**COMMITTEE ON THE RIGHTS OF PERSONS WITH DISABILITIES**

**DRAFT GUIDELINES ON THE PARTICIPATION OF NATIONAL HUMAN RIGHTS INSTITUTIONS, OTHER MONITORING MECHANISMS, DISABLED PERSONS ORGANIZATIONS, CIVIL SOCIETY ORGANIZATIONS, AND OTHER STAKEHOLDERS IN THE WORK OF THE COMMITTEE**

**February 2014**

1. **INTRODUCTION**

The Committee on the rights of Persons with Disabilities (hereinafter the Committee) attaches great value to the participation of national institutions for the protection of human rights, in particular, those aligned with the Paris Principles, other independent monitoring mechanisms, disabled persons organizations, civil society organizations, and other stakeholders, in the different procedures it undertakes, in conformity with its Rules of Procedure’s rules number 30, 52, and its Methods of Work, paragraphs 41 to 53.

In addition to the fundamental principles inspiring the Convention on the Rights of Persons with Disabilities (hereinafter the Convention), the Committee embraces democracy and transparency, in conformity with article 4.3 of the Convention, given particular value to the efforts to contributing with the Committee’s work by organizations representing persons with disabilities, including women and children with disabilities.

The Committee adopts the following guidelines to assist partners in ensuring timely and appropriate contributions.

II. Participation in the reporting procedure within the framework of the review of the State Party

Written submissions
2.1. The Committee welcomes all written submissions with relevant country-specific information that contributes to the review of State Party reports, in accordance with article 35 of the Convention. To ensure that the Committee is provided with such submissions at a relevant stage of the procedure, they should be submitted at one or several of the following times:

(i) before or after the state party submits its report

(ii) before the adoption of the list of issues

(iii) after the state party has submitted its replies to the list of issues and before the constructive dialogue

(iv) before the Committee adopts the list of issues prior to reporting within the framework of its simplified reporting procedure

2.2 timeline: The Committee invites stakeholders to make their written submissions timely, so as to ensure that they can be properly taken into account by the Committee experts; submissions should therefore be made:

(i) As earlyas possible and up to three weeks before the opening of the session;

(ii) Submissions will be received up to one day before the session, however due to time restraints, these submissions are not guaranteed to be considered by the members of the Committee;

(iii) Submissionsmade thereafter andduring the session, will only be accepted under exceptional circumstances, to be considered by the Secretariat under consultation with the chair of the Committee;

(iv) In the case of the adoption of list of issues within the framework of the simplified reporting procedure, submissions need to be received by the Secretariat up to 4 months prior to the beginning of the session in which the list of issues will be adopted.

2.3. Disclaimer

The submissions are the sole responsibility of the submitting organizations and in no way their reception by the Committee will mean its endorsement or having any position regarding their contents.

2.4. Publicity on the Committee’s webpage

The submissions will be posted automatically, unless the submitting organization clearly requests its confidentiality

2.5. Length: The Committee recommends concrete and concise documents, suggesting that their length be limited as follows:

* (i) maximum of 15 pages in font size 12 for a coalition of organizations
* (ii) maximum of 10 pages for a single organization

2.6. Structure - the Committee strongly recommends that written submissions have the following structure:

(i) identification of the submitting organization, brief description of its activities at international and/or national level, their mission/vision statement and what role persons with disabilities play in the organisation.

(ii) Executive summary, no longer than one page.

(iii) Make reference to specific articles of the Convention addressed in the submission

(iv) Proposed recommendations

2.7. Format and languages

(i) The written submissions should be in accessible formats; hardcopies are not necessary since the Committee has fully adopted the United Nations greening policy.

(ii) The submissions need to be written in English, French and/or Spanish. The committee encourages organizations submitting documents in French and/or Spanish to include a one page executive summary in English**.** Please note that United Nations Conference services do not translate documents submitted by organizations other than the State Parties.

