CRPD implementation in SWITZERLAND, with a focus on disability inclusiveness of development and humanitarian aid

Fact sheet

Contents

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Author: Polly Meeks, independent consultant

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Executive Summary

Switzerland is at an early stage in its journey towards aligning its development cooperation and humanitarian action with the UN Convention on the Rights of Persons with Disabilities (CRPD). Its current policies, capacities and processes do not place a strong emphasis on disability, and engagement with organisations of persons with disabilities is very limited. Switzerland's recent guidance on the human rights-based approach to development and on leaving no-one behind could lay some promising foundations to build a more ambitious approach to disability. But if Switzerland is to make the most of these foundations, and ensure its international cooperation does not leave or push persons with disabilities behind, it must recognise CRPD compliance as a fundamental pre-requisite across all areas of its strategy, systems and interventions.

Meanwhile, analysis by civil society specialists points to a range of challenges in the structures and processes for implementing the CRPD within Switzerland's borders. Available evidence indicates these challenges are associated with substantially unequal outcomes for Swiss persons with disabilities.

Stronger cross-government coordination mechanisms could help Switzerland cross-fertilise lessons – both positive or negative – from its experiences implementing the CRPD domestically and in its international cooperation.

Part I : International cooperation

For details of the methodology used to prepare this part of the fact sheet, please refer to Annex I.

For some suggested advocacy questions building on the findings set out below, please refer to Annex II.

STRATEGY AND LEADERSHIP

Clear commitments in strategy documents and leaders' statements have a key role to play in driving the department-wide changes needed for disability inclusion.

- **Ministry in charge of international development and humanitarian action**
  The Swiss Agency for Development and Cooperation (SDC) within the Federal Ministry of Foreign Affairs is responsible for the large majority of Swiss Official Development Assistance (ODA) spending. In 2019, SDC was responsible for around 80% of all allocable Swiss ODA.[1] Other branches of the Swiss government also play a smaller role in Swiss ODA spending – notably the State Secretariat for Migration, the State Secretariat for Economic Affairs, and regional governments. The analysis in this fact sheet focuses mostly on the work of SDC.

- **International human right instruments ratified by Switzerland**
  International Convention on the Elimination of All Forms of Racial Discrimination, International Covenant on Civil and Political Rights, International Covenant on Economic, Social and Cultural Rights, Convention on the Elimination of All Forms of Discrimination Against Women, Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, International Convention for the Protection of All Persons from Enforced Disappearance, Convention on the Rights of the Child, Convention on the Rights of Persons with Disabilities (CRPD).[2]

- **National strategy/policy on disability**
  Switzerland has a national policy on disability, but it focuses on domestic policies and not on international cooperation. (For further context on the policy, please refer to the analysis of domestic and international policy coherence below).

- **Law on ODA**
  Swiss international development and humanitarian action is governed by the Constitution (in particular Article 54), and by four further laws covering respectively: development cooperation and international humanitarian aid; human security; participation in the Bretton Woods institutions; and cooperation with countries in Eastern Europe.[3] None of these laws mention disability in the context of international cooperation, although the

Constitution, the human security law and the law on cooperation with countries in Eastern Europe contain general references to promotion of human rights internationally,[4] and the Constitution contains an over-arching principle that no person should be subject to discrimination, including on the grounds of disability, and that disability-based inequalities should be eliminated.[5]

- **Overall strategy/policy on international cooperation and humanitarian action**
  Switzerland's strategy on international cooperation 2021-2024 makes two references to disability. The first reference to disability is in the section on humanitarian aid: one of the four priorities for SDC's direct humanitarian assistance is 'protection of the most vulnerable and … education in emergencies', and persons with disabilities are among three 'vulnerable' groups highlighted.[6] The second reference is in an annex setting out the strategy's detailed objectives: persons with disabilities are mentioned in a list of three under-represented groups whom SDC will strive to reach through its work on sub-objective 7, 'Strengthening equitable access to quality basic services'.[7] This means that most of the strategy is silent on disability inclusion: it is not mentioned under the section on thematic areas of focus (section 3.5.3), even though this covers highly relevant issues for the CRPD such as employment and the effects of climate change; it is not mentioned (except the one reference under humanitarian aid) in the section on implementation; it does not feature under any other objectives apart from sub-objective 7. The strategy does not mention the CRPD. The strategy does mention the 'leave no one behind' principle, but gives it little more emphasis than it does to disability inclusion.[8] (Please see below, 'management and reporting' section, for more detail on SDC's approach to measuring progress against the strategy).

- **Strategy/policy on disability in international cooperation and humanitarian action**
  SDC does not have a guidance document or policy on disability in international cooperation and humanitarian action.

  SDC does have guidance documents on Leave No One Behind (2018) and on Human Rights in Development and Cooperation (2019),[9] which include many of the same elements as a policy document – clear statements of ambitions, of actions to be taken, and of approaches to monitoring progress. Both documents include brief references to disability: for example, the Leave No One Behind guidance explicitly lists disability as a driver of exclusion, and the human rights guidance highlights persons with disabilities as a key 'vulnerable group' to whom 'specific attention' will be paid.[10] SDC also recently released a two-page factsheet on the link between Leave No-One Behind and the human rights based approach, which contains three brief references to disability.[11]

However, the documents' short length and wide scope mean that they include much less detailed commitments on disability inclusion than a stand-alone disability policy would do. Moreover, the documents are not explicit that CRPD compliance is an obligation across all interventions. Rather, the Leave No One Behind guidance identifies many groups at risk of being excluded, and says staff should 'name one or two groups as explicit target groups' for each intervention, hence leaving it open for many interventions not to target disability inclusion at all or in any depth.[12] Experience has shown that if inclusion of persons with disabilities is not mandatory, then persons with disabilities tend to be overlooked, since the compounding barriers that they face mean they are often less visible than other sections of the population.[13]

