



# Convention on the Rights of Persons with Disabilities

Distr.: General  
18 November 2009

Original: English

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Committee on the Rights of Persons with Disabilities  
Second session  
Geneva, 19–23 October 2009

## **Guidelines on treaty-specific document to be submitted by states parties under article 35, paragraph 1, of the Convention on the Rights of Persons with Disabilities**

### **Note by the Secretary-General**

1. In accordance with article 35, paragraph 1, of the Convention on the Rights of Persons with Disabilities (the Convention), each State Party undertakes to submit to the Secretary-General of the United Nations, for consideration by the Committee on the Rights of Persons with Disabilities (the Committee), a report on measures taken to give effect to its obligations under the Convention: (a) within two years after the entry into force of the Convention for the State concerned, and (b) thereafter at least every four years and whenever the Committee so requests. Article 36, paragraph 1, also provides that the Committee may request further information from the States Parties.

2. The purpose of reporting guidelines is to advise States Parties on the form and content of their reports, so as to facilitate the preparation of reports and ensure that these are comprehensive and presented in a uniform manner by States Parties. Compliance with the reporting guidelines will also reduce the need for the Committee to request further information under article 36 and under rule 36, paragraph 3, of its rules of procedure.

3. States should consider the reporting process, including the process of preparation of their reports, not only as a means to ensure compliance with their international obligations, but also as an opportunity to take stock of the state of human rights protection within their jurisdiction for the purpose of more efficient policy planning and implementation of the Convention. The report preparation process thus offers an occasion for each State Party to:

(a) Conduct a comprehensive review of the measures it has taken to harmonize national law and policy with the provisions of the relevant international human rights treaties to which it is a party;

(b) Monitor progress made in promoting the enjoyment of the rights set forth in the treaties in the context of the promotion of human rights in general;

(c) Identify problems and shortcomings in its approach to the implementation of the treaties;

- (d) Plan and develop appropriate policies to achieve these goals.

Furthermore, States Parties should encourage and facilitate the involvement of non-governmental organizations, including organizations of persons with disabilities in the preparation of reports. Such constructive engagement on the part of these organizations will enhance the quality of reports as well as promote the enjoyment by all of the rights protected by the Convention. The reports should contain an explanation of the procedure used to consult with civil society and in particular with representative organisations of persons with disabilities and the measures taken to ensure that this process was fully accessible.

4. States Parties must recognize and respect the diversity of persons with disabilities and ensure that their report is not generalized, but specific to different types of disability.

5. The Committee adopts the present guidelines that take into account the harmonized guidelines on reporting under the international human rights treaties (HRI/GEN/2/Rev.5). These guidelines will be updated in 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.

6. The text of the guidelines on treaty-specific documents to be submitted by States Parties under articles 35 of the Convention is contained in the annex to the present document.

## Annex

### **Guidelines on the treaty-specific document to be submitted by States Parties under article 35 of the Convention on the Rights of Persons with Disabilities**

#### **A. The existing reporting system and organization of information to be included in the common core document and in the treaty-specific document submitted to the Committee on the Rights of Persons with Disabilities**

A.1 State reports submitted under the harmonized guidelines on reporting under the international human rights treaties consist of two parts: a common core document and treaty-specific documents.

#### **A.2 The common core document**

A.2.1 The common core document should contain general information about the reporting State, the general framework for the protection and promotion of human rights, disaggregated according to sex, age, main population groups and disability, as well as information on non-discrimination and equality, and effective remedies, in accordance with the harmonized guidelines.

#### **A.3 The treaty-specific document**

A.3.1 The treaty-specific document submitted to the Committee on the Rights of Persons with Disabilities should not repeat the information included in the common core document or merely list or describe the legislation adopted by the State Party. Rather, it should contain specific information relating to the implementation, in law and in fact, of articles 1 to 33 of the Convention, taking into account analytical information on recent developments in law and practice affecting the full realization of the rights recognized in the Convention by all persons, with all forms of disabilities within the territory or jurisdiction of the State Party. It should also contain detailed information on substantive measures taken towards the aforementioned goals and the resulting progress achieved. Where applicable, this information should be presented in relation to policy and legislation of persons without disabilities. In all cases, it should indicate data sources.

