

European Regional High-level Consultation on Disability
in support to the preparations of the
UN High Level Meeting on Disability and Development
under the theme
“The way forward: a disability-inclusive development agenda
towards 2015 and beyond”

Hosted by the European Commission
in Brussels, Belgium April 25th, 2013

Report of the Consultations:
Recommendations on priorities and action

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ANNEX: Agenda of the Consultations

Team of Rapporteurs:

Ministry for Foreign Affairs, Finland:

Ms. Marjatta Hiekka, Deputy Director

Ms. Linda Ekholm, Advisor on Non-Discrimination and Rights of Groups in Focus.

Mr. Ronald Wiman, External Senior Advisor on Social Development

World Health Organization (WHO):

Ms. Kristen Pratt, Technical Advisor, World Health Organization (WHO)

Background of the Consultations and the Structure of the Report

The European Regional High-level Consultations on Disability in support to the preparations of the UN High Level Meeting on Disability and Development (HLMDD) to be held on September 23rd, 2013 entitled **“The way forward: a disability inclusive development agenda towards 2015 and beyond”** were hosted in Belgium by the European Commission on the 25th April 2013. The organizer was the Unit D3 - Rights of People with Disabilities of the European Commission - DG Justice. The Agenda of the Consultations is annexed.

The meeting was moderated by the Head of Unit Mr. Johan ten Geuzendam and Ms. Inmaculada Placencia Porrero, Deputy Head of the Unit. Government of Spain as co-facilitator of the preparations of the UN High Level Meeting on Disability and Development (HLMDD) invited Government of Finland to act as rapporteur supported by the World Health Organization (WHO).

The following 47 countries were invited to the meeting and consulted on the report: Albania, Andorra, Armenia, Austria, Azerbaijan, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Republic of Moldova, Monaco, Montenegro, Netherlands, Norway, Poland, Portugal, Romania, Russian Federation, San Marino, Serbia, Slovak Republic, Slovenia, Spain, Sweden, Switzerland, The former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom.

The consultations were open to civil society, notably organizations of people with disabilities.

The purpose of the Consultations was to prepare a set of messages that provides the co-facilitators and the UN Department for Social and Economic Affairs (DESA) Secretariat with the European insight regarding the primary challenges and priorities to be discussed at the HLMDD.

This report contains the recommendations emerging from the Consultations and written inputs. Five inputs were received in writing after the meeting. The Draft Report (Version 6) by the Rapporteur Team was circulated to the participants of the Consultations for comments. Three responses were received, two containing substantive comments and one with a general positive endorsement of the Report's structure and contents.

The recommendations emerging from the Consultations are presented in three sections:

1. Recommendations concerning primarily the HLMDD
2. Recommendations addressing selected priority issues calling for joint action by various stakeholders
3. Cross-cutting objectives that need to be addressed in all countries, at all levels and by all agencies

1. The High Level Meeting on Disability and Development (HLMDD)

1.1. *The context of the High LEVEL Meeting on Disability and Development (HLMDD)*

The Participants of the Regional Consultation emphasized some general points of departure:

- **The European Region is committed to a Human Rights Based Approach to development**, which means integrating standards derived from the normative framework of human rights into the global development agenda. Furthermore this implies highlighting the respect for human rights principles such as equality and non-discrimination, participation and accountability in both national and international processes;
- **The Convention on the Rights of Persons with Disabilities (CRPD), adopted in 2006, offers a new, binding legal framework** to ensure that persons with disabilities enjoy human rights on an equal basis with others. The Convention is legally binding for those States and the EU that have signed and ratified it, but it also clarifies and qualifies how rights enlisted in other human rights instruments apply to persons with disabilities. The CRPD is considered as the specific anchor to guide European action towards more inclusive development both nationally and internationally;
- The CRPD is the first international human rights treaty with a stand-alone article on International Co-operation. **Article 32 requires that international co-operation is inclusive of and accessible to persons with disabilities.** The HLMDD is thus an opportunity to evaluate achievements and gaps regarding the implementation of the CRPD and to influence the content of the Post-2015 development agenda to ensure that future international co-operation is inclusive of and accessible to persons with disabilities and promotes the enjoyment of their rights;
- **Participation is a human right**, guaranteed to persons with disabilities under article 4(3) of the CRPD **and a necessary element for the process** to be able to overcome the exclusion of persons with disabilities in development initiatives and national programming. In line with the wording of the CRPD, persons with disabilities should be able to participate meaningfully and effectively in all decisions that concern them, be that policy making, programme planning, implementation, monitoring or evaluating the impact of programs and initiatives that affect them.
- **A key priority should be given to removing barriers and improving de facto access by people with disabilities to all areas of life.** Attention should be given to all “the A’s” that are necessary for access to materialize in practice: *availability, accessibility, affordability, adequacy, acceptability and adaptability* of environments, systems, products and technologies and services for people with disabilities. Accessibility needs to respond to all barriers including but not limited to those of physical, social, economic, communication, intellectual or institutional kind.