- **Charter on inclusion of persons with disabilities in humanitarian action**
  Switzerland has signed the Charter. It was beyond the scope of this research to audit in detail how far Switzerland has implemented its commitments under the Charter. However, the findings on engagement with organisations of persons with disabilities, and on data disaggregation (below) suggest that Switzerland's practice is not yet fully aligned with the Charter commitments. This inference aligns with the assessment of the Swiss Disability and Development Consortium, which has found that "to date no plan for implementation [of the Charter] has been presented. Furthermore, it is unclear to what extent Switzerland's DRR programs are inclusive of persons with disabilities in line with the CRPD."[14]

- **Evidence of senior commitment to disability inclusion in international cooperation and humanitarian action**
  Internet searches did not find any prominent recent statements on disability inclusion from the Director General of SDC (Patricia Danzi) nor from the head of the Federal Department of Foreign Affairs (Federal Council Ignazio Cassis).

- **Engagement in the Global Action on Disability (GLAD) Network**
  Switzerland is a member of the GLAD network.

- **Other engagement on disability inclusion with international actors in the fields of development cooperation and humanitarian action**
  The online searches conducted for this fact sheet did not identify any prominent examples of such engagement.

ENGAGEMENT WITH ORGANISATIONS OF PERSONS WITH DISABILITIES

High-quality engagement with Organisations of Persons with Disabilities (OPDs) is fundamental. Not only does it make development cooperation and humanitarian action legally compliant and technically stronger in the short term. By strengthening the disability movement and making space for real participation– as the "subject of action", not the "object of intervention",[15] it also contributes to the redistribution of power that is a pre-requisite for sustainable disability-inclusive development in the long-term.[16]

- **OPD engagement in Swiss ODA**

  - **Engagement in consultations**
    Some strategies with great relevance for persons with disabilities – for example, the strategy on digital foreign policy – have not been opened up for consultation.[17] Specifically looking at consultation with OPDs from the Global South, there is no centralised evidence on the extent to which such OPDs have been engaged in SDC consultations, e.g. by country offices.

  - **Engagement for expert advice on disability inclusion**
    Since late 2018, SDC has had some limited engagement with the International Disability Alliance, for example following its endorsement of the Charter on inclusion of persons with disabilities in humanitarian action.[18] Most of SDC's engagement with civil society organisations for expert advice on disability inclusion is with the Swiss Disability and Development Consortium, which is primarily made up of non-governmental organisations rather than organisations of persons with disabilities (although the International Disability Alliance joined the Consortium in 2019)[19]. Both in official documents and in interviews, it appeared that SDC does not always make a very clear distinction between organisations **of** disabilities and organisations **for** persons with disabilities.[20] What is more, anecdotal evidence suggests that SDC's openness to engaging with any civil society specialists on CRPD implementation is not consistent, with some interlocutors showing little interest:[21] this could further constrain opportunities for OPDs to share their expertise.

  - **Funding**
    Some SDC funding flows indirectly to OPDs, including through SDC's support to CBM and FAIRMED's 'Leave No One Behind' alliance (though this is only a minority of total project funding, reflecting the different number of days devoted by different partners).[22] In addition, one or two cases of Swiss ODA funding to OPDs in the Western Balkans were mentioned during an interview with an SDC official specialised in that region.[23] However, it was not possible to examine these cases in detail, and it is not clear how widely replicated this is in other regions: the Balkan region was purposely selected for an interview because it was reported

to have higher-than-average levels of programming on disability inclusion; and enquiries on the rest of SDC's portfolio, using other methods, did not identify any further examples of Swiss funding to OPDs.[24]

- **Participation in the design, implementation, monitoring and evaluation of mainstream programmes**
  This review did not find evidence of OPDs (neither Swiss OPDs nor OPDs in the Global South) participating in the design, implementation, monitoring and evaluation of mainstream SDC programmes. This is corroborated by the Swiss Disability and Development Consortium: "SDC does not yet consult in a meaningful way with persons with disabilities and their representative organisations or ensure their participation. Neither for the development of strategies and policies, nor in the development, implementation, monitoring and evaluation of programmes and projects".[25] However, SDC did recently begin funding a project that aims to strengthen the capacity of OPDs to engage in international cooperation.[26] This could signal an increasing openness to OPD participation in future, but such effective participation will depend on sufficient capacity being in place on SDC's side too,[27] and it is too early to conclude how far the project will trigger a long-term change in SDC's approach to OPD engagement.

INTERNAL CAPACITY

Successfully implementing disability-inclusive development cooperation and humanitarian action requires sufficient staff with relevant skills and experience.

- **Human resources for work on disability inclusion**
  SDC has no staff member who works on disability full-time, but three staff members have some organisation-wide responsibility for disability inclusion as part of their wider responsibilities: the 'disability focal point', who sits within SDC's Institutional Partnerships Division; the policy advisor for poverty and Leave No One Behind; and a policy advisor specialised in human rights.[28] However, all three of these staff work on a range of other issues beside disability inclusion, and disability is not an explicit part of their job descriptions, meaning their time to work on disability is limited. The Swiss Disability and Development Consortium has raised concerns that the 'disability focal point' sits within the Institutional Partnerships Division (which deals primarily with partnerships and dialogue with other international cooperation actors) rather than a central position within the SDC directorate.[29] In addition to the three staff at headquarters, there is an advisor on social inclusion responsible for the Eastern Europe region, and country office-based staff may spend some of their time working on disability inclusion, depending on their office's portfolio of projects.[30] On the humanitarian side, there is no single focal point or disability lead, but in principle disability inclusion should account for a share of all protection staff members' time (a total of some 40 permanent or temporary experts), albeit balanced alongside a wide range of other priority protection issues.[31]

