



A human rights-based approach to disability in development

Entry points for development organisations

Content

Executive Summary	4
1. Introduction	8
1.1 Relevance of a human rights-based approach to disability in development	8
1.2 Aim of the study.....	9
2. The UN Convention on the Rights of Persons with Disabilities (CRPD)	10
3. Key features of a human rights-based approach to disability and development	13
4. Applying key human rights principles to disability-inclusive development	16
4.1 Enhancing respect for persons with disabilities.....	16
4.2 Ensuring accessibility.....	19
4.3 Addressing non-discrimination, equality of opportunity and gender equality.....	23
4.4 Promoting and ensuring the rights of children with disabilities.....	25
4.5 Promoting and ensuring participation and empowerment of persons with disabilities	2
4.6 Strengthening accountability.....	31
5. Conclusions and way forward	37
6. Resources	39
6.1 Human rights in development cooperation.....	39
6.2 Disability, human rights and development	40
6.3 Selected tools.....	40
6.4 Websites	42
Table 1: Overview of rights enshrined in the CRPD.....	11
Table 2: Human rights principles and general principles of the CRPD	13
Table 3: Disability indicators for MDG - example.....	34
Box 1: Twin-track approach.....	8
Box 2: General principles of the CRPD	12
Box 3: Non-discrimination.....	14
Box 4: Basic criteria for the universal design of water supply and sanitation facilities	20
Box 5: Progress in enhancing participation and empowerment.....	31
Box 6: Accountability mechanisms and rights of persons with disabilities.....	3
Example 1: Fostering respect for persons with albinism in Tanzania.....	18
Example 2: Nepal – Ensuring access to sanitation for persons with disabilities.....	21
Example 3: Enhancing communication accessibility for blind girls in Kenya	22
Example 4: Promoting inclusive early childhood education in Chile.....	26
Example 5: Supporting children and youth with disabilities to participate in community life.....	27
Example 6: Comprehensive empowerment of persons with disabilities in Cameroon.....	29
Example 7: Strengthening the capacity of DPOs.....	30
Example 8: Participation of DPOs in poverty reduction strategy processes.....	3
Example 9: Taking disability into account in decentralisation and municipal development	33
Example 10: Monitoring government actions to implement the CRPD	35

List of Abbreviations

BMZ	Federal Ministry for Economic Cooperation and Development
CBM	Christoffel-Blindenmission
CRPD	United Nations Convention on the Rights of Persons with Disabilities
DPO	Disabled People's Organisation
DIMR	German Institute for Human Rights
GIZ	Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH
HRBA	Human rights-based approach
KfW	Kreditanstalt für Wiederaufbau
MDG	Millennium Development Goals
NAP	National Action Plan for the implementation of the UNCRPD
NGO	Non-governmental organisation
UN	United Nations
UNICEF	United Nations Children's Fund

Executive Summary

Human rights are a guiding principle of German development policy. The Federal Ministry for Economic Cooperation and Development (BMZ) has stipulated that a human rights-based approach (HRBA) should be integrated into all sectors and at all levels of development cooperation. With the entering into force of the UN Convention on the Rights of Persons with Disabilities, the issue of disability is now firmly established as a human rights issue. Persons with disabilities are facing a range of discrimination and exclusion and their rights are only rarely taken into account by development cooperation. Yet including persons with disabilities in development efforts is a crucial part of respecting human rights. But what does a human rights-based approach to disability in development mean in practice?

This study has been produced jointly by Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH, a federally owned enterprise, implementing development programmes on behalf of the German Government, and CBM, a non-governmental organisation. Accordingly, its aim is to offer guidance to those in both governmental and non-governmental organisations on development cooperation. Given the wide and differing range of implementation procedures, levels of intervention and organisational cultures, it is not a ready-to-be-applied toolbox with concrete blueprints for action. Rather, it raises awareness on core human rights and disability – inclusive principles. It explains and illustrates the implications of applying these principles to development practice. Practitioners can therefore use the guidance to initiate a process of consideration of how to embed these principles within their programmes.

The methodology of the study is based on a review of available literature and project documents.

The UN Convention on the Rights of Persons with Disabilities (CRPD)

The CRPD entered into force in 2008 and has been ratified by 125 countries (October 2012). The convention fosters a new understanding of disability: “Persons with disabilities include those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others” (art. 1). Whereas in the past, the focus was on the impairments of persons (medical model of disability), the understanding is now widened and comprises the barriers persons with disabilities encounter (social model of disability).

The CRPD expands the scope of the existing human rights system: first the concept of accessibility is further developed as a wide variety of impairments and societal barriers are taken into account. In addition, the principle of “Respect for difference and acceptance of persons with disabilities as part of human diversity and humanity” (art. 3) marks a generally positive approach towards persons with disabilities.

Key features of a human rights-based approach to disability in development

Persons with disabilities have long been seen as passive recipients of aid, often reduced to their impairment-related health needs. A human rights-based approach to disability implies that all people are active subjects with legal claims and that persons with disabilities need to participate in all spheres of society on an equal basis with their non-disabled peers. According to the human rights-based approach to development as defined by the UN, development cooperation contributes

to capacity development of “duty bearers”, i.e. States and their institutions acting with delegated authority, to meet their obligations, and on the other hand of “rights-holders”, e.g. persons with disabilities, to claim their rights. Throughout this process, the following core human rights principles should be applied:

- Equality and non-discrimination
- Participation and empowerment
- Transparency and accountability.

Development cooperation needs to address the multiple barriers to the inclusion of persons with disabilities – physical, attitudinal and communication barriers. As these barriers can be found in all sectors and at all levels, a human rights-based approach to disability is relevant for programmes in a variety of sectors, including infrastructure, water and sanitation, health, education, social protection, employment, economic development or governance.

Applying an HRBA demands more than simply adding persons with disabilities to the target groups of development programmes. It means adhering to and promoting the core human rights principles that underpin international human rights law. This study proposes six key principles which are derived from the core human rights principles and the general principles of the CRPD. Using the guidance in this

document, each of these principles can be used to analyse the respective development programme, taking into consideration its relevance on several levels:

- To what extent is the principle respected in the laws, policies or practices of the country or community in which the programme is active?
- To what extent is the principle respected within the specific organisation or project?
- To what extent is the principle respected in the approach towards partners?

1. Enhancing respect for persons with disabilities

The CRPD refers to respect in two different ways: respect for the inherent dignity of every human being and everyone’s individual autonomy, and respect for difference and acceptance of persons with disabilities as part of human diversity. This implies that every individual, however different he or she may be, has to be valued as a full member of society, and that persons with disabilities are considered as autonomous persons with the freedom to make their own choices.

Many development programmes use various awareness-raising, communication, information and capacity development instruments. Promoting respect for persons with disabilities could be



included as part of these activities.

2. Ensuring accessibility

The CRPD defines accessibility as a general principle (art. 3) and a stand-alone right (art. 9) and mentions it in many other rights. It thus recognises that removing the multiple barriers to access in society is a key requirement for the inclusion of persons with disabilities. There are four dimensions of accessibility: physical accessibility, information and communication accessibility, institutional accessibility, and economic accessibility.

Many development interventions aim at improving the access of the poor to services and information. In this context, they can include activities to enhance accessibility for persons with disabilities as part of the target group. Physical accessibility is a key dimension for all development programmes that include an infrastructure component. Communication accessibility can be improved by providing information material in accessible formats or by using alternative communication (e.g. sign language).

3. Addressing non-discrimination, equality of opportunity and gender equality

Non-discrimination is a core human rights principle that is enshrined in different human rights treaties. The CRPD embraces both a legal perspective of non-discrimination (equality before and under the law) and a social vision (equality of opportunities in society).

The CRPD recognises that women with disabilities are often subject to multiple discrimination on the grounds of gender and disability, and thus have fewer opportunities to enjoy their rights. It emphasises the need to incorporate a gender perspective in all efforts to promote the rights of persons with disabilities.

Development programmes, projects or organisations promoting a review of laws, policies or social standards can include activities to encourage equal opportunities for all persons with disabilities. Programmes aimed at the private sector may promote the development of employment standards or workplace policies that guarantee opportunities for men and women with disabilities. Development agencies and NGOs should also overcome their own barriers and provide equal employment opportunities.

4. Promoting and ensuring the rights of children with disabilities

In many countries, the capabilities of children and youth with disabilities are not recognised and their views not taken into account. They are often denied access to education or vocational training and are more vulnerable to violence and abuse than their non-disabled peers. The CRPD puts a three-fold focus on the need to respect the identity and evolving capacities of children with disabilities, to protect them and to include them fully in society.

Development organisations should make sure that the voices of children and youth with disabilities are heard. Programmes working specifically on children and youth, in areas such as legal protection, child health, primary and secondary education or community development should make sure that young people with disabilities are included in the activities.

5. Promoting and ensuring participation and empowerment of persons with disabilities

Participation is both a means (participatory approach) and an aim (the right to participate). It entails empowering rights-holders such as persons with disabilities to articulate their expectations towards the State and other duty bearers, and to claim their rights. This principle is summarised in the central slogan of the disability rights movement,

“Nothing about us without us”. In this way, participation goes beyond a methodology for quality programming and becomes the central idea of disability-inclusive programming.

Development organisations can on the one hand provide resources and develop the capacity of persons with disabilities and their organisations to participate in decision-making processes at local, regional and national level in a meaningful way. On the other hand, participatory mechanisms in existing activities should be strengthened. This includes for example encouraging government partners to involve disabled people’s organisations whenever the local population is consulted.

6. Strengthening accountability

Accountability can be defined as the process which requires duty-bearers to show, explain and justify how they have discharged their obligations. There are several types of accountability mechanisms, ranging from judicial mechanisms (e.g. obliging the government to review discriminatory laws) and administrative mechanisms (e.g. complaint mechanisms enabling persons with disabilities to file grievances) to social mechanisms (e.g. involvement of civil society in budget monitoring).

Accountability can be fostered both by enhancing the capacity of persons with disabilities to hold their governments accountable, and by strengthening or establishing disability-inclusive accountability mechanisms. Monitoring is a crucial part of accountability enabling the measuring and checking of whether governments or development programmes are complying with human rights obligations and determining the impact of activities on persons with disabilities.

Way forward

Working with a human rights-based approach is never routine work, but requires creativity and openness to try out what is best suitable in a given context. Whenever theoretical principles are applied to real-life situations, it takes a certain willingness to accept ambiguity and imperfection as part of the process. Disability inclusion cannot be achieved overnight. The progressive realisation of rights is a natural dimension of the HRBA.

The following points might be helpful when considering working with a human rights-based approach.

- **Small steps count:** Start with those steps towards inclusion which are most relevant and feasible for your situation.
- **Trust your creativity:** Come up with simple and creative solutions that contribute to strengthening the rights of persons with disabilities, rather than looking for a silver bullet that might use up too many resources.
- **Involve your leadership:** Ask the leadership of your organisation to serve as an example for disability inclusion and to lead from the top.
- **Let persons with disabilities help you:** Consider participation as a way to improve your work and ask the people who are experts on disability, that is disabled people themselves.
- **Celebrate your successes:** Help change attitudes towards persons with disabilities by sharing the positive experiences that you had through implementing inclusive activities.

The human rights-based approach to disability is not an add-on activity, but fundamentally changes the way in which development organisations plan and implement their programmes. It contributes to a more open, more inclusive and more effective development cooperation and thus benefits not only persons with disabilities, but society as a whole.

