

**Statement on the request by the Office of the High Commissioner, 5 August 2010, based on Human Rights Council Resolution 13/11:**

**“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”**

Vienna, 30 September 2010

LIGHT FOR THE WORLD, a development organization based in Austria committed to the inclusion and participation of persons with disabilities in developing countries, gratefully acknowledges the continued engagement of the Office of the High Commissioner for Human Rights in seeking the views of civil society.

LIGHT FOR THE WORLD appreciates the active role Austria takes at the European and International level in promoting the rights of persons with disabilities in international cooperation. This engagement in various processes and fora (EU-Africa Strategy, UN General Assembly, UN Security Council, UN Commission for Social Development) was underlined in the speech of the Federal President of Austria at the High Level Forum on the Millennium Development Goals on 21 September 2010: “Furthermore, allow me to highlight the needs of people with disabilities who belong to the most vulnerable in general and in development processes in particular. It is my firm belief that we need to increase our attention to this group.”

LIGHT FOR THE WORLD acknowledges that the European Union has decided to ratify the UN Convention on the Rights of Persons with Disabilities (CRPD) and to include international cooperation as an area of competence in the implementation and monitoring of the European Commission’s initiatives in this area.

LIGHT FOR THE WORLD wants to raise concern in five areas. While the focus is on Austria and the European Commission as implementers of international cooperation, we consider the points made as relevant for all donors of bilateral and multilateral aid.

## **1. Legislation and Policy**

Austria has included the needs of persons with disabilities in the Federal Development Cooperation Act [Amendment 2003]. Article 1 (4) states that in all measures the needs of children and persons with disabilities have to be recognised in a meaningful way (4.)<sup>i</sup> This provision is not in line with the obligations of the CRPD. The legislative regulations at provincial level (*Länder*) do not refer to the CRPD.

The Austrian Development Cooperation (ADC) has issued a focus paper on disability and development in 2005, which was updated in 2008.<sup>ii</sup> The seven principles for the engagement of the ADC in including persons with disabilities are based on the Guidance Note of the European Commission which was published in 2004.

A large number of ADC policy and programming documents (including the most recent Three-Years Programme of the Austrian Development Policy 2009-2011<sup>iii</sup> and country programmes) do not or hardly include explicit provisions for the inclusion of persons with disabilities.

Both in Austria as well as at the European Commission initiatives in the field of international cooperation are implemented by different ministries, directorates and services. Additionally, actions in all political fields have an impact on policy coherence for development.

Accordingly, LIGHT FOR THE WORLD sees the need to

- Develop **legislative frameworks** on national and European levels, in line with the principles and provisions of the CRPD on international development.
- Formulate an **overarching disability and development policy** at national and European level to implement the CRPD in international cooperation as binding guidelines for all actors taking initiatives with influence on bilateral and multilateral aid.
- Include the rights of persons with disabilities in all relevant **policy and programming documents**

## **2. Participation**

LIGHT FOR THE WORLD observes that so far persons with disabilities and their representative organizations neither in Europe nor in partner countries have been invited systematically to participate in processes to formulate policies and development strategies which affect them.

In line with Article 32 (1) as well as the obligation enshrined in Article 4 (3) of the CRPD, LIGHT FOR THE WORLD consequently stresses the need to implement Article 7 of the resolution 64/131 (December 2009) in which the UN General Assembly

- “Emphasizes the importance of the **participation of persons with disabilities at all levels of policymaking and development**, which is critical to informing policymakers on the situation of persons with disabilities, the barriers they may face and ways to overcome obstacles to the full and equal enjoyment of their rights, to the achievement of the Millennium Development

Goals for all, including persons with disabilities, and to their socio-economic advancement;”

Furthermore, LIGHT FOR THE WORLD recommends that monitoring structures under Article 33 of the CRPD include both persons with disabilities and their representative organizations, and organizations with expertise on international cooperation and the rights of persons with disabilities.

LIGHT FOR THE WORLD emphasizes the **need to support Disabled People Organizations** to build their capacity to participate meaningfully in all levels of policymaking and development.

### **3. Accessibility**

LIGHT FOR THE WORLD appreciates the present support of the ADC and the European Commission to projects specifically addressing persons with disabilities in international cooperation.

It is recognized, though, that this support does not provide access for persons with disabilities to an overwhelming majority of initiatives supported in all sectors of international cooperation.

Accordingly, LIGHT FOR THE WORLD asks for

- Measures to ensure that **all initiatives** of the ADC and the European Commission’s development work **are inclusive of and accessible to persons with disabilities** in line with Art. 32 (1)(a) of the CRPD to avoid maintaining and/or creating new barriers and the respective articles in the resolution 64/131 of the UN General Assembly.
- Provisions to be made for the adaptation of all European Union structures outside of the European Union (embassies and delegations) to ensure their accessibility.

### **4. Data**

LIGHT FOR THE WORLD is concerned that the lack of disaggregated data and information on persons with disabilities and their living conditions in partner countries leads to invisibility in planning, monitoring and evaluation mechanisms.

LIGHT FOR THE WORLD recommends for the programming and implementation of international cooperation initiatives to

- Systematically **collect disaggregated data** on persons with disabilities, accessibility and inclusion measures within the planning, monitoring and evaluation mechanisms.

### **5. Supporting the implementation of the CRPD in partner countries**

Many partner countries of the Austrian and European Development Cooperation have ratified the CRPD. So far, the support provided by Austria and the European Commission to the partner countries in implementing the CRPD at national level has been limited.

LIGHT FOR THE WORLD requests to

- Include the CRPD and its implementation in the **political dialogue with partner countries**, especially on Good Governance and Human Rights.
- Support the partner countries in setting up **independent monitoring mechanisms** as stipulated in Article 33 of the CRPD.
- Include the CRPD and the situation of persons with disabilities in **country analyses** undertaken and national planning frameworks.
- Support **research**, access to **inclusive technologies** and **exchange of good practice**.
- Invest in **knowledge building and awareness raising of own staff** working in international cooperation.

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<sup>i</sup> [http://www.bmeia.gv.at/fileadmin/user\\_upload/bmeia/media/2-Aussenpolitik\\_Zentrale/EZA/286\\_eza\\_g\\_novelle.pdf](http://www.bmeia.gv.at/fileadmin/user_upload/bmeia/media/2-Aussenpolitik_Zentrale/EZA/286_eza_g_novelle.pdf).

<sup>ii</sup> [http://www.entwicklung.at/uploads/media/Fokus\\_Behinderung\\_Nov08\\_02.pdf](http://www.entwicklung.at/uploads/media/Fokus_Behinderung_Nov08_02.pdf)

<sup>iii</sup> [http://www.entwicklung.at/uploads/media/3-Jahresprogramm\\_2009-2011\\_final\\_Web\\_03.pdf](http://www.entwicklung.at/uploads/media/3-Jahresprogramm_2009-2011_final_Web_03.pdf).