

Frequently Asked Questions on the human rights indicators on the Convention on the Rights of Persons with Disabilities (CRPD)



**UNITED NATIONS
HUMAN RIGHTS**
OFFICE OF THE HIGH COMMISSIONER

Acknowledgements

The Office of the United Nations High Commissioner for Human Rights (OHCHR) wishes to acknowledge the invaluable contributions made by organizations and individuals to the development of the Human Rights Indicators on the CRPD, namely: representatives from national government disability focal points, National Statistics Offices, National Human Rights Institutions, United Nations entities and experts, organizations of persons with disabilities and other civil society organizations. In particular, a special thanks to the first Special Rapporteur on the Rights of Persons with Disabilities, Catalina Devandas Aguilar; the Special Envoy of the Secretary-General on Disability and Accessibility, Maria Soledad Cisternas Reyes; the Committee on the Rights of Persons with Disabilities; Silvana Queija and United Nations Volunteers, Lucia Alvarez, Laura González Rozo, Nahuel Martino and Luisa Merchán.

ADVANCE VERSION

© 2020 United Nations

The *Human Rights Indicators on the Convention on the Rights of Persons with Disabilities (CRPD)* are a component of the [SDG-CRPD Resource Package](#) developed by the Office of the United Nations High Commissioner for Human Rights (OHCHR). This is an advance version of the SDG-CRPD Resource Package. A final version will be issued upon completion of OHCHR review processes.

The designations employed and the presentation of the material herein do not imply the expression of any opinion whatsoever on the part of the Secretariat of the United Nations concerning the legal status of any country, territory, city or area, or of its authorities, or concerning the delimitation of its frontiers or boundaries.

Symbols of United Nations documents are composed of capital letters combined with figures. Mention of such a figure indicates a reference to a United Nations document.

The *Human Rights Indicators on the CRPD* were produced with the financial support of the European Union. Its contents are the sole responsibility of OHCHR and do not necessarily reflect the views of the European Union.



Contents

1.	What are indicators? Why have indicators on human rights?	4
2.	What is the OHCHR methodology for developing human rights indicators?	4
3.	What do indicators help to assess? What are their limits and how is it possible to overcome these limits?.....	6
4.	Who should use these indicators?	7
5.	How can the indicators be used in reporting processes to human rights treaty bodies and other processes to review CRPD compliance?.....	8
6.	How do CRPD human rights indicators address cross-cutting issues?	8
7.	Do human rights indicators take into account the indicators of the Sustainable Development Goals?	9
8.	Can the indicators be used for monitoring of the SDGs?	10
9.	Where can the data be found to populate the indicators?	10
10.	What if the data does not exist?	10
11.	Why are data collection and disaggregation by “disability” key for the indicators? ...	11
12.	Do the indicators require data collection and disaggregation by grounds other than “disability”?.....	11
13.	Do the indicators provide guidance on data collection and disaggregation methods?	12
14.	The structural indicators commonly refer to the adoption of a strategy, policy or plan inclusive of persons with disabilities; what are the main elements to consider in assessing whether this indicator is met?	13
15.	What does it mean when the indicators refer to a “mainstream” policy/program and a “disability-specific” policy/program?	13
16.	Do indicators assess compliance with the obligation to closely consult with and actively involve persons with disabilities in the design and implementation of legislation and policies that concern them?	14
17.	Do Indicators apply to “all levels and branches of governments”?	14
18.	How to interpret the indicator on “number and proportion of complaints”?.....	15

1. What are indicators? Why have indicators on human rights?

An indicator is a thing that gives information about a state or level. It is often based on some form of quantification or qualitative categorisation and provides an *indication* of prevailing circumstances at a given place and a given point.

A human rights indicator is defined as specific information on the state or condition of an object, event, activity or outcome that can be related to human rights norms and standards; that addresses and reflects human rights principles and concerns; and that can be used to assess and monitor the promotion and implementation of human rights.

Human rights indicators enhance human rights implementation and measurement by:

- highlighting practical content of norms;
- measuring progress;
- bringing transparency and accountability; and
- strengthening follow up on recommendations.

2. What is the OHCHR methodology for developing human rights indicators?

The primary objective of the human rights indicators on the Convention on the Rights of Persons with Disabilities (CRPD) is to guide States on actions and measures to be taken in implementing this Convention and facilitating assessment of this progress. It also serves as a tool for other stakeholders (NHRIs, civil society, international cooperation agencies, donors, etc.) to monitor the State's progress in implementation.