A.3.2 In relation to the rights recognized in the Convention, the treaty-specific document should indicate:

(a) Whether the State Party has adopted policies, strategies and a national legal framework for the implementation of each Convention right, identifying the resources available for that purpose and the most cost-effective ways of using such resources;

(b) Whether the State Party has adopted comprehensive disability anti-discrimination legislation to put into effect provisions of the Convention in this regard;

(c) Any mechanisms in place to monitor progress towards the full realization of the Convention rights, including recognition of indicators and related national benchmarks in relation to each Convention right, in addition to the information provided under appendix 3 of the harmonized guidelines and taking into account the framework and tables of illustrative indicators outlined by the Office of the United Nations High Commissioner for Human Rights (OHCHR) (HRI/MC/2008/3);

(d) Mechanisms in place to ensure that a State Party's obligations under the Convention are fully integrated in its actions as a member of international organizations;

(e) The incorporation and direct applicability of each Convention right in the domestic legal order, with reference to specific examples of relevant legal cases;

(f) The judicial and other appropriate remedies in place enabling victims to obtain redress in the case their Convention rights have been violated;

(g) Structural or other significant obstacles arising from factors beyond the State Party's control which impede the full realization of the Convention rights, including details of the steps being taken to overcome them;

(h) Statistical data on the realization of each Convention right, disaggregated by sex, age, type of disability (physical, sensory, intellectual and mental), ethnic origin, urban/rural population and other relevant categories, on an annual comparative basis over the past four years;

A.3.3 The treaty-specific document should be delivered in accessible electronic format and in print.

A.3.4 The report should follow paragraphs 24 to 26 and 29 of the harmonized reporting guidelines.<sup>1</sup>

A.3.5 The format of the Convention-specific document should be in accordance with paragraphs 19 to 23 of the harmonized reporting guidelines. The initial report should not exceed 60 pages, and subsequent Convention-specific documents should be limited to 40 pages. Paragraphs should be numbered sequentially.

#### **A.4 Initial reports**

A.4.1 The initial Convention-specific document, together with the common core document, constitutes the State Party's initial report and is the State Party's first opportunity to present to the Committee the extent to which its laws and practices comply with the Convention.

A.4.2 A State Party should deal specifically with every article of the Convention; in addition to information contained in the common core document, a detailed analysis of the impact of legal norms on persons with disabilities' factual situation and the practical availability, implementation and effect of remedies for violations of provisions of the Convention paying special attention to particularly vulnerable population groups such as women and children should be provided and explained in the Convention-specific document.

A.4.3 The initial Convention-specific document should, to the extent that such information is not already contained in the common core document, outline any distinctions, exclusions or restrictions made on the basis of disability, even of a temporary nature, imposed by law, practice or tradition, or in any other manner on the persons with disabilities' enjoyment of each provision of the Convention.

A.4.4 The initial Convention-specific document should contain sufficient quotations from, or summaries of the relevant constitutional, legislative, judicial and other texts which guarantee and provide remedies in relation to the rights and provisions of the Convention, in particular when those are not attached to the report or are not available in one of the working languages of the United Nations.

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<sup>1</sup> HRI/GEN/2/Rev.5, chap. I.

## **A.5 Periodic reports**

A.5.1 The subsequent Convention-specific document, which, together with the common core document, forms a subsequent periodic report, should focus on the period between the consideration of the State Party's previous report and the presentation of the current report.

A.5.2 Periodic Convention-specific documents should be structured so as to follow the articles of the Convention. If there is nothing new to report under any article, it should be so stated.

A.5.3 There should be at least three starting points for such subsequent Convention-specific documents:

(a) Information on the implementation of concluding observations (particularly "Concerns" and "Recommendations") from the previous report, and explanations for instances of non-implementation or difficulties encountered;<sup>2</sup>

(b) An analytical and result-oriented examination by the State Party of additional legal and other appropriate steps and measures taken towards the implementation of the Convention;

(c) Information on any remaining or emerging obstacles to the exercise and enjoyment by persons with disabilities of their human rights and fundamental freedoms in the civil, political, economic, social, cultural or any other field, as well as information on measures envisaged to overcome these obstacles.

A.5.4 Periodic Convention-specific documents should in particular address the impact of measures taken, and should analyze trends over time in eliminating discrimination against persons with disabilities and ensuring persons with disabilities' full enjoyment of their human rights.

A.5.5 Periodic Convention-specific documents should also address the implementation of the Convention with respect to different groups of persons with disabilities, in particular those subject to multiple forms of discrimination.

A.5.6 Where a fundamental change has occurred in the State Party's political and legal approach affecting the implementation of the Convention or new legal or administrative measures have been introduced by the State Party which requires the annexure of texts, and judicial or other decisions, such information should be provided in the Convention-specific document.

## **A.6 Exceptional reports**

A.6.1 The present guidelines do not affect the Committee's procedure in relation to any exceptional reports that may be requested and are governed by the Committee's rules of procedure.

## **A.7 Annexes to reports**

A.7.1 If needed, the report should be delivered in electronic format and in print accompanied by a sufficient number of copies, in one of the working languages of the

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<sup>2</sup> States Parties may decide to present such information at the beginning of the report, at the end as an annex or to integrate it, with specific reference to the particular concluding observation, under the relevant parts of the report.

