



**Coimisiún na hÉireann um Chearta  
an Duine agus Comhionannas**

**Irish Human Rights and Equality Commission**

## **Easy-to-Read Summary:**

### **Establishing a Monitoring Framework in Ireland for the United Nations Convention on the Rights of Persons with Disabilities**

**9 May 2016**

**Conducted for the Irish Human Rights and Equality  
Commission by:**

The Centre for Disability Law and Policy

School of Law & Institute for Lifecourse and Society

NUI Galway



**NUI Galway**

**CENTRE *for* DISABILITY  
LAW & POLICY**

## Report Summary

The Convention on the Rights of Persons with Disabilities is the newest human rights treaty at the United Nations. It is also called the CRPD.



The CRPD is an agreement between countries. It sets out what countries have to do to make sure that disabled people have the same rights as everybody else.



The CRPD has an important new idea about disability rights in Article 33. This piece of the CRPD tells countries they must make sure that people with disabilities are actually treated equally.



This report is for the Irish Human Rights and Equality Commission (the Commission). It describes how Article 33 of the CRPD should be used in Ireland.



People with disabilities, their advocacy organisations and National Human Rights Institutions worked to put this new idea into the CRPD.



**Chapter 1** describes Article 33.

Each country must set up a body or a group to check that people with disabilities are being treated equally. Article 33 describe 4 ways that countries should do this.



The first part is the **focal point**. The focal point is the one part of government that is in charge of making sure the CRPD rules are followed.



The second part is the **coordination mechanism**. This is another part of government. It coordinates the work that the different parts of government do to make sure the CRPD rules are followed.



A **mechanism** is a way of organising work.

The third part is the **independent monitoring mechanism**. This is not part of government. It is an independent body that monitors (checks) the work the government does on the CRPD.



The final part of Article 33 says that people with disabilities must be a part of the process at all stages, especially in monitoring.



**Chapter 2** looks at good ideas from other countries.

Article 33 is already in place in Germany, the UK, Spain, Sweden, Malta and New Zealand.



We can learn from the mechanisms that other countries are using. We can see what ways of organising the work will best suit Ireland.



The report also looked at how the CRPD Committee and civil society reacted to the use of Article 33 in the other countries.



The mechanisms a country uses should be independent, have enough resources, and have a strong voice. The CRPD Committee thinks these are very important if a country is to do its work on the CRPD well.



**Chapter 3** looks at the relationship between **civil society** and the **independent monitoring mechanism** in each of the six countries.

**Civil society** means the parts of society that are not part of government. It includes families, community groups, clubs and associations.



The CRPD Committee thinks that some countries are doing a very good job.



The best examples had lots of involvement from civil society. Lots of different civil society groups had a formal role in the **independent monitoring mechanism**. The best ones had a permanent role.



Ireland should learn from Malta and New Zealand. They have a permanent role for people with disabilities in the independent monitoring mechanism.



**Chapter 4** looks at disability rights in Ireland today

The report gives examples of civil society organisations and disabled people's organisations that are active in Ireland today. It also gives examples of statutory bodies and research organisations.



**Results:** this report gives three options to the IHREC to consider:

**Option 1:** The Irish Human Rights and Equality Commission becomes the only body of the independent monitoring mechanism.



It is likely the CRPD Committee would accept this.



It would be a simple solution.



It would be hard for civil society to participate in the process.



**This report doesn't recommend Option 1.**

## Option 2:

Two bodies form the independent monitoring mechanism. This could be the Commission and another state body.



The CRPD Committee is less likely to accept this approach.



It would be hard to involve civil society fully in this framework.



**This report doesn't recommend Option 2.**



### Option 3:

Set up an independent monitoring mechanism that includes the Commission and a permanent body of people with disabilities.



In some states, this would use a national umbrella organization of disabled people's organisations.



Ireland doesn't have an umbrella group like this.



Instead, Ireland could set up an advisory group of people with disabilities who have different experiences.



**This report recommends Option 3.**



## Conclusion

The final decision on how the independent monitoring mechanism must be made together with:

disabled persons' organisations,



Irish civil society,



The Irish State.