As such, OHCHR's human rights indicators seek to measure the **commitments** and **efforts** by States to meet their human rights obligations, as well as the **results** in ensuring the enjoyment of human rights.

OHCHR's methodology for human rights indicators is based on international human rights standards as enshrined in the core human rights treaties as well as developed through general comments of UN treaty bodies. The methodology recognises the interdependence and indivisibility of civil, cultural, economic, political and social rights and reflects cross-cutting human rights norms, such as non-discrimination and equality, participation and accountability. It identifies universally applicable indicators, both qualitative and quantitative, which can be further adapted to specific local contexts.

The indicators do not intend to serve as a global measure for cross-country comparison.

Development of human rights indicators:

OHCHR's methodology requires a two-step approach:

- 1) identifying the **attributes** of the human right; and
- 2) developing **structural, process and outcome indicators**.

1) Attributes of a human right

The attributes are the core elements of a right.

By nature, human rights are interdependent and interlinked- standards overlap across rights. It is important to transcribe the narrative of a human right into a limited number of characteristics or attributes of that right, which are ideally mutually exclusive. As such, the attributes provide a snapshot of the specific right which distinguish it from other rights.

Identifying attributes entails providing a clear and more “tangible” categorization of the right which facilitates the development of indicators corresponding to the different facets of the right. In this way, the link is made between the normative framework and the indicators.

For instance, the attributes identified for Article 24 of the CRPD on inclusive education cover all dimensions of the right and serve to better categorise and develop indicators:

- Inclusive education system
- Quality and free primary and secondary education
- Access to tertiary, vocational training and lifelong learning
- Inclusive teaching

2) Structural, process and outcome indicators

*Structural indicators measure the acceptance, intent and **commitment** to human rights.*

They reflect enactment of legal instruments and the adoption of policies for the implementation of human rights.

E.g. Legislation enacted that ensures inclusive education for all students, including students with disabilities in public and private settings across all levels of education (Indicator 24.1)

*Process indicators measure **efforts** to transform commitments into desired results.*

These indicators assess policies and measures taken to implement commitments on the ground.

E.g. Proportion of schools with access to... (d) adapted infrastructure and materials for students with disabilities (indicator 24.11)

Budget allocated to ensure the right of persons with disabilities to inclusive education in mainstream settings, as compared to budget allocated to segregated/separated education settings, whether in mainstream or special schools. (Indicator 24.24)

Outcome indicators measure the **results** of efforts to further human rights.

Outcome indicators capture results that reflect the level of enjoyment of human rights in a given context. Over time, an outcome indicator consolidates the impact of the efforts and measures taken to implement commitments.

E.g. Rates of persons with disabilities relating to children with disabilities out of school, rate of enrolment, attendance, promotion by grade, completion, and drop out in mainstream primary, secondary, tertiary educational institutions, vocational training, lifelong learning courses, as compared to others, disaggregated by sex, age, disability, minority or indigenous background, grade and level of education. (indicator 24.27)

For more information on OHCHR’s methodology on human rights indicators, please consult [Human Rights Indicators: A Guide to Measurement and Implementation, 2012](#) (including examples of tables of human rights indicators from pages 88 to 101. These indicators are not specific to the CRPD).

3. What do indicators help to assess? What are their limits and how is it possible to overcome these limits?

Human rights indicators are a tool for tracking progress in the realisation of rights and can contribute to identifying gaps in implementation. They provide prescriptive guidance on the core elements of the right and how to ensure their implementation. While they must be sufficiently comprehensive to appropriately reflect the rights standards, they must also be limited in number to ensure feasibility and usability by States and stakeholders.

Indicators are meant to provide an *indication* on the implementation of a particular right and identify gaps in implementation.

Gathering data at a given moment will not on its own provide an indication of progress of implementation. Many of the indicators will require ongoing monitoring and collection of data over time to track progress. That said, numbers and their movement over time may not always serve to accurately identify progress. Indicators should not be used in fragments or in isolation, and have more meaning when looked at holistically. Further, the use of indicators and other monitoring tools are complementary and necessary to better assess and understand the overall picture of implementation.