United Nations, of the principal legislative, judicial, administrative and other supplementary documentation that the reporting States may wish to have distributed to all members of the Committee to facilitate the consideration of their report. These texts may be submitted in accordance with paragraph 20 of the harmonized guidelines on reporting.

## **A.8 Measures to implement outcomes of United Nations conferences, summits and reviews**

A.8.1 The Convention-specific document should also include information on the implementation of the disability elements of the Millennium Development Goals and on the outcomes of other relevant United Nations conferences, summits and reviews.

## **A.9 General recommendations**

A.9.1 General recommendations adopted by the Committee should be taken into account in preparing the Convention-specific document.

## **A.10 Reservations and declarations**

A.10.1 General information on reservations and declarations should be included in the common core document in accordance with paragraph 40 (b) of the harmonized reporting guidelines. In addition, specific information in respect to reservations and declarations to the Convention should be included in the Convention-specific document submitted to the Committee, the Committee's statements on reservations and, where applicable, the Committee's concluding observations. Any reservation to or declaration relating to any article of the Convention by the State Party should be explained and its continued existence clarified.

A.10.2 States Parties that have entered general reservations which do not refer to a specific article, or which are directed at articles 4, 5 and 12 should report on the interpretation and the effect of those reservations. States Parties should provide information on any reservations or declarations they may have lodged with regard to similar obligations in other human rights treaties.

## **A.11 ILO Conventions**

A.11.1 If a State Party is a participant to any of the International Labour Organization (ILO) Conventions listed in appendix 2 of the harmonized guidelines, or to any other relevant conventions of United Nations specialized agencies, and has already submitted reports to the supervisory committee(s) concerned that are relevant to any of the rights recognized in the Convention, it should append the respective parts of those reports rather than repeat the information in the treaty-specific document. However, all matters which arise under the Convention and are not fully covered in those reports should be dealt with in the present treaty-specific document.

## **A.12 Optional Protocol**

A.12.1 If the State Party has ratified or acceded to the Optional Protocol and the Committee has issued views entailing provision of a remedy or expressing any other concern, relating to a communication received under that Protocol, the Convention-specific document should

include further information about the remedial steps taken as well as other steps taken to ensure that any circumstance giving rise to the communication does not recur. Reports also should indicate any provisions of legislation currently in force that the State party considers an obstacle to the implementation of the Optional Protocol, and whether there are plans to review such provisions.

A.12.2 If the State Party has ratified or acceded to the Optional Protocol and the Committee has conducted an inquiry under article 6 of the Optional Protocol, the Convention-specific document should include details of any further measures taken in response to an inquiry, and to ensure that the violations giving rise to the inquiry do not recur.

## **B. Segment of the treaty-specific document submitted to the Committee relating to general provisions of the Convention**

### **Articles 1 to 4 of the Convention**

These articles establish the purpose, definitions, general principles and obligations of the Convention.

States Parties should report on:

- The definition of disability used to collect the data being analysed, which impairments have been included, and the conceptualization of “long-term”
- The ways and means by which the domestic law defines and understands the concepts provided in articles 1 and 2 of the Convention, and in particular any laws, regulations, social customs or practices that discriminate on the ground of disability
- The ways and means by which the State Party defines and understands the concept of “reasonable accommodation”, and the requirement of “disproportionate and undue burden”, providing examples
- In what manner the general principles and obligations established under articles 3 and 4 of the Convention have been implemented, and how it intends to ensure their effective realization, in particular the principle of promotion of the full realization of the rights under the Convention without discrimination based on disability as provided under article 4 and provide examples
- Disaggregated and comparative statistical data on the effectiveness of specific anti-discrimination measures and the progress achieved towards ensuring equal realization of each of the Convention rights by persons with disabilities including a gender- and age-based perspective
- Which Convention rights the State Party has endeavoured to implement progressively and which it has committed to implement immediately. Describe the impact of the latter measures
- The degree of involvement of persons with disabilities including women, boys and girls with disabilities in the development, implementation and evaluation of legislation and policies to introduce the Convention. It should also be indicated the diversity of persons with disabilities who have been involved in these processes with a gender, and age based perspective
- Whether the State has measures that provide higher levels of protection of the rights of persons with disabilities than those included in the Convention, in line with paragraph 4 of article 4

- How it has been ensured that the provisions of the Convention extend to all parts of the States, without any limitation or exception, in the case of federal or very decentralized States.

## **C. Segment of the report relating to specific rights**

### **Article 5 - Equality and non-discrimination**

This article recognizes that all persons are equal before the law with entitlement to equal protection and benefit of the law on equal grounds without any discrimination.

