Article 1 to 4: Illustrative indicators on the purpose, definitions, general principles and general obligations of the Convention on the Rights of Persons with Disabilities

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<tr><th colspan="4">Articles 1 to 4: Illustrative indicators on the purpose, definitions, general principles and general obligations of the Convention on the Rights of Persons with Disabilities</th></tr>
<tr><th>Attribute/type of indicator</th><th>Status of the Convention on the Rights of Persons with Disabilities and its Optional Protocol and legal harmonization</th><th>Institutional framework and policy development</th><th>Participation of persons with disabilities</th></tr>
<tr><td>Structure</td><td>1/4.1.1: Absence or effective withdrawal of:
Any reservation issued when ratifying or acceding to the Convention on the Rights of Persons with Disabilities
Any interpretative declaration made to provisions of the Convention that are incompatible with the object and purpose of the treaty
1/4.2: Ratification of the Optional Protocol to the Convention on the Rights of Persons with Disabilities
1/4.3: Adoption of an appropriate measure or measures to incorporate the Convention on the Rights of Persons with Disabilities into the domestic legal order and/or ensure its direct applicability and enforceability by courts[a]
1/4.4: Legislation enacted on the rights of persons with disabilities in line with the purpose, definitions, general principles and general obligations of the Convention on the Rights of Persons with Disabilities[b]
1/4.5: Adoption of a national plan/strategy for legal harmonization in line with the Convention on the Rights of Persons with Disabilities[c]</td><td>1/4.6: Adoption of a national action plan/strategy for the implementation of the Convention on the Rights of Persons with Disabilities that includes time frames, specific indicators and benchmarks, and data collection and disaggregation by disability and resource allocation[d]
1/4.7: Legal and/or statutory appointment of one or more focal points within the Government (across all branches and levels of government and across all ministries and sectors) with sufficient authority to mainstream the rights of persons with disabilities for implementation of the Convention on the Rights of Persons with Disabilities (see also indicator 33.1 on the Convention)
1/4.8: Legal and/or statutory appointment of a coordination mechanism within the Government to enhance implementation by facilitating related action across different sectors and levels, with a clear structure, mandate and leadership and sufficient authority to ensure mainstreaming and implementation of the Convention on the Rights of Persons with Disabilities (see also indicator 33.2 on the Convention)</td><td>1/4.9: Legal or regulatory provision that establishes inclusive and accessible procedures and mechanisms for the involvement of persons with disabilities, including children with disabilities, and their representative organizations across all disability constituencies in the development and implementation of legislation and policies to implement the Convention on the Rights of Persons with Disabilities[e] (see also indicator 33.8 on the Convention)
1/4.10: Legislation enacted on the right to freedom of association inclusive of persons with disabilities, including legislation to support the development of organizations of persons with disabilities and to protect against intimidation, harassment and reprisals, particularly when persons express dissenting opinions (see also indicator 29.9 on the Convention on the Rights of Persons with Disabilities)
1/4.11: Legal provision requiring allocation of funds from the national budget to financially support the development and strengthening of organizations of persons with disabilities to participate in the development and implementation of legislation and policies to implement the Convention on the Rights of Persons with Disabilities[f] (see also indicator 33.9 on the Convention on the Rights of Persons with Disabilities)</td></tr>
<tr><td>Process</td><td colspan="2">1/4.12: Number and proportion of persons with disabilities, including in urban, rural and remote areas, who have gained access to disability assessment and certification systems that are compatible with the Convention on the Rights of Persons with Disabilities, free of charge and accessible to all persons with disabilities[g]
1/4.13: Overall budget spent on the realization of the economic, social and cultural rights of all persons with disabilities, disaggregated by policy area and origin of funds
1/4.14: Proportion of budget allocated to and spent on undertaking or promoting research (including participatory research, research co-led by persons with disabilities and user-led research) and development of:
Universally designed goods, services, equipment and facilities
New technologies, including information and communications technology, mobility aids, devices and assistive technologies, giving priority to those at an affordable cost</td><td>1/4.15: Number of civil society organizations (e.g. associations and foundations) that have been registered and number of measures taken to ensure that registration is simple, flexible, expeditious, accessible, and non-onerous (or affordable) and/or free of charge (see also indicator 29.23 on the Convention on the Rights of Persons with Disabilities)
1/4.16: Budget (including resources from international cooperation) allocated to and spent on organizations of persons with disabilities to strengthen their capacity and ensure their participation in the development and implementation of legislation and policies in line with the Convention on the Rights of Persons with Disabilities (see also indicator 33.17 on the Convention)
1/4.17: Number of capacity-building activities funded by the State to strengthen the capacity of organizations of persons with disabilities (see also indicator 33.18 on the Convention on the Rights of Persons with Disabilities)
1/4.18: Number of public sector staff involved in consultation processes trained on the human rights-based approach to disability, including non-discrimination and the provision of reasonable accommodation and accessible information and communications</td></tr>
<tr><td></td><td colspan="3">1/4.19: Number of awareness-raising campaigns and activities to promote and inform persons with disabilities, their families, policymakers of public authorities at national and local levels, and the general public on the rights of persons with disabilities under the Convention on the Rights of Persons with Disabilities, including dissemination of the Convention and its Optional Protocol and the general comments of the Committee on the Rights of Persons with Disabilities; and proportion of population who have gained access to them, disaggregated by age, sex, disability and geographical location
1/4.20: Number and proportion of public sector staff (from national to municipal levels), members and staff of parliament, and relevant professionals, including judges, law enforcement officials, health-care professionals and teachers, trained on the rights of persons with disabilities, including on the provision of reasonable accommodation, procedural accommodation and universal design[h]
1/4.21: Number of consultation processes undertaken to ensure the active involvement of children, youth and adults with disabilities, including through their representative organizations, in the design, implementation and monitoring of laws, regulations, policies and programmes, research and training related to the rights of persons with disabilities under the Convention on the Rights of Persons with Disabilities, disaggregated by topic and geographical location[i]
1/4.22: Proportion of complaints received alleging non-compliance with provisions of the Convention on the Rights of Persons with Disabilities that have been investigated and adjudicated; proportion of those found in favour of the complainant; and proportion of the latter that have been complied with by the Government and/or duty bearer (e.g. private school); each disaggregated by type of mechanism</td></tr>
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Outcome	1/4.23: Number of persons who benefit from national high court decisions on the rights of persons with disabilities in line with the principles and provisions of the Convention on the Rights of Persons with Disabilities per year	1/4.24: Number of persons with disabilities who have undergone a disability assessment and are in possession of disability certification,[j] compared to statistical estimations of the number of persons with disabilities 1/4.25: Number of concluded or ongoing research projects benefiting persons with disabilities funded by the State that feature(d) participatory research, research co-led by persons with disabilities or user-led research on (a) universally designed goods, services, equipment and facilities, or (b) new technologies, including information and communications technology, mobility aids, devices and assistive technologies	1/4.26: Number and proportion of organizations of persons with disabilities taking part in consultation processes for the implementation of the Convention on the Rights of Persons with Disabilities, disaggregated by type of organization of persons with disabilities,[k] constituency with persons with disabilities and geographical location 1/4.27: Number of persons with disabilities and their representative organizations benefiting from capacity-building activities funded or provided by the State, disaggregated by sex, age, disability and geographical location 1/4.28: Proportion of population who believe decision-making is inclusive and responsive, by sex, age, disability and population group (Sustainable Development Goal indicator 16.7.2) (see also indicator 29.32 on the Convention on the Rights of Persons with Disabilities)