- **Tools and guidance for work on disability inclusion**
  SDC offers training on Leave No One Behind and on human rights-based approaches.[32] It collates relevant resources on dedicated 'share web' sites.[33] And it has produced detailed guidance materials on specific aspects of these themes to supplement its overarching guidance documents (discussed above) – for example, sector-specific guides on Leave No One Behind,[34] and a guide to human rights-based approaches to project cycle management.[35] However, the share web resource pages serve more as a signpost to some useful introductory documents, rather than a comprehensive resource repository that could support detailed thematic work (for example, at the time of conducting this review, the page on 'Leave no-one behind, inequalities and social protection in times of COVID-19' did not include disability-specific social protection resources, such as those produced by the International Labour Organisation and allies).[36] Coverage of disability inclusion within the sector-specific guides on Leave No-One Behind is variable, with some sectors not mentioning disability at all, even though persons with disabilities are at high risk of being 'left behind' across all sectors.[37] And while the project cycle management guide covers some relevant ground,[38] it is too brief (8 pages) to do justice to all relevant CRPD considerations.[39] No disability-specific training

materials exist yet. But as a positive first step, SDC plans to run sensitisation sessions for SDC staff and for civil society partners from 2021 onwards.[40]

- **Recognition for staff work on disability inclusion**
  This review did not find any evidence of specific performance incentives for staff work on disability inclusion.

MANAGEMENT AND REPORTING

It is essential for management and reporting processes to create positive incentives that foster disability inclusion, and avoid perverse incentives that lead to exclusion.

- **Budgeting for disability inclusion**
  SDC's guidance on Leave No One Behind recognises the need to allocate dedicated financial resources for inclusion: "SDC management … recognises that … resource allocation over the long term is necessary to achieve and sustain systemic change".[41] And – positively, and unlike some narrower approaches to evaluation – SDC's suggested evaluation questions do not penalise inclusive programmes for being more costly: on the contrary, they simply ask whether extra costs have achieved the expected benefits, and then go on to ask whether the budget for inclusion should actually have been higher.[42] It was beyond the scope of this review to determine how far all SDC programme teams know and apply this guidance in practice. Civil society applicants for programme funding are assessed according to the 'appropriateness of budget allocation per outcome', which – in the absence of explanatory notes on SDC's approach to the costs of leaving no one behind – could potentially be misinterpreted and deter applicants from including more expensive-to-reach groups in their applications.[43]

- **Programme management**
  The review undertaken for this fact sheet did not find evidence of any formal checks to ensure that SDC-funded programmes are inclusive of, and accessible to, persons with disabilities before funding is approved.

- **Grant management[44]**
  In terms of grants to **civil society organisations,** SDC plans to undertake disability sensitisation with its civil society partners in 2021.[45] The selection criteria for the most recent round of civil society programme funding rewarded applications where 'vulnerable, marginalised and disadvantaged groups are targeted and are the main beneficiary groups', and where the monitoring and evaluation framework includes 'disaggregated data on vulnerability'.[46] However, the criteria make no specific mention of disability. (Full data on other recent grant programmes apart from programme funding was not available online when this part of the analysis was undertaken).

  In terms of financing for **multilateral agencies**, SDC's guidance on Leave No One Behind recommends that SDC should consider incorporating 'leave no one behind' in its multilateral partnerships. This could include using its influence in multilateral agencies' governing bodies, and monitoring agencies' results in leaving no one behind.[47] However, based on the review undertaken for this fact sheet it was not clear how far this recommendation has yet been taken up – nor how far 'leave no one behind' considerations would specifically include disability.

- **Procurement**
  In general, the review undertaken for this fact sheet did not find evidence that SDC procurement policies include requirements on accessibility for persons with disabilities. The exception is procurement relating to websites and applications, which are required to be accessible under the Swiss Action Plan on e-accessibility (while the Action Plan covered the years 2015-17, it is assumed here – in the absence of evidence to the contrary – that any processes introduced under the Action Plan would have continued to operate in subsequent years).[48]

- **Disaggregated data and other reporting**
  Programme teams will be asked to disaggregate results under the 2021-2024 international cooperation strategy by one 'leave no one behind target group'. However there is no specific requirement to report results disaggregated by disability.[49] SDC's guidance on Leave No One Behind and on human rights emphasise the value of qualitative and process-based reporting.[50] But SDC's headline results reporting to-date has tended to focus on total numbers of people reached.[51] In the absence of a disability-disaggregated reporting requirement, this risks creating a perverse incentive to focus on easier-to-reach groups, rather than persons with disabilities. (Please see 'spending' section below for reporting using the 'DAC marker').

- **Checks to detect and prevent ODA spending on activities that contravene the CRPD - e.g. forced psychiatric treatment[52]**
  Based on the evidence analysed for this review, it was not possible to conclude how robust Switzerland's controls are to mitigate the risk of Swiss ODA funding projects that contravene the CRPD. Positively, one interviewee from SDC reported that, in the region where he worked, Switzerland was engaged in initiatives to bring an end to institutionalisation.[53] In such a context it is probably more likely that staff would be vigilant for projects involving support for institutions or other measures that contravene the CRPD. However, in the absence of more systematic checks, it is still far from certain that such alertness would extend to all staff or all SDC offices in every part of the world – nor to ODA provided through channels other than SDC, such as from cantons.

SPENDING

Spending data shows the scale of an ODA provider's investment in international cooperation and humanitarian action. Subject to some limitations, it also gives a snapshot of how much that ODA provider's spending aimed to be inclusive of persons with disabilities.