For example, where an indicator refers to the “proportion of received complaints [concerning a right or topic] that have been investigated and adjudicated” related to a right, these numbers and the proportion (whether low or high) cannot alone indicate progress or gaps in the implementation of that right. A low number of complaints does not necessarily reflect respect for rights, just as a higher number does not reflect a higher incidence of rights violations.

Information provided through other indicators and other monitoring tools may reveal that complaints mechanisms are not accessible, or that they are not functioning nor reliable, or that persons with disabilities are not aware of their rights, or all of the above. Further analysis and information will be required through the use of other indicators and other monitoring tools to better understand implementation and their gaps (see [FAQ 18](#)).

Human rights indicators are *one* kind of monitoring tool- they can be very useful in measuring certain aspects of implementation, yet they have their limits. They cannot and should not be used on their own to reflect a comprehensive overview of CRPD implementation. They should be used in conjunction with other monitoring tools and methodologies such as interviews and focus groups, gathering of case studies, academic and participatory research, among others.

4. Who should use these indicators?

The primary objective of indicators is to guide States on actions and measures to be taken in implementing the CRPD and facilitating assessment of this progress. Law-, policy- and other decision-makers across all levels of government can benefit from these indicators to know what kind of steps should be taken to transform the legal, policy and budgetary framework, as well as to know what specific measures need to be taken to appropriately implement that framework in compliance with the CRPD.

The indicators also serve as a tool for any organisation or body to assess a State's implementation under a given right. As such, it may provide guidance to stakeholders such as National Human Rights Institutions, civil society including organisations of persons with disabilities, international cooperation agencies, UN agencies, donors, etc. on monitoring the State's progress and to hold the State accountable under the CRPD. It can also serve human rights monitoring mechanisms in assessing progress in implementing the rights of persons with disabilities.

While the indicators are proposed as guidance material for all countries, when incorporating them in their practice, States and other public authorities should undertake a process of **contextualisation** of the indicators to facilitate and specify their use at the local level (e.g. by referring to ongoing public policies and programmes, targeted population groups, etc). Indicators should be adapted and tailored to the context.

E.g. disaggregation by indigenous background might not be relevant in countries where there are no groups self-identifying themselves as indigenous. The contextualisation process is also the occasion for the determination of **acceptable methodologies for data collection** (see [FAQs 9 to 13](#)) and the **frequency of measurement** for each indicator.

For more on putting indicators into context, please consult OHCHR, [Human Rights Indicators: A Guide to Measurement and Implementation, 2012](#), pages 44, 85-87.

5. How can the indicators be used in reporting processes to human rights treaty bodies and other processes to review CRPD compliance?

Indicators have frequently been promoted for use in monitoring mechanisms such as in country reviews conducted by the UN treaty bodies, the Universal Periodic Review (UPR) of the Human Rights Council, etc., and have figured in recommendations by these bodies to States parties.

Given that the indicators are based on international human right standards as set out primarily in the CRPD and by the jurisprudence of the CRPD Committee (including General comments, views on communications and recommendations arising out of country reviews), they provide an overview of the measures and actions which will be examined by the Committee to assess progress in implementation on a given right or provision.

The CRPD Committee was consulted in the process of developing these human rights indicators and has expressed its willingness to adopt these indicators in the context of country reviews to help guide States in their reporting obligations. The indicators thus serve as tools to guide States in their reporting obligations, to identify the information and data necessary to demonstrate compliance with the CRPD's obligations.

Other treaty bodies and monitoring mechanisms can also make use of these indicators where their mandates encompass the rights of persons with disabilities. In this vein, the indicators aim to converge understanding and align interpretations in conformity with that of the CRPD Committee and to strengthen implementation of the rights of persons with disabilities in line with the CRPD.

6. How do CRPD human rights indicators address cross-cutting issues?

Human rights are intrinsically interrelated and interdependent. For example, while equality and non-discrimination are enshrined in Article 5, they necessarily cut across all CRPD provisions. Article 6 on women and girls with disabilities traverses all CRPD rights, as does Article 4(3) on the obligation to closely consult with and actively involve persons with disabilities, including children with disabilities, through their representative organizations. This interrelation and overlap serves to strengthen implementation by recalling to States their obligations across several CRPD provisions. At the same time, this poses as a challenge when it comes to ensuring succinctness of the human rights indicators and adherence to OHCHR's methodology which prescribes attributes to be mutually exclusive.