1. Introduction

1.1 Relevance of a human rights-based approach to disability in development

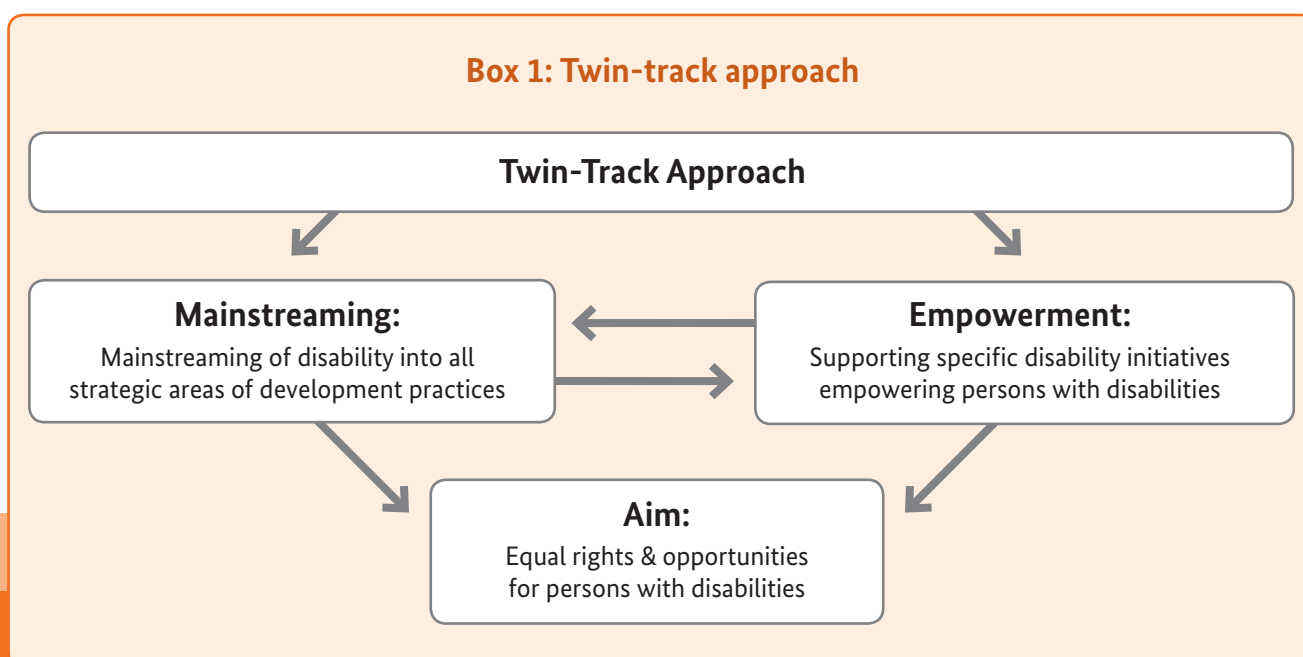
According to global estimates, around 15% of the world population over 15 years old are persons with disabilities. Of the global population, it is estimated that approximately 3.8% live with severe impairments, such as blindness or paraplegia; 80% of all persons with disabilities live in developing countries. Poverty is both a cause and a consequence of disability. Across the world, disability is more prevalent among women, older people and poor population groups. Persons with disabilities are also more likely to experience stigma and discrimination (WHO/World Bank 2011). Thus, disability is both a development and a human-rights issue.

The CRPD entered into force in 2008. It reaffirms that persons with disabilities are rights-holders entitled on an equal basis to all civil, political, social, economic and cultural rights. It explicitly defines these rights in the context of disability. The CRPD is also the first human rights treaty that obliges State parties, including Germany, to ensure that international cooperation and development

programmes are inclusive of and accessible to persons with disabilities (art. 32).

In March 2011 the UN Human Rights Council called upon State parties to reinforce international cooperation in support of national efforts for the realisation of the rights of persons with disabilities.

Human rights are a guiding principle of German development policies. The recent strategy of the Federal Ministry for Economic Cooperation and Development (BMZ) on “Human Rights in German Development Policy” (BMZ 2011) reaffirms that an HRBA should be systematically integrated into all sectors and at all levels of development cooperation. It highlights the importance of promoting the inclusion of groups and individuals particularly affected by discrimination (e.g. women, children, young people, sexual minorities, indigenous groups, persons with disabilities, the elderly), by dismantling barriers within society which exclude their equal participation. It also refers to the CRPD and emphasises the importance of disability-inclusive approaches.



An HRBA can be implemented through the so-called twin-track approach by

- Mainstreaming a disability-inclusive and human rights perspective in all development programmes and projects, and
- Supporting disability-specific initiatives to empower persons with disabilities and enhance their inclusion in society; such initiatives may include for example capacity development to strengthen disabled persons organisations (DPOs) and empower individuals with disabilities or support for training institutions to increase the availability of services for persons with disabilities.

Both approaches have a common aim: promoting equal rights and opportunities for all persons with disabilities.

1.2 Aim of the study

This study provides basic guidance on how to implement an HRBA in programmes and projects supported by German development organisations. Its overall aim is to support both staff and partners of implementing Government agencies (e.g. GIZ; KfW Entwicklungsbank) and of NGOs (disability-specific and mainstream) in incorporating such an approach in their work. The study raises awareness on core human rights and disability-inclusive principles, and explains and illustrates the implications of applying these principles to development practice.

This desk study is based on a review of available literature and project documents. The study has six sections, including this introduction (section 1):

- Section 2 gives a succinct overview of the CRPD.
- Section 3 outlines the key features of an HRBA.
- Section 4 provides guidance on the application of core human rights principles in order to promote an HRBA. It defines the core principles, proposes key questions and indicates entry points for development organisations. The key questions and entry points are meant to stimulate further discussion. They are of a generic nature and do not deal in depth with specific sectors of development cooperation. A list of questions is proposed. The users of this study can use those questions which are relevant to the level of intervention in their organisations, programmes and projects. The entry points are illustrated by a range of examples that reflect a variety of contexts, aid modalities and sectors.
- Section 5 summarises the findings of the study and proposes key criteria for assessing the extent to which development organisations, programmes and projects follow an HRBA.
- Section 6 provides information on background literature, useful links and tools.



2. The UN Convention on the Rights of Persons with Disabilities (CRPD)

Human rights are rooted in the recognition of the inherent dignity and equal worth of all human beings, regardless of their social background, gender, age, religion, health status, sexual orientation or other status. Every person is equally entitled to the fundamental rights enshrined in the Universal Declaration of Human Rights (1948), and the subsequent nine core human rights treaties, such as the International Covenant on Economic, Social and Cultural Rights (1966), the Convention on the Elimination of all Forms of Discrimination against Women (1979) or the Convention on the Rights of the Child (1989). These binding treaties impose obligations on State parties to respect, protect and fulfil human rights. International human rights law considers people as rights-holders with entitlements, which they can claim from the State, the duty-bearer.

The CRPD was adopted by the UN General Assembly on 13 December 2006 and entered into force on 3 May 2008. As of October 2012, 125 countries had ratified it and 154 had signed it. Many of these States are partner countries of German development cooperation.

Germany signed the CRPD on 30 March 2007 and ratified it on 24 February 2009. Germany has also ratified the Optional Protocol to the convention, which enables the CRPD treaty body to examine individual complaints and undertake inquiries in the case of severe breaches of the convention.

The European Union ratified the CRPD in 2010 as the first international political entity ratifying an international human rights treaty.

The convention was adopted after decades of intensive debate in the international community on the need to recognise persons with disabilities as

rights-holders. Milestones on the way to the CRPD were the World Programme of Action concerning Disabled Persons (1982) and the UN Standard Rules on the Equalization of Opportunities for Persons with Disabilities (1993). In the 1990s the UN human rights treaty bodies repeatedly referred to the rights of persons with disabilities, for example in the General Comment on persons with disabilities of the Committee on Economic, Social and Cultural Rights (1994). Regional human rights instruments also increased references to persons with disabilities, e.g. the Inter-American Convention on the Elimination of All Forms of Discrimination against Persons with Disabilities (1999). Initiatives for a comprehensive international convention on the rights of persons with disabilities began at the beginning of the 21st century. The CRPD was drafted between 2004 and 2006 by a working group that involved both representatives of governments and of civil society. DPOs played an important role in this negotiation process (Schulze 2010).

The CRPD marks a shift from viewing persons with disabilities primarily as recipients of charity, medical treatment, special services and social protection towards recognising them as “rights-holders” and active members of society. It defines disability as an “evolving concept, resulting from the interaction between impairments and attitudinal and environment barriers that hinders their full and effective participation in society on an equal basis with others” (CRPD Preamble).

In its understanding of disability, the CRPD points out the various forms of impairments (“long-term physical, mental, intellectual or sensory impairments”, art. 1), but also points

to their immediate inter-relatedness with the barriers constituting an equal part in the concept of disability. Thus, the extent to which their impairment is experienced and perceived as a disability greatly depends on the circumstances in which an individual lives and the barriers he or she is confronted with. As a result, negative attitudes towards persons with disabilities, as well as physical and institutional barriers to their inclusion in society can and should be overcome. This understanding of disability permeates the CRPD.

The convention reaffirms that persons with disabilities are entitled to all civil, political, economic, social and cultural rights enshrined in the eight core conventions. It specifies the content of these rights in the context of disability, and includes new dimensions, such as the right to live independently and to be included in the community (art. 19) and the right to respect for physical and mental integrity (art. 17). Furthermore, the CRPD draws a positive concept of disability, reaffirming that persons with disabilities constitute part of human diversity and humanity (art. 3).

Table 1: Overview of rights enshrined in the CRPD

Civil and political rights	Equality and non-discrimination (art. 5) Right to life (art.10) Equal recognition before the law and legal capacity (art. 12) Equal access to justice (art. 13) Liberty and security of the person (art. 14) Freedom from torture or cruel, inhuman or degrading treatment or punishment (art. 15) Freedom from exploitation, violence and abuse (art. 16) Right to respect for physical and mental integrity (art. 17) Right to liberty of movement and nationality (art. 18) Right to freedom of expression and opinion and access to information (art. 21) Respect for privacy (art. 22) Respect for home and the family (art. 23) Right to participation in political and public life (art. 29)
Economic, social, and cultural rights	Right to education (art. 24) Right to health (art. 25) Right to (re)habilitation (art.26) Right to work and employment (art. 27) Right to an adequate standard of living and social protection (art. 28) Right to participation in cultural life, recreation, leisure and sports (art. 29)
Cross-cutting rights; Rights of specific groups; Rights of persons with disabilities in specific situations	Equality and non-discrimination (art. 5) Right to access (art. 9) Right to live independently and to be included in the community (art. 19) Rights of women with disabilities (art. 6) Rights of children with disabilities (art. 7) Protection of persons with disabilities in situations of risk, armed conflicts and humanitarian emergencies (art. 11) International cooperation (art. 32)

Besides defining and specifying the rights of persons with disabilities, the CRPD is the first international human rights treaty that formulates in a separate provision (art. 3) eight general principles. These principles are essential for a human rights-based approach to development cooperation and form the basis for the interpretation of the CRPD. They constitute the yardstick for the implementation of inclusive laws, policies, strategies and programmes.

