



## Convention on the Rights of Persons with Disabilities

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### Committee on the Rights of Persons with Disabilities

#### **Guidelines on periodic reporting to the Committee on the Rights of Persons with Disabilities, including under the simplified reporting procedure\*\***

1. The present document contains the revised guidelines on periodic reporting to the Committee, including under the simplified reporting procedure. The rationale for the adoption of the present guidelines and their purpose is as follows:

(a) The current reporting guidelines (CRPD/C/2/3) were adopted in 2009. Since then, many developments have taken place, including: the Committee's consideration of a large number of States parties' initial reports, allowing it to expand its understanding of the gaps in the implementation of the Convention; several initiatives at the regional and international levels relating to baselines, benchmarks and indicators for measuring the implementation of the Convention and, most recently, the adoption of the 2030 Agenda for Sustainable Development and the Sustainable Development Goals; and the fact that, since the Committee decided to establish the simplified reporting procedure for periodic reports in 2013, it has consistently offered States parties this possibility;

(b) The Committee has made efforts to provide guidance to States parties through the development of general comments and guidelines. The present document provides further guidance to States parties, particularly in areas where no general comments have been developed yet;

(c) The purpose of the revised guidelines is to provide assistance to State parties in engaging with the Committee through periodic reporting, including under the simplified reporting procedure. The revised guidelines are also intended to support civil society organizations, organizations of persons with disabilities, independent monitoring mechanisms, national human rights institutions and other stakeholders in contributing to periodic reporting;

(d) In addition, the guidelines take into account the diversity of persons with disabilities and are intended to assist States parties in incorporating the human rights-based approach in their efforts to implement the Sustainable Development Goals in line with the Convention, ensuring that no one is left behind;

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\* Reissued for technical reasons on 30 November 2016.

\*\* Adopted by the Committee at its sixteenth session (15 August-2 September 2016).



(e) Periodic reporting, including under the simplified reporting procedure, entails reporting on the implementation of the Committee's recommendations included in the previous concluding observations and new developments that have occurred in the State party. When assessing the implementation of previous recommendations, States parties and other stakeholders are encouraged to provide information on the gaps that prevent rights-holders from exercising their rights and duty-bearers from fulfilling their obligations;

(f) The guidelines should not be understood as an exhaustive list of information to be requested from State parties. Rather, they are intended to be a pool of guidelines from which the Committee can select when making reference to the situation of each State party. While preparing its lists of issues, the Committee will pay particular attention to those guidelines that are most relevant to the specific situation of the State party. The Committee will be guided by the principles of equal treatment of States parties, transparency and objectivity. States parties not reporting under the simplified reporting procedure are encouraged to use the guidelines along the same lines;

(g) Civil society organizations, organizations of persons with disabilities, independent monitoring mechanisms, national human rights institutions and other stakeholders contributing to periodic reporting, including under the simplified reporting procedure, need to bear in mind subparagraphs (e) and (f) above when making their submissions to the Committee;

(h) In accordance with General Assembly resolution 68/268, particularly paragraphs 1 and 16 thereof, the Committee will set a limit on the number of questions included in its lists of issues for periodic reports, including under the simplified reporting procedure;

(i) States parties preparing their initial reports should use the 2009 guidelines (CRPD/C/2/3);

(j) The guidelines take into account the human rights-based approach to the indicators developed by the Office of the United Nations High Commissioner for Human Rights.<sup>1</sup> When reporting to the Committee, States parties are called upon to provide equal consideration to measures related to legislative and policy frameworks, the processes in place and the result and outcomes of those processes.

2. To the extent possible, States parties should provide information disaggregated by sex, age and barriers identified, ethnic origin, urban/rural population and other relevant categories.

### **Purpose (art. 1)**

3. States parties should provide information on the following:

(a) Measures to ensure that legislation and policies, particularly those about the conceptualization and the determination of disability status, including the issuance of disability certificates and support schemes for persons with disabilities, are grounded on the human rights-based approach to disability;

(b) Steps taken to eliminate the use of derogatory terminology and language concerning persons with disabilities, including medical or charitable terminology, and replace them with terminology and language that is fully respectful of the human rights and dignity of persons with disabilities.

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<sup>1</sup> Available from [www.ohchr.org/EN/Issues/Indicators/Pages/HRIndicatorsIndex.aspx](http://www.ohchr.org/EN/Issues/Indicators/Pages/HRIndicatorsIndex.aspx).

## Definitions (art. 2)

4. States parties should provide information on the following:
  - (a) How the concepts provided for under article 2 are recognized in the laws, regulations and policies of the State party and are in line with the Convention. Measures adopted to ensure that the incorporation of universal design does not exclude assistive devices for particular groups of persons with disabilities where this is needed;
  - (b) How the concepts defined in article 2 are understood in practice, when implementing the rights enshrined in the Convention, in the public and private sectors.

## General principles (art. 3)

5. States parties should provide information on measures taken to ensure the effective realization of the principles established in article 3 in all laws, policies and practices adopted by the State party.

## General obligations (art. 4)

6. States parties should provide information on the following:
  - (a) Measures adopted to further harmonize bills, legislation and policies with the Convention, at the federal, national, provincial, state and local levels, including by repealing laws and regulations, amending policies and programmes and eradicating practices that are discriminatory on the grounds of disability;
  - (b) Legislative, administrative and other measures adopted to implement the rights enshrined in the Convention and to ensure that the protection and promotion of the human rights of persons with disabilities are mainstreamed in all policies and programmes, particularly those related to the implementation of Sustainable Development Goals;
  - (c) Measures adopted to eliminate discrimination on the basis of disability by any person, organization or private enterprise;
  - (d) Measures adopted and implemented to promote research, development and standardization of new technologies, including information and communications technology, based on the concept of “universal design” in relation to, among other things, goods, services, equipment and facilities, to ensure their availability, the minimum possible adaptation and the least cost to persons with disabilities, given their specific requirements;
  - (e) Measures adopted to provide accessible information to persons with disabilities about mobility aids, devices and assistive technologies, including new technologies and software applications, and other forms of assistance, support services and facilities;
  - (f) Measures adopted to promote the training of professionals and staff working with persons with disabilities in the rights recognized in the Convention;
  - (g) Measures adopted in the form of concrete action plans and programmes with clear benchmarks, baselines and indicators to ensure the progressive realization to the maximum extent of available resources, and steps taken to refrain from retrogressive measures in the implementation of economic, social and cultural human rights;
  - (h) Disability-related budget, in terms of total amount and as a percentage of gross domestic product, disaggregated by sex, age, barriers faced and location, i.e. in or outside of institutions;

(i) Measures adopted, including through funding, to support and enable a diversified range of organizations representing persons with disabilities, including organizations of women with disabilities and organizations of children with disabilities, and to closely consult with and actively involve them in decision-making processes regarding the implementation of the Convention and Sustainable Development Goals. Measures to ensure that their participation is inclusive, accessible and independent;

(j) Measures adopted to ensure that the provisions of the Convention extend to all parts of the State party, without any limitation or exceptions, including all political and administrative levels, rural and urban areas, self-governed areas and extraterritorial areas.