- **Switzerland's total Official Development Assistance (ODA) spending in 2020**
  US $ 3.6 billion (3.4 billion Swiss Francs). This was 0.48% of Gross National Income.[54]

- **Percentage of projects/spending screened using the disability 'DAC marker'**
  The 'DAC marker' is a new tool introduced to the Organisation for Economic Cooperation and Development – Development Assistance Committee's (OECD DAC's) ODA database. It allows ODA providers to flag whether their spending aims to be disability inclusive.[55]

  Use of the marker is optional. Table 1 below shows the extent to which Switzerland opted to use the marker, in 2018 and 2019. (Note: data from 2018 should be treated with caution, since the marker was introduced during the year and applied ex-post).[56]

  The first row considers **how many** allocable[57] Swiss ODA projects were assessed using the marker. The second row considers what **value** of allocable Swiss ODA projects were assessed using the marker. ('Assessed' includes projects that were screened using the marker, but found not to be disability inclusive, as well as those that were given a positive score for disability inclusion. It however excludes those projects where no kind of screening using the marker was attempted by those responsible for reporting Swiss ODA data to the OECD DAC).

  Overall, the table shows that **Switzerland is not yet making widespread use of the marker**.[58]

Table 1: Extent to which Swiss allocable ODA has been assessed using the OECD DAC disability marker

	2019[59]	**2018**
Percentage of allocable ODA projects assessed (calculated based on number of projects)	13%	32%
Percentage of allocable ODA spending assessed (calculated based on value of projects)	16%	54%

Source: OECD DAC Creditor Reporting System. Calculated on a commitments basis.

- **Percentage of projects/spending[60] with disability inclusion as at least one objective**

  Table 2 below shows what percentage of Swiss ODA was assessed as having at least one objective on disability inclusion, in 2018 and 2019.

  The first row considers **how many** allocable[61] Swiss ODA projects were reported as having at least one objective on disability inclusion. The second row considers what **value** of allocable Swiss ODA projects were reported as having at least one objective on disability inclusion.

  (Note: In interpreting this data, please note that reporting is based on self-assessment and there is no ex-post process to check different ODA providers' reported results for methodological consistency. As with the analysis above, data from 2018 should be treated with caution, since the marker was introduced during the year and applied ex-post).[62]

  Overall, according to the data in the table, only a low proportion of Swiss ODA has disability inclusion among its objectives.

Table 2: Extent to which items of Swiss allocable ODA have disability inclusion as at least one objective

	2019	**2018**
Percentage of allocable ODA projects with disability inclusion as at least one objective (calculated based on total number of projects)	2.7%[63]	1.2%[64]
Percentage of allocable ODA spending with disability inclusion as at least one objective (calculated based on total value of projects)	2.1%[65]	0.6%[66]

Source : OECD DAC Creditor Reporting System. Calculated on a commitments basis.

A more detailed list of individual projects in 2019 that had disability inclusion as at least one objective is available here. [Please note the link contains two separate sheets].[67] Based on the detailed project listing for 2019, it can be observed that:

- The majority of ODA with disability inclusion as its principal objective in 2019 was provided by cantons/municipalities, rather than by SDC (out of 1.59 m USD, only 0.65m came from SDC).[68]

- ODA with disability inclusion as a significant objective (i.e. one of several objectives) in 2019 was heavily concentrated in a few countries. Out of a total 40.19 m USD, 10.89 m USD related to projects in Myanmar, 8.77 m USD to projects in Afghanistan, and 3.97 m USD to projects in Kenya.

This suggests that awareness on disability inclusion (or how to record it) may not yet be uniform across country offices.

- Based on the limited available data in project titles and descriptions on the Creditor Reporting System database, some projects appear to relate to disability prevention rather than inclusion – for example, de-mining.[69] The OECD DAC database also has a marker for gender equality, which works in a broadly similar way to the marker for disability inclusion. By cross-referring between the two markers, it is possible to analyse the proportion of Swiss ODA that had **both** disability inclusion **and** gender equality among its objectives (table 3). Overall, these results suggest that there would be particular scope to pay greater attention to the rights of women and girls with disabilities in future Swiss ODA.

Table 3: Extent to which items of Swiss allocable ODA have both disability inclusion AND gender equality among their objectives

	2019
Percentage of allocable ODA projects with disability inclusion **and** gender equality among their objectives (calculated based on total number of projects)	1.6%
Percentage of allocable ODA spending with disability inclusion **and** gender equality among its objectives (calculated based on total value of projects)	1.0%

Source : OECD DAC Creditor Reporting System. Calculated on a commitments basis.

Part II : CRPD implementation within Switzerland

The rights in the CRPD are indivisible[70] and inter-dependent.[71] Examination of a country's domestic CRPD implementation can offer insights for its efforts to uphold the CRPD in international cooperation, and vice versa. The analysis that follows therefore explores some key challenges for CRPD implementation domestically within Switzerland, drawing on analysis by specialist organisations (for further methodological detail, please refer to Annex I). It then comments briefly on the apparent degree of coherence between the Swiss Government's implementation of its CRPD obligations domestically and internationally.