State parties to the CRPD have an obligation to respect, protect and fulfil the rights of persons with disabilities and to adopt all appropriate legislative, administrative or other measures for the implementation of the rights recognised in the convention. Such measures may include modifying or abolishing existing laws that discriminate against persons with disabilities, adopting regulations to ensure equal work opportunities for persons with disabilities in the private and public sector, or promoting the availability of affordable communication technologies and mobility aids for persons with disabilities (art. 4). As in other core human rights treaties, the fulfilment of social and economic rights is subject to the principle of “progressive realisation”. This principle acknowledges constraints due to the limits of

available resources, but requires all countries to undertake constant progress in moving towards the full realisation of these rights. In this context, development cooperation plays an important role, by making all existing development efforts inclusive of persons with disabilities and by supporting national efforts to implement the CRPD (art. 32).

State parties to the CRPD are obliged to periodically report to the UN Committee on the Rights of Persons with Disabilities on the progress they have made in implementing the convention. The Committee reviews the State report and gives recommendations to be followed up by the country in the next period. Furthermore, the Optional Protocol to the Convention, if ratified by the State party, enables the Committee to examine individual complaints with regard to alleged violations of the CRPD and undertake inquiries in the case of reliable evidence of grave and systematic breaches of the convention.

Box 2: General principles of the CRPD (Art. 3)

1. Respect for inherent dignity, individual autonomy including the freedom to make one’s own choices, and independence of persons
2. Non-discrimination
3. Full and effective participation and inclusion in society
4. Respect for difference and acceptance of persons with disabilities as part of human diversity and humanity
5. Equality of opportunity
6. Accessibility
7. Equality between men and women
8. Respect for the evolving capacities of children with disabilities and respect for the right of children with disabilities to preserve their identities

3. Key features of a human rights-based approach to disability in development

At the heart of the HRBA is the recognition that all persons are active subjects with legal claims and not merely people in need and passive recipients of aid. Seen from this perspective, development cooperation contributes to the development of the capacities of “duty-bearers”, i.e. States and their institutions acting with delegated authority, to meet their obligations and of “rights-holders” to claim their rights.

For development cooperation this implies a shift from a “medical model” that defines disability primarily as a result of individual impairments to a “social model” that focuses on environmental and societal obstacles. The social model identifies and addresses the contextual factors, i.e. physical, attitudinal and institutional barriers to the inclusion of persons with disabilities. It places the

responsibility on governments and society to ensure that political, legal, social and physical environments support the full inclusion of all persons with disabilities.

Based on the social model, responses to disability have to embrace more than mere medical treatment and rehabilitation measures in the health sector. They need to address the multiple barriers to the inclusion of persons with disabilities in all sectors and at all levels of development cooperation. Mainstreaming an HRBA implies integrating human rights standards and principles in all stages of the programme cycle management, i.e. design, implementation and monitoring and evaluation. It is crucial for programmes in the infrastructure sector (e.g. water and sanitation, housing) and the social sector (e.g. health, education, social protection),

Table 2: Human Rights Principles & General Principles of the CRPD

Human Rights Principles	General Principles of the CRPD
<p>Non-discrimination Equality of opportunity</p>	<p>Non-discrimination Equality of opportunity Gender equality Respect for children with disabilities</p>
<p>Participation Empowerment</p>	<p>Participation and Inclusion</p>
<p>Accountability Transparency</p>	<p>Accessibility Human diversity Individual autonomy and independence of persons</p>

and is also highly relevant to other sectors such as employment, economic development, professional education and governance.

Thus, to apply an HRBA demands more than simply adding persons with disabilities to the target groups of development programmes and projects. It requires supporting the implementation of the international human rights standards enshrined in the core human rights treaties, particularly in the CRPD. These standards, i.e. the content of specific rights, are specified in General Comments issued by the UN human rights treaty bodies. Most importantly it means adhering to and promoting the core human rights principles that form international human rights law.

These core human rights principles, further elaborated by UN treaty bodies and adopted by German development policies, include non-discrimination, equality of opportunity, participation, empowerment, accountability and transparency.

The eight general principles of the CRPD derive from and elaborate on them.

Some general principles (e.g. non-discrimination, equality of opportunity) specify core human rights principles in the context of disability. Some highlight the importance of addressing multiple discriminations (e.g. equality between men and women, respect for the evolving capacities of children) of persons with disabilities. Others (respect for difference, inherent dignity and individual autonomy; accessibility; social protection) underline essential aspects in the lives of persons with disabilities. As a whole the general principles constitute the fundamentals of an inclusive society.

A HRBA to development and disability

- Recognises that unequal power relations deny people their human rights and keep them in poverty. It aims to overcome multiple discrimination patterns and social exclusion;

Box 3: Non-discrimination

Under international human rights law all individuals are equal as human beings and by virtue of the inherent dignity of each human person. All human beings are entitled to their human rights without discrimination of any kind, such as gender, ethnicity, age, religion, political or other opinion, national or social origin, sexual orientation, disability, property, birth or other status as explained by the human rights treaty bodies.

Overt and implicit discrimination leads to social exclusion of individuals and population groups. Groups that are at a higher risk of discrimination due to the social context and unequal power relationships are often defined as vulnerable groups or groups in vulnerable situations.

The term “vulnerable” as used in this study expresses this risk. It does not imply that the persons themselves are weak or without any capability to exert control over their lives. Persons with disabilities themselves are a heterogeneous group, and some may be at a higher risk of discrimination than others. For example, women with disabilities experience the combined disadvantages associated with gender as well as disability and might face significantly more difficulties, e.g. in gaining access to education (WHO/World Bank 2011, page 206) and employment (WHO/World Bank 2011, page 238). Their right to marry and to start a family is often denied. Involuntary sterilisation is still being applied to restrict disabled women’s fertility. Disabled women are also at a much higher risk of gender-based violence, sexual abuse and exploitation (WHO/World Bank 2011, page 8; 78).

An HRBA thus implies that development organisations, programmes and projects are aware of and address these multiple discriminations.

- Respects a person's disability as an element of natural diversity, on the same basis as gender or ethnicity. It addresses disability-specific prejudices, attitudes and other barriers to the enjoyment of human rights;
- Recognises persons with disabilities as rights-holders on an equal basis with other people. It aims to empower persons with disabilities to participate in all spheres of society, to make their own choices and to exercise control over their lives;
- Views governments as duty-bearers with the responsibility to create a supportive environment for the full inclusion of all persons with disabilities in society;
- Promotes a dialogue between persons with disabilities and all other relevant stakeholders on the realisation of the rights of persons with disabilities.

An organisation, programme or project aiming to apply an HRBA, should try to conform to all these elements. However, in practice not all problems can be tackled at once, and priorities often need to be set due to limited resources. Thus, applying an HRBA is always work in progress. Likewise, there is no single and comprehensive criterion to measure the results and impacts of an HRBA. Most important is that organisations and programmes set realistic targets and benchmarks and show commitment to reach them.

In the UN treaty body system human rights indicators have been developed for monitoring compliance with international human rights conventions (see section 4). These indicators reflect the progress which partner countries have achieved in fulfilling specific rights at national

level. Thus, they can also be used to measure the impact of support provided by large development programmes. However, they are only of limited use for measuring the support provided by smaller development projects and the quality of processes that aim at enhanced participation or empowerment.

In order to be able to measure human rights impacts, programmes and projects need to integrate a human rights-based and disability-inclusive perspective into the results chain of the programme or project. Ideally, key human rights standards and principles should be reflected in the programme objectives and the respective indicators. Key interventions (outputs) should lead to enhanced capacities of persons with disabilities and/or of duty-bearers (outcome). The impact level should reflect positive changes in the quality of life of persons with disabilities.

Indicators should be sufficiently differentiated to reflect persons with disabilities and other vulnerable groups at the outcome and impact level. They should take their expressed needs and potentials into account. Measuring inclusion and human rights impacts usually requires a mix of quantitative and qualitative indicators and methods. Inclusion in the education sector can be measured for example by the number of disabled children attending regular schools. It can also be measured by the extent to which teachers promote an inclusive culture and motivate children to accept each other regardless of their disability, social or ethnic background. The specific nature of indicators will depend on the sector and the scope of the programme or project. There are sector-specific tools that may facilitate the choice of indicators as well as of monitoring and evaluation methods (see section 5). Persons with disabilities and DPOs should be involved in monitoring and evaluating programmes and projects.

4. Applying key human rights principles to disability-inclusive development

The following section provides guidance to organisations, programmes and projects for the inclusion or strengthening of an HRBA in their work.

On the basis of the core human rights principles and the general principles of the CRPD, this section aims to provide:

- An explanation of the importance, meaning and scope of the core human rights principles (definition and challenge).
- A list of guiding questions for analysing the relevance of the specific principle of the CRPD in the context of the programme; the objective is to assist persons active in a project or programme to put the specific principle in the context of their work, and to be able to assess its relevance for the different activities and lines of work; the questions can be applied individually, in team workshops, in assessment, re-orientation and evaluation missions, etc; they should be part of any periodic project cycle monitoring and evaluation; not all questions are relevant for all projects or programmes, so relevant aspects should be selected from the list; the list is not exhaustive – questions are proposed as a first step to engage discussion, develop specific benchmarks, indicators or tools, depending on the specific context or sector of the development intervention.
- Suggestions for entry points in programmes of development cooperation for the specific core principle.

- Good practice examples of how a human rights-based and disability-inclusive perspective can be put into practice in the framework of a project or a programme.
- Guiding questions for self-assessment of programmes regarding the relevance of this specific core human rights principle.

4.1 Enhancing respect for persons with disabilities

Definition and challenge

Two of the CRPD's eight general principles highlight the importance of enhancing respect for and promoting acceptance of persons with disabilities:

- **Principle 1:** Respect for inherent dignity, individual autonomy including the freedom to make one's own choices, and independence of persons.
- **Principle 4:** Respect for difference and acceptance of persons with disabilities as part of human diversity and humanity.

They are closely linked with the principle of non-discrimination and are rooted in the recognition of the inherent dignity of every human being. Respect for inherent dignity means that every individual, however different he or she may be, has to be valued as a full member of society. It also implies that persons with disabilities are considered as autonomous persons with the freedom to make their own choices.

Persons with disabilities are often not treated with the respect they are entitled to because they do not conform in appearance or behaviour with prevailing societal norms and values (e.g. restricted access to health care of persons with mental disabilities, WHO/World Bank 2011, page 70).

Stereotyping, lack of knowledge and experiences, and misconceptions on disability are very often at the origin of stigma and discrimination. This may result in:

- Social exclusion and isolation in the community: families may hide family members with disabilities.
- Harassment, abuse and violence towards persons with disabilities: evidence shows that persons with disabilities are more likely to be abused, and are at the same time less likely to report violence.
- Inadequate skills and attitudes of service providers towards persons with disabilities.
- Low self-esteem of persons with disabilities, coupled with the fear to appear in public, to seek care, or to participate in public life.
- Discrimination in the labour market and loss of employment opportunities.

? Guiding questions for analysing the relevance of the specific human rights core principle in the context of the programme

To what extent are persons with disabilities

- Accepted in their community and in society as equal members? Are they visible or are they hidden; are they respected in the spectrum of different roles that do exist in society (e.g. community functions, parents, employers, employees, etc.)?

- Seen as rights-holders capable of making autonomous choices?

- Represented through disabled persons organisations?

To what extent do national laws, policies and strategies

- Promote and guarantee respect for the inherent dignity of all individuals?

- Define disability – are persons with disabilities defined as rights-holders and legal subjects, capable of making autonomous choices (e.g. the right to vote)?

To what extent

- Do public and private institutions respect in practice the inherent dignity of all individuals without discrimination?
- Do workplace staff show prejudice towards or stereotype persons with disabilities and/or other persons?