### **Equality and non-discrimination (art. 5)**

7. States parties should provide information on the following:

(a) Measures to ensure that persons with disabilities are entitled to protection under the law on an equal basis with others;

(b) Measures to ensure that existing anti-discrimination legislation includes an explicit prohibition of discrimination on the basis of disability across all sectors and areas of life. Measures to ensure that the anti-discriminatory framework encompasses all forms of discrimination on the basis of impairment, including the denial of reasonable accommodation and discrimination by association with persons with disabilities, perceived disabilities, past and future disabilities and multiple and intersectional discrimination;

(c) Measures to ensure appropriate dissemination and awareness-raising about anti-discrimination frameworks, particularly among persons with disabilities and their representative organizations;

(d) Measures adopted to prevent, investigate and sanction all forms of discrimination against persons with disabilities and measures to ensure effective, accessible and affordable access to remedies by persons with disabilities;

(e) Measures adopted to maintain, designate and strengthen independent mechanisms tasked with the investigation and sanction of cases of discrimination against persons with disabilities and to ensure that sanctions are proportional to the seriousness of the offenses;

(f) Statistics on the number and percentage of claims of discrimination on the basis of disability, disaggregated by sex, age, barriers identified and the sector in which discrimination occurred, and information on the number and percentage of cases that resulted in sanctions;

(g) Whether the denial of reasonable accommodation is explicitly recognized as a prohibited form of discrimination in all areas of law, including in non-discrimination legislation, and measures adopted to ensure that “reasonable accommodation” is provided in public and private sectors;

(h) Policies and programmes, including affirmative-action measures, allocated with sufficient financial and human resources, to achieve the de facto equality of persons with disabilities;

(i) Measures to ensure that legal time frames on pregnancy termination do not discriminate on the basis of disability.

**Women with disabilities (art. 6)**

8. States parties should provide information on the following:

(a) Measures adopted to ensure that gender and disability perspectives are included in legislation and policies, in all areas of life and in all spheres covered by the Convention, and that they effectively address specific risk and marginalization factors;

(b) Measures adopted to ensure that a disability perspective is included in gender-based policies and programmes and, conversely, that a gender perspective is included in disability-based policies and programmes;

(c) Legal measures, including affirmative-action measures, aimed at preventing multiple and intersecting forms of discrimination against women and girls with disabilities, to eradicate such discrimination and to ensure that affected women and girls have an appropriate recourse to justice and redress;

(d) Measures adopted, including affirmative-action programmes, appropriately resourced, to ensure the full development, advancement and empowerment of women and girls with disabilities;

(e) Measures, including affirmative actions, to increase the number of women with disabilities in decision-making bodies.

**Children with disabilities (art. 7)**

9. States parties should provide information on the following:

(a) Measures adopted that are appropriately budgeted to ensure the inclusion of children with disabilities in all areas of life, including family and community life, and community-based programmes and services for children with disabilities;

(b) Concrete legislative and administrative measures adopted to prevent the abandonment, neglect and institutionalization of children with disabilities;

(c) Efforts to carry out and monitor de-institutionalization and initiatives and ensure that children with disabilities receive appropriate support and care within the community;

(d) Concrete measures adopted to raise awareness of the rights of children with disabilities among children with disabilities, their parents and relatives and staff working for and with children and the community at large;

(e) Measures adopted to ensure that children with disabilities have access, on an equal basis with others, to community-based programmes and services provided by the public or private sectors;

(f) Measures adopted to ensure that the principle of the best interests of the child is integrated in the design, implementation, monitoring and evaluation of legislation and policies concerning children with disabilities;

(g) Measures adopted to ensure that children with disabilities can freely express their views on all matters affecting them, that their views are given due weight in accordance with their age and maturity, on an equal basis with other children, and age- and disability-appropriate measures to support them in that regard;

(h) Measures adopted to ensure that children with disabilities and their representative organizations meaningfully participate in decision-making processes concerning them.

**Awareness-raising (art. 8)**

10. States parties should provide information on the following:

(a) Measures, including public awareness campaigns and strategies, adopted to regularly raise awareness in society about the rights and dignity of persons with disabilities, their capabilities and their contribution to society. The extent to which those strategies are grounded on the human rights-based approach to disability, promote an image of persons with disabilities in line with the Convention and are implemented in accessible formats and languages;

(b) The extent to which persons with disabilities and their representative organizations are involved in the design, implementation, monitoring and evaluation of awareness-raising campaigns and strategies;

(c) Steps taken to combat stigma, stereotypes, prejudices, harmful practices, deep-rooted cultural beliefs, negative attitudes, bullying, cyberbullying, hate crimes and discriminatory language against persons with disabilities, including on the basis of age and sex. Mechanisms in place for monitoring and evaluating the effectiveness of the aforementioned measures;

(d) Measures adopted to ensure that awareness-raising campaigns on persons with disabilities carried out by the private sector, including privately run media, promote perceptions of persons with disabilities that are fully respectful of their human rights and dignity;

(e) Measures adopted to raise awareness and foster, at all levels of the education system, including among all children from an early age, an attitude of respect for the rights of persons with disabilities;

(f) Measures adopted to encourage public and private media to portray persons with disabilities in a manner consistent with the human rights-based approach to disability. Measures to encourage media professionals to take account of the diversity of persons with disabilities in their code of ethical conduct and to provide them with appropriate training and awareness-raising opportunities to ensure that the dignity of persons with disabilities is respected by the media.

**Accessibility (art. 9)**

11. States parties should provide information on the following:

(a) Measures, including a national accessibility plan, adopted to eliminate all existing barriers within a reasonable time frame, with effective monitoring and evaluation mechanisms and in close consultation with organizations representing persons with disabilities, including sanctions for non-compliance and the allocation of adequate financial resources. The extent to which accessibility is promoted through public procurement;

(b) Measures adopted to ensure that new and existing facilities and services that are provided or open to the public, including by private entities, are:

(i) Accessible to persons with disabilities;

(ii) Designed according to the principle of universal design;

(iii) Accessible in a secured manner through signage in Braille and in easy-to-read and understand forms;

(c) Legislative and other measures adopted to guarantee to all persons with disabilities access to inclusive, safe, affordable, sustainable and accessible transport;

(d) Measures adopted to ensure that printed and electronic information and communication, and information and communication technology and services that are provided or open to the public, are fully accessible to persons with disabilities and comply with internationally-agreed standards, and that persons with disabilities have affordable access to those services in accessible and usable formats and languages;

(e) The proportion of the population that has convenient access to public transport, disaggregated by age group, sex and persons with disabilities;<sup>2</sup>

(f) The average share of the built-up area of cities that is open space for public use for all, disaggregated by age group, sex and persons with disabilities;<sup>3</sup>

(g) Steps taken to promote the continuous training on universal design and accessibility standards for relevant professionals and to evaluate its effectiveness;

(h) Measures adopted to provide live assistance and intermediaries, including guides, readers and qualified sign language interpreters, to facilitate accessibility to buildings, services and other facilities open to the public.