IMPLEMENTATION OF THE CRPD WITHIN SWITZERLAND: KEY CONCERNS RAISED

Overall, the sources reviewed for this fact sheet point to significant gaps in Switzerland's **legal and policy framework** for CRPD implementation. Laws that deal with disability include the Constitution,[72] the Federal Act on the Elimination of Discrimination against Persons with Disabilities (DDA),[73] and the Federal Act on Invalidity Insurance.[74] However, these laws have been criticised as not being fully rooted in a human rights based approach.[75] The laws' coverage of the CRPD is not comprehensive:[76] in particular the DDA offers little protection against discrimination by private persons, which has serious implications for equal access to employment and equal access to services provided by private entities.[77] [78]At the policy level, the Government introduced a national disability policy in 2018,[79] but according to the major disability umbrella organisation Inclusion Handicap, this does not "by any means" amount to "a comprehensive policy for persons with disabilities nor a comprehensive plan for implementing the CRPD obligations."[80] Analysts have highlighted a particular lack of legal and policy attention towards persons with disabilities who experience intersecting inequalities, for example women with disabilities,[81] children with disabilities,[82] older persons with disabilities,[83] refugees with disabilities,[84] and lesbian, gay, bisexual and transgender persons with disabilities.[85] For example, the 'Equality 2030' gender equality strategy mentions disability in only one of its 35 priority actions.[86] Similarly, it is thought that some groups of persons with disabilities tend to receive less policy attention, including persons with rare diseases and persons with non-visible types of disabilities such as psychosocial disabilities and intellectual disabilities.[87] In addition to these concerns over the design of Switzerland's laws and policies, concerns have also been raised that structures for implementing and monitoring the CRPD are not yet adequate, especially given the complexity of Switzerland's federal government structure.[88]

Throughout the document review, interviews and email exchanges undertaken for this fact sheet, particularly strong concerns were raised over a lack of **meaningful government engagement with organisations of persons with disabilities**.[89] Some positive steps were noted – for example, one isolated case

in 2013 of an organisation of women with disabilities (and their family members) working alongside the government on a situation report[90] – and the Government says that it is exploring how better to involve organisations of persons with disabilities in the development and monitoring of laws in future.[91] However as yet, the overall assessment of Inclusion Handicap, and also repeated in several interviews, is that persons with disabilities are not adequately involved in most key legal and policy decisions.[92] It seems that people with certain types of disabilities, such as persons with intellectual disabilities and persons with psychosocial disabilities, may have particularly few accessible opportunities to engage with the government.[93] In addition, it appears that within Swiss civil society organisations working in the disability field, there is not always a clear distinction between organisations providing services to persons with disabilities, organisations representing the family members of persons with disabilities, and organisations representing persons with disabilities themselves: all three constituencies may sometimes be represented within a single platform.[94] This raises the risk that the Swiss Government may not always draw a clear distinction between engagement with organisations **of** persons with disabilities and organisations **for** persons with disabilities, as required by CRPD Committee General Comment no. 7[95] - and hence that organisations providing services may sometimes end up speaking in the name of persons with disabilities. Further in-depth research would be needed to confirm how this risk plays out in practice.[96]

The evidence reviewed for this fact sheet also indicates other cross-cutting barriers to the full enjoyment of rights by persons with disabilities. **Awareness** on the rights of persons with disabilities tends to be low among the public, among officials, and among many persons with disabilities themselves.[97] Knowledge of deaf blindness and of multiple disabilities have been highlighted as particular gaps.[98] Persons with disabilities in receipt of disability-related social protection payments have faced particular stigma in recent years.[99] **Accessibility** remains a very significant challenge, despite some positive steps such as Switzerland's recent ratification of the Marrakech Treaty.[100] Concerns have been highlighted across multiple dimensions – buildings, transport, services and information.[101] Switzerland does not yet recognise sign languages as official languages.[102] Accessibility barriers are particularly severe for persons with multiple disabilities, and persons with deaf blindness are often unable to enjoy their communication rights under CRPD Article 21.[103]

In addition, **equal recognition before the law** (Art. 12 CRPD) is not guaranteed to all persons with disabilities. If persons with intellectual disabilities or psychological "disorders" are found to be in a "state of weakness" that renders them unable to manage their own affairs and lacking in "capacity for discernment", they can be subjected to supported decision-making regimes.[104] The Federal Council has recognised that, under the latest jurisprudence from the UN Committee on the Rights of Persons with Disabilities, decision-making systems in other states with similarities to the Swiss one have been considered incompatible with Article 12 of the CRPD. The Federal Council has expressed an

interest in following current debates on this issue closely, in the states concerned and in Switzerland itself, but does not intend to take any further action until the review of Switzerland by the UN Committee on the Rights of Persons with Disabilities has taken place.[105]

The sources reviewed for this fact sheet report that persons with disabilities experience substantial inequalities in their interaction with a very wide range of public functions and services. While recognising some positive points and areas of progress,[106] these sources raise concerns over, among others: protection in **emergencies**;[107] access to **justice**;[108] access to support for survivors of **violence** (particularly gender-based violence);[109] conditions in **detention**;[110] accessibility of provisions for **refugees and asylum seekers**;[111] access to support for **mobility**;[112] access to **education**;[113] access to **healthcare** (both general healthcare and services specifically for persons with disabilities);[114] support to access to **employment**;[115] access to adequate **social protection**;[116] opportunities to participate in **political processes**;[117] and opportunities to take part in **sport and culture**.[118] Additional barriers are reported for people with certain types of disabilities, including persons with psychosocial disabilities,[119] persons with intellectual disabilities,[120] deaf people,[121] persons with visual disabilities,[122] persons with rare illnesses,[123] and persons with multiple disabilities.[124] Available evidence suggests persons with disabilities who experience intersecting inequalities also experience supplementary barriers in accessing services: this has been documented for women with disabilities,[125] children with disabilities,[126] and older persons with disabilities.[127] It appears that persons with disabilities have faced further challenges in accessing services in the context of COVID-19 – including serious gaps in access to personal assistance, and insufficient provision of non-residential psychosocial support services.[128]

Swiss **data** on persons with disabilities has been criticised on a number of grounds, including: that it is not rooted in a human rights based approach; that much of the data excludes people living in institutions; and that it is not sufficiently disaggregated.[129] The Government was not able to provide full data in response to all points raised in the UN CRPD Committee's List of Issues.[130] The limited data that does exist provides further evidence of inequalities experienced by persons with disabilities, including in education; employment; life satisfaction; and exposure to discrimination and violence at work.[131] For example, the Federal Statistics Office estimates that in 2017-18, among people aged 25-64 and living in private households, the share of people who had completed secondary education (level II) or above was 91% for persons without disabilities, 83% for persons with disabilities, and 73% for persons with severe disabilities.[132] If these figures took into account the situation of persons with disabilities living in institutions, it can be expected that the disparities would be even wider, taking into account the cumulative participation barriers that these people are likely to have faced.

