a Member State has the right to address a petition to the European Parliament on a matter which comes within the Union’s fields of activity and which affects him directly.

- But the monitoring of alleged breaches of the Convention in the form of maladministration in the activities of the EU institutions is primarily the task of the European Ombudsman who can hear and investigate complaints raising issues of law and good administration, undertake ex officio investigations and produce reports. The ombudsman is independent of all the other EU institutions and of any government, institution, body or office.

- EDF receives information and complaints from persons with disabilities about their individual experiences and brings these to the attention of the relevant administrations and the general public. It can also write third party interventions to a number of national and European courts.

b) In Croatia the protection of the rights included in the CRPD can be called upon at any trial before the judicial or administrative courts and tribunals. If a case is referred to the Disability Ombudsman he makes recommendations to the parliament or government which may be published in the Official Gazette. The Ombudsman may also intervene before a court to give an opinion on the points of law referred to during the process.

c) In France the situation is exactly the same as in Croatia, the Disability Ombudsman being the Defender of Rights. If they are entitled by their status, associations can act on behalf or with a disabled person before a civil, penal or administrative tribunal. In general, courts do not give sufficient importance to the CRPD, which is not considered as a text whose scope prevails over French laws. The French Council of State has thus refused to apply the Convention, maintaining that, for the point in reference, it was not sufficiently precise.

d) In Hungary if anyone suffers from any unlawful disadvantage due to his or her disability, he or she is entitled to all the governing rights valid for the violation of individual rights. The parliamentary commissioner of citizen rights protects the rights of the most vulnerable social groups.

e) In Italy:

- all public administrations called for the protection of the rights of persons with disabilities in political and administrative actions. When dealing with any form of discrimination from a single person or a public administration, anyone can file a case in the civil courts to obtain the adoption of any necessary measures to remove the effects of that discrimination. Non execution of the judge's orders can imply imprisonment for up to three years.

- Italy has not appointed a national Ombudsman, but regional and local ombudsmen are in charge of the protection of the rights of persons with disabilities. Regional Ombudsmen can even bring a civil action in criminal proceedings for crimes against persons with disabilities.

- Associations entitled to protect the rights of persons with disabilities can legally act on behalf of the disabled persons after delegation of the party concerned, in the case of collective discrimination such associations are empowered to act without delegation.

f) In Serbia the CRPD can be called upon at any trial before the judicial or administrative courts and tribunals however there have nat yet been any cases involving the CRPD.

g) In Spain public authorities in general ensure the protection of the rights of each citizen, each one is responsible within its remit.

### 6 - PROMOTION OF THE CONVENTION

For correct implementation of the CRPD States have to make sure it is well known by persons with disabilities, public authorities, civil society etc. Its promotion is essential.

a) In Europe:

- the Commission promotes the Convention by encouraging mutual learning and exchange of good practices through events and stakeholder involvement, issuing reports, organising training and disseminating information. The Commission also provides financial support to civil society organisations that promote and raise awareness of the CRPD.

- The European Ombudsman carries out promotional activities under the Convention, for example issuing an annual activity report with a dedicated section on disability and disseminating information via its network.

- EDF promotes the Convention through awareness-raising campaigns and media activities, reports, the organisation of hearings in European institutions and events, training, networking activities and the dissemination of relevant information to its European and national member organisations in order to improve their technical knowledge and advocacy capacity, and stakeholder involvement. Other strategic promotional activities are the scrutiny of EU legislation and policies for compliance and giving technical advice to public authorities on the application of the Convention.

b) In Belgium currently no government (regional or federal) has begun a large public promotion campaign around the CRPD. Only some small-scale initiatives to inform were taken, for example a brochure and information on the website of the independent mechanism.

c) In Bulgaria the Government, Parliament, the Ministry of labour and Social policy and organisations of persons with disabilities have published on their websites the Convention, translated into Bulgarian. They organize conferences and seminars concerning all articles of the CRPD and their implementation. Finally, some private TV channels broadcast special discussions with representatives of the Government or representatives of organisations of people with disabilities.

d) Several structures are assigned to promote the CRPD in Croatia:

- Each Ministry, government administration and local authority must promote the CRPD, although they often lack specific knowledge on how to do so effectively towards the general public;

- The Ombudsman for Persons with disabilities is one of the strongest promotors of the Convention;