Country briefings

2.8 National human rights institutions, other independent monitoring mechanisms appointed in conformity with articles 33.2, and/or 16.3 of the Convention, may solicit up to four weeks prior to the beginning of the session, briefing time for oral presentations about country specific situations to the Committee in a private meeting during its session, the briefing time will be no longer than one hour.

2.9. Applications – disabled persons organizations and/or other civil society organizations applying for a briefing meeting with the Committee, shall submit a request up to four weeks before the session specifying:

1. The name of the organization: coalitions are encouraged to make a brief description of their comprising organizations, their mission/vision statement and what role persons with disabilities play in the organisation.

(ii) The title of the briefing event**;**

1. Brief description of the topics that will be addressed during the briefing: all country specific information that contributes to the review of a State report, as well as any particular theme(s) that the organization (s) wish to raise before the Committee’s attention is welcome.

(iv) Indicate the preferred date and time of the briefing event; the only possible times available for briefings are from 9:00 to 10:00 am, and from 13:45 to 14:45 pm

(v) Name and function of the speaker(s).

2.11. Accessibility:

Applicant organizations shall indicate if they will provide translations, captioning, sign language interpretation, Braille documentation and/or other accessibility tools

2.12. Statements

Speakers are requested to submit statements of their interventions to the Secretariat up to one day prior to the briefing event.

2.13. Overlapping meetings

The Committee Secretariat will allocate time slots after consultation with the Chair of the Committee. Since democracy is a basic principle of the Committee, time will be equally distributed among applicant organizations, according to the following criteria:

1. In the case of coalitions, comprising organizations may be allocated each individual time slot if acting as such; the coalition will be considered as one organization;
2. In the case where all comprising coalition organizations wish to speak through the coalition and not request separate speaking time, the latter will be granted a time slot proportional to the number of organizations it is speaking for;
3. The priority in the order of interventions will be: country-based disabled persons organizations, national coalitions, international disabled person’s organizations and other civil society organizations.

2.14. Venue of briefings

All briefings take place in the conference room where the Committee holds its sessions.

III. Participation in thematic debates, the drafting of general comments and days of general discussion;

1.1 General comments:

1. National human rights institutions, other independent monitoring mechanisms, disabled persons organizations, other civil society organizations, and other stakeholders, are welcomed to submit written submissions to the Committee, with relevant information that contributes to enhance the interpretation of the matter.
2. National human rights institutions, other independent monitoring mechanisms, disabled persons organizations and other civil society organizations, and other stakeholders, are welcome to be present as observers during the session of the Committee in which the draft general comment will be read and adopted.

1.2 Days of general discussion:

1. National human rights institutions, other independent monitoring mechanisms, disabled persons organizations, civil society organizations, and other stakeholders are welcome to make submissions with relevant information that contributes to the analysis of the topic of the day of general debate.
2. Oral presentations: Speakers representing national human rights institutions, other independent monitoring mechanisms, disabled persons organizations, civil society organizations, and other stakeholders, may request up to two days prior to the day of general debate, speaking time for oral presentations. Their application shall include: name of the organizations they represent, the mission/vision statement and what role persons with disabilities play in the organization; name and function of the speaker. Speakers are requested to submit a statement of their intervention.

1.3 Submissions and briefings on thematic issues

National human rights institutions, other independent monitoring mechanisms, disabled persons organizations, civil society organizations, and other stakeholders are welcomed to make submissions and request time allocation for briefings on thematic issues which they consider relevant to the Committee’s work. The Committee will assess these requests on a case by case basis. In making this assessment the Committee will take into consideration the extent to which specific request relates to the Committee’s functions under the Convention and Optional Protocol, its methods of work and its workload.

**IV. Intervention in the procedures concerning communications**

The Committee welcomes the intervention of national human rights institutions, other independent monitoring mechanisms, disabled persons organizations, other civil society organizations, academia and other relevant stakeholders, in the procedures concerning communications. In particular, the interventions may include the following:

4.1 Advisory role, such as training to alleged victims and/or possible authors of communications, on the contents of the Optional Protocol and the criteria that must be met, in particular, the exhaustion of domestic remedies, in order to consider a communication admissible for the Committee.