While the preceding discussion has focused on the extent to which Switzerland is tackling inequalities faced by persons with disabilities, evidence was also found of Swiss interventions that actively perpetuate such inequalities, by **segregating persons with disabilities** from the rest of the population. In particular, despite some positive recent developments and further plans under a national programme on independent living,[133] the sources reviewed for this fact sheet report that as yet there is still a widespread lack of adequate support for living independently, which leaves many persons with disabilities with no real choice but to live in institutions.[134] As well as putting in jeopardy the right to live independently and be included in the community (Art. 19 CRPD), institutionalisation can also impede the enjoyment of other rights: for example, concerns have been raised over access to justice in the event of a dispute with the institution;[135] over the adequacy of steps to mitigate violence risks in institutional settings;[136] over privacy;[137] over freedom to access food;[138] over the adequacy of social protection;[139] and over the freedom to move residence from one canton to another[140] and – if this freedom is granted – to vote in one's new canton of residence.[141] Concerns have also been raised over the degree of segregation in the education system (e.g. the frequent placement of children with intellectual disabilities, autism or psychosocial disabilities in special schools),[142] and over the use of segregated workshops for employment.[143]

Finally, concerns over serious actual or suspected contraventions of the CRPD have been reported in a number of specific areas. According to one of the sources reviewed, the possibility cannot be excluded that persons with disabilities have not always had equal enjoyment of the **right to life,** specifically with regard to decisions in palliative care concerning persons with intellectual disabilities. More data would be needed in order to assess whether foetuses with disabilities have been concerned more than average by late-term abortion, which is permitted under criminal law in the case of severe emotional distress on the part of the woman.[144]

Concerns have been expressed on current processes for the **forced hospitalisation and treatment** of persons with psychosocial disabilities.[145] According to reports from civil society stakeholders, the number of people deprived of liberty and placed in a psychiatric hospital against their will now totals around 30,000 annually.[146] The Government says some of these processes are under review.[147]

There have been concerns over the risk that, under some 'exceptional' circumstances, persons with disabilities may still be subject to **forced sterilisation**.[148] It is also reported that parents with disabilities face a greater risk of **losing custody of their children**.[149]

DISCUSSION: COHERENCE BETWEEN DOMESTIC AND INTERNATIONAL CRPD IMPLEMENTATION

To form a full view on the degree of coherence between Switzerland's domestic and international efforts to implement the CRPD would require much more detailed research, including primary research on the processes of different domestic ministries, and deep dives into Switzerland's international cooperation activities in different sectors. Within the scope of this much more streamlined assessment, it was nonetheless possible to draw the following inferences:

(i)   No evidence was found of a fundamental difference in ambition between Switzerland's implementation of the CRPD domestically and internationally. Sometimes, a lack of headway – or even retrogressive developments – on domestic responsibilities under the CRPD can, counter-intuitively, coincide with progress on disability inclusion in international cooperation. For example, while the UK has substantially increased its ambitions on disability-inclusive development in recent years,[150] in 2016 the UN Committee on the Rights of Persons with Disabilities found that elements of the reform of the UK social protection system had resulted in « grave and systematic violations of the rights of persons with disabilities ».[151] In Switzerland, in contrast, this review has not found evidence that implementation of the CRPD is substantially gathering pace in either the domestic **or** the international policy sphere.

(ii) The review of Switzerland's international cooperation, above, found that SDC does not have a guidance document or policy on disability in international cooperation and humanitarian action. It also found that there is no specific requirement to report results disaggregated by disability. These findings appear unfortunately consistent with Switzerland's overall approach to implementing the CRPD domestically, which, as noted above, has been criticised for lacking an overarching policy and plan, and which also has data gaps.

(iii) The review of Switzerland's international cooperation also found only very limited evidence of engagement with OPDs. In addition, it appeared that SDC does not always distinguish very clearly between organisations **of** disabilities and organisations **for** persons with disabilities. Based on the sources reviewed for this fact sheet, it seems these findings on OPD engagement in international cooperation are also consistent with a pattern of limited OPD engagement across the Swiss government's work more broadly. The lack of clear distinction between organisations **of** and organisations **for** persons with disabilities in the context of international cooperation may also result in part from the complexities around this distinction in a Swiss domestic context – underlining the urgency for Switzerland to put into practice CRPD General Comment number 7 both domestically and in its international cooperation.

(iv) In the context of Switzerland's international cooperation, evidence was not found of systematic checks to prevent Swiss ODA contributing to interventions that contravene the CRPD (although more positively, it is reported that some sections of SDC are also working on de-institutionalisation). This lack of systematic checks on ODA spending is perhaps unsurprising considering that a number of practices which, prima facie, seem likely to contravene the CRPD – such as institutionalisation and forced psychiatric treatment – persist in Swiss domestic policy too.

While, as points (i) – (iv) set out, there appear to be some consistent and concerning patterns across Switzerland's domestic and international implementation of the CRPD, some nuance is concealed within these broad observations. Available evidence suggests there are also some areas of positive deviance, though deeper research would be needed to confirm this.[152] Where positive deviance exists in Switzerland's ODA spending, this could offer fruitful learning and could even potentially provide inspiration for progress in the Government's work on disability at the domestic level too. Similarly, if domestic ministries evolve stronger practices for putting the CRPD into practice – for example, engaging more meaningfully with OPDs – it would be important to share the lessons with SDC and other Swiss actors engaged in international cooperation. However, it seems that no sufficiently strong coordination and implementation structures are yet in place to make the most of this opportunity for an all-of-government approach and cross-government learning.[153] This is however essential to ensure CRPD compliant policy coherence.