Given the CRPD's unique design, this challenge is magnified. As one of the youngest human rights instruments, it benefited from the lessons of previously adopted human rights treaties to build in provisions to strengthen implementation. As such, the CRPD incorporates provisions into its text which do not commonly figure in human rights instruments (there are exceptions, for example, Articles 23(4) and 28(3) of the Convention on the Rights of the Child on

international cooperation; the Optional Protocol to the Convention against Torture on national preventive mechanisms), such as Article 8 on awareness-raising, Article 31 on data collection and disaggregation, Article 32 on international cooperation and Article 33 on national implementation and monitoring. While these implementing measures greatly impact upon upholding human rights, they are not human rights themselves. Thus, applying human rights indicators to these provisions cannot always be done in accordance with OHCHR's methodology which primarily targets and measures the enjoyment of a particular right. In these cases, the indicators are focused on the specific implementing measure and its core elements, as set out in the attributes.

Overall, efforts have been made to strike a balance between incorporating cross-cutting rights and implementing measures into each indicator table while still keeping the focus on the core aspects of each article. However, in order to achieve this balance it has not always been possible to include all cross-cutting concerns within each indicator table and efforts were made to prevent overlap amongst the indicator tables to ensure their usability and practicality. This is not an exact science and it is advised that the indicators be used holistically and in conjunction with other monitoring tools.

7. Do human rights indicators take into account the indicators of the Sustainable Development Goals?

Yes, SDG indicators have been incorporated into the human rights indicator tables, where relevant. Where they have been incorporated, this is indicated in parentheses following the indicator. For instance, under Article 5 of the CRPD (Equality and non-discrimination), many SDG indicators have been included as outcome indicators to capture the enjoyment of the right to equality and non-discrimination by persons with disabilities.

Most SDG indicators do not have a particular focus on persons with disabilities and on many occasions in the present indicators, the SDG indicators have been expanded to make them more appropriate for reporting and monitoring on implementation of the rights of persons with disabilities under the CRPD. For example, an SDG indicator may call for data disaggregation by sex and age and not by disability. In such cases, "disaggregation by disability" has been added to the SDG indicator (see [FAQ 11](#) and [12](#)).

This also reflects the general commitment under SDG 17.18 to significantly increase the availability of high-quality, timely and reliable data disaggregated by several characteristics including disability. As States take on this commitment and expand their disaggregation, data and statistics on persons with disabilities will increasingly be made available.

A limited number of SDG indicators that have been incorporated into the human rights indicators may bear the wording "based on SDG indicator XXX". This signifies that the original text of the SDG indicator has been modified for broader analysis- for example, CRPD indicator 16.28 is based on SDG indicator 5.2.2. The original wording of 5.2.2 reads: "Proportion of women and girls aged 15 years and older subjected to sexual violence by persons other than an intimate partner in the previous 12 months, by age and place of occurrence". CRPD indicator 16.28 does not limit collecting data on the proportion of

women and girls subjected to sexual violence from ages 15 and up; it calls for collecting data regarding women and girls regardless of age, which in any case will be disaggregated by age as set out in the original SDG indicator.

8. Can the indicators be used for monitoring of the SDGs?

As stated in [FAQ 5](#), the indicators provide an avenue for States to assess and report on their progress in implementing the rights of persons with disabilities. This also applies to reporting within the framework of the Voluntary National Review at the High Level Political Forum and monitoring the progress of SDGs implementation in one's own national context.

The SDGs cannot be achieved if they are not inclusive of persons with disabilities. Nor can they be achieved if they do not promote and protect their human rights. The human rights indicators for the CRPD serve also as a guide on how the SDGs should be implemented for persons with disabilities. For example, Goal 5 on gender equality is achieved for women and girls with disabilities in accordance with Article 6 of the CRPD and other related articles. By incorporating the SDGs indicators in the CRPD human rights indicators, it becomes evident that gathering data on the SDGs also serves to assess implementation of the CRPD and vice versa. The two instruments are inextricably linked and efforts made for one necessarily serve efforts to implement the other.

9. Where can the data be found to populate the indicators?

In order to give guidance on how to populate the human rights indicators, a [Data Sources Guidance](#) has also been developed which provides concrete examples of existing data sources linked to the outcome indicators. It also identifies gaps in current data collection and disaggregation where further efforts are required (see [FAQ 10](#)). The *Data Sources Guidance* also provides an avenue for policymakers to link the Sustainable Development Goals and their corresponding targets and indicators to the relevant article(s) within the CRPD.