- Civil society organizations, primarily associations of persons with disabilities promote the CRPD among their members and towards the general public by organising round tables, panel discussions and conferences, distributing brochures, leaflets and articles, and through regular contacts with other relevant stakeholders and professional organisations.

e) In France:

- public authorities must promote the CRPD but they themselves do not know enough about it to promote it to the general public ;

- the « defender of rights » is represented locally in each French department (95 in metropolitan France) and must thus promote the CRPD, however its services and delegates are still insufficiently familiar with it ;

- ultimately the associations of persons with disabilities themselves have to promote the Convention and they are gradually starting slowly to do so.

f) In Malta seminars, including radio and television programmes are organised in collaboration with the National Commission of Persons with a Disability, who strives to ensure positive representation of disabled people in the media to raise awareness and combat discrimination.

g) In the Netherlands, the umbrella organisation for persons with disabilities promotes the CRPD with the Coalition for Inclusion, an informal network of self-advocates, professionals and a number of associations. Together with a few other national organisations of persons with intellectual disabilities and with psychosocial problems, they collaborate in the so-called Alliance for the Implementation of the CRPD.

h) In Slovenia promotion of the CRPD is carried out by different national or local entities: the Government press office, the Council of Persons with Disabilities, all state authorities, disability organisations, public institutions, National radio and TV, the Slovenian Press Agency, public institutions in the field of education and health, other media.

i) In Spain there are a number of training initiatives going on in civil society but they are not being run in an organised or planned fashion, there is a lack of awareness-raising campaigns.

j) In the UK the government’s Office for Disability Issues and the Equality and Human Rights Commission have done some promotional work through meetings and workshops. The UK Disabled People’s Council set up a website on which member organisations and disabled individuals could submit comments on the implementation of the CRPD and this helped raised awareness of the Convention. Many other organisations have done at least something to promote the Convention, if only via their websites or factsheets.

### 7 - ROLE OF ASSOCIATIONS OF BLIND OR VISUALLY IMPAIRED PERSONS

Article 33 third paragraph of the convention says : “civil society, in particular persons with disabilities and their representative organizations, shall be involved and participate fully in the monitoring process.”

In Europe associations of blind or visually impaired Persons are closely associated with EDF as members of EBU and as members of their national umbrella organisation of persons with disabilities. They play an active role in the monitoring of the implementation of the CRPD. In all European countries, these associations try to put forward specific items or problems regarding blind or partially sighted people.

In almost all European countries, associations for blind and visually impaired people are members of National Councils of Persons with Disabilities and umbrella organisations of such associations. Even in meetings the focus lies mainly on the general principles of the Convention and persons with disabilities in general and our associations, if necessary, try to put forward specific items or problems regarding blind and partially sighted people.

### 8 - ADDITIONAL RESOURCES MADE AVAILABLE FOR THE IMPLEMENTATION OF THE CRPD

Except in a very few number of countries, no additional resources have been made available for the implementation of the CRPD.

a) In Belgium the different governments came to an agreement about the partition of the costs of the independent mechanism.

b) In Croatia certain public funds are designated through call for tender on the implementation of projects that have the objective of promoting the implementation of the CRPD.

c) In France only a single officer position has been created at the Defender of Rights, the holder of this position is specially appointed to deal with any question concerning the CRPD.

d) In Italy the Observatory was financed with 500.000 euros for three years and was given a staff of about ten persons.

e) In Malta a budget was allocated to set up the Focal Point Office, two persons are employed with the National Council of Disability, and another three at the Focal Point Office.

### 9 - CRPD IMPLEMENTATION MONITORING REPORT AND SHADOW REPORT

Depending on the date on which the country ratified the CRPD, it is required to submit, two years after ratification, a report to the UN Committee on the Rights of Persons with Disabilities. Some countries have alredy produced this report, others are still preparing it.