- **Accountability should be at the core of the HLMDD messages. This requires that relevant and specific indicators are developed**, and that available information recompilation instruments be provided for to make it possible to follow up development from the point of view of persons with disabilities. National and international accountability mechanisms should be reviewed with view of guaranteeing accessibility to and inclusivity of persons with disabilities. With a view to supporting the building of strong accountability mechanisms, the HLMDD should promote the maintaining, strengthening, designating or establishment, a framework in accordance article 33 of the CPRD and in line with the Paris Principles Relating to the Status of National Institutions.
- **The HLMDD should not be an isolated process. The National, Thematic and Global Consultations on the Post-2015 Development agenda are ongoing.** It is vitally important that the HLMDD stakeholders be active in those processes, in order to be able to influence and promote the inclusion of the disability dimension from the start.

1.2. The HLMDD process

The HLMDD should underline the existing synergies between the disability perspective, universal and indivisible human rights and development perspectives. It should strive to ensure that the new development agenda is built upon and strengthens the existing human rights agenda.

Furthermore, the HLMDD should acknowledge the necessity of multi-stakeholder collaboration between public sector, civil society and private sector actors. Thus the preparations and the delegations should reflect multidimensional and multi-stakeholder approaches and give high priority to the involvement of people with disabilities and their representatives.

To guarantee effective and meaningful participation by all stakeholders and regions, support should be given to those regions, countries and disability groups that otherwise would have difficulties in participating in the process.

The *UN Open Working Group on Sustainable Development Goals (SDGs)* as well as the *Technical Support Teams (TSTs)*, chaired by UNDESA and UNDP) should get systematically connected to the HLMDD stakeholders in order to ensure that the disability dimension is visibly included both in the SDG -dimension and the MDG- dimension of the Post -2015 preparatory processes and its intermediate outcomes.

The Committee on the Rights of Persons with Disabilities, the Office of the High Commissioner for Human Rights (OHCHR) and the Special Rapporteur on Disability have specific mandates to support the implementation of rights of persons with disabilities and their view should thus be sought when considering what the best way is forward after 2015.

1.3. The HLMDD outcome document

1. Universal and indivisible Human Rights, accountability, the reduction of inequality and poverty and the ethical, social, ecological and economic sustainability must be at the core of the message from the HLMDD outcome document.

2. The content of the HLMDD outcome document must be in line with the CRPD. It should clearly recognize persons with disabilities as rights holders and States as primary duty bearers
3. The HLMDD outcome document should align itself with the current main stream processes and priorities arising in the *Post-2015 Consultations* (National, Thematic and Global) while strengthening the contents as regards rights based approach to disability. Current emerging themes of the Consultations include Decent work; Accountability and political inclusion; Reduction of inequalities; Social protection, Poverty-environment linkages; Human security and freedom from violence; and the multi-dimensional approach to poverty, All these are highly relevant for the inclusion of people with disabilities.
4. The content of the HLMDD outcome document should be firmly rooted in the principles of equality and non-discrimination. The HLMDD should further recommend: (1) the inclusion of a stand-alone equality and non-discrimination development goal in any sustainable development framework agreed upon in 2015, and (2) that these principles together with appropriate disability-sensitive targets and indicators should be implemented throughout the development agenda. The existing marginalizing and discriminating barriers encountered by persons with disabilities must be specifically mentioned as institutional and structural obstacles to the full participation of persons with disabilities as rights-holders and agents of action in the new development agenda.
5. Attention should be paid to multiple discrimination and exclusion. The gender equality perspective and the discrimination of women and girls with disabilities needs specific attention in addition to the general equality focus of the outcome.
6. Furthermore the outcome document could recommend that the United Nations should evaluate how the existing human rights mechanisms support and monitor the implementation of the CRPD.
7. Closing the gap in the realization of MDG goals for people with disabilities on equal grounds with others must be given high priority and a follow-up mandate should be given to appropriate UN agencies, while guaranteeing the effective and meaningful participation of the representative organizations of persons with disabilities.
8. The right of the child to development, with particular attention to the rights of children with disabilities and other potentially marginalized girls and boys, must be strongly stated drawing upon relevant provisions of the CRPD and the Convention on the Rights of the Child (CRC). The central role of the access by youth with disabilities to high quality inclusive education, vocational training and higher level education and employment must be emphasized.
9. There needs to be a commitment to undertake proactive measures to mobilize public and private resources to enable the Governments together with persons with disabilities and their representative organizations, as well as with other development actors, to progressively realize all provisions of the CRPD for all persons with disabilities.