Annexes

Annex I: methodology notes

For part I of the fact sheet (international cooperation), the key methods used were: review of documents in the public domain (in English, French and German); review of the Organisation for Economic Cooperation and Development (OECD) Creditor Reporting System database; interviews with the Swiss Agency for Development and Cooperation; exchanges with civil society organisations. The review took place in the first half of 2021.

For important context on the scope of the work, please refer to the detailed methodology document here (this document was developed for the EDF 'mapping inclusiveness' project. It also applies to this fact sheet, except that this fact sheet went into more detail on the question of domestic-international policy coherence than was possible for the original EDF work).

For part II of the fact sheet (CRPD implementation within Switzerland): Although it was deemed important to explore the coherence of Swiss domestic and international efforts to realise the CRPD, only a light-touch analysis was possible within the scope of this piece of work. The analysis was based on secondary sources – mainly, analysis by specialist organisations in Switzerland – complemented by a series of interviews/email exchanges with experts from Swiss civil society, and triangulated against the snapshot of recent developments given in the Government's reply to the UN CRPD Committee List of Issues.[154] The review took place in the first half of 2021.

Annex II: international cooperation - key questions for future analysis and advocacy[155]

This annex highlights some key questions arising from the findings presented in Part I above. It is primarily intended for any OPDs whose prior work in this area has been limited, but who are seeking to deepen their engagement and advocacy with SDC. The questions are not intended to be prescriptive, but rather a stimulus for further reflection and investigation. The questions focus solely on Part I of the fact sheet (international cooperation), not Part II (CRPD implementation within Switzerland) as it is recognised that Swiss OPDs are already deeply engaged and knowledgeable on the latter issue.

1. According to the OECD Creditor Reporting System database, in 2019, less than 3% of allocable Swiss ODA spending had disability inclusion among its objectives. This is very low – please could you give some more background on why you think this is the case, and how you plan to increase the share of Swiss ODA that has disability inclusion among its objectives in future years?

2. SDC's guidance document on Leave No One Behind identifies many groups at risk of being excluded, and says staff should 'name one or two groups as explicit target groups' for each intervention. We recognise the importance of

taking an intersectional approach. But if some of SDC's interventions do **not** target inclusion of persons with disabilities, how does SDC reconcile this with its obligations under the CRPD?

3. SDC recently began funding a project that aims to strengthen the capacity of OPDs to engage in international cooperation. Building on this positive development, what other steps will SDC take to ensure that OPDs (as opposed to other civil society organisations) are actively involved as experts in all stages of SDC development cooperation and humanitarian action? How will it ensure this includes OPDs from the Global South?

4. Although a number of staff members cover some disability inclusion issues as part of their wider responsibilities, SDC has no staff member who works on the rights of persons with disabilities full-time. Does SDC have plans to create at least one full-time post focused on the rights of persons with disabilities in the future?

5. When SDC is reviewing potential interventions prior to approval, what checks are in place to ensure that the proposed interventions comply with SDC's guidance on Leave No One Behind? As part of this review and checking process, are any questions asked specifically on disability?

6. SDC's guidance on Leave No One Behind recognises the need to allocate in certain cases dedicated financial resources to make interventions inclusive. How will SDC ensure all staff and implementing partners are well aware of this guidance, so that if there are extra costs for disability inclusion, this never discourages them from putting in place CRPD-compliant interventions?

Annex III: SDC's priority countries

During the period 2021-2024, SDC will reduce its total number of priority countries, so as to focus on the following:

Afghanistan, Albania, Armenia, Bangladesh, Benin, Bosnia and Herzegovina, Burkina Faso, Burundi, Cambodia, Chad, Democratic Republic of the Congo, Egypt, Georgia, Kosovo, Kyrgyzstan, Laos, Mali, Moldova, Mozambique, Myanmar, Nepal, Niger, North Macedonia, the Occupied Palestinian Territories, Rwanda, Serbia, Tajikistan, Tanzania, Tunisia, Ukraine, Uzbekistan, Zambia, Zimbabwe, countries in the neighbourhood of the crisis in Syria (currently focused on Jordan and Lebanon), and countries in the neighbourhood of the crisis in Somalia (currently Ethiopia and Kenya).[156]

References

[1] Source : Organisation for Economic Cooperation and Development, Development Assistance Committee (OECD DAC) Creditor Reporting System, consulted 24 February 2021. Calculated on a commitments basis. 'Allocable' ODA spending is a category defined by the OECD – it is this category that the OECD deems most relevant for analysis on disability inclusion.

[2] This list does not consider optional protocols to these treaties : for example, Switzerland has **not** ratified the Optional Protocol to the Convention on the Rights of Persons with Disabilities. For more information on optional protocols and on Switzerland's ratification status more generally, please see Office of the High Commissioner for Human Rights, UN Treaty Body Database : Switzerland.

[3] The formal references for these laws are : RS 974.0 ; RS 193.9 ; RS 979.1 and RS 974.1.

[4] Constitution Article 54 ; multiple references in the human security law, especially Article 2 ; law on cooperation with countries in Eastern Europe Articles 2 and 4.

[5] Constitution Article 8.

[6] Swiss Confederation, Message sur la stratégie de coopération internationale 2021-2024, p.33. Author's translation.

[7] Swiss Confederation, Message sur la stratégie de coopération internationale 2021-2024, p.67. Author's translation.

[8] For further analysis of the strategy, see Gasser / CBM Switzerland, 2020, 'Noch immer zurückgelassen'

[9] Updating a previous version from 2006

[10] Pp. 6 and 8 of the Leave No One Behind guidance; p. 7 of the human rights guidance.