States Parties should report on:

- Whether persons with disabilities are able to use the law to protect or pursue their interests on an equal basis to others
- Effective measures taken to guarantee persons with disabilities equal and effective legal protection against all types of discrimination, including the provision of reasonable accommodation
- Policies and programmes, including affirmative action measures, to achieve the de facto equality of persons with disabilities, taking into account their diversity.

### **Article 8 - Awareness-raising**

This article establishes the obligation of States Parties to conduct effective awareness raising policies to promote a positive image of persons with disabilities. The report should contain information on the measures taken to raise awareness of persons with disabilities, to foster respect for their rights and dignity, their capabilities and contributions, and to combat stereotypes, and prejudices against them.

States Parties should report on:

- Public-awareness campaigns directed to general society, within the education system and actions undertaken through mainstream media
- Actions undertaken to raise awareness and inform persons with disabilities and other parts of society on the Convention and the rights it includes

### **Article 9 - Accessibility**

This article establishes the obligation of States Parties to take appropriate measures to enable persons with disabilities to live independently as possible and to participate fully in all aspects of life.

States Parties should report on:

- Legislative and other measures taken to ensure to persons with disabilities, access on an equal basis with others to the physical environment (including the use of signal indicators and street signs), to transportation, information and communications, (including information and communications technologies and systems) and to other facilities and services provided to the public including by private entities, both in urban and in rural areas according to article 9, paragraphs 2 (b) to (h), of the Convention
- Technical standards and guidelines for accessibility; as well as on the auditing of their fulfilment and sanctions for noncompliance; and whether resources obtained by means of money sanctions are applied to encourage accessibility actions

- The use of public procurement provisions and other measures that establish compulsory accessibility requirements
- The identification and elimination of obstacles and barriers to accessibility including from both within the public and the private sector, and national accessibility plans established with clear targets and deadlines

#### **Article 10 - Right to life**

This article reaffirms the inherent right to life of persons with disabilities on an equal basis with others.

States Parties should report on:

- Whether the legislation recognizes and protects the right to life and survival of persons with disabilities on an equal basis with others
- Whether persons with disabilities are being subject to arbitrary deprivation of life

#### **Article 11 - Situations of risk and humanitarian emergencies**

This article obliges States Parties to ensure the protection and safety of persons with disabilities in situations of risk, such as situations resulting from armed conflicts, humanitarian emergencies or natural disasters.

States Parties should report on any measures taken to ensure their protection and safety including measures taken to include persons with disabilities in national emergency protocols.

States Parties should report on measures taken to ensure that humanitarian aid relief is distributed in an accessible way to people with disabilities caught in humanitarian emergency, in particular measures taken to ensure that sanitation and latrine facilities in emergency shelters and refugee camps are available and accessible for persons with disabilities.

#### **Article 12 - Equal recognition before the law**

This article reaffirms that persons with disabilities have the right to recognition as persons before the law.

States Parties should report on:

- Measures taken by the State Party to ensure that persons with disabilities enjoy legal capacity on an equal basis with others in all aspects of life, in particular such measures as to ensure the equal right of persons with disabilities to maintain their physical and mental integrity, full participation as citizens, 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 their right not to be arbitrarily deprived of their property
- Whether legislation does or does not exist which restricts the full legal capacity on the basis of disability, as well as actions being taken towards conformity with article 12 of the Convention
- The support available to persons with disabilities to exercise their legal capacity and manage their financial affairs
- The existence of safeguards against abuse of supported decision-making models
- Awareness-raising, and education campaigns in relation to equal recognition of all persons with disabilities before the law

**Article 13 - Access to justice**

This article recognizes the right of persons with disabilities to have effective access to justice on an equal basis to others, without being excluded from legal proceedings.

States Parties should report on:

- Measures taken to ensure the effective access to justice at all stages of the legal process, including investigative and other preliminary stages, by all persons with disabilities
- Measures taken to ensure effective training of personnel in the national justice and prison system, in the respect for the rights of persons with disabilities
- The availability of reasonable accommodations, including procedural accommodations that are made in the legal process to ensure effective participation of all types of persons with disabilities in the justice system, whatever the role which they find themselves in (for example as victims, perpetrators, witness or member of jury, etc.)
- Age-related accommodations to ensure effective participation of children and young persons with disabilities

**Article 14 - Liberty and security of the person**

This article ensures that persons with disabilities enjoy the right to liberty and personal security, and are not deprived of their liberty, unlawfully or arbitrarily, on the basis of the existence of a disability.