Entry points for development cooperation

The CRPD considers awareness-raising as a key measure to enhance respect for and acceptance of persons with disabilities. Art. 8 of the CRPD obliges State parties to raise awareness throughout society, including at family level, regarding persons with disabilities, to combat stereotyping, prejudices and harmful practices towards persons with disabilities, and to promote awareness of the capabilities and contributions of persons with disabilities.

Awareness-raising, information, communication and capacity development are the main entry points for development programmes and projects to promote behaviour change. Promoting respect for persons with disabilities could therefore be included as part of these activities. Depending on their institutional setting, development programmes and projects may use various awareness-raising, communication and capacity development instruments. Technical and financial cooperation may support broad public information campaigns or address stigma against persons with disabilities in social marketing activities. NGOs may encourage behaviour change at community level by engaging the community in a dialogue on disability, cultural values and social roles.

? Guiding questions for self-assessment

In our own organisation, programme or project
To what extent do we

- Respect the inherent dignity of all individuals without discrimination? Do we have policies, e.g. on employment opportunities for specifically vulnerable groups?
- Combat prejudices and stereotyping with regard to persons with disabilities or/and other persons?
- Have positive role models and/or champions with disabilities?

In our approach towards our partners

To what extent do we

- Raise awareness on the inherent dignity of persons with disabilities?

Example 1: Fostering respect for persons with albinism in Tanzania

As in many other sub-Saharan African countries, persons with albinism in Tanzania experience stigma and discrimination, fuelled by misconceptions on the origins of their disability. Beliefs that their bones or hair have magical powers and make one rich trigger violence against Albinos, including killings and criminal body trade. The Government of Tanzania has adopted several measures to put an end to the violence and foster respect for the rights of persons with albinism.

The Tanzanian-German Programme to Support Health (TGPSH) is implemented on behalf of BMZ by GIZ and KfW Entwicklungsbank. The programme objective is to improve the health status of the Tanzanian population, with a special emphasis on vulnerable groups. TGPSH collaborates with a range of governmental and non-governmental organisations.

One of the four programme components focuses on sexual and reproductive health and rights and HIV/AIDS. It includes information, education and communication activities. In this context, a series of “questions & answers booklets” on the health needs and rights of young people have been produced. In 2009, GIZ, in collaboration with the Tanzania Albino Society, issued a “Booklet for Albinos, their Families and Friends”. The development of the booklet was done in a participatory manner involving young Albinos throughout the process.

The booklet describes in a user-friendly language the causes of albinism. It explains why Albino people are different; it gives information on the health risks and needs of Albino people; it also addresses stigma and discrimination; it gives a short overview of the laws protecting persons with disabilities in Tanzania. Last but not least, it strives at building confidence and self-esteem among young Albinos.

Source: Tanzanian-German Programme to Support Health (TGPSH): Questions & Answers Booklet for Albinos, their Families and Friends, Dar as Salaam 2009. www.tgpsch.or.tz

- Promote attitudinal and behaviour change to enhance the acceptance of persons with disabilities and other vulnerable groups?
- Address stereotyping and prejudices towards persons with disabilities and other vulnerable groups in our on-going activities, e.g. awareness-raising campaigns?

4.2 Ensuring accessibility Definition and challenge

Accessibility is a core element of many social and economic rights, such as the right to education, the right to the highest attainable standard of health, the right to adequate food, or the right to water. In its General Comments, the UN Committee on Economic, Social and Cultural Rights has clarified major dimensions of accessibility (geographical and physical accessibility, affordability, accessibility of information) in relation to these specific rights.

The CRPD further develops the concept of accessibility by defining it as a general principle (art. 3), a stand-alone right (art. 9) as well as mentioning it in many other articles. It thus recognises that removing the multiple barriers to access in society is a key requirement for the inclusion of persons with disabilities.

Accessibility as defined in the CRPD has the following dimensions:

- **Physical accessibility:** removing barriers in the infrastructural environment. Ensuring access to buildings, water supply and sanitation facilities, roads and transport services means designing them in a way that they are usable by all people, including all persons with disabilities. The CRPD (art. 2) defines such an approach as “universal design”. (Universal design is defined as a process that increases usability, safety, health, and social participation, through design and operation of environments, products, and systems in response to the diversity of people and abilities (World Report on Disability, 2011).)
- **Information and communication accessibility:** providing information that can be read or understood by persons with disabilities; accepting and facilitating the use of sign language, Braille, plain language, barrier-free documents and other alternative modes of communication.
- **Institutional accessibility:** ensuring equal access to justice, property and financial services, social services (e.g. in the health or education sector), as well as social protection and poverty reduction programmes.
- **Economic accessibility:** ensuring affordability of services and information and communication technologies.



? Guiding questions for analysing the relevance of the specific human rights core principle in the context of the programme

To what extent – if at all – do persons with disabilities have access to

- Buildings, water supply, sanitation, and transport?
- Affordable communication technologies?
- Information about their rights in an accessible format?
- Government institutions (e.g. justice) and public services (e.g. schools and health facilities)?
- Services provided by NGOs and the private sector?
- Social protection mechanisms?

To what extent

- Do national laws, policies and strategies include accessibility and universal design standards?

- Do initiatives exist that remove environmental barriers and promote access for persons with disabilities to buildings, transport, water, and sanitation?
- Are persons with disabilities and DPOs consulted with regard to the design and implementation of accessibility and universal design standards?
- Are universal design standards known and implemented in practice?
- Do service providers offer translation/alternative ways of communication to persons with disabilities?
- Does the justice system include specific procedures, legal aid services and alternative ways of communication to facilitate the access of persons with disabilities?

Box 4: Basic criteria for the universal design of water supply and sanitation facilities

- Sanitation facilities must meet the needs and capacities of users: ask persons with disabilities what they need!
- Sanitation projects should go beyond technical solutions and address institutional and attitudinal barriers to accessible sanitation as well.
- Facilities should use appropriate and affordable technologies!
- Distances to the homes or shelters of persons with disabilities should be minimised.
- Access to water points should be smooth and water lifting devices easy to use.
- Easy access to latrines should be ensured: enough space should be allowed to move a wheelchair at the entrance and within the facility. The facilities should also include handrails and ropes for support to move to and from the seat and to close the doors.
- Privacy is important: it should be possible to open and close the door from inside the latrine.
- Sanitation facilities should be easy to clean and maintain.
- Water and cleansing material should be easy to reach.

Source: Water Aid / Share: Briefing Note, Including Disabled People in Sanitation and Hygiene Services, 2011.

Entry points for development cooperation

Many development programmes and projects have interventions that aim at improving access for the poor to services and information. In this context, they can include activities to enhance accessibility for persons with disabilities as part of the target group. Entry points vary according to the mandate of the organisation, the country-specific context, the sector and the level of intervention. They may include advocacy, technical and policy advice, capacity development and training measures. One should always try to avoid blueprint solutions, and instead take into consideration the interaction between different impairments and multiple barriers to access, and develop sustainable solutions adapted to the local situation.

Physical accessibility is a key dimension for all development programmes that include an infrastructure component. Basic standards for buildings include the provision of curb cuts (ramps), safe crossings across the streets, accessible entries and paths of travels to all spaces and access to adequate public amenities. Compliance with the requirements of accessibility standards in new construction is estimated to be feasible at 1% of the total cost (WHO/World Bank 2011).

In many countries, persons with disabilities lack access to safe drinking water, to water in general and to sanitation facilities. Thus they are exposed to serious health risks and subject to degrading experiences. UNICEF, Water Aid and other

Example 2: Nepal – Ensuring access of sanitation for persons with disabilities

About 2.9 million people in Nepal – approximately 10% of the population – live with some form of impairment. The protection and promotion of their rights is enshrined in art. 13 of the current Interim Constitution of Nepal. Furthermore, art. 26 of the Interim Constitution proposes special provisions in health, education and social security. However, the policies are not always implemented and traditional attempts to increase coverage of sanitation still marginalise and exclude the needs of persons with disabilities.

After studying the barriers to latrine use faced by persons with disabilities, Water Aid-Nepal partner NEWAH embarked on the „Sanitation Access for Disabled People Project“ in eight Village Development Committees of the Baglung district, addressing the different barriers.

This programme supported families in addressing environmental barriers, adapting latrine designs to make them more accessible in a way that is suited to the terrain and local culture. District level workshops involving persons with disabilities, their families and other stakeholders, resulted in a District Disabled Support Committee under the leadership of District Development Committee, to provide institutional support for programmes targeting disabled persons. Other advocacy activities have helped make the district, the village development committees and other stakeholders more sensitive to the needs of disabled people. Workshops and media coverage of disability issues have also increased awareness among the public, influencing national policy and programmes.

Despite the progress, more work is still needed to increase awareness, monitor services and adapt sanitation designs.

Source: UNICEF / Water Aid / Water Supply and Sanitation Collaborative Council: Equity and Inclusion in Sanitation and Hygiene in South Asia. A Regional Synthesis Paper, 21.03.2011

www.wsscc.org/sites/default/files/publications/wssccunicefwaterraid_equity_inclusion_in_sanitation_hygiene_southasia_sacosan_2011.pdf

organisations working in the water, sanitation and hygiene sector (WASH) have developed basic criteria for the inclusive design of water supply and sanitation facilities in low-income countries, by making use of appropriate and affordable technologies. Development organisations, programmes and projects can enhance accessibility to infrastructure and sanitation by addressing physical, social and institutional barriers in the programme-specific context.

Development programmes and projects can enhance communication accessibility by supporting the development of appropriate information material and communication technologies. They can also develop the capacity of staff, such as teachers or health workers, by raising their knowledge on disability and strengthening their

own communication skills towards persons with disabilities. Even with limited resources, it is possible to make national laws, strategies and policies accessible to persons with disabilities and thus enhance their knowledge of rights.

? Guiding questions for self-assessment

In our own organisation, programme or project
To what extent

- Are we aware of the multiple barriers to accessibility for persons with disabilities?
- Do we adhere to and promote accessibility and universal design as guiding principles?
- Do we earmark funds for accessibility in accordance with universal design?

Example 3: Enhancing communication accessibility for blind girls in Kenya

In Kenya, persons with visual impairments, particularly young girls, continue to live in situations that make them vulnerable to violations of their sexual and reproductive health rights. Survivors of gender-based violence who have visual impairments often face double discrimination, not only in their communities but also while accessing services.

In an effort to respond to these challenges the GIZ Health Sector Programme cooperates with the Kenyan Union for the Blind (KUB). KUB is a non-governmental, non-profit membership organisation for visually impaired persons in Kenya that was established in 1959. Its goal is to empower persons with visual impairment, raise their living standards, improve the societal image of blindness and ensure equity in access to services as well as social, economic and political participation.

GIZ has technically and financially supported the KUB in establishing a resource centre for persons with visual impairments to enable them to access reproductive health and rights information and at the same time create income-generating facilities for girls with severe disabilities. GIZ has supported the installation of multi-format conversion software that converts materials to text, MP3, digital talking books, large print and Braille for use by persons with visual impairment. The centre offers free internet access and computer training to youth with visual impairments.

GIZ also supported the KUB in translating Kenya's Sexual Offences Act into Braille. This has enabled visually impaired persons, particularly girls and women, to have access to information on their rights and on the legal framework regarding sexual offences. At policy level, the GIZ Health Sector Programme advocates for a human rights-based approach to increase access to quality health care for poor and vulnerable groups in Kenya, including persons with disabilities.

