

Section Four: How do we begin to implement the new convention?

By the end of Section 4 you should

1. Understand the environment in which implementation will take place
2. Have a good idea how your organization can work on implementation
3. Understand the importance of ongoing evaluation

The ABC's of Implementation!

Implementing a UN convention is a complicated and potentially overwhelming thing to attempt! There is so much that can be done that in many cases, NGOs tend to focus only on monitoring and the work of the treaty body; but in fact, that is only a small part of what implementation can and should be all about. This section will offer a framework for the development of an implementation program – something that we like to call *“the ABCs of Implementation.”*

Adopt a Rights-based Vision

Build a Constituency for Change

Count your successes and setbacks

Adopt a Rights-based Vision

In section 2 of this toolkit, we spoke about the shift to a rights-based approach. We noted too that although organizations like DPI have been calling for some time for disability to be addressed as a human rights issue (rather than a medical, charity, or social welfare issue), the CRPD is the first legally binding international document to do so. With the adoption of the CRPD, we argued that disability advocates now have a powerful tool to use in framing their advocacy in human rights terms!

We also referred to the UN Office of the High Commissioner for Human Rights (OHCHR), who say that a rights-based approach involves the following characteristics

1. **Express linkage to human rights** – here this means linking disability issues to the full range of civil, political, economic, social and cultural rights, and it means talking about disability issues using the language of human rights.
2. **Accountability** – using a rights-based approach requires identifying *who* are the *rights-holders* (the people claiming their rights) and who are the *duty-holders* (the people who have the duty to protect and promote enjoyment of the rights in question).
3. **Empowerment** – rights-based approaches focus on the empowerment of rights-holders. This is the opposite of a charitable approach, where the recipients of the charity are passive and have no say in what action is taken.
4. **Participation** – rights-based approaches require the *full participation of all relevant stakeholders*.
5. **Non-discrimination and attention to vulnerable groups** – rights-based approaches call for specific attention to issues like discrimination, equality, equity and groups of persons who have been particularly marginalized.

Turning theory into practice!

So what does this mean, and how does it translate into setting an agenda for action for you and your organization? We propose a three-step process to achieve this.

Step 1 – Environmental scan

Step 2 – Match the environment to your own agenda

Step 3 – Develop a vision of full implementation of this right

Step 1 – Environmental Scan

Section three of this Toolkit provides a handy summary of the Convention - a sort of 'thumbnail sketch' of each of the articles of the

CRPD. Review this summary and at the same time, think of the work that your organization does, or would like to do, in the future.

Step 2 – Match the environment to your own agenda

Think a little more about what your organization is doing, or would like to do. Connect that to the article that is most closely related to that work. In the Ratification Toolkit DPI presented a helpful tool for this type of activity called “SWOT Analysis.”

As we noted there, SWOT Analysis is an effective way of looking at your environment and identifying the Strengths and Weaknesses, and of examining the Opportunities and Threats your organization will face. In the context of implementation of the new Convention, SWOT Analysis can also help focus your activities in areas where your group is strong, and where the greatest opportunities lie. SWOT will also help you determine areas of weakness that you may either fix or work around in your efforts to implement and monitor the Convention in your country.

Step 3 – Develop a vision of full implementation of this right

Now that you have connected your work to a specific article in the CRPD , we suggest that you go to the treaty itself and carefully review the article to see just what it says the right involves and how it should be realized.

Exercise Insert link to SWOT worksheet

Build a Constituency for Change

As we noted in Section two, with the exception of Article 23 of the Convention on the Rights of the Child, none of the core human rights conventions even mentions persons with disabilities. Although the human rights expressed in those conventions certainly apply to persons with disabilities, governments and society as a whole have not done a very good job of ensuring that persons with disabilities fully enjoy their human rights.

At the same time, governments have not done a good job of reporting to treaty monitoring bodies about how they are applying the various human rights conventions to persons with disabilities. The monitoring bodies in turn have not done a good job of asking for this information. As a result, some people have noted that persons with disabilities have been effectively “invisible” within the UN human rights system.

This “invisibility” has in turn made it difficult for disability activists to get the UN human rights system to pay attention to disability issues. It is anticipated that with the adoption of a convention specifically addressing the human rights of persons with disabilities this situation will change, by giving the system some legally binding human rights standards that clearly apply to persons with disabilities. In addition, it is anticipated that establishing a committee on the rights of persons with disabilities will bring disability expertise into the international human rights system, and then the other treaty monitoring bodies would be able to learn from this body and start addressing disability issues in their own work.

Given all of these factors, the time is ripe to start reaching out to groups and governments to begin getting them to pay more attention to disability issues, and to do so in a rights-based framework.

Turning theory into practice!