2. Selected priority issues

2.1. National level priority action

National Governments should be urged to speed up the ratification of the CRPD and to ensure that their legislation and practices are being developed to be fully compliant with the CRPD, the human rights based approach and the new paradigm embedded in the Convention.

1. Governments should adopt a systemic, whole-of-government approach rather than continuing sector specific programmes on disability, only.
2. Governments should undertake appropriate steps to identify legislation and practices that need to be modified, abolished or adopted to guarantee full compliance with the CRPD.
3. In order to achieve equal access and inclusion it is necessary to use a twin-track approach: combine (1) inclusion of the disability dimension in all relevant policies, programmes and action, with (2) targeted, 'empowering' specific measures. Both lines of action are necessary for full inclusion of persons with disabilities in society on an equal basis with others.
4. Implementing comprehensive, inclusive and equality-oriented social protection systems and ensuring good governance are central instruments for realizing the civil, cultural, economic, political and social rights of people with disabilities in all sectors (Health, education, decent work, housing, participation etc.). Governments should consider progressively applying this systemic approach instead of relying solely on disability-specific projects.
5. Policies and strategies should be accompanied by concrete step-by-step Plans of Action (PoA), which are complemented by accessible and inclusive accountability mechanism to achieve progressive improvements in priority sectors. In accordance with Paragraph 135 of the Rio +20 Outcome Document, governments must commit themselves to promote sustainable development policies that support inclusive housing, inclusive education, inclusive health and social protection and services as well as a safe and healthy living environment for all, including persons with disabilities.
6. Policies and action plans should be accompanied by adequate budget lines for inclusion and reasonable accommodation (disability sensitive, or more broadly, diversity budgeting)
7. In development cooperation Governments should (1) give high priority to supporting the inclusion of disability in all relevant main stream programmes and (2) support the UN Partnership on the Promotion of Rights of Persons with Disabilities.
8. Governments should support the development activities of the representative organizations of persons with disabilities (DPO) and strengthen their capacities as DPOs have strong expertise and can act as empowering development partners.

2.2. International level action

1. As established by article 32 of the CRPD, all projects and programmes, whether mainstream or disability specific, have to be compliant with the CRPD and promote the rights and full and effective participation for persons with disabilities, including by supporting the work of representative organizations of persons with disabilities.
2. In all regions it would be useful to establish mechanisms for Regional exchange of good practice, capacity building and cross-border cooperation.
3. The UN should further develop its internal coordination, especially through its interagency mechanisms in line with the “One UN” - vision.
4. The international community is encouraged to support disability relevant multi-stakeholder partnerships, also those involving the private sector Partnerships such as the Global Compact.
5. A multidimensional approach is necessary in order to address both immediate concerns and the necessity for systemic social transformations. A functioning strategy for integrating disability in all main development activities, both in high and lower income countries has been the twin- track approach: inclusion of disability in all action as relevant (“disability mainstreaming”), complemented by targeted (disability-specific) interventions. The European Regional Consultations recommends that this strategy should be strengthened by two additional transformative elements to create social change: (a) empowering people with disabilities and (b) breaking structural barriers that exclude persons with disabilities from society.
6. The OECD should develop and apply suitable markers in the collection and analysis of ODA - statistics to make it possible to monitor and evaluate the development of inputs to disability- inclusive and disability- specific Official Development Cooperation.