Source: Project documents from GIZ, Kenya Health Sector Programme, 2011
www.gtzkenyahealth.com

- Do we include universal design as a criterion for the award of contracts to consultant companies that implement infrastructure measures?
- Do we provide information in formats accessible to all persons with disabilities?

In our approach towards our partners
To what extent do we

- Strengthen the capacity of partner institutions to improve accessibility and implement universal design standards?
- Strengthen the capacity of partner institutions to develop inclusive structures for service provision, for example regarding justice, health, education or social protection?
- Develop the skills of staff to communicate with and consult persons with disabilities?
- Support the provision of information in accessible and easy to read formats?

It is not expected that all accessibility dimensions be addressed at once, but it is recommended that an overall perspective be kept in mind.

4.3 Addressing non-discrimination, equality of opportunity and gender equality

Definition and challenge

Non-discrimination is a core human rights principle that is enshrined in all human rights treaties.

According to international human rights law prohibited grounds of discrimination include, among others, gender, age, religion, ethnicity, social origin, disability and sexual orientation (see Box 2).

The CRPD defines non-discrimination and equality of opportunity as general principles and includes a stand-alone provision on non-discrimination and equality (art. 5). The CRPD embraces both a legal perspective (equality before and under the law) and a social vision (de facto equality of opportunities in society). Art. 5 emphasises that States should prohibit all discrimination on the basis of disability and guarantee to persons with disabilities equal and effective legal protection against discrimination. It also obliges State parties to take appropriate steps to promote equality and eliminate discrimination. These may include specific measures to accelerate de facto equality of persons with disabilities.

Gender equality is at the heart of the Convention on the Elimination of all the Forms of Discrimination against Women (CEDAW). To complement CEDAW, the CRPD recognises that women with disabilities are often subject to multiple discrimination on the grounds of gender and disability, and thus have fewer opportunities to enjoy their rights. It defines gender equality as a general principle, enshrines the rights of women with disabilities in a stand-alone provision (art. 6) and refers to women and girls in many other provisions (e.g. art. 16 on freedom from exploitation and from violence). It also emphasises the need to incorporate a gender perspective in all efforts to promote the rights of persons with disabilities.

Furthermore, persons with different types of impairment experience various degrees of acceptance in their community. Persons with mental health conditions or intellectual impairments, for example, appear to be more disadvantaged in many settings than those with physical impairments (WHO/World Bank World Report on Disability, 2011).

? Guiding questions for analysing the relevance of the specific human rights core principle in the context of the programme

To what extent

- Do persons with disabilities have equal opportunities to participate in social, economic, cultural and political life? For example, are persons with disabilities visible in activities and events?
- Do initiatives exist that promote equal opportunities for women and men with different types of disabilities?
- Do women with disabilities have a voice in their community?
- Are specific groups (e.g. persons with mental health conditions and intellectual impairment) being represented by self-help groups and/or organisations?

To what extent do

- National laws, policies, administrative regulations and procedures combat discrimination against persons with disabilities, women and other population groups?
- Government institutions, private companies, NGOs and DPOs offer equal opportunities to persons with disabilities?
- Affirmative measures and action schemes exist for promoting equal opportunities for persons with disabilities?

Entry points for development cooperation

Development programmes, projects or organisations promoting a review of laws, policies, strategies and social standards can include activities to encourage equal opportunities for all persons with disabilities. Technical cooperation may support governments in reviewing their legal framework to ensure compliance with the CRPD. Private sector programmes may also promote the development of employment standards or workplace policies that guarantee opportunities for persons with disabilities, women and other vulnerable groups. The International Labour Organization (ILO) has developed standards and tools to promote decent working conditions and equal opportunities for persons with disabilities (see section 6). Collaboration with disability support agencies, DPOs and other civil society organisations can help ensure that these policies and standards are implemented. Development agencies, NGOs and their partner organisations should also overcome their own barriers and provide equal employment opportunities for persons with disabilities.

? Guiding questions for self-assessment

In our own organisation, programme or project

To what extent do we

- Offer equal employment opportunities to persons with disabilities, without discrimination?
- Receive applications from persons with disabilities and invite persons with disabilities to job interviews?
- Employ staff with disabilities? What is the percentage of staff with disabilities?



- Have procedures or practices in place which may inadvertently, directly or indirectly, discriminate against persons with disabilities?
- Have the capacity to analyse and address gender equity issues?
- Disaggregate project data according to gender, disability and other vulnerabilities?

In our approach towards our partners
To what extent do we

- Enhance the commitment of government agencies, NGOs and the private sector to provide equal opportunities for persons with disabilities, without discrimination?
- Address stigma and discrimination against persons with disabilities, women, children and other vulnerable groups, and promote behaviour and attitudinal change in communities?
- Promote affirmative measures and strengthen existing schemes to promote equal opportunities, e.g. regarding employment, education or health care for persons with disabilities, women, children and other vulnerable groups?

4.4 Promoting and ensuring the rights of children with disabilities

Definition and challenge

The CRPD builds upon the Convention on the Rights of the Child (CRC), which already contains a provision on the rights of children with disabilities (art. 23). The CRPD refers to children in a general principle, in a stand-alone provision (art. 7) as well as in several other articles (e.g. art. 23 on education). The CRPD puts a three-fold focus on the need

to respect the identity and evolving capacities of children with disabilities, to protect them and to include them fully in society.

In many countries, children and youth with disabilities are still being denied access to education, life-skills or vocational training. Their capabilities are not recognised and their views are not taken into account. They are more vulnerable to violence and abuse than their non-disabled peers. As a result, their opportunity to fully develop their potential and participate in social life is greatly jeopardised (UNICEF 2007).

? Guiding questions for analysing the relevance of the specific human rights core principle in the context of the programme

To what extent

- Are children and youth with disabilities respected as full and active members of the community on an equal level with their non-disabled peers?
- Are children and youth with disabilities visible in the community: are they represented through organisations?
- Are they protected by law and structures against abuse and violence?
- Are they allowed to express their views freely in society?
- Do laws, policies and strategies protect children and youth with disabilities and promote their inclusion in society?
- Do governmental institutions, NGOs and/or DPOs adhere to child protection policies and promote a culture of respect towards the diverse and evolving capacities of children and youth with disabilities?

- Do standards and guidelines exist for early identification and inclusion of children with disabilities, e.g. in the education system?
- Are these standards and guidelines known and put into practice?
- Are social institutions, e.g. health and education systems, in partner countries accessible to children and youth with disabilities?

are some of the fields of intervention, in which children and youth with disabilities should be included.

A disability-inclusive perspective requires a close cooperation between sectors. For example, early identification of children with disabilities by health care workers or community-based organisations is more effective if it coincides with efforts to improve their access to health care, rehabilitation and early inclusive education.

Entry points for development cooperation

Children and youth are important target groups for many development organisations, programmes and projects. Legal protection of the child, access of children to health and education, and participation of children and youth in community development

Even with limited resources, disability-specific and mainstream NGOs may support projects that advocate for the rights of children with disabilities and their inclusion in the community across sectors.

Example 4: Promoting inclusive early childhood education in Chile

Chile ratified the CRPD in 2008. From 2008 to 2011 GTZ/GIZ supported the Chilean social protection reform process. In a pilot project the Chilean national institution for early childhood education (Junta Nacional de Jardines Infantiles, JUNJI) started to develop and implement a model of inclusive early childhood development. JUNJI is a decentralised agency in charge of 1700 kindergartens throughout the country. The majority of children in JUNJI facilities come from poor households.

In 2005 JUNJI started to integrate children with disabilities in pre-school facilities. Between 2006 and 2010 it played a key role in implementing the Chilean integrated system of social protection for the child, which reinforced support mechanisms for poor and disabled children.

The project followed a multi-level approach. At the policy level, standards for inclusive education were incorporated in the curriculum of all early education institutions. At the institutional level, management and technical guidelines were elaborated for the inclusion of children with special needs. Existing teaching and evaluation methodologies were adapted. In cooperation with universities, educators and teachers were trained. A dialogue was encouraged between the different stakeholders, including parents, on the rights of children with disabilities.

Between 2008 and 2011 the number of children with special needs included in JUNJI facilities increased from 1430 to 2800. Their learning capabilities evolved as well as the capacity of teachers and parents to understand impairments and disability. A broad dialogue took place in the education and social sectors on the rights of children with disabilities. At the end of the project, a national model for early childhood development had been elaborated and introduced.

Source: GIZ /JUNJI: Development of a National Model for Inclusive Education in Chile - Presentation at the International Conference on Inclusive Early Childhood Development, Germany, February 2011; GIZ /JUNJI Project Documents.

? Guiding questions for self-assessment

In our own organisation, programme or project
To what extent do we

- Adhere to and promote a culture of respect towards the diverse and evolving capacities of children and youth, regardless of their social background or disability?
- Adhere to a child protection policy, which respects the specific vulnerabilities of children and youth with disabilities?
- Listen to the views of children and youth with disabilities and give them due weight according to their age and maturity?

In our approach towards our partners

To what extent do we

- Support the development and implementation of laws, policies and strategies that protect all children and youth and promote the inclusion of boys and girls with disabilities?
- Address the stigma and discrimination directed towards children and youth with disabilities and promote behaviour change of parents, carers, and peers towards children and youth with disabilities?
- Strengthen the self-esteem and autonomy of boys and girls with disabilities, and help them to express their views freely and promote their life-skills?
- Promote a dialogue between relevant stakeholders and institutions (public authorities, DPOs, parents and carers) on the needs and rights of children and youth with disabilities?

Example 5: Supporting children and youth with disabilities to participate in community life

Kindernothilfe supports projects which promote the sustainable development of children and young people, awaken their potential and improve their chances in life. In accordance with international human rights treaties, Kindernothilfe aims to achieve the right of all children to be protected from violence, abuse and neglect, to be provided with health, education, social security and to participate in all issues affecting them.

Kindernothilfe supports several projects and organisations in developing countries to promote the integration of children with disabilities in society. One example is the Children’s Rehabilitation and Development Foundation “Simon of Cyrene” in the Philippines, an organisation with extensive experience in community-based rehabilitation for persons with disabilities and their families.

“Simon of Cyrene” works in several municipalities to enhance the inclusion of children with disabilities in day care centres and regular schools. It also strives to develop the competence of children and youth with disabilities to participate fully in community life. For example, children’s groups are encouraged to express their needs, recognise their rights and formulate their own plan of action. Parents, children and youth with disabilities are trained to enhance their skills and stand up for their right to access the services they need. Advocacy activities are being held to discuss with education authorities the issues and concerns related to the right to education of children with disabilities.

Source: Simon of Cyrene, Children’s Rehabilitation and Development Foundation, Inc.: Community-Based Children’s Advocacy for Rights and Empowerment, Annual Report 2010.

4.5 Promoting and ensuring participation and empowerment of persons with disabilities

Definition and challenge

Participation is both a means (participatory approach) and an aim (the right to participate). In the context of development it is often mainly understood as a means of enhancing the effectiveness of programmes and projects. It thus implies information sharing, consultation and engagement of relevant stakeholders throughout the programme management cycle. While this dimension is important, the human rights-based approach sets a focus on strengthening and deepening civic and political participation (GTZ/DIMR 2009). Seen from this perspective, participation entails empowering rights-holders, particularly vulnerable groups, to articulate their expectations towards the State and other duty-bearers, and to claim their rights. It seeks to include those that have been left out so far.

The CRPD refers to participation in a general principle (art. 3 c), in the general obligations (art. 4.3), and in stand-alone provisions (arts 29 and 30). Participation of persons with disabilities in social, cultural and political life is seen as one of the prerequisites for their full and effective inclusion. Development organisations should thus empower persons with disabilities to participate in all social and political processes and claim their rights.