States Parties should report on:

- Measures taken by the State Party to ensure that all persons with all forms of disabilities enjoy the right to liberty and security of person and that no person is deprived of her/his liberty on the basis of her/his disability
- Actions being taken to abolish any legislation that permits the institutionalization or the deprivation of liberty of all persons with all forms of disabilities
- Legislative and other measures put in place to ensure that persons with disabilities who have been deprived of their liberty are provided with the required reasonable accommodation, and benefit from the same procedural guarantees as all other persons to enjoy fully their remaining human rights

**Article 15 - Freedom from torture or cruel, inhuman or degrading treatment or punishment**

This article establishes the protection of persons with disabilities from being subjected to torture, cruel, inhuman and degrading treatment or punishment.

States Parties should report on:

- Measures taken to protect effectively persons with disabilities from medical or scientific experimentation without their free and informed consent, including persons with disabilities who need support in exercising their legal capacity
- The inclusion of persons with disabilities in national strategies and mechanisms to prevent torture

**Article 16 - Freedom from exploitation, violence and abuse**

This article protects persons with disabilities from all forms of exploitation, violence and abuse, both within and outside the home, paying special attention to children and women with disabilities.

States Parties should report on:

- Legislative, administrative, social, educational and other measures taken to protect persons with disabilities, both within and outside the home, from all forms of exploitation, violence and abuse, including the gender and child based aspects
- Social protection measures to assist and support persons with disabilities, including their families and caregivers, and to prevent, recognize and report instances of exploitation, violence and abuse, including the gender- and child-based aspects
- Measures taken to ensure that all services and programmes designed to serve persons with disabilities are effectively monitored by independent authorities
- Measures taken to ensure that all persons with disabilities who are victims of violence have access to effective recovery, rehabilitation and social re-integration services and programmes
- Measures taken to ensure that all services and resources available to prevent and support victims of violence are accessible to persons with disabilities
- Legislation and policies, including women and child focused legislation and policies, to ensure that instances of exploitation, violence and abuse against persons with disabilities are identified, investigated and, where appropriate, prosecuted.

**Article 17 - Protecting the integrity of the person**

This article establishes the right to respect for the physical and mental integrity of persons with disabilities.

States Parties should report on:

- Measures taken to protect persons with disabilities from medical (or other) treatment given without the free and informed consent of the person
- Measures taken to protect all persons with disabilities from forced sterilization, and girls and women from forced abortions
- The existence, composition and role of independent review organizations to ensure the fulfilment of this right, as well as the programmes and measures adopted by these bodies

**Article 18 - Liberty of movement and nationality**

This article recognizes the right of persons with disabilities to liberty of movement, to freedom to choose their residence and to a nationality.

States Parties should report on:

- Legislative or administrative measures taken to ensure the right of persons with disabilities to acquire a nationality and to not be deprived of it, as well as to ensure the right of persons with disabilities to enter or leave the country arbitrarily
- Measures taken to ensure that every newborn child with a disability be registered upon birth and given a name and a nationality

**Article 19 - Living independently and being included in the community**

This article recognizes the right of persons with disabilities to live independently and to participate in the community.

States Parties should report on:

- The existence of available independent living schemes, including the provision of personal assistants for persons who so require
- The existence of in-house support services allowing persons with disabilities to live in their community
- The existence and range of options of residential services for living arrangements, including shared and sheltered accommodation which take into account the form of disability
- The degree of accessibility for persons with disabilities to community services and facilities provided to the general population

**Article 20 - Personal mobility**

This article recognizes the right of persons with disabilities to move freely with the greatest possible independence.

State Parties should report on:

- Measures to facilitate the personal mobility of persons with disabilities, including the use of signal indicators and street signs for accessibility, in the manner and the time of their choice, as well as their access to forms of assistance (human, animal, or assistive technologies and devices), at an affordable cost
- Measures taken to ensure that the technologies are high quality, affordable, and user-friendly
- Measures taken to give training in mobility skills to persons with disabilities and specialist staff
- Measures taken to encourage entities that produce mobility aids, devices and assistive technologies to take into account all aspects of mobility for persons with disabilities

**Article 21 - Freedom of expression and opinion, and access to information**

This article recognizes the right of persons with disabilities to freedom of expression and opinions, including the freedom to seek, receive and impart information and ideas through all forms of communication of their choosing.

States Parties should report on:

- Legislative and other measures taken to ensure that information provided to the general public is accessible to persons with disabilities in a timely manner and without additional cost
- Legislative and other measures taken to ensure that persons with disabilities can use their preferred means of communication in all forms of official interaction and access to information, such as sign language, Braille, augmentative and alternative communication, and all other accessible means
- Measures taken to urge private entities and mass media to provide their information and services in an accessible form for persons with disabilities, including measures

taken to prevent the blocking or restriction of access to information in alternative formats by the private sector

- Degree of accessibility of mass media and percentage of public websites that comply with the Web Accessibility Initiative (WAI) standards
- Legislative and other measures taken linked to the official recognition of sign language(s)

#### **Article 22 - Respect for privacy**

This article recognizes the right of all persons with disabilities to the protection of their private life, honour and reputation.

