

>> SLIDE 1



2024 Annual Conference on Independent Living

BACK TO THE FUTURE

Presented by the National Council on Independent Living

# A General Overview of the United Nations Convention on the Rights of Persons with Disabilities (CRPD)



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# Objectives

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- History of the UN CRPD
- State Parties' Obligations
- Implementation and Monitoring of the CRPD
- Role of People with disabilities and their organizations
- Update on ratification by the United States Senate
- NCIL International Subcommittee



# Purpose of the Convention

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To **promote, protect and ensure** the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities, and to promote respect for their inherent dignity.

# History

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- Drafting began in 2001.
- Other human rights instruments addressed disability.
- Convention was necessary to address more comprehensively the challenges facing persons with disabilities and to protect and promote their rights through a legally binding instrument.
- OHCHR commissioned a study

# History - NGO Activities & Strategies

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- Form NGO Caucus; issue position papers; prepare joint strategy – “total consensus position”
- Lobby govts; place NGO reps on govt delegations
- Draft text for govts to introduce; perform legal analysis of existing text. Issue advocacy newsletters naming and shaming govts/complimenting govts
- Brief UN Missions prior to meetings
- Engage with decision-makers back home in capitals

# A Paradigm Shift – From Welfare to Rights

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- Persons with disabilities are no longer considered as “objects” of charity, medical treatment and social protection; but rather as “subjects” with rights, capable of claiming those rights and making decisions based on their free and informed consent.
- Persons with disabilities are active and equal members of society.

# Overall Structure

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- Preamble
- Introductory articles (Articles 1 & 2)
- Articles of general application (Articles 3-9)
- Specific articles (Articles 10-30)
- Implementation and monitoring measures (Articles 31-40)
- Final articles (Articles 41-50)



# General Principle: Non-discrimination

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- Includes direct and indirect discrimination
- Reasonable accommodation must be made for persons with disabilities
- **Reasonable accommodation:** “necessary and appropriate modification and adjustments not imposing a disproportionate or undue burden, where needed in a particular case, to ensure to persons with disabilities the enjoyment or exercise on an equal basis with others of all human rights and fundamental freedoms”

# Rights in the Convention

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# Monitoring

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- States must establish monitoring at the national level to implement and monitor the rights of women, men, and children with disabilities. (Art. 33)
- Specific national monitoring requirements



# Convention Bodies

Conference of  
States Parties  
(COSP)

Committee on the  
Rights of Persons  
with Disabilities

# CRPD Committee

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- Examines reports submitted by states;
- Develops a list of questions in response to State report;
- Engages in dialogue with State;
- Issues concluding observations and recommendations to reporting State;
- Drafts general comments interpreting the treaty;
- Consideration of individual communications and undertaking of inquiries (as provided under the **Optional Protocol**)

# Special Rapporteur on Disability

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Role of the Special  
Rapporteur on the Rights of  
Persons with Disabilities





# Current Status

- CRPD Ratifications/Accessions: 191
- Optional Protocol  
Ratification/Accessions: 100

# United States – Current Status

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- **July 2009:** U.S. signed the CRPD
- **May 2012:** Transmitted to the U.S. Senate
- **July 2012:** Hearings in the Senate Foreign Relations Committee
- **December 2012:** Vote on the floor with the full Senate (100 Senators – 2/3 vote needed)
- **July 2014:** Senate Foreign Relations Committee voted 12-6 to send the Disabilities Treaty to the full Senate.





# U.S. Community Support



Over **800+**  
disability  
organizations



**20** veterans service  
organizations



**26** faith  
organizations



Chamber of  
Commerce, USBLN,  
ITIC, ISPO and over  
**50** businesses

# Opposition – Some Myths

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Ratification will:

- Infringe on U.S. sovereignty
- Make it binding on domestic law and will create opportunities for new lawsuits.
- Will put a UN Committee of experts in charge of U.S. law
- Will harm parental rights of parents of children with disabilities & impair their right to homeschool.
- Aim to endorse abortion rights & funding around the world.

# NCIL International Subcommittee

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- Facilitate global collaboration and dialogue for CILs and IL Advocates
- Encourage international contributions to sub committee's work and goals
- Represent NCIL to World Independent Living Network (WIN)
- Promote international visits for exchange of information and collaboration
- Learn More: [www.NCIL.org](http://www.NCIL.org)

# World Independent Living Network (WIN)

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- WIN is a network of Independent Living Centers all over the world.
- IL activists gathered and held "Global Independent Living (IL) Summit" in Washington DC In 2017 and made the agreement to establish global network of Independent Living Centers.
- WIN promote establishment of new IL Centers worldwide, especially in developing countries.



Questions?

# Contact

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