Here again we offer three steps that stem from the rights-based vision we asked you to develop in the previous section. They are:

- Step 1 – Identify the objectives you will need to meet to realize your vision*
- Step 2 – Identify activities that will help move your agenda forward*
- Step 3 – Identify collaborators from the larger community*

Step 1 – Identify the objectives you will need to meet to realize your vision

How this evolves will depend on many different factors. Information from the environmental scan and SWOT Analysis will be key to planning this wisely. However, despite the variance from issue to

issue, or from country to country, it is always the case that the pursuit of a large goal or what we called above, a “rights-based vision,” will involve a series of steps along the way. For example, if your organization were to identify education as its priority, then you would need to look at the factors involved in ensuring equal access to education, including everything from teacher training to accessible buildings and information, and many, many other things as well. These are what we mean by objectives to meet your goal.

Step 2 - Identify activities that will help move your agenda forward

As we noted at the beginning of this section, implementing a UN treaty is a complicated and potentially overwhelming thing to attempt! There is so much that can be done that in many cases, NGOs tend to focus only on monitoring and the work of the treaty body, but in fact that is only a small part of what implementation can and should be all about. We hope that by now it is becoming clear that, while very important, treaty body work and things like shadow reporting are only a part of how civil society can implement the CRPD.

If all NGOs were to do was report on instances where education, as an example, did not measure up to their “rights based vision,” this would be important to note. However, it does not begin to take advantage of all the opportunities presented by the new Convention for activities, such as the development of resources to improve the quality of education for governments and administrators, or training and the development of resource materials to enhance the quality of education for students with disabilities.

It is these later measures, like the provision of training or resources that can be most effective in moving society closer to the goal of inclusive and accessible education. It is also through these sorts of activities that we can really begin to address the invisibility issue, which is often at the core of many barriers faced by people with disabilities.

Step 3 – Identify collaborators from the larger community

Again, on this issue of invisibility, the CRPD offers a wonderful opportunity to begin to reach out to groups beyond those with whom DPOs traditionally work. Through the whole convention development process, DPI and many other DPOs have begun to develop linkages with other human rights and equity seeking organizations. Equally, our connections to governments have expanded into areas where we had not been able to establish much useful contact in previous efforts.

Once you have identified the areas that are important to your organization's agenda, and decided on the types of activities you wish to undertake to achieve your goal or your "rights-based vision," you should think carefully about whom in the community is also a stakeholder on this issue in question. From there you will need to determine who among this group are likely to be your allies, and with this list in hand, you should begin to approach others with your ideas and see if they are open to collaboration. As noted above, the Convention development process was full of this type of activity, and in many cases the results were very positive.

Perhaps the single best example of this is the collaboration with governments themselves! Those of us involved in advocacy work are familiar with the often adversarial relations between civil society and governments, but the development of the CRPD was an exception to this and should serve as an example as we move forward to the implementation stage.

Count your Successes and Setbacks

Finally, with the ABC's of implementation we come to the point of evaluation. It's essential to have a clear sense of what has worked and what has not. Only with evaluation will your organization be able to learn from its mistakes and emulate its successes. Evaluation and self-analysis is the key to organizational growth and improvement.

There are entire books and websites devoted to evaluation and the many important things to be considered. They go well beyond the scope of this toolkit, and users are encouraged to seek out more information. Having said this, a few key principles are worth noting

here as being essential for a good evaluation process. The following are taken and adapted from the Royal Dutch Ministry of Foreign Affairs Evaluation Policy, available on line at <http://www.netpublikationer.dk/um/7571/html/chapter09.htm>

These principles reflect the core values of effective evaluation work. The guiding principles consider the fundamental expectations of both evaluators, and the evaluation processes.

Independence – the evaluator’s judgments are not influenced by pressure or conflict of interest. Evaluation team members must not have been engaged in the activities to be evaluated.

Impartiality – the personal preferences of the evaluator do not affect the evaluation. Evaluations must give a balanced presentation of strengths and weaknesses.

Objectivity – the evaluation rests on verifiable findings of fact. Judgments must be clearly separated from factual statements.

Transparency – features, issues and decisions significant to the evaluation are identified and explained clearly.

Feasibility – the appropriate methodology and resources required by the evaluation are available.

Propriety – the evaluation does not harm individuals.

Cost-efficiency – the evaluation is done at least cost.

Accuracy – the data do not contain errors of significance to the evaluation.

Fairness – evaluations give a balanced presentation of strengths, weaknesses and different views.

Credibility – the evaluation is conducted in such a way that the results are believed.

Usefulness – the evaluative process and the information it produces are utilized by users and stakeholders.

Click *here* to link to Toolkit Evaluation