States Parties should report on the measures taken to protect the privacy of personal, health and rehabilitation related information of persons with disabilities.

States parties should report on measures taken so that persons with disabilities not be concealed on the pretext of protection of privacy.

#### **Article 23 - Respect for home and the family**

This article recognizes the right of persons with disabilities to marriage and to found a family, to decide freely on the number of children to have, and to retain their fertility on an equal basis to others.

States Parties should report on:

- Measures taken to ensure that persons with disabilities may exercise the right to marry and to found a family on the basis of full and free consent
- Measures taken so that persons with disabilities have access to family planning, assistive reproduction and adoption or fostering programmes
- Measures taken to ensure that parents with disabilities, who so require, are provided with the adequate support in their child-rearing responsibilities, ensuring the parent-child relationship
- Measures taken to ensure that no child is separated from her/his parents because of the disability of either the child or one or both of the parents
- Measures taken to support fathers and mothers, and the families of boys and girls with disabilities, in order to prevent concealment, abandonment, neglect or segregation of the boy or girl with a disability
- Measures taken to avoid institutionalization of boys and girls with disabilities whose parents are unable to care for them, and ensure that they are provided with alternative care from the wider family, or when this is not possible, in a family setting in the wider community
- Measures taken to prevent the forced sterilization of persons with disabilities, especially with girls and women

#### **Article 24 - Education**

This article recognizes the right of persons with disabilities to education on the basis of equal opportunity, ensuring an inclusive education system at all levels and the facilitation of access to lifelong learning.

State Parties should report on:

- Measures taken to ensure that every child with disabilities has access to early-stage education, and mandatory primary, secondary and higher education
- Information on the number of boys and girls with disabilities in early-stage education
- Information on the existing significant differences in the education of boys and girls in the different education levels and whether there are policies and legislation to cater for these differences
- Legislative and other measures that ensure that schools and materials are accessible and that individualized reasonable accommodation and support required by persons with disabilities is provided to ensure effective education and full inclusion
- Availability of specific skills-training services for children, adults or teachers who so require in Braille, sign languages, augmentative and alternative communication, mobility and other areas
- Measures taken for the promotion of the linguistic identity of deaf persons
- Measures taken to ensure education is delivered in the most appropriate languages, modes, means of communication, and environments for the individual
- Measures to ensure an adequate training on disability to professionals in the education system, as well as measures to incorporate persons with disabilities in the education team
- Number and percentage of students with disabilities in tertiary education
- Number and percentage of students with disabilities by gender and fields of study
- Reasonable accommodation provisions and other measures to ensure access to lifelong learning education
- Measures taken by the State to ensure early identification of persons with disabilities and their education needs

#### **Article 25 - Health**

This article recognizes that persons with disabilities have the right to the enjoyment of the highest attainable standard of health, ensuring access for persons with disabilities to health services, including health-related rehabilitation, that are gender-sensitive, in their community and without financial cost.

States Parties should report on:

- Legislative and other measures that protect against discrimination and ensure that persons with disabilities have the same access to quality health services, including in the area of sexual and reproductive health
- Measures taken to ensure that persons with disabilities have access to disability-related health rehabilitation in their community freely and without financial cost
- Health services, early detection and intervention programmes, as appropriate, to prevent and minimize the emergence of secondary disabilities, paying attention to children, women and the elderly, including in rural areas
- Legislative and other measures to ensure that general public health campaigns are accessible for persons with disabilities
- Measures put in place to train doctors and other health professionals on the rights of persons with disabilities, including in rural areas

- Legislative and other measures to ensure that any health treatment is provided to persons with disabilities on the basis of their free and informed consent
- Legislative and other measures that ensure protection against discrimination in the access to health insurance and other insurance, when these are required by law
- Measures taken to insure that sanitation facilities are not simply available, but fully accessible
- Measures taken to increase awareness and information in various accessible formats, including in Braille, for HIV/AIDS and malaria prevention

#### **Article 26 - Habilitation and rehabilitation**

This article establishes the measures to enable persons with disabilities to attain and maintain maximum independence, full physical, mental, social and vocational ability, and full inclusion and participation in all aspects of life, through comprehensive habilitation and rehabilitation programmes, in the areas of health, employment, education and social services.