[a] The appropriate measure(s) will vary depending on the legal traditions. In some cases, ratification of an international human rights instrument is sufficient for its incorporation in the domestic legal order and direct application. In other cases, passing national legislation is a mandatory step. In connection to this, an official translation of the Convention into the national language must be available and fully respectful of the text and meaning of the Convention.

[b] Such legislation must:

- Fully enshrine the human rights model of disability and seek to eliminate the charity and medical models from law and policy
- Include the concept of persons with disabilities in line with article 1 of the Convention, recognizing all persons with disabilities as rights holders, irrespective of sex; age; faith; race; gender identity or sexual orientation; belonging to a minority or having an indigenous background, or migrant or other status; including all persons with actual or perceived mental health conditions, persons with autism, persons with albinism, persons living with chronic illnesses, such as HIV, and other groups
- Reaffirm the definitions and principles provided in articles 2 and 3 of the Convention
- Ensure the protection of persons with disabilities against all forms of discrimination on the ground of disability and on other grounds on an equal basis with others and recognize that the denial of reasonable accommodation amounts to disability-based discrimination
- Require the amendment or repealing of existing laws, regulations, customs and practices that constitute discrimination against persons with disabilities
- Prohibit public officials and institutions from engaging in any act or practice that is inconsistent with the objectives, principles and provisions of the Convention and ensure that public authorities and institutions act in conformity with them
- Prohibit disability discrimination by private actors generally and in specific areas, such as employment, education, health, housing, and services and facilities for the general public
- Ensure that national data collection efforts (censuses, surveys and administrative data systems) are inclusive of persons with disabilities and disaggregate all relevant data “by disability”, which includes identification by type of disability constituency (see the frequently asked questions on the indicators on the Convention)
- Prevent the use of, and repeal, pejorative terminology to refer to persons with disabilities
- Ensure the availability of effective remedies in cases of violation of, or non-compliance with, the rights of persons with disabilities, as well as appropriate sanctions for public and private perpetrators
- Not refer to policies aimed at preventing primary impairments as a measure of implementation of the Convention and the rights of persons with disabilities
- Establish a process for the close consultation with, and active involvement of, persons with disabilities, including through their representative organizations (see endnote e)