10. What if the data does not exist?

It is very likely that some of the data being asked for by the indicators is not available in many countries due to limited data collection and/or disaggregation. The [Data Sources Guidance](#) will help to highlight examples of existing data sources where information can be found to populate the outcome indicators. These data sources can also serve as models for countries working to improve their data collection on persons with disabilities.

Implementation of Article 31 of the CRPD and SDG 17.18, as well as measures responding to recommendations by treaty bodies calling for enhanced data collection and disaggregation by disability, should lead to the greater availability of data and statistics on persons with disabilities. The human rights indicators thus also serve as a demand and a call to States to progressively ensure this data collection and disaggregation and render persons with disabilities visible within statistics for evidence-based policymaking.

11. Why are data collection and disaggregation by “disability” key for the indicators?

Data collection and disaggregation “by disability” is key to identifying patterns of exclusion and discrimination of persons with disabilities, compared to other persons, and among different groups of persons with disabilities. This facilitates assessment and monitoring of the impact of measures and serves as an evidence base to reshape policy approaches.

As part of the 2030 Agenda, States explicitly pledged to leave no one behind and committed to more systematic data collection and disaggregation, including by disability, to help achieve and measure the goals (SDG 17.18). Similarly, Article 31 of the CRPD requires the collection of “...appropriate information, including statistical and research data, to enable them to formulate and implement policies to give effect to the present Convention”, and states that “[t]he information collected in accordance with this article shall be disaggregated, as appropriate...”

Throughout the table of indicators, **disaggregation “by disability” refers to the kind of impairment, in accordance with the CRPD and the CRPD Committee’s jurisprudence** (i.e. persons with physical disabilities, blind persons, deaf persons, deafblind persons, hard of hearing persons, persons with intellectual disabilities, persons with psychosocial disabilities, persons with autism, persons living with HIV, persons with chronic health conditions, etc.). Implicitly this encompasses “actual or perceived impairment” which refers to the person’s condition itself or the perception of it by others. An example would be the case of deprivation of liberty on the basis of “actual or perceived impairment”, owing to the fact that it is the person’s impairment or the perceived impairment that underlies the deprivation of liberty contrary to article 14 of the CRPD.

For simplicity and consistency with the SDGs, the term used when calling for disaggregation is “by disability”. States can and should take steps to disaggregate by kind of disability to know and better respond to the situation of different groups of persons with disabilities, and to live up to the commitment to reach the furthest behind first.

12. Do the indicators require data collection and disaggregation by grounds other than “disability”?

In addition to disability, most of the CRPD indicators require disaggregation by **age** and **sex**, which are always relevant to identify gaps, trends and disadvantages on those grounds. **Geographical location** is another ground that has been included in many indicators and can be used throughout indicators to identify disparities between urban and rural areas as well as across different regions (for more on the application of indicators across different levels and branches of government, see [FAQ 17](#)).

Disaggregation by other grounds can prove very helpful and important to identify situations of structural discrimination and gaps related to specific groups which should be addressed through policymaking. The selection of grounds relevant for disaggregation should be

determined in the process of contextualisation of the indicators at the national and local levels depending on their socio-cultural and historical background. For example, States with a historical background of racial discrimination should prioritise including disaggregation by **race**, while others might prioritise grounds such as **religious or political affiliation, language**, etc. based on their local contexts. The most typical grounds for disaggregation that should be considered are: sex, age, race, language, national, ethnic, indigenous or social origin, sexual orientation and gender identity, intersex variation, religious and political affiliation, migrant status, impairment groups, birth and health status, among others.

13. Do the indicators provide guidance on data collection and disaggregation methods?

No, the indicators do not aim at providing guidance on methods of data collection, however they do call for systematic data disaggregation “by disability” as required by the CRPD and CRPD Committee jurisprudence (see [FAQ 11](#)). As basic data required to report on many of the human rights indicators may still not be the object of data collection, the indicators serve to call for further developments to ensure that the data related to persons with disabilities is appropriately collected and disaggregated.

Disability-data collection methods and tools are a matter of current technical debate and development and disaggregation “by disability” may require different approaches, depending on the kind of information sought and the method deployed. These methodological issues are resolvable and require further discussion by relevant professionals designing tools for data collection, including statistical data and administrative data.