The central philosophy of the disability rights movement is often summarised in the slogan “Nothing about us without us“. One of the main objectives of participation is to empower persons with disabilities to have a voice, participate in all spheres of society, make their own choices and exercise more control over their lives. In this way participation becomes a strategy with its own objective. It goes beyond a methodology for quality programming and becomes the central idea of disability inclusive programming.

Participation and empowerment are also key principles of the twin-track approach and require:

- Development of the conditions under which persons with disabilities can fully participate in social and political processes, i.e. support governments and other stakeholders in society to establish and strengthen civic and political participation mechanisms.
- Development of the capacity of all persons with disabilities to use these mechanisms, participate in political processes, communicate on an equal basis with governments and other stakeholders in society, and network with other groups.

Full participation is achieved when all persons with disabilities are effective in claiming their rights.

? Guiding questions for analysing the relevance of the specific human rights core principle in the context of the programme

To what extent

- Are persons with disabilities organised in self-representing groups (disabled persons organisations)?
- Are persons with disabilities and other vulnerable groups represented in decision-making processes at the community, regional or national policy level, e.g. in the design of poverty reduction strategies?
- Do persons with disabilities play an active role in government agencies and/or NGOs?
- Do DPOs have the resources, skills and adequate infrastructure to advocate for their own rights?

Entry points for development cooperation

According to the twin-track approach development organisations can on the one hand develop the capacity and enable persons with disabilities to participate in decision-making processes at local, regional and national level in a meaningful way. On the other hand, all development organisations can promote the development of disability-inclusive and participatory mechanisms in existing programmes and projects.

Persons with disabilities are often excluded from many aspects of community life. It is often necessary therefore to link social, economic and political participation and to involve all relevant stakeholders in efforts to promote their inclusion.

NGOs may engage in capacity development for DPOs and other partners. Many disability-specific projects and organisations are often primarily service-oriented. The provision of services to

persons with disabilities is of utmost importance. In addition, many organisations also need capacity development to effectively advocate for the rights of persons with disabilities. This may involve addressing patronising attitudes or lack of participation of members with disabilities in the organisation itself. As a result, the self-understanding of NGOs and DPOs may evolve.

Development organisations may also contribute to widening democratic spaces for the participation of persons with disabilities. Programmes may for example encourage government partners to involve DPOs whenever the local population is consulted, e.g. in the design of poverty reduction strategies or of sector policies. In sector-wide approaches their aim may be to encourage the participation of organisations representing the interests of vulnerable groups and persons with disabilities in joint review mechanisms.

Example 6: Comprehensive empowerment of persons with disabilities in Cameroon

CBM supports the Socio-Economic Empowerment of Persons with Disabilities (SEEPD) Programme in the Northwest-Region of Cameroon which is funded by AusAID. 170,000 persons in this region are estimated to have a disability.

The objective of SEEPD is to ensure that persons with disabilities are socially and economically empowered. The programme consists of five components: medical and rehabilitation service provision; education of children with disabilities; economic empowerment of persons with disabilities; communication; and research. SEEPD follows a comprehensive approach by raising the awareness of all stakeholders on disability, addressing stigma and discriminatory attitudes in the community, strengthening the provision of health services, introducing inclusive education in schools, facilitating the access of persons with disabilities to micro-finance institutions and building the advocacy skills of persons with disabilities and DPOs. All relevant stakeholders (DPOs, service providers, government institutions) are being involved in the planning and implementation of the programme.

An external evaluation commissioned by CBM in 2011 concluded that through the programme persons with disabilities had become more aware of their rights and that service utilisation increased. Likewise, the commitment of other stakeholders to accept and support persons with disabilities had risen. Despite the success, challenges remained regarding the sustainability and the scaling up of the initiative.

Source: MDF Training & Consultancy: Evaluation Report of the CBC – Programme Socio-Economic Empowerment for Persons with Disabilities (SEEPD) (2009 - 2011) in the North West Province of Cameroon, February 2011.

? Guiding questions for self-assessment

In our own organisation, programme or project
To what extent

- Do persons with disabilities play an active role in our organisation, e.g. as employees, external advisors, or board members?
- Are persons with disabilities in lead positions?
- Do we involve persons with disabilities and DPOs in the planning, implementation, monitoring and evaluation of our activities on an equal basis with other civil society groups?
- Do employees with disabilities participate in our internal capacity development and training measures?

In our approach towards our partners
To what extent

- Do we promote a dialogue between governmental institutions, DPOs, NGOs and other relevant

stakeholders on the rights of persons with disabilities and their active participation in social and political life?

- Do we promote the participation of persons with disabilities in the design, implementation, monitoring and evaluation of national policies and strategies?
- Do we use and strengthen existing mechanisms to enable the full participation of persons with disabilities in social, cultural, economic and political life?
- Do we support the development of advocacy skills of persons with disabilities and DPOs?

The chart on the next page illustrates different degrees of participation in a development project and proposes how participation can become enhanced.

Example 7: Strengthening the capacity of DPOs

Handicap International has been working together with DPOs for more than two decades and is supporting DPOs in their role as civil society organisations representing people with disabilities. The SHARE-SEE (Self Help and Advocacy for Rights and Equal Opportunities in South East Europe) programme was one of the first large DPO support programmes of HI.

The project developed internal (individual and organisational) capacities as an important first step for the DPOs to be able to fulfill their representative role efficiently. Within the SHARE-SEE programme peer counselling offered skills and knowledge through coaching and mentoring from one DPO to another, sharing of good practices and facilitating the integration of grassroots DPOs into the disability movement. Formal in-house training aimed at teaching the required knowledge and skills, for example on financial management, project implementation, advocacy etc. Through regular consultancies specific technical assistance was provided in complex organisational development processes.

Following the capacity development process a scheme of micro-grants helped the DPOs to put the acquired knowledge into practice. The micro-projects were often the first visible advocacy intervention conducted by the DPOs themselves. The scheme offered a chance of learning by doing and gave the DPOs an opportunity to implement the spirit and vision of the SHARE-SEE programme.

Source: Handicap International Strategy paper: Support to Organisations Representative of Persons with Disabilities, 2011.

www.hiseminars.org/uploads/media/Support_to_Organizations_Version_electronique__2__02.pdf

Example 8: Participation of DPOs in poverty reduction strategy processes

Since 2005 Handicap International, CBM and GTZ have been supporting NGOs and DPOs in several developing countries to participate in the design, implementation and monitoring and evaluation of national poverty reduction strategies.

In Togo, there are approximately 80 NGOs that represent the needs and interests of persons with disabilities. Thirty have come together to form a National Federation of DPOs (Fédération Togolaise des Associations de Personnes Handicapées, FETAPH). With the support of Handicap International FETAPH developed its own skills to participate in the planning process for the development of the national poverty reduction strategy and to advocate for the rights of persons with disabilities. As a result, the national poverty reduction strategy developed in 2009 includes for the first time disability as a cross-cutting issue. It explicitly provides for the development and implementation of non-discriminatory laws, as well as the inclusion of persons with disabilities in the following sectors: health, education, social protection and employment. With the support of BMZ and CBM, FETAPH is now lobbying the Government, in order to translate this policy into concrete action plans and official budgets.

Source: Handicap International / CBM: Making PRSP Inclusive, 2007.
www.making-prsp-inclusive.org/en/4-case-studies/47-togo.html

4.6 Strengthening accountability

Definition and challenge

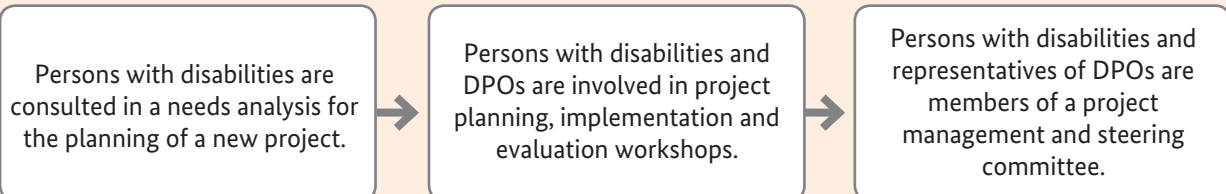
Accountability is a core principle of the HRBA. As such it entails:

- Compliance of duty-bearers with the legal norms and standards enshrined in the human right treaties, e.g. the CRPD.
- Answerability of duty-bearers on the actions they undertake or fail to undertake to respect, protect and fulfil these rights, e.g. the rights of persons with disabilities.

- Access of rights-holders, e.g. persons with disabilities, to appropriate redress mechanisms and remedies if duty-bearers fail to comply with their obligations.

Accountability can thus be defined as the – preferably institutionalised – process which requires duty-bearers to show, explain and justify how they have discharged their obligations. Five broad types of accountability mechanisms (judicial, quasi-judicial, administrative, political and social) have been identified.

Box 5: Progress in enhancing participation and empowerment



? Guiding questions for analysing the relevance of the specific human rights core principle in the context of the programme

Has the partner country signed and ratified the CRPD?

To what extent

- Do gaps and deviations between national laws and the CRPD exist?
- Are structures in place to implement existing laws, policies and strategies regarding the rights of persons with disabilities?
- Does the government regularly report to the CRPD treaty body on the progress it has achieved in implementing the convention?

- Is the focal point for national implementation and monitoring of the convention active and known among citizens?

What national accountability mechanisms exist (e.g. focal point, monitoring body)?

To what extent

- Are accountability mechanisms institutionalised?
- Do duty-bearers give answers to rights-holders on the actions they take to promote the rights of persons with disabilities and other vulnerable groups?
- Do persons with disabilities and DPOs use existing accountability mechanisms?

Box 6: Accountability mechanisms and rights of persons with disabilities

Judicial mechanisms include judicial reviews of executive acts and omissions, high courts or constitutional decisions, for example obliging the government to review discriminatory laws regarding persons with disabilities.

Quasi-judicial mechanisms include national human rights institutions and regional or international human rights treaty bodies, such as the UN Committee on the Rights of Persons with Disabilities. National human rights institutions can take many forms and range from human rights commissions to ombudspersons. They may examine complaints, request governments to change legislation and urge governments to respect, realise and protect the rights of persons with disabilities.

Administrative mechanisms include complaint desks to which persons with disabilities may file grievances when they face discrimination or inadequate care. They also involve applying appropriate monitoring methods to assess the extent to which a government is making progress on fulfilling the rights of persons with disabilities.

Political mechanisms include parliamentary reviews of budgetary allocations and use of funds and democratically elected local councils. Persons with disabilities should have the opportunity to participate in such processes.

Social mechanisms include the involvement of civil society and DPOs in budget monitoring, public hearings and social audits.

Source: Adapted from Potts, Helen: Accountability and the Right to the Highest Attainable Standard of Health, University of Essex, 2008.

Where, how and to whom can persons with disabilities complain and seek redress in case their rights are violated?

Are these complaints and redress mechanisms accessible and affordable?

Entry points for development cooperation

Most of the mechanisms described above offer entry points for development organisations to promote the effective implementation of the CRPD. Entry points to strengthen accountability mechanisms will depend on the mandate of development organisations, their intervention level and the nature of their work. According to the twin-track approach, disability specific projects may

focus on enhancing the capacity of DPOs and other civil society organisations to hold governments accountable. Other development programmes may include an HRBA in their on-going support to governance and accountability mechanisms.

The following example illustrates how programmes can strengthen accountability mechanisms by setting disability-specific criteria for the allocation of budget resources in the context of decentralisation.