### **Right to life (art. 10)**

12. States parties should provide information on the following:

(a) Legal and other measures adopted to recognize and protect the right to life of persons with disabilities on an equal basis with others, including to ensure that persons with disabilities are not subject to arbitrary deprivation of life;

(b) Measures adopted for the early identification of, combat against and eradication of practices that infringe on the right to life of persons with disabilities, such as: the neglect, abandonment, concealment, destitution and life-threatening starvation of persons with disabilities, particularly children and adults with disabilities still living in institutions; the violent deaths of persons with disabilities, intentional killings of children with disabilities by their parents and termination or withdrawal of medical treatment without the consent of the person concerned;

(c) Legal and other measures adopted to eradicate harmful practices, including ritual killings, “mercy killings”, mutilations, trafficking in organs and body parts, infanticide or intentional killings of persons with disabilities;

(d) Measures adopted to promote an understanding that the lives of persons with disabilities are of equal value to those of others and eradicate attempts to disseminate ideas that life as a person with disabilities is “not worth living”;

(e) Measures to ensure that the lives of persons with disabilities are guaranteed to be equal to those of others, that all decisions regarding medical treatment in life-threatening situations are made on the basis of free and informed consent.

<sup>2</sup> See the final list of proposed Sustainable Development Goal indicators (E/CN.3/2016/2/Rev.1, annex IV), indicator 11.2.1.

<sup>3</sup> Ibid, indicator 11.7.1.

## **Situations of risk and humanitarian emergencies (art. 11)**

13. States parties should provide information on the following:

(a) Measures adopted to ensure that persons with disabilities and their representative organizations are meaningfully informed of, consulted about and actively participate in all steps relating to the strategies, plans and protocols for disaster risk reduction and humanitarian emergencies, including those relating to armed conflict and natural hazards, including their design, implementation, monitoring and evaluation, the conduct of risk assessment and the systematic collection of data disaggregated by disability and information on loss from disaster;

(b) Measures adopted to ensure the inclusiveness and accessibility of disaster risk reduction measures and disaster management strategies, as indicated in the Sendai Framework for Disaster Risk Reduction,<sup>4</sup> such as risk assessments, the collection, availability and dissemination of risk information, investments to enhance the economic, social, health and cultural resilience of persons, needs-assessments, emergency evacuation procedures, multi-hazard strategies, early warning systems and recovery, rehabilitation and reconstruction strategies, and to guarantee that they reach all persons with disabilities in disaster risk and emergency situations, and that they are tailored to the requirements and rights of persons with disabilities and developed in accessible formats and languages. The extent to which those measures take into account the diverse requirements of persons with disabilities and the application of the principles of universal design;

(c) Steps taken to optimize the use of mass media with the aim of providing adequate, accessible and timely information on disaster risk and humanitarian emergencies, including early warning systems, to persons with disabilities, especially persons who are at a higher risk of marginalization;

(d) Measures adopted to ensure the protection of the lives and safety of persons with disabilities in situations of risk, including, among others, through the provision of the necessary assistive devices and accessible mobile applications, accessible shelters, relief and other services and facilities, social support and health services/treatment, trained rescue teams and accessible communication channels that take into account the diverse requirements of persons with disabilities;

(e) Steps taken to ensure that post-emergency rehabilitation, resettlement, reconstruction and rebuilding processes are based on risk assessments inclusive and accessible to persons with disabilities, among others, through the application of universal design and build-back-better principles;

(f) Measures adopted to regularly and effectively train civil defence, rescue and emergency personnel and other relevant humanitarian actors on the inclusion of an age and disability perspective based on human rights and the principle of leaving no one behind in situations of risk and humanitarian emergencies.

## **Equal recognition before the law (art. 12)**

14. States parties should provide information on the following:

(a) Steps taken to raise awareness and carry out education campaigns in relation to the equal recognition of all persons with disabilities before the law;

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<sup>4</sup> General Assembly resolution 69/283.



(b) Legal measures adopted to explicitly recognize the full legal capacity of persons with disabilities on an equal basis with others, and to repeal legislation that directly or indirectly restricts the full legal capacity of persons with disabilities on the basis of actual or perceived impairment;

(c) Steps taken by the State party to ensure that all persons with disabilities enjoy legal capacity on an equal basis with others in all aspects of life, in particular, measures to ensure the equal right of persons with disabilities to maintain their physical and mental integrity, the right to participate fully as citizens, to own or inherit property, to control their own financial affairs and to have equal access to bank loans, mortgages and other forms of financial credit and banking procedures, in both the public and private sectors, and the right not to be arbitrarily deprived of their property;

(d) The number of guardianship, interdiction and/or curatorship systems in place and/or arrangements made, and the number of persons with disabilities who have regained legal capacity since ratification of the Convention;

(e) Measures, adopted to ensure that persons with disabilities have access to individualized support in exercising their legal capacity, that such support fully respects their autonomy, will and preferences, and is provided on the basis of free and informed consent of the person concerned and, when applicable, with due recourse to the “best interpretation of will and preferences” test, in line with the Committee’s general comment No. 1 (2014) on equal recognition before the law;

(f) The existence of safeguards against the abuse of supported decision-making systems and/or arrangements, which ensure that the support provided respects the rights, autonomy, will and preferences of persons with disabilities, and protects them from undue influence, misconduct and conflict of interest. The extent to which persons with disabilities have access to remedies against those situations.

### **Access to justice (art. 13)**

15. States parties should provide information on the following:

(a) Measures adopted to ensure full, unrestricted and effective access to justice at all stages of legal proceedings by all persons with disabilities and their effective access to alternative dispute resolution and restorative justice. Information on whether such measures include the development of a national action plan on access to justice;

(b) Measures adopted to ensure that all persons with disabilities have access to legal assistance on an equal basis with others;

(c) Measures to ensure the availability of procedural and age-appropriate accommodations, throughout legal proceedings, to ensure the effective participation of all persons with disabilities in the justice system, whatever the role they find themselves in (e.g., as complainants, respondents, witnesses, jury members, parties to legal action or defendants);

(d) Steps taken to raise awareness and provide accessible information to persons with disabilities, especially persons with disabilities still living in institutions or group homes of any kind, about their right to access to justice, including legal assistance, remedies, redress in the judicial system, alternative dispute resolution, and restorative justice;

(e) Measures adopted to ensure the effective training of personnel, including but not limited to lawyers, magistrates, judges, prison staff, sign-language interpreters and the police and penitentiary system, on the rights of persons with disabilities.