In this context, under Article 31 of the CRPD (Statistical and research data), the CRPD Committee has consistently recommended the use of the [Washington Group Short Set of Questions on Disability](#), which have been designed to be integrated into national censuses and household surveys. This data instrument has been widely tested by countries and is supported by the [CRPD Committee](#), UN agencies and other [organisations](#) as a tool ready for use today, to secure a baseline for comparison to measure the impact of the SDGs on persons with disabilities.

More broadly, OHCHR proposes a [Human Rights Based Approach to Data \(HRBAD\)](#) in order to ensure that the quality, relevance and use of data is consistent with international human rights norms. This approach focuses on several key principles to guide data collection and disaggregation, namely: participation, data disaggregation, self-identification, transparency, privacy and accountability. HRBAD should be incorporated into data collection and disaggregation efforts by States to facilitate CRPD implementation.

For more information, please consult the [Data Sources Guidance](#).

14. The structural indicators commonly refer to the adoption of a strategy, policy or plan inclusive of persons with disabilities; what are the main elements to consider in assessing whether this indicator is met?

Several structural indicators refer to national strategies, policies or plans that should be adopted as a key step for the implementation of a given article of the CRPD. In order to ensure effective strategies, policies or plans accessible to, and inclusive of persons with disabilities, they should be adopted in close consultation and with the active involvement of persons with disabilities (see [FAQ 16](#)), including through their representative organisations, and contain, as a minimum, the following elements:

- Clear lines of responsibility, measurable goals and timetable for implementation;
- Mechanisms for cross-ministerial cooperation;
- Allocated budget;
- Monitoring and enforceability mechanism, including effective remedies for non-compliance; and
- Criteria requiring physical and informational accessibility.

15. What does it mean when the indicators refer to a “mainstream” policy/program and a “disability-specific” policy/program?

Some indicators refer to “mainstream” policies (also “general” or “regular”, interchangeably) and “disability-specific policies” (or “targeting persons with disabilities”), reflecting the twin-track approach to disability which entails ensuring inclusion of the rights of persons with disabilities into broader or “mainstream” programmes or policies, and adopting specific policies and programmes which focus on persons with disabilities.

The first are the “mainstream” policies, where implementing the rights on persons with disabilities under the CRPD calls on ensuring that **general policies or measures do not discriminate but are inclusive of persons with disabilities**. For instance, under Article 24 of the CRPD, the education system has to be made inclusive. Thus, “mainstream” (“general” or “regular schools”) schools and their operations needs to respond to the needs of all students including students with disabilities among others.

The second are the “disability-specific” policies, where the CRPD may require **measures that target persons with disabilities**. This includes for instance, specific measures to achieve the facto equality for persons with disabilities under Article 5 of the CRPD, which seeks to reduce pervasive inequalities in the enjoyment of rights by persons with disabilities, as compared to others. Another example can be found under Article 28 on social protection and adequate standard of living, which requires that social protection schemes take into account and cover disability-related costs which only persons with disabilities incur.

16. Do indicators assess compliance with the obligation to closely consult with and actively involve persons with disabilities in the design and implementation of legislation and policies that concern them?

Yes. Article 4(3) of the CRPD provides that “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.**”

This obligation applies across the board to all indicators, notably structural indicators (commitment) and process indicators (efforts). Therefore, whenever an indicator refers to legislation enacted, national strategy adopted, resource or budget allocation (in budget legislation), awareness raising campaigns, or training provided on CRPD related issues, etc., **it is always implicit that this must be done in “close consultation with and with the active involvement of” persons with disabilities, in accordance with the guidance developed by the CRPD Committee in its General Comment no. 7 (2018).** This requires that the views of organisations of persons with disabilities are given priority¹ in decision making and reflected in the motivation of decisions adopted, notably of the group/constituency of persons with disabilities particularly affected by the measure under discussion.

In addition, where a process indicator states “[c]onsultation processes undertaken to ensure active involvement of persons with disabilities, including through their representative organizations, in the design, implementation and monitoring of laws, regulations, policies and programs, related to...”, this indicator requires verifying concrete activities including consultation meetings, technical briefings, online consultation surveys, calls for comments on draft legislations and policies, among other methods of participation. The outreach efforts undertaken must be included as they may determine whether the main rights holders are given priority and access to participate. For example, consultations limited to a national umbrella organisation can prevent other organisations who are not affiliated to the national umbrella group from participating and sharing their input. Assessing the level of satisfaction of persons with disabilities with respect to consultation processes and their outcomes will be instrumental to continuously improve practices.