3. Cross-cutting objectives particularly relevant for people with disabilities

At all levels there are general challenges that need to be addressed in all development programmes and plans in order to enable persons with disabilities to contribute to, to participate in and to benefit from those programmes. These cross-cutting objectives include the following:

- Guaranteeing equality, non-discrimination, accessibility and inclusion in all sectors facilitated by application of the Design-for-All (DfA) approach supported by assistive devices and support services
- Ensuring gender equality
- Guaranteeing participation of persons with disabilities, especially of young people, women and persons with disabilities who traditionally tend to be the most marginalized.
- Ensuring disability sensitive budgeting and sufficient resource allocation
- Developing methods for collecting adequate data and follow-up information
- Designing accountability mechanisms and audits

These challenges are often addressed as Cross-Cutting 'Issues'. In order to achieve results on these challenges they must be defined as cross-cutting *objectives* that consequently are integrated in the results matrix, budgeted, monitored and evaluated within the standard logical planning framework.

Regional High-level Consultation on Disability under the theme
“The way forward: a disability-inclusive development agenda towards 2015 and beyond”

Hosted by the European Commission
with the support of WHO

Date: Thursday 25 April 2013, from 9.00 to 13.00
Venue: Conference Centre A. BORSCHETTE, Room: 0B
Rue Froissart 36 - B-1040 Brussels, Belgium

PROGRAMME

Moderator:

Johan ten Geuzendam, Head of Unit for the Rights of Persons with Disabilities, European Commission, DG Justice

Rapporteurs:

Ms. Hiekka Marjatta and Ms. Linda Ekholm, Finnish Ministry of Foreign Affairs
 Mr. Ronald Wiman, Development Manager, Finnish National Institute for Health and Welfare
 Kristen Pratt, World Health Organization

Co-facilitator of the High-Level Meeting on Disability and Development (HLMDD): Spain

8:30 a.m. Registration

09:00 a.m. **Opening and welcoming remarks, introduction to the agenda by the Moderator**

09:05 a.m. **Introduction to the HLMDD on 23 September 2013 and objectives of the consultation meeting:** Setting the scene for a disability-inclusive development agenda towards 2015 and beyond

Inmaculada Placencia Porrero, Deputy Head of Unit for the Rights of Persons with Disabilities, European Commission, DG Justice

09:10 a.m. **Panel 1: Challenges of disability-inclusive development and priority areas of action**

Introductory presentations:

Johannes Trimmel, Chairman of the IDDC - International Disability and Development Consortium

Javier Güemes, Deputy Director, European Disability Forum

Alfredo Ferrante, Head of Disabilities Policies Unit, Italian Ministry of Labour and Social Policies

Claes Tjäder, Research Director, Swedish Institute of Assistive Technology

- 09:45 a.m. Discussion involving all delegates
- What does the evidence tell us about the major barriers and challenges to access and inclusion for people with disabilities?
 - What progress has been made in mainstreaming disability in national/ regional development agendas?
 - Where are we seeing strong progress towards inclusive development and what are the critical success factors driving that change?
 - What are good practice examples from different settings?
 - How is the DPO community evolving and how are they involved in the development efforts?
- 10:30 a.m. *Coffee will be distributed in the conference room*
- 11:00 a.m. **Panel 2: What are the desired outcomes of the High-level Meeting of the United Nations General Assembly on Disability and Development in September 2013?**
- Presentation by the Rapporteurs of the draft contribution reflecting European regional issues and priorities for consideration by the HLM Co-facilitators when drawing up the zero draft outcome document
- Mr. Ronald Wiman, Development Manager in charge of Global Social Policy, Finnish National Institute for Health and Welfare*
- 11:15 a.m. Discussion involving all delegates
- What are the priorities for action and the key messages that can be agreed on when Heads of State and Government meet in September 2013?
 - How can the HLM identify key priorities for action that would make a significant difference to the maximum number of people with disability?
 - What are key challenges, priorities and recommendations for the European region that should be reflected in the outcomes of the HLM?
 - What next steps should be taken in the European region?
- 12:45 p.m. **Closing Session**
- Recap of the meeting by the Rapporteurs and finalisation of the meeting Report
- Closing of the meeting by the European Commission
- 13:00 p.m. **End of the meeting**