Example 9: Taking disability into account in decentralisation and municipal development

In 2003 Ghana adopted the Local Government Service Act and delegated powers to the local authorities, allowing them to make decisions regarding investments for poverty reduction. With support from KfW Entwicklungsbank and other donors, the Ghanaian Government set up the District Development Facility in 2009 to finance local development efforts.

The District Development Facility is a performance-based grant mechanism for financing local service delivery. This means that districts only receive funds when they comply with a set of minimum conditions. Furthermore, the level of allocation each district receives depends on the extent to which they fulfil the performance measures.

Existing statutory and regulatory requirements were jointly chosen by the Ghanaian Government and external development partners to measure performance. One indicator is the extent to which annual action plans of districts focus on vulnerable groups (women, children, aged, persons with disabilities and people living with HIV/AIDS). Another indicator is the accessibility for physically disabled persons. District authorities have to forward information on plans and efforts that have been put in place during the preceding three years to enhance access for physically disabled persons to offices, schools, sanitation facilities, water points, and markets. Thus, local authorities are motivated to compete with each other and improve their services towards persons with disabilities, if they want to increase the amount of funds they receive from the District Development Facility.

Between 2006 and 2009 the performance of districts with regard to measures enhancing accessibility for physically disabled persons greatly improved. However, progress regarding the inclusion of vulnerable groups in the annual action plans of districts remained low.

Source: Project documents from KfW Entwicklungsbank

Monitoring is a crucial element of accountability. It enables the measurement and checking of whether a government is complying with its human rights obligations, whether development programmes achieve their goals and their impact on vulnerable groups. Monitoring thus implies the setting of benchmarks and indicators to measure progress and change over time, and to disaggregate data to assess the impact of national policies, strategies and programmes on vulnerable groups.

In the UN treaty body system, a conceptual framework of indicators has been developed in recent years for monitoring compliance with international human rights conventions. It is based on structural, process and outcome indicators. Structural indicators reflect the existence of legal instruments and institutional mechanisms. Process indicators reflect measures taken to fulfil rights. Outcome indicators reflect the results of these measures and the status of realisation of rights. Specific indicators were elaborated for a range of rights, such as the right to participate in the conduct of public affairs, the right to education, or the right to the highest attainable standard of health. Some are Millennium Development Goals (MDG) indicators, none are disability-specific.

However, all process and outcome indicators should be disaggregated by prohibited grounds of discrimination, which includes disability (UN 2008).

In recent years, more attention has been given to human rights-sensitive monitoring of MDGs. Disability-sensitive indicators to monitor the MDGs have also been proposed by the UN (see Table 3). They are based on the MDG indicators and imply data disaggregation by disability. At the national policy level, development programmes could advise their government partners to use such indicators and disaggregate relevant data by disability.

Both implementing agencies and NGOs can make use of the UN human rights treaty monitoring system. At the national policy level, development programmes can advise their government partners on the development and use of human rights and disability-sensitive indicators. NGOs can support civil society organisations and DPOs to participate in the treaty monitoring process by submitting additional information to the treaty body in shadow or parallel reports.

Table 3: Disability indicators for MDGs – Example

MDG 2: Achieve universal primary education

Target	Indicators	Disability indicators
Ensure that, by 2015, children everywhere, boys and girls alike, will be able to complete a full course of primary schooling	2.1 Net enrolment ratio in primary education	2.1 Net enrolment ratio of children with disabilities in primary education
	2.2 Proportion of pupils starting grade 1 who reach the last grade in primary school	2.2 Proportion of pupils with disabilities starting grade 1 who reach the last grade in primary school
	2.3 Literacy rate of 15 to 24 year-olds, women and men	2.3 Literacy rate of 15 to 24 year-olds with disabilities, women and men

Source: UN General Assembly: Fifth quinquennial review of the World Programme of Action concerning Disabled Persons. Report of the UN Secretary-General, 28 July 2008.

Data disaggregation is a challenge for many developing countries with still weak monitoring systems. Both implementing agencies and NGOs can contribute to strengthening the capacities of partner institutions to gather and analyse data on disability.

? Guiding questions for self-assessment

In our own organisation, programme or project
To what extent do we

- Report in a transparent way on the actions we take to promote the rights of persons with disabilities and other vulnerable groups?
- Have (independent) complaint mechanisms in place?

- Include human rights and disability-sensitive benchmarks and indicators in our result chain, monitoring and evaluation system?

In our approach towards our partners
To what extent do we

- Know about gaps in laws, policies and strategies in the specific country or sector?
- Have the capacity to analyse these gaps?
- Advise government partners on promoting the coherence of national laws and policies with the CRPD?

Example 10: Monitoring government actions to implement the CRPD

In 2008, CBM and Handicap International jointly launched the Disability Monitor Initiative- Middle East (DMI-ME). The Mid-Eastern partners include the Bethlehem Arab Society for Rehabilitation (BASR), the Arab Organisation of Disabled People (AODP), the Lebanese Physically Handicapped Union (LPHU) and The Al-Hussein Society for the Habilitation and Rehabilitation of the Physically Challenged (AHS).

The DMI-ME gathers and disseminates information on relevant disability topics in line with the CRPD underpinning the move towards full participation and equal opportunities for persons with disabilities. Currently the DMI-ME targets the following countries: Egypt, Iraq, Jordan, Lebanon, Palestine, Syria and Yemen.

Its objectives are to build up knowledge on the situation of persons with disabilities, examine good practices in terms of social innovation at grassroots level as well as to inform on policy reforms at national and regional levels. It will serve as a tool for reporting on critical issues affecting persons with disabilities in an effort to support the empowerment of relevant stakeholders. The DMI-ME is primarily based on field research consulting with persons with disabilities, service providers, and other members of civil society and government officials.

The DMI-ME looks at both the macro level policies in place while monitoring how these policies translate into practice and how these practices impact on the lives of persons with disabilities. It identifies and monitors social innovation carried out by local disability stakeholders. It also monitors the evolution of legislation in the targeted countries with regard to compliance with the CRPD. Often the missing link between socially innovative practices and appropriate legislation is the development and implementation of sound public policies. Therefore, a key focus of the DMI-ME is the monitoring of public policies and allocation of public resources.

Source: CBM / Handicap International: Disability Monitor Initiative Middle East – Rights, Social Innovation and Public Policies, 2011.

- Support governments in developing policies, strategies and action plans to implement the CRPD?
- Support governments to report regularly to the CRPD treaty body on the progress made in implementing the CRPD?
- Develop the capacity of partner institutions to gather and analyse data on disability and monitor the implementation of the CRPD?
- Use and strengthen existing accountability mechanisms to address the rights of persons with disabilities?
- Strengthen existing monitoring systems to include human rights and disability-sensitive benchmarks and indicators?
- Support DPOs and civil society organisations to participate in the UN treaty monitoring process and produce coordinated parallel reports to the State party report?
- Develop the capacity of persons with disabilities and DPOs to be aware of their rights, to recognise when rights have been violated, and to hold duty-bearers accountable?



5. Conclusions and way forward

Applying a human rights-based approach to disability in development is an important foundation for the full inclusion of persons with disabilities in society in accordance with the UN Convention on the Rights of Persons with Disabilities (CRPD). It is based on a number of principles which are derived from several human rights treaties such as the Universal Declaration on Human Rights and the CRPD. For the purpose of this study, the following six key principles were analysed:

1. Enhancing respect for persons with disabilities
2. Ensuring accessibility
3. Addressing non-discrimination, equality of opportunity and gender equality
4. Promoting and ensuring the rights of children with disabilities
5. Promoting and ensuring participation and empowerment of persons with disabilities
6. Strengthening accountability

In order to gain a better understanding of what these principles mean for the work of one's own programme or organisation, each of these principles should be evaluated on three levels:

- To what extent is the principle respected in the laws, policies or practices of the country or community in which the programme is active?
- To what extent is the principle respected within our own organisation or project?
- To what extent is the principle respected in the approach towards the partners?

Basic questions asked can include the following:

- Are we aware of enabling factors and barriers for persons with disabilities in the context in which we work?
- Are premises physically accessible?
- Is information provided in accessible formats?
- Do we enable communication with all potential participants?
- How do we contribute to raising awareness on disability inclusion?
- Are our own organisational practices inclusive of persons with disabilities, e.g. through the employment of staff with disabilities?
- Do persons with disabilities and their organisations participate in the planning, implementation and monitoring of our activities?
- Do we support our partners in implementing disability-inclusive activities?

The specific guiding questions presented in this study are meant to serve as a starting point for consideration and discussion. They are neither a blueprint nor a checklist. Working with a human rights-based approach is never a routine process, but requires creativity and openness to try out what is most suitable for a given context. Whenever theoretical principles are applied to real-life situations, it takes a certain willingness to accept ambiguity and imperfection as part of the process.

Disability inclusion is not achieved overnight. The progressive realisation of rights is a natural dimension of the HRBA.

The following points might be helpful when considering working with a human rights-based approach to disability.

Small steps count

The centuries-old and culturally entrenched exclusion of persons with disabilities can often make their full inclusion into society seem an impossible task. One is tempted to ask “Where to start?” when confronting the number of barriers that need to be overcome, especially as many of the barriers are interconnected and cannot be resolved on one front alone. Do not get discouraged and start where it seems most relevant and most feasible for your programme or organisation.

Given limited resources, trust your creativity

Often, achieving the rights of persons with disabilities does involve additional resources, but very often it does not. Especially in a development context, simple solutions matter. Be creative and encourage your staff to find common-sense solutions for inclusive practices. Involve persons with disabilities in finding these solutions (see section 6).

Involve the leadership of your organisation

The human rights-based approach is about strengthening duty-bearers to meet their obligations and rights-holders to claim their rights. Make leadership staff aware of their obligations and encourage them to lead by example. Top level support helps to make inclusion a priority for your colleagues and might stimulate other stakeholders to follow your example.

Let persons with disabilities help you

When it comes to disability, many people have no experience and might be afraid of “getting things wrong”, wanting to avoid mistakes in dealing with persons with disabilities. Others make quick assumptions about what disabled people think or need. For both problems, there is one remedy: get persons with disabilities involved: ask for their advice and listen. They are the experts on the subject of inclusion. Participation is not just a right, but it can also save you a great deal of work.

Celebrate your successes

People need success stories in order to believe that change is possible. Persons with disabilities have long been confronted with negative assumptions about their capabilities, and many practitioners remain sceptical about implementing a human rights-based approach in the context of a long list of mainstreaming issues. Be proud of the small steps that your organisation is making towards disability inclusion and share them with others.

The human rights-based approach to disability is not an add-on activity, but it fundamentally changes the way in which development organisations plan and implement their programmes. It contributes to a more open, more inclusive and more effective development cooperation and thus benefits not only persons with disabilities, but society as a whole.