4.2 Legal representation of the alleged victim(s)through power of attorney or any other supporting document in which the alleged victim(s) authorize the author of the communication to act on their behalf.

4.3 Third party interventions, in conformity with Rule 72.3 of the Committee’sRules of Procedure

4.4 Confidentiality and publicity, in conformity with Rule 76 of rules of procedure **--** National human rights institutions, other independent monitoring mechanisms, disabled persons organizations, other civil society organizations and any relevant stakeholders shall respect the confidentiality of any information or procedure relating to all pending communications,in compliance with Rule 76 of the Rules of procedure and with article 3 of the Optional Protocol.

They are, however, encouraged to collaborate with the dissemination of the Committee’s jurisprudence, and to give Follow-up on implementation of the Committee’s views and recommendations.

**V. Inquiries**

5.1 Submissions. National Human Rights Institutions**,** Disabled persons organizations and other civil society organizations may make submissions to the Committee, with relevant information to be considered under article 6.1 of the Optional Protocol, requesting an inquiry. These submissions should include:

(i) identification of the submitting organization, and in the case of organizations of persons with disabilities, their mission/vision statement and what role persons with disabilities play in the organisation.

(ii) Substantiation on grave and systematic violations of rights set forth in the Convention by a State Party to the Optional Protocol

(iii) Credible and reliable information on which the submission is grounded

(iv) Recommendations to the committee

5.2. Other relevant sources – National Human Rights Institutions**,** Disabled persons organizations, other civil society organizations or the requesting entity may suggest other references for additional information regarding the matter of inquiry that may contribute to the procedure, such as universities, human rights institutions, and other local organizations such as women’s and/or children’s rights organizations, in conformity with Rule 83.3 of the Rules of Procedure.

5.3. Collaboration during visit. If the Committee conducts a visit, National Human Rights Institutions**,** disabled persons organizations and other civil society organizations are encouraged to collaborate with the proceedings.

The Committee may invite National Human Rights Institutions**,** disabled persons organizations and other civil society organizations other than the inquiry requesting organization, to provide relevant information and collaborate with the Committee during a visit within the inquiry procedure, respecting confidentiality while the procedure is pending.

5.4. Follow-up – National human rights institutions, disabled persons organizations and other civil society organizations are encouraged to give follow-up to inquiry procedures.

**VI. Capacity building activities under article 37 of the Convention**

6.1 Included within its mandate, and in conformity with article 37 of the Convention, the Committee may cooperate with the States Parties by undertaking activities that may contribute to the better understanding of the provisions in the Convention and the means to accelerate their implementation. With this purpose, national human rights institutions, other independent monitoring mechanisms, disabled persons organizations, civil society organizations and other stakeholders, may draw the Committee’s attention to specific areas with which a State Party may require such support from the Committee.

6.2 In particular, national human rights institutions and other independent monitoring mechanisms are encouraged to seek the support of the Committee in order to enhance the States Parties understanding of the Convention, promoting harmonization of the Convention and the adoption of policies, laws and programs that advance with its implementation.

**VII. Early warning and urgent action procedures**

7.1 National Human Rights Institutions**,** disabled persons organizations, other civil society organizations and other stakeholders may make written submissions to the Committee, with credible and reliable information regarding a situation where any of the provisions of the Convention are at risk of being violated in a State Party, requesting an urgent intervention from the Committee to prevent it from happening.

VIII. **Guarantees and protection to human rights defenders participating in the work of the Committee**

The Committee, in line with the Resolution A/67/222 on the treaty body strengthening process, strongly condemns all acts of intimidation and reprisals towards individuals and organizations for their contribution to the work of the Committee. The Committee will appoint, among its members, a focal point on reprisals who will follow-up and provide advice on situations concerning these cases.

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