17. Do Indicators apply to “all levels and branches of governments”?

Yes, for States Parties to the Convention, including regional integration organizations under Article 44 of the CRPD, the **CRPD’s obligations and standards are applicable and mandatory at all levels and branches of government within the scope of their competencies and in accordance with the constitutional and legal framework.**

¹ vis-à-vis other stakeholders, such as organizations *for* persons with disabilities or service provider led organizations.

When applying and adapting the proposed human rights indicators within a State, stakeholders need to consider the structure of the State and the distribution of competences among the different levels and branches of government. All levels and branches of government must implement the CRPD, in accordance with the State's constitutional and legal framework. Furthermore, the rights of persons with disabilities are a cross-cutting issue within legislation and policymaking, and thus are not limited to a level of government or a specific sector.

For federal States, Article 4(5) of the CRPD provides that “the provisions of the present Convention shall extend to all parts of federal states without any limitations or exceptions.” The federal structure of a State is therefore responsible for non-compliance at any level, and each federal unit (e.g. state/province) must comply with CRPD obligations and standards. For example, within a federal state, education may be regulated by both federal and state law. Federal and state law and the actions of federal and state units must comply with and enforce inclusive education as set out in the CRPD. Federal units are also implicated in country reviews and must be prepared to submit information and respond to the CRPD Committee on its implementation efforts and outcomes.

18. How to interpret the indicator on “number and proportion of complaints”?

Most tables of indicators include a process indicator on the “**Proportion** of received complaints [concerning a right or topic] that have been **investigated and adjudicated**; proportion of those found **in favour of the complainant**; and **proportion of the latter that have been complied with by the government and/or duty bearer**; each disaggregated by kind of mechanism”.

The specific context is key to interpreting the information collected for this indicator. For instance, an increase in the **number of complaints** related to a right does not necessarily mean that the general situation has become worse thereby resulting in an increase of violations. The number of complaints simply reflects that more complaints are being submitted. This could be due to increased awareness about one's rights or about the complaints mechanism, improved access to (and accessibility) of the mechanism, improved registration of complaints, improved data collection on complaints, etc. In all cases, the information captured by the indicator cannot alone unveil the economic, political, and social factors that determine access to complaint mechanisms and is limited to identifying a trend which calls for further inquiry. As such, the data collected through this indicator could complement case studies documented by complainants or by organisations of persons with disabilities gathering information directly from complainants, courts, NHRIs or other stakeholders.

For example, for each type of complaint mechanism (e.g. courts, complaints mechanism of the NHRI or equality body, etc.) in a given period, the indicator is limited to capturing the following data in order to give account of the proportions indicated:

Data required	Example
a) the number of complaints submitted on a particular right (“received complaints”);	100
b) the number of those that led to a decision/recommendation (“that have been investigated and adjudicated”)	50
c) the number out of (b) “found in favour of the complainant”	20
d) the number out of (c) that have been acted upon and complied by the government or duty bearer	10

Thus, reporting against the indicator would lead to the following:

1. “ Proportion of received complaints [concerning a right or topic] that have been investigated and adjudicated ;	50/100=50%
2. “proportion of those found in favour of the complainant ;	20/50=40%
3. “and proportion of the latter that have been complied with by the government and/or duty bearer ”	10/20=50%

Together with other factors such as the quality of complaints, each proportion might contribute to assess over time different aspects of the complaints mechanism. E.g. efficiency in the processing of complaints (1), trend in level of protection of rights (2), responsiveness of the government and/or duty bearer (effectiveness of the mechanism) (3).

Any further disaggregation would be valuable to better identify trends and gaps in protection (see as an example indicator 5.15 and its footnote). For instance, disaggregation by disability (type of disability) could help to identify different levels of awareness on and/or accessibility of complaint procedures amongst different groups of persons with disabilities. In the same vein, further disaggregation of categories related to procedural issues (e.g. decisions on admissibility or legal standing, etc.), could shed more light on the functioning of the mechanism and the technical quality of the complaints submitted.