The associations of persons with disabilities must present a so-called shadow report.

a) For Europe the Commission prepared the initial report on June 5th 2014. The shadow report is now finalized by EDF.

b) Belgium submitted its report in July 2011, in February 2014 the Belgian Disability Forum published and sent its alternative report to the Committee of Experts or the UN. This shadow report is the result of a wide collaboration, no less than 18 representative organizations of the disabled people and four federal and regional advice councils worked together to produce the 270-page report. This alternative report constitutes an ideal complement to the official report.

c) In Bulgaria the first biennial report is under preparation.

d) Croatia delivered its initial report in October 2011, about four years after ratification. The associations of persons with disabilities were involved in drafting the shadow report in 2011, in cooperation with the Ombudsman for persons with disabilities; they are currently drafting the shadow report with a release date in 2014.

e) France should have submitted its initial report in February 2012, but has yet to do so which means it is more than two years late. Recently the Government assured us that this report will be provided in the spring 2015. Given these conditions the associations of persons with disabilities cannot write the shadow report before seeing the report presented by the Government. Nevertheless, they have started to prepare the data and information and they are considering presenting the shadow report before the official report if it is not published very soon.

f) The official report of Germany was presented and will be discussed by UN authorities in 2015. Idem for the shadow report.

g) The detailed country report for Hungary was submitted in October 2010 meeting the official deadline. The Hungarian Disability Caucus, which is a non-hierarchical collaborative network of Disabled Peoples Organizations, created and submitted the shadow report in June 2011. Ten organisations took part in the preparation of the alternative report.

h) In November 2012 the Italian Government transmitted its first National report through the Inter-ministerial Human Rights Committee at the Ministry of Foreign Affairs. The associations and federations who are members of the Italian Disability Forum will draft the shadow report.

i) For Malta a state report, written by the National Focal Point Office will be presented in November 2014. The shadow report was drawn up by the National Council for Persons with Disabilities and presented in March 2013.

j) For Montenegro, although the country had the obligation to submit the initial report during 2011, this report was only prepared in December 2013 and adopted by the Government on their first meeting in 2014. Representatives of persons with disabilities did not participate in the process of preparing the report because the State decided to involve just 3 representatives from associations instead of 16, it was not enough for equal participation of all the NGO sector. The shadow report is in the draft phase, some of the associations have prepared a number of documents which will be used for drafting it.

k) Serbia submitted its report at the end of 2011, the shadow report was written by representatives of civil society a few days after. Meanwhile large parts of legislation are harmonised with CRPD, but the implementation of these laws is extremely unsatisfactory.

l) The Slovenian Government prepared its initial report in April 2014, it should be submitted to UN in the near future. The shadow report has not been presented yet.

m) Spain did the first report in 2010, the second will be submitted in 2014. The shadow report was drawn up by the Spanish Committee of representatives of Persons with Disabilities.

n) For Switzerland the first report is only expected in 2016, due to the very recent date of ratification.

o) In the UK, the first report will be published in late 2014 or early 2015. In May 2014, associations were working on the shadow report.

### CONCLUSIONS

At the end of this report, I would like to suggest some very brief recommendations:

1) France and Serbia insisted strongly on the fact that their Governments, courts and other authorities do not give sufficient importance to the CRPD, which is not considered as a text whose scope prevails over national laws. The situation is certainly the same in many countries, it is time to respect International Law and to oblige all States who have signed and ratified the CRPD to give at this text its full importance.

2) There is still not enough awareness of the CRPD and it is now urgent to promote it by all possible means and as often as possible. Member countries of EBU should prepare documents with this aim.

3) When designating or establishing a mechanism that meets the requirements of the Convention, State parties must take into account the principles relating to the status and functioning of national institutions that protect and promote human rights. These principles, adopted by the UN General Assembly in 1993 are known as the « Paris Principles. » According to this, such a mechanism must:

be independent of the Government,

be pluralistic in its roles and membership,

Have a mandate of collectively promoting, protecting and monitoring the implementation of all aspects of the Convention,

Have adequate powers of investigation with the capacity to hear complaints and transmit them to the competent authorities,

Be characterized by regular and effective functioning,

Be adequately funded and not subject to financial controls which might affect its independence,

Be accessible to the general public and particularly to persons with disabilities and their representative organizations.

These seven conditions are very important and must be controlled by our associations.

4) The countries which have ratified the Convention must fully respect it and take measures to ensure its application, especially respecting the rights of disabled people to present themselves and to protect their own rights.

5) Last but not least it is regrettable that due to lack of funding the UN Rights Commission takes too much time to respond to the State reports and shadow reports. This situation discourages States from taking all the required measures to submit the report in due time.

Thank you for your attention.

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