**Liberty and security of the person (art. 14)**

16. States parties should provide information on the following:

(a) Measures adopted to repeal any legislation and policies, including mental health laws, legal capacity and family laws, and to eradicate practices that allow for the deprivation of liberty of any person with disabilities on the basis of an actual or perceived impairment or on actual or perceived mental capacity, alone or in combination with any other criteria, including presumed dangerousness to oneself or others or need for care or treatment;

(b) Steps taken to repeal any legislation or policies or to eradicate practices that allow, require or tolerate involuntary or forced institutionalization, forced treatment, the imposition of restrictions or the seclusion of persons with disabilities, in particular those persons with psychosocial disabilities. Measures adopted to incorporate into legislation the requirement of free and informed consent by the person concerned as the governing standard for mental health services, both inpatient and outpatient, including the choice between receiving inpatient and outpatient services;

(c) Measures adopted to ensure that persons with disabilities have access, on an equal basis with others, including through the provision of procedural and age-appropriate accommodations, to legal proceedings related to the assessment of the legality of their deprivation of liberty;

(d) Measures adopted to ensure that persons with disabilities in all legal proceedings have procedural guarantees on an equal basis with all other persons;

(e) Measures adopted to repeal from law any proceedings according to which persons with disabilities are declared “unfit to stand trial”, “unfit to plea”, incapable or exempt from criminal prosecution and/or responsibility, including those that result in security measures and/or other forms of deprivation of liberty;

(f) Measures to promote the deinstitutionalization of persons with disabilities who have been unlawfully or arbitrarily deprived of their liberty on the basis of actual or perceived impairments, or presumed dangerousness to themselves or others, particularly persons with psychosocial disabilities;

(g) Measures in place to ensure that diversion programmes for persons with disabilities that have been in contact with the criminal system do not include involuntary or forced medication or treatment.

**Freedom from torture or cruel, inhuman or degrading treatment or punishment (art. 15)**

17. States parties should provide information on the following:

(a) Steps taken in law and practice to ensure that no one is subjected to torture or to cruel, inhuman or degrading treatment or punishment, including instances of involuntary or forced institutionalization, the use of seclusion or physical, chemical or mechanical restraints, involuntary or forced treatment, forced sterilization and castration or any other non-consensual medical treatment or measures, corporal punishment, electro-convulsive therapy and involuntary or excessive drug treatment;

(b) Measures adopted to ensure that all medical research, experimentation or treatment, whether in public or private settings, is done with the free, prior and fully informed consent of persons with disabilities, and to ensure supported decision-making;

(c) Measures adopted to ensure that persons with disabilities who are deprived of their liberty have appropriate living conditions, accessibility and reasonable accommodation, as a measure to prevent ill-treatment or torture;

(d) Steps taken for an effective national mechanism for the prevention of torture to be in place and mandated to monitor all settings in which persons with disabilities may be deprived of their liberty, including homes and all residential facilities. The extent to which the monitoring activities of the national mechanism are gender- and age-sensitive;

(e) Measures adopted to ensure that acts of ill-treatment or torture are investigated and, where appropriate, perpetrators are prosecuted, and that those subjected to such acts receive fair and adequate compensation, reparation and rehabilitation;

(f) Measures adopted to regularly and effectively train personnel working for and with persons with disabilities, including personnel in mental health services and facilities, on the rights of persons with disabilities, including their right to physical and personal integrity. The extent to which training or awareness-raising activities on this matter have also reached out to family members, caregivers and the community.

### **Freedom from exploitation, violence and abuse (art. 16)**

18. States parties should provide information on the following:

(a) Measures, including policies and programmes, adopted to protect from and respond to all forms of exploitation, violence and abuse of persons with disabilities, taking into account age, sex and impairment. The extent to which disability is mainstreamed in all existing laws, policies and strategies to those ends and the extent to which gender and disability-based violence is addressed;

(b) Gender- and age-sensitive measures adopted to prevent exploitation, violence or abuse against persons with disabilities, particularly women and children with disabilities and those who are most marginalized, in the public and private spheres, such as accessible awareness-raising, education and information campaigns, the training of law enforcement and other officials and the development of social support services and networks;

(c) Measures adopted for the early identification of instances of exploitation, violence or abuse against persons with disabilities, the provision of information in accessible formats, assistance and support for persons with disabilities on how to recognize and report such instances and for ensuring the availability and accessibility of support services to those subjected to exploitation, violence or abuse, including accessible shelters. The extent to which those measures are individualized and are gender- and age-sensitive;

(d) Measures adopted to effectively investigate, through appropriately resourced and accessible complaint mechanisms, instances of exploitation, violence or abuse against persons with disabilities and, where appropriate, to prosecute perpetrators, and provide gender- and age-sensitive physical, cognitive and psychological recovery, rehabilitation and social reintegration services and programmes for those subjected to exploitation, violence or abuse;

(e) The proportion of persons who are victims of physical or sexual harassment, disaggregated by sex, age, disability status and place of occurrence, in the previous 12 months;<sup>5</sup>

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<sup>5</sup> See the final list of proposed Sustainable Development Goal indicators (E/CN.3/2016/2/Rev.1, annex IV), indicator 11.7.2.

(f) Measures adopted among family members of persons with disabilities, caregivers, health and other personnel to recognize all forms of exploitation, violence and abuse, to avoid and prevent their occurrence and to develop protocols on the identification and the referral of persons with disabilities subjected to exploitation and abuse;

(g) Measures adopted to ensure that independent monitoring authorities envisaged in article 16 (3) are established and well-resourced to carry out their mandate.

### **Protecting the integrity of the person (art. 17)**

19. States parties should provide information on measures adopted to protect the physical and mental integrity of persons with disabilities on an equal basis with others, in particular regarding medical or other treatment without the free and informed consent of the person, including involuntary institutionalization, forced sterilization and forced abortions, in the case of women and girls with disabilities.

### **Liberty of movement and nationality (art. 18)**

20. States parties should provide information on the following:

(a) Measures adopted to ensure that persons with disabilities, on an equal basis with others, have the right to acquire or change a nationality and not to be deprived of it on the basis of impairment and to exercise their freedom of movement, including their right to choose their place of residence, and to enter their country or leave any country;

(b) Measures adopted to eradicate disability-based discrimination in law and practice and to ensure the equal treatment of persons with disabilities in formalities and procedures relating to migration, asylum, the issuance of passports and entry and residence permits;

(c) Measures adopted to guarantee that migrants, refugees and asylum seekers with disabilities are provided with the appropriate support and reasonable accommodation in immigration proceedings;

(d) Actions taken to guarantee that persons with disabilities living in remote and rural areas and those who still live in institutional settings are documented and have identity cards;

(e) Measures adopted to ensure that every new-born child with a disability is registered upon birth and given a name and a nationality. The extent to which the birth registration system is appropriately resourced to ensure the early registration of children with disabilities, particularly children living in remote and rural areas, in situations of internal displacement or living in refugee camps;

(f) Measures adopted to inform and support parents of children with disabilities regarding their children's rights to be registered after birth, to acquire a nationality and to know and be cared for by parents.