States Parties should report on:

- General habilitation and rehabilitation programmes for persons with disabilities, in the areas of health, employment, education and social services, including early intervention, peer support, and the availability of these services and programmes in rural areas
- Measures taken to ensure that participation in habilitation and rehabilitation services and programmes is voluntary
- The promotion of initial and continuous training for professionals and staff working in habilitation and rehabilitation programmes
- Measures taken for the promotion, availability, knowledge and use of assistive devices and technologies, designed for persons with disabilities, as they relate to habilitation and rehabilitation
- Measures taken for the promotion of international cooperation in the exchange of assistive technologies in particular with Third World countries

#### **Article 27 - Work and employment**

This article recognizes the right of persons with disabilities to work and to gain a living by participation in a labour market and work environment that is open, inclusive and accessible, including for those who acquire a disability during the course of employment.

States Parties should report on:

- The legislative measures taken to ensure protection against discrimination in all stages of employment and in any form of employment and to recognize the right of persons with disabilities to work on a basis of equality with others, in particular the right to equal pay for equal work
- The impact of targeted employment programmes and policies in place to achieve full and productive employment among persons with disabilities according to paragraphs 1 (a to g) of the Convention
- The impact of measures to facilitate re-employment of persons with disabilities, who are made redundant as a result of privatization, downsizing and economic restructuring of public and private enterprises according to paragraph 1 (e) of the Convention

- Availability of technical and financial assistance for the provision of reasonable accommodations, including the promotion of the establishment of cooperatives and start ups in order to encourage entrepreneurialism
- Affirmative and effective action measures for the employment of persons with disabilities in the regular labour market
- Positive and effective action measures for the prevention of harassment of persons with disabilities in workplace
- Accessibility of persons with disabilities to open employment and vocational training services, including those for the promotion of self employment
- Information on existing significant differences in employment between men and women with disability and whether there are policies and legislation to cater for these differences in order to promote the advancement of women with disabilities
- Identification of the most vulnerable groups among persons with disabilities (including by providing examples) and policies and legislation in place for their inclusion in the labour market
- Measures taken for the promotion of the trade union rights of persons with disabilities
- Measures taken to assure the retention and retraining of workers who suffer a workplace injury resulting in a disability preventing them from performing their previous tasks
- Provide information on the work of persons with disabilities in the informal economy in the State Party, and the measures taken to enable them to move out of the informal economy, as well as on measures taken to ensure their access to basic services and social protection
- Describe the legal safeguards in place to protect workers with disabilities from unfair dismissal, and forced or compulsory labour according to article 27, paragraph 2
- Measures taken to ensure persons with disabilities who have technical and vocational skills are empowered with the support needed for their entry and re-entry to the labour market according to paragraph 1 (k)
- Measures taken to ensure students with disabilities the same access to the general labour market
- Measures taken to ensure various forms of work, such as work on location, telecommuting (off-site/at home) and subcontracting, and work opportunities offered by new communication technologies

#### **Article 28 - Adequate standard of living and social protection**

This article recognizes the right of persons with disabilities to an adequate standard of living and to social protection.

States Parties should report on:

- Measures taken to ensure availability and access by persons with disabilities to clean water, adequate food, clothing and housing and provide examples
- Measures taken to ensure access by persons with disabilities to services, devices and other appropriate assistance at affordable prices, including the availability of programmes that cover disability related extra financial costs

- Measures taken to ensure access by persons with disabilities, in particular women and girls and older persons with disability, to social protection programmes and poverty reduction programmes
- Measures towards public housing programmes and retirement benefits and programmes for persons with disabilities
- Measures taken to recognize the connection between poverty and disability

#### **Article 29 - Participation in political and public life**

This article guarantees political rights to persons with disabilities.

States Parties should report on:

- Legislation and measures to guarantee to persons with disabilities, in particular persons with mental or intellectual disability, political rights, including, if it is the case, existing limitations and actions taken to overcome them
- Measures taken to ensure the right to vote of all persons with disabilities, on their own or to be assisted by a person of their choice
- Measures taken to ensure the full accessibility of the voting procedures, facilities and materials
- Indicators measuring the full enjoyment of the right to participate in political and public life of persons with disabilities
- Support provided, if any, to persons with disabilities for the establishment and maintenance of organizations to represent their rights and interests at local, regional and national level

#### **Article 30 - Participation in cultural life, recreation, leisure and sport**

This article recognizes the right of persons with disabilities to take part in cultural life, develop and utilize their creative, artistic and intellectual potential, recognition and support of their specific cultural and linguistic identity, and to participate in recreational, leisure and sporting activities on an equal basis with others.