6. Resources

6.1 Human rights in development cooperation

BMZ (2011): Human Rights in German Development Cooperation

In May 2011 the Federal Ministry for Economic Cooperation and Development (BMZ) issued its new strategy on human rights in development, which is now binding policy for all implementing organisations of German development cooperation.

www.bmz.de/en/publications/topics/human_rights/Strategiepapier305_04_2011.pdf (English)

www.bmz.de/de/publikationen/themen/menschenrechte/Strategiepapier303_04_2011.pdf (German)

BMZ (2010): Human rights in practice – Fact sheets on a human rights-based approach in development cooperation

Collection of 2-page factsheets that explain what the human rights-based approach in development cooperation means in general and for all priority sectors of German development cooperation.

www.bmz.de/en/publications/topics/human_rights/BMZ_Information_Brochure_7_2010e.pdf (English)

www.bmz.de/de/publikationen/themen/menschenrechte/BMZ_Informationsbroschuere_07_2010.pdf (German)

GTZ/DIMR (2009): The Human Rights-Based Approach in German Development Cooperation

This position paper explains the understanding of the human rights-based approach (HRBA) for German development cooperation, how it adds value to development cooperation, and what the HRBA implies for German development cooperation.

www.institut-fuer-menschenrechte.de/uploads/tx_commerce/hr-based_approach_in_dc_short_version.pdf

OHCHR (2006): Frequently Asked Questions (FAQs) on a human rights-based approach in development cooperation.

This document answers questions on what a human rights-based approach means for development cooperation.

www.ohchr.org/Documents/Publications/FAQen.pdf

OHCHR (2008): Claiming the Millennium Development Goals: A Human Rights Approach

This guideline for development practitioners examines the partly conflicting but often complementing relationship between MDGs and human rights and attempts to illustrate how certain critical gaps in the MDGs edifice can be filled through the application of human rights standards and practices.

UN/OHCHR (2008): Report on Indicators for Promoting and Monitoring the Implementation of Human Rights.

This report outlines the conceptual and methodological framework for human rights indicators used in the UN treaty monitoring process. It includes a selection of indicators on different human rights.

www.ohchr.org/EN/Issues/Indicators/Pages/documents.aspx

www.ohchr.org/Documents/Publications/Claiming_MDGs_en.pdf

6.2 Disability, human rights and development

Schulze, Marianne (2010): A Handbook on the Human Rights of Persons with Disabilities: Understanding the UN Convention on the Rights of Persons with Disabilities

This handbook explains the content of the CRPD and provides information about each article. It also provides comprehensive information about the negotiation and drafting process of the Convention and about the positions of the involved stakeholders.

<http://hrbaportal.org/wp-content/files/1286466464hicrpdmanual.pdf>

UN (2006): The United Nations Convention on the Rights of Persons with Disabilities (CRPD):

Text of the CRPD, adopted and opened for signature and ratification by the UN General Assembly resolution 61/106 of 13 December 2006, entry into force 3 May 2008.

www.un.org/disabilities/default.asp?navid=14&pid=150

United Nations Development Group (2010): Including the Rights of Persons with Disabilities in United Nations Programming at Country Level. A Guidance Note for United Nations Country Teams and Implementing Partners.

This publication gives broad guidance on how to mainstream the rights of persons with disabilities and include a human rights-based approach in UN country programming.

www.un.org/disabilities/documents/iasg/undg_guidance_note.pdf

UNICEF/Innocenti Research Centre (2007): Promoting the Rights of Children with Disabilities.

This publication provides an overview of human rights instruments on the rights of children with disabilities. It also reviews and discusses strategies to promote the inclusion of children with disabilities.

www.unicef-irc.org/publications/pdf/digest13-disability.pdf

WHO/World Bank (2011): World Report on Disability.

This joint report gives a global picture of disability throughout the world. It presents and discusses ways to create enabling environments and promote the inclusion of persons with disabilities in different sectors such as health, education, work and employment.

whqlibdoc.who.int/publications/2011/9789240685215_eng.pdf

6.3 Selected tools

Enabling Education Network: Index for Inclusion: Developing learning and participation in schools.

The index for inclusion is a tool that was developed by the Enabling Education Network, used and adapted in several countries to support and assess the inclusive development of schools.

http://www.eenet.org.uk/resources/resource_search.php?theme=indx&date=0&author=0&publisher=0&type=0&country=0

CBM (2008): Promoting access to the built environment, Christoffel Blindenmission, Germany

This handbook explains accessibility principles and illustrates their practical application (e.g. accessibility audit and checklist). www.cbm.org/article/downloads/54741/CBM_Accessibility_Manual_April_09dis.pdf

Handicap International (2008): How to build an accessible environment in developing countries.

Handicap International has developed several manuals on accessibility in developing countries.
www.handicap-international.org.uk/resources/library

Jones, H. and Reed, R. A. (2005): Water and sanitation for disabled people and other vulnerable groups: Designing services to improve accessibility.

This book is on facilities for families in rural and peri-urban areas of low- and middle-income countries, but many of the approaches and solutions may also be applied in institutional settings, such as schools and hospitals and in emergency situations.

WEDC, Loughborough University, UK. <http://wedc.Lboro.ac.uk/wsdp>

GTZ/DIMR (2010): The ABC of Human Rights for Development Cooperation

This interactive tool gives an overview of the basic procedures and institutions of international human rights protection: 1. The core international human rights treaties, 2. Human rights reporting and monitoring mechanisms, 3. UN Human Rights Council and UN special mechanisms and 4. Operationalisation of human rights.

www.institut-fuer-menschenrechte.de/uploads/tx_commerce/e-info-tool__abc_of_hr_in_dc.pdf
 (English)

www.institut-fuer-menschenrechte.de/uploads/tx_commerce/e-info-tool_das_abc_der_mr_in_der_ez.pdf
 (German)

IDDC / CBM (2008): Make Development Inclusive. How to include the perspectives of persons with disabilities in the project management guidelines of the EC? A Practical Guide.

This manual provides guidance and tools on including a disability perspective in the project cycle management of the European Commission. The first part explains concepts and guiding principles, the second part includes case studies.

www.make-development-inclusive.org/toolsen/pcm1.pdf

www.make-development-inclusive.org/toolsen/pcm2.pdf

ILO (2011): Achieving Equal Employment Opportunities for Persons with Disabilities through Legislation.

This online training tool provides guidance on how to design and reform legislation to ensure equal employment opportunities for persons with disabilities. It also includes information on relevant ILO conventions and standards.

<http://disability-employment-legislation.itcilo.org/pages/a.html>

OHCHR (2010): Monitoring the Convention on the Rights of Persons with Disabilities: Guidance for Human Rights Monitors.

This publication provides practical guidance to assist United Nations human rights officers, governments, human rights institutions, and non-governmental organisations on monitoring the realisation of the rights of persons with disabilities, in line with the CRPD.

www.ohchr.org/Documents/Publications/Disabilities_training_17EN.pdf

VENRO (2010): Gewusst wie – Menschen mit Behinderung in Projekte der Entwicklungszusammenarbeit einbeziehen. Handbuch für inklusive Entwicklung.

This handbook provides practical guidance on including a disability perspective in the project cycle management of German development cooperation programmes and projects.

www.venro.org/fileadmin/redaktion/dokumente/Dokumente_2010/Publikationen/Maerz_2010/GewusstWie_v06_WEB.pdf.

6.4 Websites

Christoffel-Blindenmission (CBM)

Is an international NGO working in the field of disability and development. The website includes resources on disability and inclusive development.

www.cbm.de, www.cbm.org

Disabled Peoples' International (DPI)

Is a network of national organisations and assemblies of persons with disabilities, established to promote their human rights through full participation, equalisation of opportunity and development. Includes links to member organisations.

www.dpi.org/

Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH

The Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH was formed on 1 January 2011. It brings together the long-standing expertise of the Deutscher Entwicklungsdienst (DED) GmbH (German development service), the Deutsche Gesellschaft für Technische Zusammenarbeit (GTZ) GmbH (German technical cooperation) and Inwent – Capacity Building International, Germany. For further information, go to www.giz.de

German Institute for Human Rights (DIMR): Information Portal Development Policy and Human Rights

Provides information on human rights and development cooperation, reports of advisory missions, training materials, and fact sheets on countries, sectors and issues.

www.institut-fuer-menschenrechte.de/en/topics/development-policy.html (English)

www.institut-fuer-menschenrechte.de/de/themen/entwicklungszusammenarbeit (German)

Handicap International

Is an international NGO working in the field of disability and development. The website includes resources on inclusive development and human rights of persons with disabilities.

www.handicap-international.org/

International Disability and Development Consortium (IDDC)

Is a global consortium of disability and development NGOs, mainstream development NGOs and disabled peoples' organisations (DPOs) with the aim of promoting inclusive development.

Provides links to institutions and member NGOs

www.iddcconsortium.net/joomla/

International Labour Organization (ILO)

The website of the ILO on disability and work provides information on how to promote decent work and equal opportunities for persons with disabilities. It also includes information on relevant ILO conventions and standards as well as further links.

www.ilo.org/global/topics/skills-knowledge-and-employability/disability-and-work/lang--en/index.htm

Make Development Inclusive

This website by the EU/IDDC project "Make Development Inclusive" (2006-2008) includes project cycle management guidelines, a range of training manuals, and a guidance paper for an inclusive local development policy.

www.make-development-inclusive.org/tools.php?spk=en

Making It Work

This website provides good practice examples of inclusive development.

www.makingitwork-crpd.org/

Making PRSP Inclusive

This website is managed by Handicap International and CBM. It makes proposals on how to include people with disabilities in national poverty reduction strategies (PRS). It provides general background information, links and resources on key issues regarding PRS, disability and advocacy, as well as case studies.

www.making-prsp-inclusive.org/

Source, International Information Support Centre

Information resources on topics related to disability, development and health.

www.asksource.info/index.htm

UN Enable

United Nations Enable is the official website of the Secretariat for the Convention on the Rights of Persons with Disabilities in the Department of Economic and Social Affairs at the United Nations Secretariat. The website provides information on the CRPD ratification process as well as resources on disability, human rights and development. www.un.org/disabilities/index.asp

UN Practitioners Portal on HRBA Programming

A vast and growing collection of tools and resources on applying a human rights-based approach (HRBA) in development cooperation. Includes resources on disability.

www.hrbaportal.org

Published by
Deutsche Gesellschaft für
Internationale Zusammenarbeit (GIZ) GmbH

Registered offices
Bonn and Eschborn, Germany
Social Protection Section
Sector Initiative Persons with Disabilities
Dag-Hammarskjöld-Weg 1-5
65760 Eschborn, Germany
T +49 6196 79-0
F +49 6196 79-1115
E disability@giz.de
I www.giz.de
GIZ and CBM are responsible for the content
of this publication.

Author
Ilse Worm

Design
Nikolai Krasomil, www.design-werk.com

Printed by
Metzgerdruck

Photographs
Page 1: AP Photo/Emilio Morenatti
Page 5, 9, 38: HI, GIZ/Antoine Vincens de Tapol
Page 19: CBM
Page 24: CBM/argum/Einberger
Page 36: CBM/Shelley

As at
December 2012

On behalf of
Bundesministerium für wirtschaftliche Zusammenarbeit
und Entwicklung (BMZ);
Division Millenium Development Goals; poverty reduction;
social protection; sectoral and thematic policies

Addresses of the BMZ offices

BMZ Bonn	BMZ Berlin
Dahlmannstraße 4	Stresemannstraße 94
53113 Bonn, Germany	10963 Berlin, Germany
T + 49 (0) 228 99 535 - 0	T +49 (0) 30 18 535 - 0
F + 49 (0) 228 99 535 - 3500	F +49 (0) 30 18 535 - 2501

poststelle@bmz.bund.de
www.bmz.de

CBM Deutschland e.V.
Nibelungenstr. 124
64625 Bensheim, Germany
T + 49 (0) 6251 131-131
F + 49 (0) 6251 131-189
E info@cbm.de
I www.cbm.de
Bank für Sozialwirtschaft (BfS), Köln
IBAN: DE62 3702 0500 0004 0444 01
BIC: BFSWDE33XXX