### **Living independently and being included in the community (art. 19)**

21. States parties should provide information on the following:

(a) Legislative measures adopted for the recognition of the right of persons with disabilities, irrespective of age, gender and impairment, to choose their place of residence

and with whom they want to live and to have access to social support and security, based on their individual requirements;

(b) Measures adopted to ensure that all persons with disabilities maintain their autonomy and self-determination in choosing their place of residence and where and with whom they live, are not obliged to live in a particular living arrangement and make their own decisions regarding options for inclusive accommodation in the local community;

(c) Measures adopted to ensure that persons with disabilities regardless of place of residence have access to a range of in-home, residential and other community support services, including personal assistance, which is controlled and managed by them (independent living schemes) and takes into account their individual requirements and preferences;

(d) Measures in place to increase the awareness of persons with disabilities about the availability of support and services to live independently that are age-, gender- and impairment-sensitive;

(e) Steps taken so that any measures adopted in times of financial crisis do not disproportionately affect persons with disabilities and to prevent that such measures result in a reduction of community-based services and social support to persons with disabilities, thereby reducing their ability to live independently and be included in the community, or exposing them to isolation or segregation;

(f) Measures adopted to ensure that mainstream community-based services and facilities provided to the general population, including housing, are accessible, affordable and available for persons with disabilities, consider their personal requirements and are gender-, age- and impairment-sensitive;

(g) Measures adopted to include persons with disabilities and their representative organizations in the design, implementation, monitoring and evaluation of policies for the provision of community-based services on an equal basis with others;

(h) Deinstitutionalization strategies and plans, with baselines, indicators, targets, benchmarks, time frames and sufficient budget allocations adopted and implemented. The extent to which those strategies and plans are sustainable, integrate the human rights-based approach to disability, ensure that no one is forced to live in or return to institutions of any kind on the basis of their impairment and fully and meaningfully involve persons with disabilities through their representative organizations in their design and implementation;

(i) Steps taken to retrain staff of long-term stay residential institutions prior to their working in community-based services;

(j) Data illustrating the efforts and steps carried out to move towards de-institutionalized accommodation and care and individualized personal social security and support within the local community, disaggregated by, among others sex and age. The extent to which persons with disabilities, regardless of place of residence, perceive that they have sufficient ability to choose by themselves and thereby, have control over important choices regarding their daily life.

## **Personal mobility (art. 20)**

22. States parties should provide information on the following:

(a) Measures adopted, including through public procurement, to ensure that persons with disabilities have access to necessary personal mobility aids, devices and other assistive technologies and forms of live assistance and intermediaries that are affordable, of

acceptable quality, based on universal design and responsive to individualized requirements and that enhance the autonomy of persons with disabilities;

(b) Measures adopted to encourage entities that research, develop, design and produce mobility aids, devices and other assistive technologies to consider all aspects of mobility for persons with disabilities;

(c) Measures adopted to give training to persons with disabilities, including children, and to specialist staff, on mobility skills;

(d) The percentage of the public budget for supporting persons with disabilities to obtain mobility aids, devices and other assistive technologies to provide the ability to carry out spontaneous and independent mobility.

### **Freedom of expression and opinion, and access to information (art. 21)**

23. States parties should provide information on the following:

(a) Legislative and other measures adopted to ensure that persons with disabilities can exercise their right to freedom of expression and opinion on an equal basis with others, through all forms of communication of their choice;

(b) Legislative and other measures adopted to ensure that information provided to the general public is also available to persons with disabilities in accessible formats and technologies appropriate to different kinds of impairments in a timely manner and without additional cost;

(c) Legislative and other measures adopted to ensure that private entities providing services to the general public and mass media providing information, including through the Internet, do so in accessible forms and formats for all persons with disabilities, including by ensuring the use of and compliance with the latest Web Accessibility Initiative standards;

(d) Measures adopted to recognize sign language(s) as official language(s); and measures adopted, including budget allocations, to promote the learning of sign language, the availability of qualified sign language interpreters and the use of sign language in all settings, in particular in education, in the workplace and in community settings;

(e) The percentage of public websites that are compliant with the latest Web Content Accessibility Guidelines;

(f) The percentage of first-time (live) broadcasts (hours) and percentage of repeat broadcasts (hours) on public service television channels, private channels, and web platforms that are provided with subtitles/captioning/quality sign language interpretation/quality audio-description.

### **Respect for privacy (art. 22)**

24. States parties should provide information on the following:

(a) Measures adopted to protect the right of all persons with disabilities to respect for privacy, family life, correspondence, honour and reputation on an equal basis with others, regardless of impairment, gender, age or place of residence or living arrangements;

(b) Measures adopted, including appropriate and accessible complaint mechanisms and procedures, in case of arbitrary and/or unlawful interference with the right

to privacy of persons with disabilities and effective and accessible remedies in cases of violations of the right to privacy;

(c) Measures adopted to ensure that service providers, professional caregivers and any other person providing support to persons with disabilities are aware of and properly trained on the right of persons with disabilities to private and family life in order to avoid arbitrary interference and to ensure accountability to a code of ethical conduct;

(d) Measures adopted to protect the privacy of personal data, digitalized databases and records of persons with disabilities from unlawful and arbitrary interference, including health records and rehabilitation-related information, regardless of place of residence.

### **Respect for home and the family (art. 23)**

25. States parties should provide information on the following:

(a) Legislative and other measures adopted to ensure that all persons with disabilities exercise their rights relating to marriage, family, parenthood and relationships, without discrimination, on an equal basis with others and on the basis of their free and full consent;

(b) Measures adopted to ensure the right of all persons with disabilities who are of marriageable age to marry and to found a family on an equal basis with others on the basis of their free and full consent;

(c) Measures adopted to ensure that information on sexual and reproductive health services is provided to persons with disabilities in accessible formats and respecting their privacy, and measures adopted to ensure effective access to sexual and reproductive health information, education and services that are gender- and age-appropriate, and whether such measures include the provision of support necessary to exercise rights related to the respect for family, access to family planning, assistive reproduction, adoption or fostering programmes. Measures adopted to ensure that health-care personnel and other professionals and supporters of persons with disabilities are regularly and properly trained and sensitized on such matters;

(d) Measures adopted to safeguard the right of persons with disabilities, including children, to maintain their fertility, including through the prohibition of forced and involuntary sterilization and abortions, particularly women and girls with disabilities, and persons still under guardianship or other substituted decision-making arrangements;

(e) Measures adopted to ensure that persons with disabilities exercise their rights and responsibilities regarding guardianship, adoption of children or similar institutions on an equal basis with others and that in all cases the best interests of the child is paramount;

(f) Measures adopted to ensure that parents with disabilities who so request are provided with the adequate support in their child-rearing responsibilities, including accessible and inclusive community support;

(g) Measures adopted to provide a range of in-home, residential and community-based quality support services, to the fathers, mothers and families of children with disabilities, in order to prevent the concealment, abandonment, neglect or segregation of children with disabilities;

(h) Measures adopted to ensure that no child is separated from her/his parents because of the impairment of either the child or one or both of the parents;

(i) Measures adopted to prevent the institutionalization of children with disabilities whose parents are unable to care for them and to provide them with alternative care from the wider family or, when this is not possible, in a family setting in the wider community. The extent to which de-institutionalization strategies and programmes with baseline indicators, benchmarks and time frames have been adopted with adequate support for children with disabilities to exercise their right to family life.

