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**Special Rapporteur on the rights
of persons with disabilities**

Office of the United Nations High
Commissioner for Human Rights
United Nations Office at Geneva,
8-14 Avenue de la Paix,
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Switzerland

SUBMISSION

**by the Kharkiv Regional Foundation “Public Alternative”, Public Union
“League of the Strong” on the participation of persons with disabilities in the
follow-up and review of the 2030 Agenda for Sustainable Development and
Post-2030 discussions**

This briefing is submitted in accordance with Art. 4.3 which enshrines the obligation upon State Parties to ensure the consultation and participation of persons with disabilities in all decision-making processes that concern them and Art.33.3 the monitoring of the implementation of the UN Convention on the Rights of Persons with Disabilities.

1. The subject of the submission

Kharkiv Regional Foundation “Public Alternative”¹ - is Ukrainian NGO, founded in 2005. The Foundation promotes values of inclusive democratic society in Ukraine and in the OSCE region. The mission of the organisation is to identify problems in the observance of human rights and discrimination and to suggest ways of solving them.

Public union "League of the Strong"² – is a coalition of NGOs that aims to unite public associations and activate people with disabilities to participate in the exercise of their rights and create new opportunities to improve the quality of their lives, ensure equal rights and opportunities, social protection, education, work and access to physical environment, transport, information and communication.

¹ KRF Public Alternative web-site <https://publicalternative.com.ua/>

² Public union "League of the Strong web-site <https://ls.org.ua/>

2. Information on the participation of persons with disabilities in the implementation of the 2030 Agenda for Sustainable Development in Ukraine

1. How persons with disabilities and their representative organizations are meaningfully consulted and their participation ensured during the follow-up and review processes of the 2030 Agenda at the regional, national and sub-national levels.

a. Is there a specific mechanism for follow-up and review of the implementation of the Sustainable Development Goals in the country? How are persons with disabilities included in this mechanism?

In Ukraine, the responsible body for achieving the Sustainable Development Goals (SDGs) is the Interagency Working Group on Ensuring the Achievement of the Sustainable Development Goals, which operates at the level of the government of Ukraine. This body coordinates the executive authorities in achieving the SDGs, develops state policy and mechanisms for its implementation, as well as legislative changes regarding the achievement of the SDGs.

Representatives of public organizations and scientific institutions (by agreement) may be included in the Interagency Working Group on Ensuring the Achievement of the SDGs.

As of the preparation of this note, no Ukrainian public organization or organization of persons with disabilities is involved in the work of the Interagency Working Group on Ensuring the Achievement of the SDGs.

The reporting mechanism for the results of the activities of the Interagency Working Group on Ensuring the Achievement of the SDGs is not defined by law, so it is generally difficult to evaluate the work and results of this body, especially the involvement of organizations of persons with disabilities and the consideration of the opinions of persons with disabilities.

2. The participation of persons with disabilities and their representative organizations in gathering data and producing Voluntary National Reviews or Voluntary Local Reviews. Please share good practices in this regard.

a. What steps are being taken to facilitate their participation? Are there any awareness-raising campaigns implemented to inform persons with disabilities of these processes?

Ukrainian human rights organizations and organizations of persons with disabilities consistently emphasize the need to involve persons with disabilities in the development of policies and decision-making based on the principle of "nothing about us without us." This position is reflected in shadow reports to the CRPD³, in

³ Shadow reports from the Coalition for the Protection of the Rights of Persons with Disabilities Due to Intellectual Impairments, the National Assembly of People with Disabilities of Ukraine, and Fight For Right

monitoring reports of human rights organizations⁴, as well as in the Situation Analysis on the Rights of Persons with Disabilities in Ukraine for UNDP in Ukraine (as of the preparation of this response, it has not yet been published).

Additionally, these issues are also in focus when preparing shadow reports for the upcoming CRPD session, which will take place at the end of August 2024. The issue of involving persons with disabilities and their organizations in the implementation of the CRPD will be specifically mentioned separately (as of the preparation of this response, the mentioned shadow reports have not been submitted to the CRPD)

b. Are there any platforms in place for persons with disabilities and their representative organizations to contribute to the reporting process? How are they accessible? Is there a reasonable accommodation fund in place to secure the participation of persons with disabilities?

At the civil society level in Ukraine, there are several major platforms aimed at advocating for and advancing the rights and interests of persons with disabilities, particularly focusing on ensuring their participation in policy development and decision-making. These include the Civic Association "League of the Strong" and the National Assembly of the Rights of Persons with Disabilities, as well as the Coalition for the Protection of the Rights of Persons with Disabilities due to Intellectual Impairments.

Ukraine does not have a specialized body or authorized official responsible for comprehensive and systematic monitoring of the full range of rights of persons with disabilities. The Ukrainian Parliament Commissioner for Human Rights exercises parliamentary control over the observance of human rights and freedoms, including the rights of persons with disabilities, within the scope of its activities such as the National Preventive Mechanism, equality of rights, social protection, etc. The results of monitoring activities are reflected in annual and special reports. However, these reports do not provide complete and comprehensive information on the situation and observance of the rights of persons with disabilities in Ukraine.