[c] Such a plan must ensure:

- The mainstreaming of the human rights-based approach to disability as enshrined in the perspective of the Convention in all legislation and plans of action
- The amendment or repealing of existing laws, regulations, customs and practices that constitute discrimination against persons with disabilities
- The prohibition of engagement in any act or practice that is inconsistent with the principles and provisions of the Convention and ensure that public authorities and institutions act in conformity with them
- The repealing of pejorative terminology to refer to persons with disabilities
- Close consultation with, and active involvement of, persons with disabilities, including through their representative organizations

[d] This must include measures to:

- Ensure the mainstreaming of the human rights-based approach to disability as enshrined in the Convention across general policies and include disability-specific measures as required
- Explicitly incorporate provisions in connection to women, children and older persons with disabilities, recognizing multiple and intersecting identities of persons with disabilities
- Ensure appropriate budget allocation with the adoption of a marker on disability to track budgeting and spending
- Undertake and promote research and development of universally designed goods, services, equipment and facilities
- Undertake and promote research and development of new technologies, including information and communications technology, mobility aids, devices and assistive technologies, giving priority to those at an affordable cost
- Provide accessible information to persons with disabilities about mobility aids, devices and assistive technologies, including new technologies, as well as other forms of assistance, support services and facilities
- Conduct training and capacity-building of policymakers, professionals and staff working with persons with disabilities on the rights recognized in the Convention, with the involvement of persons with disabilities, recognizing their expertise and experience
- Ensure close consultation with, and the active involvement of, persons with disabilities, including through their representative organizations

[e] Such provisions must ensure that:

- Mechanisms for, and information about, consultation processes are available in accessible formats for all persons with disabilities
- Mechanisms for consultation processes allow for meaningful participation by providing clear and sufficient time frames for organizations of persons with disabilities to conduct internal consultation processes among their members and prepare their inputs
- Consultation mechanisms and processes are inclusive of all constituencies and backgrounds of persons with disabilities, including women, children, older persons, refugees and asylum seekers, lesbian, gay, bisexual and transgender persons, persons with psychosocial disabilities, persons with intellectual disabilities, persons with hearing and visual impairments, persons living with HIV/AIDS, persons living in rural areas and persons in need of a high level of support
- Mechanisms for consultation with, and the active involvement of, persons with disabilities, including through their representative organizations, in all matters pertaining to the implementation and/or monitoring of the Convention and any other matters affecting persons with disabilities or any constituency thereof are available, with direct outreach and prioritization of views of the constituency or constituencies directly affected
- Decision makers take into account the results of such consultations and reflect them in the decisions adopted

[f] Particular attention should be paid to supporting the development of organizations of persons with intellectual disabilities, persons with psychosocial disabilities, women with disabilities and children with disabilities. Funding schemes should not compromise the independence of organizations of persons with disabilities in determining their advocacy agenda or compromise their freedom to engage with the human rights mechanisms of the United Nations.

[g] Such systems should:

- Assess the needs, will and preferences of the individuals concerned
- Focus on the elimination of barriers and the promotion of the full and effective participation of persons with disabilities in society

[h] Training should be tailored to the targeted group and should always include the human rights-based approach to disability, non-discrimination and the provision of reasonable accommodation, universal design, accessibility (including accessible information and communications), and the obligation to consult with and actively involve persons with disabilities and their representative organizations.

[i] This indicator requires verifying concrete activities undertaken by public authorities to involve persons with disabilities in decision-making processes related to issues that directly or indirectly affect them in line with article 4 (3) of the Convention on the Rights of Persons with Disabilities and general comment No. 7 (2018) of the Committee on the Rights of Persons with Disabilities, including consultation meetings, technical briefings, online consultation surveys, and calls for comments on draft legislation and policies, among other methods and mechanisms of participation. In this regard, States must:

- Ensure that consultation processes are transparent and accessible
- Ensure the provision of appropriate and accessible information
- Not withhold information or condition or prevent representatives of persons with disabilities from freely expressing their opinions
- Include both registered and unregistered organizations
- Ensure early and continuous involvement of persons with disabilities
- Cover related expenses of participants

[j] Based on administrative data of the disability assessment and certification system compatible with the Convention.

[k] Explicitly including information on organizations of women with disabilities, children and youth with disabilities, and underrepresented groups such as indigenous persons with disabilities. See Committee on the Rights of Persons with Disabilities, general comment No. 7 (2018).