

5. A National Strategy to Support and Participate in the Process of Ratifying the Convention

Learning Goals

The participants will gain a basic knowledge of:

- the main mechanisms for participating in the process of ratifying the Convention;
- the construction of alliances and strategies to support the human rights of people with disabilities.

5.1 The Ratification Process

5.1.1 The ratification process in the country

Each country has different ratification procedures, although the final goal is the same: to introduce the text of the Convention into the national legislation. The process involves analyzing the national legislation to verify that it is compatible with the Convention's norms. The process can conclude with the approval of either a single law with the text of the Convention itself, or several different laws. Indeed, each country can apply reservations concerning parts or articles of the Convention and, therefore, not introduce them into the national legislation. Outline the ratification process in the country in which the course is being held, and identify the essential points for action by the movement of people with disabilities to facilitate this process.

5.1.2 The importance of the participation of DPOs in the writing, negotiation and signing stages

The Convention allows for the ratification, implementation and monitoring process to involve organizations of people with disabilities (see Art. 4 subsection 3; section 3.1.4). The method used by the Ad Hoc Committee in writing the Convention fully involved DPOs, who in fact wrote the final text alongside the government delegations: this is an important background when the ratification process shifts to the national level. Governments cannot deny at the national level what they recognized in the Ad Hoc Committee. To participate effectively in the ratification process, people must be trained so that they are familiar with the Convention's norms and able to follow the bureaucratic procedures involved; that will make it possible for them to present suggestions and amendments proposed by their country's movement of people with disabilities to the body/bodies in charge of discussing and approving the text for ratification.

5.1.3 The involvement of organizations of people with disabilities in the Convention

A strategy must be developed for the full involvement of organizations of people with disabilities in the ratification process. Once the relevant contacts have been identified, it is necessary to solicit meetings with them, using specific political documents and identifying specific commitments. The organization of meetings, conferences and seminars can also be useful to raise awareness among key players and decision makers. It is equally important to produce a faithful translation in the local language of the text of the Convention (available in the 6 official languages of the United Nations). The goal of involvement can be achieved by means of the various instruments of social and community empowerment (see section 4.4).

5.2 Forming Alliances

5.2.1 Independent national human rights commissions

Most of the states that have ratified UN conventions on human rights have appointed national human rights commissions. These commissions are independent of governments, and work to promote the awareness, spread, and protection of human rights via specific programmes. These bodies often include representatives of civil society. It is important both to involve commissions in training courses (they are often not familiar with the disability field) and foster their cooperation with the organizations of people with disabilities and their families. The exchange of skills between the commission and DPOs will help spread the culture of human rights in the field of disability.

5.2.1 Alliances with organized civil society

Social inclusion is a process of change in culture, rules, standards, behaviour and attitudes towards people with disabilities. Society must be “rehabilitated” and become capable of respecting the rights of people with disabilities. For this reason it is very important to transform the view that civil society itself has of people with disabilities. Particular attention must therefore be paid to forming alliances with organized civil society, including trade unions, non-governmental organizations, professional associations, and the community of organized citizens. As a matter of fact, these awareness-raising and educational activities will activate other key players who can make a significant contribution to the spread of the culture of human rights in the disability context. Useful tools can include training courses, campaigns aimed at involving organized civil society in the ratification of the Convention, and media involvement.

5.3 Participation Mechanisms

5.3.1 Forms of participation for the drawing up of shared policies, monitoring, local partnerships, and action platforms

Various forms of participation can be useful in claiming full participation in the process of drawing up, deciding and assessing the results achieved by disability policies. There have been many experiences in different countries, so it is necessary to enhance the experiences that have already been successful in a particular country and illustrate others. Among these we note: Agenda 22, which introduced a working method at the local and national level for monitoring the application of the United Nations Standard Rules, through the formation of a joint working group including organizations of people with disabilities and relevant public institutions; the adoption of the Convention by local councils, provincial and state governments and the consequent development of participation mechanisms in order to introduce the values and norms of the Convention into local regulations and policies; forms of local, self-directed monitoring of the application of the norms of the Convention and action platforms shared with other NGOs working in related or similar fields to support the values and principles contained in the Convention. It is useful to present experiences and good practices.

5.4 An Action Plan for the Ratification of the Convention

5.4.1 The construction of an action plan for ratification

The end result of this part of the course is to draw up a national DPO action plan, identifying contacts and allies, instruments and working methods and aims, and deadlines. The construction of a simulated action plan must be carried out using the most suitable teaching techniques to allow the trainees themselves to work out proposals and define action strategies.