## **Education (art. 24)**

26. States parties should provide information on the following:

(a) Measures to ensure that laws on education provide for inclusive and quality education with a clear understanding of inclusive education, including a substantive and enforceable right to inclusive education for all persons with disabilities, an explicit “non-rejection” clause for all schools and the right to be provided with reasonable accommodation. Measures adopted to ensure that effective remedies are in place in cases of exclusion from education on the basis of impairment;

(b) The existence of a progressive and comprehensive policy to transform the education system and a strategy to implement inclusive education, agreed upon by relevant ministries and with sufficient budget allocations to generate the necessary conditions for its realization, without discrimination and on the basis of equal opportunity, in line with the Convention. The extent to which persons with disabilities, through their representative organizations, are meaningfully involved in the design, implementation, monitoring and evaluation of such a strategy;

(c) Measures to enable all children with disabilities to attend inclusive educational settings, namely, to decrease the number of children with disabilities not attending school, attending segregated schools or attending school on a part-time basis, and measures to increase the number of children with disabilities attending regular pre-primary, primary and secondary schools on the basis of accessible curricula, physical access and accessible means and modes of communication;

(d) Measures adopted to ensure that the responsibility for the implementation and evaluation of education policies for persons with disabilities falls under the ministry of education;

(e) Information on affirmative-action measures adopted to implement the right to inclusive education for persons with disabilities;

(f) The number and proportion of inclusive educational establishments that are accessible to persons with disabilities, including accessible curricula, physical access and accessible means and modes of communication;

(g) The number and proportion of students with disabilities who remain in segregated settings and of those who are transferred from segregated settings to regular inclusive educational settings, with adequate individualized support;

(h) The number and proportion of students with disabilities in comparison with the overall student population who are enrolled in regular inclusive educational settings who have completed primary education, and the percentage and proportion of students with disabilities in comparison with the overall student population enrolled in secondary and tertiary education. Drop-out rates of students with disabilities compared with the overall student population in primary, secondary and tertiary education. The percentage of women



and girls with disabilities who have access to all levels of education and vocational training;<sup>6</sup>

(i) The percentage of schools with access to electricity, the Internet for pedagogical purposes, computers for pedagogical purposes, adapted infrastructure and materials for students with disabilities, single-sex basic sanitation facilities and basic hand washing facilities (in accordance with the Water, Sanitation and Hygiene for All indicator definitions);<sup>7</sup>

(j) Measures adopted to ensure that persons with disabilities are not excluded from the regular education system on the basis of disability and that children with disabilities are not excluded from free and compulsory primary education, or from secondary education, on the basis of impairment;

(k) Measures adopted to discontinue assessments of persons with disabilities based on impairments in order to assign schools and instead to carry out early identification of the support requirements of persons with disabilities for their effective participation in regular, inclusive educational settings;

(l) Measures to ensure that persons with disabilities can gain access to an inclusive, quality and free pre-primary, primary and secondary education on an equal basis with others in the communities where they live;

(m) Legislative and other measures adopted to ensure that reasonable accommodation is provided to persons with disabilities;

(n) Measures adopted to ensure that students with disabilities have access to the support they require within the regular education system, including through an individualized support plan, which duly considers their views, will and preferences, and measures to facilitate their effective education, in particular persons who require high levels of support;

(o) Measures adopted to ensure the early identification of persons with disabilities and their education and linguistic/communication requirements, taken in line with the human rights-based approach to disability and in a non-discriminatory manner;

(p) Steps taken to facilitate the learning of Braille, other alternative scripts, augmentative and alternative modes, diverse means and formats of communication, speaking and oral skills and orientation and mobility skills, and steps taken to facilitate peer support and mentoring;

(q) Steps taken to facilitate, from early childhood, the learning of sign language and promotion of the linguistic identity of the deaf community;

(r) Steps taken to ensure that the education of persons, in particular children, who are blind, deaf or deaf-blind, is delivered in the most appropriate languages and modes and means of communication for the individual and in environments that maximize academic and social development;

(s) Measures to ensure programmes for all teachers and school personnel, including learning support assistants and specialized support staff, both in the public and private sectors to support the development of inclusive education;

(t) The proportion of teachers from regular and special education trained in inclusive education;

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<sup>6</sup> Ibid., indicator 4.5.1.

<sup>7</sup> Ibid., indicator 4.a.1.

(u) Measures adopted, including affirmative-action measures, to employ teachers, including teachers with disabilities, who are qualified in sign language and/or Braille, in the regular education system;

(v) Legislative and policy measures, including budget allocation and the provision of reasonable accommodation, to ensure that persons with disabilities have effective access to the general tertiary education, vocational training, adult education and lifelong learning without discrimination and on an equal basis with others.

## **Health (art. 25)**

27. States parties should provide information on the following:

(a) Measures adopted to ensure that all persons with disabilities have access on an equal basis with others to affordable, accessible, quality and culturally sensitive health services, including assistive and adaptive technology, in private and public settings, including in the areas of sexual and reproductive health and mental health and psychosocial support;

(b) Legislative and other measures to ensure that all information on health-care services, intervention and treatments, and initiatives of health promotion, including general public health campaigns, acknowledge the requirements of and are accessible for persons with disabilities, in various formats and languages;

(c) Budget allocations for improving accessibility of health services and facilities as a percentage of the general health budget, disaggregated by rural and urban areas;

(d) Measures to ensure that health services, early identification and interventions programmes are available and appropriate to prevent and minimize the emergence of secondary disabilities, paying particular attention to children, women and the elderly, including in rural areas;

(e) Measures adopted to ensure that all persons with disabilities, particularly women and girls with disabilities, have access to the full variety of health and rehabilitation services in their own communities, including rural areas;

(f) Legislative and other measures adopted to ensure that all health services and treatments, particularly sexual and reproductive health services, are provided to persons with disabilities on the basis of their free and informed consent;

(g) Measures adopted to ensure that the human rights-based approach to disability and the respect for the dignity, autonomy and requirements of persons with disabilities are included in the training curricula of all medical and health professionals, including community health workers, and in the ethical standards for public and private health care, throughout the territory of the State party;

(h) Measures adopted to ensure protection against discrimination on the basis of disability in the access to health insurance, life insurance and other related insurance;

(i) Measures adopted to prevent the discriminatory denial of health-care services on the basis of disability. Measures to ensure that older persons with disabilities are not discriminated against in gaining access to age-related health services. Measures adopted to ensure that women with disabilities have equal access to sexual and reproductive health information as women without disabilities.

## **Habilitation and rehabilitation (art. 26)**

28. States parties should provide information on the following:

(a) Measures adopted to ensure that habilitation and rehabilitation services and programmes for persons with disabilities are designed and implemented to enable them to attain and maintain maximum independence, full physical, mental, social and vocational ability and full inclusion and participation in all aspects of life. The extent to which those services and programmes are designed and implemented, taking into account the human rights-based approach to disability; include early and multi-disciplinary interventions; integrate age and gender perspectives and peer support; are affordable and accessible; and include appropriate assistive and adaptive technology;

(b) Measures and procedures adopted to ensure that the participation of persons with disabilities in habilitation and rehabilitation services and programmes is accessible, comprehensive, cross-sectoral and human rights-based; measures adopted to ensure that programmes are of a voluntary character and designed in close collaboration with organizations representing persons with disabilities;

(c) Measures adopted to ensure that rehabilitation and habilitation services and programmes are provided as close as possible to the community, including in rural areas. The number and percentage of local-based habilitation and rehabilitation options available within the local community to persons with disabilities;

(d) Measures adopted to ensure that the human rights-based approach to disability is incorporated into training curricula and guidelines for professionals and staff working in habilitation and rehabilitation programmes for persons with disabilities;

(e) Measures adopted to promote the availability, knowledge and use of assistive devices, mobility aids and modern technologies, designed for persons with disabilities in relation to habilitation and rehabilitation, including through international cooperation;

(f) The number and percentage of persons with disabilities that consider rehabilitation initiatives to be cross-sectoral and of sufficient quality.