Additionally, there are several other authorized officials in the field of disability, but they are not national human rights institutions under the Paris Principles (Principles relating to the status of national institutions for the promotion and protection of human rights). Among them are:

- The Presidential Commissioner for the Rights of Persons with Disabilities (the position existed from 2014 to 2021).
- The Government Commissioner for the Rights of Persons with Disabilities.
- The Advisor-Commissioner of the President of Ukraine on Accessibility.

https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/SessionDetails1.aspx?SessionID=2691&Lang=en

⁴ Report from the Kharkiv Regional Organization "Public Alternative" and "League of the Strong" "The impact of the war in Ukraine on the rights of persons with disabilities" monitoring report (Kyiv 2023) https://ls.org.ua/wp-content/uploads/2023/11/Monitoring_Report_Eng.pdf

These authorized officials have monitoring functions but lack real powers to protect the rights of persons with disabilities and influence policies in this area.

The Council on Disability Affairs is a temporary advisory body of the Cabinet of Ministers of Ukraine. One of the Council's tasks is to monitor the implementation of tasks by executive authorities related to ensuring, protecting, and defending the rights of persons with disabilities.

Additionally, in 2021, the Accessibility Council was established as a temporary advisory body of the Cabinet of Ministers of Ukraine, aiming to create an accessible environment. Representatives of disability organizations officially entered the Council, including the Chernivtsi Association "Protection," the All-Ukrainian Association of Persons with Disabilities "Active Rehabilitation Group," the NGO "Struggle for Rights," and the PU "League of the Strong."

c. How are the views of persons with disabilities incorporated in these reports?

It is important to emphasize that the aforementioned bodies and officials do not produce reports or documentation regarding their activities, particularly regarding their monitoring functions. This lack of reporting gives grounds to conclude that these functions are not being carried out properly.

Furthermore, there is a lack of a developed and understandable methodology for involving persons with disabilities and their organizations in policy development and decision-making. This methodology could be applied and implemented into the relevant provisions of state authorities and local self-government. With such a methodology in place, the participation of persons with disabilities and their organizations in policy development and decision-making would be ongoing and systematic, leading to more qualitative policies and consideration of the rights and interests of persons with disabilities.

3. Is the data gathered for the follow-up and review of the 2030 Agenda for Sustainable Development being disaggregated by disability? If so, how is it accessible for persons with disabilities?

In Ukraine, the relative quality of data regarding persons with disabilities remains an issue, and it is not appropriate to speak of the availability of quality data as a proper achievement of the Convention on the Rights of Persons with Disabilities (CRPD) in Ukraine. This is because the problem is not within the focus of attention of the Interagency Working Group on Ensuring the Achievement of the CRPD, based on an analysis of the limited information available about the activities of this body

Ukraine operates a Central Disability Database, with the Ministry of Social Policy of Ukraine as its custodian. The users of this database include the Ministry of Health, the Ministry of Education, the Ministry for Veterans Affairs, the State Employment Service, among others. However, in practice, only the Ministry of Social Policy inputs information into this database. As a result, the Central Disability Database does not contain complete information to determine the needs of persons

with disabilities, including children. Only data regarding adults and children with recognized disabilities are considered. This situation underscores the importance of improving data collection and management processes to better understand and address the needs of persons with disabilities comprehensively in Ukraine⁵.

The lack of proper data collection poses a challenge in terms of planning and implementing policies. Data that would include separate indicators regarding disability within the general statistics in the context of civil protection from war are fragmented and incomplete. The Information and Computing Center of the Ministry of Social Policy of Ukraine publishes data⁶ on the number of internally displaced persons with disabilities but does not provide disaggregation within this group. We have the overall number of persons with disabilities, without specifying by gender, age, disability group, family status, and so on. Open data regarding the inclusion of disability in the work of other central government bodies could not be found.

At the same time, the UN cluster system includes disability themes in its work. Needs assessments mainly occur through cooperation with organizations of persons with disabilities and thematic surveys. In order to improve the quality of data collection, the Protection Cluster and Humanity & Inclusion prepared Recommendations on Data Collection, Analysis, Reporting, and Use of Disability Data in Ukraine⁷.

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⁵ The Central Disability Database (CDB) was established in accordance with the Resolution of the Cabinet of Ministers of Ukraine dated February 16, 2011, No. 121 "On Approval of the Regulation on the Centralized Database on Disability Issues (hereinafter - CDB)." An Alternative Report of the Ukrainian Parliament Commissioner for Human Rights on the Implementation of the UN Convention on the Rights of Persons with Disabilities by Ukraine (2020). <https://ombudsman.gov.ua/storage/app/media/uploaded-files/alternativnadopovidprovikonannyaukrainoyukonventsiioonprocompressed-2.pdf>

⁶ <https://www.ioc.gov.ua/dashboard/>

⁷ Recommendations on Data Collection, Analysis, Reporting, and Use of Disability Data in Ukraine <https://docs.google.com/document/d/1VLgV8Rf8vQbSSdGMD-7bAyMQpj2H8Kdk/edit#heading=h.b4czy9bewhc7>