States Parties should report on:

- Measures taken 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 develop and utilize their creative, artistic and intellectual potential
- Measures taken to ensure that cultural, leisure, tourism and sporting facilities are accessible to persons with disabilities, taking into account children with disabilities, including through the conditional use of public procurement and public funding
- Measures taken to ensure that intellectual property laws do not become a barrier for persons with disabilities in accessing cultural materials, including participation in relevant international efforts
- Measures taken to promote deaf culture
- Measures taken to support the participation of persons with disabilities in sports, including elimination of discriminatory and differentiated treatment of persons with disabilities in the awarding of prizes and medals;
- Measures taken to ensure that children with disabilities have access on an equal basis with all other children to participation in play, recreation, leisure and sporting facilities, including those made within the school system

## **D. Segment of the reporting relevant to the specific situation of boys, girls and women with disabilities**

### **Article 6 - Women with disabilities**

Although gender aspects should be mainstreamed in each of the articles where applicable, under this specific article the report should include information regarding measures taken by the State Party to ensure the full development, advancement and empowerment of women, for the purpose of guaranteeing them the exercise and enjoyment of the Convention rights and fundamental freedoms, and the elimination of all forms of discrimination.

States Parties should report on:

- Whether gender inequality of women and girls with disabilities is recognized at legislative and policy levels, as well as within programme development
- Whether girls and women with disabilities enjoy all human rights and fundamental freedoms on an equal basis with boys and men with disabilities
- Whether girls and women with disabilities enjoy all human rights and fundamental freedoms on an equal basis with other girls and women without disabilities

### **Article 7 - Children with disabilities**

The report should include supplementary information where applicable, regarding measures taken by the State Party to ensure the full enjoyment by children with disabilities of all Convention rights and fundamental freedoms, in particular to ensure that all actions concerning children with disabilities are in the best interests of the child.

States Parties should report on:

- The principles that underpin decision-making in relation to boys and girls with disabilities
- Whether boys and girls with disabilities are able to express their views on all matters that affect them freely, and receive appropriate assistance according to their disability and age to practice this right
- Relevant differences in the situations among boys and girls with disabilities
- Whether children with disabilities are viewed as right-bearers on an equivalent basis to other children

## **E. Segment of the report relevant to specific obligations**

### **Article 31 - Statistics and data collection**

This article regulates the process of collection of data by the State Party.

States Parties should report on:

- Measures taken to collect disaggregated appropriate information, including statistical and research data, to enable them to formulate and implement policies to give effect to the Convention respecting human rights and fundamental freedoms, ethics, legal safeguards, data protection, confidentiality and privacy
- The dissemination of these statistics and measures to ensure their accessibility by persons with disabilities

- Measures taken to ensure the full participation of persons with disabilities in the process of data collection and research

### **Article 32 - International cooperation**

This article recognizes the importance of the State's international cooperation in support of national efforts towards the realization of the purpose and objectives of the Convention.

States Parties as donor countries or beneficiaries of international cooperation should report on:

- Measures taken to guarantee that international cooperation be inclusive and accessible by persons with disabilities
- Measures taken to guarantee that donor funds are properly used by recipient States (including by providing examples, numbers and percentages of successful targeted funding)
- Programmes and projects which specifically target persons with disabilities and the percentage of the total budget allocated to them
- Affirmative-action measures taken towards the inclusion of the most vulnerable groups among persons with disability, such as women, children, etc.
- Degree of participation of persons with disabilities in the design, development and evaluation of programmes and projects
- Degree of mainstreamed action towards persons with disabilities in the general programmes and projects developed
- Actions toward facilitating and supporting capacity-building, including through the exchange and sharing of information, experiences, training programmes and best practices
- Whether policies and programmes targeting the Millennium Development Goals (MDGs) take into account the rights of persons with disabilities
- On the development, progress, and effectiveness of programmes for the exchange of technical know-how and expertise for the assistance of persons with disabilities

### **Article 33 - National implementation and monitoring**

This article regulates the national application and follow-up of the Convention.

The States Parties should report on:

- Measures taken to designate one or more focal points within the Government for matters relating to the implementation of the Convention, giving due consideration to the establishment or designation of a coordination mechanism within the Government to facilitate related action in different sectors and at different levels
- The establishment of a framework, including one or more independent mechanisms, as appropriate and measures taken to promote, protect and monitor implementation of the Convention, taking into account the principles relating to the status and function of national institutions for the protection and promotion of human rights
- Measures taken to involve civil society, in particular persons with disabilities and their representative organizations, including gender perspectives, in the monitoring process and the preparation of the report

- On the integration of disability issues on the agenda of all governmental agencies to assure that various departments are equally aware of disability rights and can work towards their promotion
  - On the operations of Government departments and their programs and functions relating to persons with disabilities
  - On budget allocations for the purpose of national implementation and monitoring
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