## **Work and employment (art. 27)**

29. States parties should provide information on the following:

(a) Measures adopted, including affirmative-action measures, to recognize and ensure, in legislation and in practice, that persons with disabilities exercise, on an equal basis with others, their right to freely choose or accept employment in work environments that are open, inclusive and accessible to them, particularly the right to freely chosen work in the labour market;

(b) The extent to which persons with disabilities, through their representative organizations, have been actively involved in the design and implementation of policies and programmes promoting their inclusion in the open labour market;

(c) Measures adopted to offer persons with disabilities work opportunities away from sheltered workshops and to ensure that persons with disabilities still working in such settings enjoy fair conditions of work, including equal remuneration for work of equal value;

(d) Measures adopted to ensure protection against discrimination of persons with disabilities, particularly women with disabilities, in all stages of employment, including recruitment, hiring, continuance of employment and career advancement, including in

public sector employment, and in any form of freely chosen employment; and measures adopted to recognize the right of persons with disabilities to work on an equal basis with others, in particular the right to equal pay for work of equal value;

(e) Measures adopted to ensure equal, just and favourable working conditions for persons with disabilities, particularly women with disabilities, including equal opportunities and equal remuneration for work of equal value, safe and healthy working conditions, including protection from harassment, and the redress of grievances;

(f) Mechanisms and procedures in place for persons with disabilities to address discrimination in all matters related to employment and conditions of work. Statistical data on the number of complaints and their outcome;

(g) Measures adopted to ensure that persons with disabilities are able to exercise their labour and trade union rights on an equal basis with others;

(h) Legislative, budgetary, administrative and other measures adopted to ensure that persons with disabilities have effective access to general technical and vocational guidance programmes, placement services and vocational and continuing training;

(i) Measures adopted to promote employment opportunities and career advancement for persons with disabilities in the open labour market, particularly women with disabilities, and support in finding, obtaining, maintaining and returning to employment. Measures taken, and their impact, to facilitate the re-employment of persons with disabilities who have been made redundant as a result of privatization, downsizing and/or economic restructuring of public and private enterprises;

(j) Measures adopted to encourage own-account and self-employment programmes in order to promote entrepreneurship;

(k) Data, disaggregated by sex, on the employment of persons with disabilities in the public sector;

(l) The impact of measures, including affirmative-action measures, on the promotion of the employment of persons with disabilities in the private sector;

(m) Measures in place to ensure that reasonable accommodation is provided to persons with disabilities in the workplace, that regular training on reasonable accommodation is available to employers and employees without disabilities and that sanctions are in place in cases of denial of reasonable accommodation;

(n) Measures adopted to ensure persons with disabilities, including persons who acquire a disability during the course of employment, have access to vocational and professional rehabilitation, job retention and return-to-work programmes;

(o) Statistical data, disaggregated by sex, on the employment, both in the public and private sector, of the economically active population with disabilities vis-à-vis the overall economically active population, disaggregated by sex, type of work and other relevant factors, compared to the employment rates of men and women without disabilities;

(p) The average hourly earnings of female and male employees, by occupation, age group and persons with disabilities;<sup>8</sup>

(q) The unemployment rate, by sex, age group and persons with disabilities;<sup>9</sup>

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<sup>8</sup> Ibid., indicator 8.5.1.

<sup>9</sup> Ibid., indicator 8.5.2.

(r) Measures adopted to ensure that persons with disabilities are not subject to forced labour, exploitation or slavery, including awareness-raising efforts, monitoring and complaint mechanisms.

### **Adequate standard of living and social protection (art. 28)**

30. States parties should provide information on the following:

(a) Measures adopted to ensure that persons with disabilities, in particular women and children with disabilities, have access to appropriate accessible and affordable mainstream social programmes and services, including adequate food, clothing and housing, on an equal basis with others;

(b) Guarantees that the measures adopted in times of financial crisis do not adversely and discriminatorily affect the rights of persons with disabilities, particularly women, children, elderly persons with disabilities and persons with disabilities living in low-income level households, or their ability to gain access to mainstream and disability-specific social programmes;

(c) Measures adopted to ensure that the eligibility criteria and the level of support to persons with disabilities in mainstream and disability-specific social programmes are compliant with the human rights-based approach, including by taking into account the barriers faced by persons with disabilities and the extra costs related to disability;

(d) Legal or policy measures or regulations in place to ensure that financial entitlements and allocations for persons with disabilities are paid directly to them;

(e) The proportion of people living on less than 50 per cent of the median income, by age, sex and persons with disabilities;<sup>10</sup>

(f) Measures adopted to ensure that persons with disabilities have full access (physical and in terms of information) to mainstream and disability-specific social protection programmes. The extent of measures adopted to raise awareness about the existence of such programmes;

(g) Measures adopted to ensure that water and sanitation facilities in public spaces are available and fully accessible to persons with disabilities;

(h) The social security budget allocated to persons with disabilities in line with the Convention as a percentage of the total social security budget;

(i) Measures in place that specifically address the issues of disability and mainstream disability in the social protection floor approach;

(j) The percentage of the population covered by social protection floors/systems, disaggregated by sex, and distinguishing children, the unemployed, the elderly, persons with disabilities, pregnant women/newborns, work injury victims, the poor and the vulnerable;<sup>11</sup>

(k) Measures to ensure that disability is mainstreamed in poverty reduction strategies, including specific measures for persons with disabilities, particularly women, girls and the elderly;

(l) Measures adopted to ensure access by persons with disabilities, including those who are particularly excluded, such as indigenous people, migrants, those living in in

<sup>10</sup> Ibid., indicator 10.2.1.

<sup>11</sup> Ibid., indicator 1.3.1.

situation of poverty and those in rural areas, to social protection programmes, particularly poverty reduction programmes and strategies that are gender and age appropriate and cover disability-related extra costs;

(m) Measures adopted and budgets allocated to ensure that assistance and support to persons with disabilities include adequate training, counselling, financial assistance, including cash and in-kind transfers, and respite care and facilitate independent living in the community;

(n) Measures in place to ensure access of persons with disabilities to public housing programmes, including through procurement that meets accessibility standards and the principles of universal design;

(o) Measures to ensure that persons with disabilities have access to both contributory and non-contributory retirement benefits and programmes for persons with disabilities.

### **Participation in political and public life (art. 29)**

31. States parties should provide information on the following:

(a) The proportion of the population that believes decision-making is inclusive and responsive, by sex, age, disability and population group;<sup>12</sup>

(b) Legislative and other measures to guarantee the political rights of persons with disabilities, in particular persons with psychosocial or intellectual disabilities, including by removing any restrictions on the exercise of political rights, in law or in practice;

(c) The proportions of positions held in public institutions (national and local legislatures, public service, and judiciary), disaggregated by age group, sex, persons with disabilities and population groups, and how this compares to national distributions;<sup>13</sup>

(d) Measures adopted to ensure the right of all persons with disabilities to vote through secret ballot, on their own or to be assisted by a person of their choice and with full respect of their free expression of will;

(e) Measures adopted to ensure the full accessibility of voting procedures, voting environment, facilities and materials;

(f) Measures adopted, including affirmative-action measures, for persons with disabilities to stand for elections, be elected and effectively hold office and perform public functions at all levels of government;

(g) Measures adopted to promote and encourage the meaningful participation of all persons with disabilities, particularly women and children with disabilities, without discrimination and on an equal basis with others, in decision-making processes in public affairs, at the national, regional and local levels, including by ensuring that such processes are accessible and inclusive;

(h) Measures adopted to promote the participation of persons with disabilities in non-governmental organizations and associations concerned with the public and political life of the country and in the activities and administration of political parties;

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<sup>12</sup> Ibid., indicator 16.7.2.

<sup>13</sup> Ibid., indicator 16.7.1.

(i) Support provided to persons with disabilities for the establishment and maintenance of organizations to represent their rights and interests at the local, regional, national and international levels.

### **Participation in cultural life, recreation, leisure and sport (art. 30)**

32. States parties should provide information on the following:

(a) Measures adopted to ensure that cultural, leisure, tourism and sporting facilities and services in the public and private sector are accessible to persons with disabilities, taking into account children with disabilities, including through the conditional use of public procurement and public funding;

(b) Measures adopted to ensure that cultural materials and contents are accessible to persons with disabilities, including through the use of information and communications technology;

(c) Measures to ensure that persons with disabilities enjoy access to television programmes, films, theatre and other cultural activities, in accessible formats;

(d) Measures adopted to recognize and promote the right of persons with disabilities to take part on an equal basis with others in cultural life, including opportunities to enable persons with disabilities to develop and utilize their creative, artistic and intellectual potential;

(e) Measures adopted, including participation in relevant international efforts such as the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled,<sup>14</sup> to ensure that intellectual property laws do not become a barrier for persons with disabilities in accessing cultural materials;

(f) Measures adopted to recognize and support the specific cultural and linguistic deaf identity, including sign languages and deaf culture of persons with disabilities;

(g) Measures adopted to encourage and promote the participation, to the fullest extent possible, of persons with disabilities on an equal basis with others in mainstream sporting activities at all levels;

(h) Measures adopted to ensure that persons with disabilities have an opportunity to organize, develop and participate in disability-specific sporting and recreational activities and, to that end, encourage the provision, on an equal basis with others, of appropriate instruction, training and resources;

(i) Measures adopted to ensure that children with disabilities have equal access with other children to participation in play, recreation and leisure and sporting activities, including those activities in the school system;

(j) Measures adopted to ensure that persons with disabilities have access to services open or provided to the public from those involved in the organization of recreational, tourism, leisure and sporting activities;

(k) The budget allocated to disability-specific sporting activities organized and developed by persons with disabilities, as percentage of the total public budget for sport.

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<sup>14</sup> Available from [www.wipo.int/treaties/en/ip/marrakesh](http://www.wipo.int/treaties/en/ip/marrakesh).

**Statistics and data collection (art. 31)**

33. States parties should provide information on the following:

(a) Steps taken to develop data collection tools in accordance with the human rights-based approach to disability and focusing on the disabling barriers experienced by persons with disabilities;

(b) Steps taken to incorporate human rights-based indicators in data collection and analysis, respecting, among others, human rights and fundamental freedoms, ethics, legal safeguards, data protection, confidentiality and privacy;

(c) Steps taken to ensure the full and meaningful participation of representative organizations of persons with disabilities in the full process (design/planning, implementation, analysis and dissemination) of data collection and research through, among others, the capacity-building of those organizations;

(d) Steps taken to establish coordinated systems between all entities collecting data on persons with disabilities that ensures reliability and diminishes discrepancies;

(e) Steps taken to further disaggregate data, by age, sex and other relevant factors, in order to identify and address the barriers faced by persons with disabilities in exercising their rights, for the purpose of formulating and implementing policies to give effect to the Convention;

(f) Steps taken to ensure the dissemination of statistics in formats accessible to persons with disabilities.

**International cooperation (art. 32)**

34. States parties should provide information on the following:

(a) Measures adopted to ensure that policies and programmes to implement the Sustainable Development Goals are grounded on the human rights-based approach to disability;

(b) Steps taken to ensure the mainstreaming of disability in programmes and projects developed in international cooperation efforts, and the extent to which they are gender- and age-sensitive;

(c) Steps taken to establish a monitoring and accountability framework to assess the impact on persons with disabilities of international cooperation programmes, projects and policies, including programmes aimed at implementing the Sustainable Development Goals, such as the follow-up and review process;

(d) Measures adopted to guarantee that international cooperation, including international development cooperation, is inclusive and accessible to persons with disabilities and is fully in line with the human rights-based approach to disability;

(e) Measures adopted to ensure the meaningful participation of persons with disabilities through their representative organizations in the design, implementation, monitoring and evaluation of programmes and projects developed in international cooperation efforts, at the local, national, regional and global levels;

(f) Actions toward facilitating and supporting capacity-building relating to international cooperation and disability, including through the exchange and sharing of information, experiences, training programmes and best practices, with the involvement and participation of representative organizations of persons with disabilities;



(g) Measures adopted regarding the development, progress and effectiveness of programmes for the exchange of technical know-how and expertise for the assistance of persons with disabilities, including those pertaining to accessible and assistive technologies;

(h) Measures adopted to enhance capacity-building support to developing countries, including for least developed countries and small island developing States, to increase significantly the availability of high-quality, timely and reliable data disaggregated by income, gender, age, race, ethnicity, migratory status, disability, geographic location and other characteristics relevant in national contexts.<sup>15</sup>

### **National implementation and monitoring (art. 33)**

35. States parties should provide information on the following:

(a) Measures adopted to designate one or more focal points properly placed within the government structure and with sufficient authority for ensuring that disability is mainstreamed across all policies and programmes, and the ministry or ministries that have been appointed as the focal point;

(b) Measures adopted to give due consideration to the establishment or designation of a coordination mechanism within the government structure to facilitate related action in different sectors and at different levels, and the ministry or departments that take part in the coordination mechanism;

(c) Measures adopted to ensure the establishment and functioning of a monitoring framework, including one or more independent mechanisms to promote, protect and monitor implementation of the Convention, and the extent to which the Principles relating to the status of national institutions for the protection and promotion of human rights (the Paris Principles) have been taken into account, particularly regarding their independence, autonomy and human and financial resources;

(d) Gender- and age-sensitive measures adopted to fully involve civil society, in particular persons with disabilities and their representative organizations, in the monitoring process of the implementation of the Convention;

36. The present guidelines will be updated in the future to take into account the evolving practice of the Committee in relation to the application of the Convention, as reflected in its concluding observations, general comments and statements.

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<sup>15</sup> See the final list of proposed Sustainable Development Goal indicators (E/CN.3/2016/2/Rev.1, annex IV), target 17.18.