[11] SDC, 2021, Fact sheet: Leave No One Behind (LNOB) and the human rights based approach (HRBA)

[12] Pp. 13-16.

[13] For example, NORAD Evaluation Department, 2012, 'Mainstreaming disability in the new development paradigm: evaluation of Norwegian support to promote the rights of persons with disabilities', p. 77; Keogh, M, 2014, Mainstreaming disability in development aid: A comparative analysis of the United States Agency for International Development, the Australian Agency for International Development and the Ministry for Foreign Affairs of Finland, p.187

[14] Swiss Disability and Development Consortium, 2020, Analysis on Switzerland's response to the List of Issues

[15] Quote from Giampiero Griffo (DPI Italia), personal correspondence

[16] See for example European Disability Forum, Guidance note on the role of European organisations of persons with disabilities in development cooperation, pp. 6-7.

[17] Exchange with CBM Switzerland; Assemblée Fédérale, 2020, Interpellation 20.4424 submitted by Damian Müller and Federal Government response

[18] Swiss Coalition for the Rights of Persons with Disabilities in International Cooperation [now Swiss Disability and Development Consortium], 2019, Alternative Report on Art. 11 and 32 CRPD on the First Report of the Swiss Confederation on the Convention on the Rights of Persons with Disabilities, p.7, and interview with SDC.

[19] Swiss Disability and Development Consortium, 2020, Recommendations for Switzerland's implementation of the UN Convention on the Rights of Persons with Disabilities (CRPD) regarding international cooperation, p.4

[20] Swiss Confederation, 2020, Réponses de la Suisse à la Liste de points concernant le rapport initial CDPH, p.18; SDC, submission to the UN Special Rapporteur on the Rights of Persons with Disabilities' inquiry on international cooperation, p.3; interviews with SDC.

[21] One interviewee with specialist experience working with persons with disabilities in a particular region reported repeated difficulties in their attempts to engage with SDC regional officials on relevant policy and programme issues.

[22] Exchange with CBM Switzerland

[23] Source: interview with SDC

[24] Exchanges with civil society organisations; review of the OECD Creditor Reporting System database.

[25] Swiss Coalition for the Rights of Persons with Disabilities in International Cooperation [now Swiss Disability and Development Consortium], 2019, Alternative Report on Art. 11 and 32 CRPD on the First Report of the Swiss Confederation on the Convention on the Rights of Persons with Disabilities, p.7

[26] CBM Switzerland, 'All rights for all persons with disabilities' (consulted 10 July 2021)

[27] For more on this principle see for example Côte A, 2020, The unsteady path towards meaningful participation of organisations of persons with disabilities in the implementation of the CRPD and SDGs, pp. 20-21

[28] Exchanges with SDC. By way of context, the Federal Department of Foreign Affairs had 5489 full-time employees at the end of 2019, but this includes a wide variety of roles besides SDC work. (Source: Federal Department of Foreign Affairs, 'Le Département Fédéral des Affaires Étrangères' (accessed 22 August 2021).

[29] Swiss Coalition for the Rights of Persons with Disabilities in International Cooperation [now Swiss Disability and Development Consortium], 2019, Alternative Report on Art. 11 and 32 CRPD on the First Report of the Swiss Confederation on the Convention on the Rights of Persons with Disabilities, p.4

[30] Exchanges with SDC

[31] Interview with SDC

[32] SDC Poverty and Well-being share web, Events page (accessed 25 February 2021) ; SDC Fragility, Conflict and Human Rights share web, Trainings page (accessed 25 February 2021)

[33] SDC Poverty and Well-being share web, SDC Fragility, Conflict and Human Rights share web

[34] SDC Poverty and Well-being share web, Thematic Working Aids page (accessed 25 February 2021)

[35] SDC, 2020, A human-rights based approach to project cycle management

[36] The share web page on 'Leave no-one behind, inequalities and social protection in times of COVID 19' is here (accessed 25 February 2021). An example from the International Labour Organisation's work is the 2020 policy brief on 'Disability inclusive social protection response to COVID-19 crisis'.

[37] For example, in thematic working aids on leaving no one behind in decentralisation and local governance; on migration; and on water, sanitation and hygiene. For evidence of the relevance of disability in these sectors, see for example: Michael Miiro, 2015, 'Local government response to disability inclusion: the key role of CBR guidelines and CRPD'; Light for the World, 'Refugees with Disabilities' (accessed 22 August 2021) and Keogh and Acuna Gonzalez / CBM, 2020, Climate Change: this century's defining issue, pp.16-17; CBM Australia, 2018, Guidance note: foundations of disability-inclusive WASH. [Note: where documents come from external sources beyond CBM, citation does not necessarily imply endorsement of their entire content, but rather agreement with their overall messages on the relevance of these sectors for the enjoyment of rights by persons with disabilities].

[38] For example, the value of disability disaggregated data, p.8

[39] For example, the different steps needed to ensure that participation processes are accessible for persons with disabilities

[40] SDC, submission to the UN Special Rapporteur on the Rights of Persons with Disabilities' inquiry on international cooperation, p.3; interview with SDC.

[41] SDC, 2018, Guidance: Leave No One Behind, p.9

[42] SDC, 2018, Guidance: Leave No One Behind, p.18. For more on the pitfalls of narrower approaches to evaluating value for money, see Loryman and Meeks, 2016, Leaving no one behind: the value for money of disability-inclusive development.

[43] SDC, 2019, Application for programme contributions: checklist – criteria, p.5 (accessed February 2021)

[44] Please note that this review focused on incentives to ensure CRPD-compliant work by civil society grantees and multilateral partners. It was beyond its scope to examine incentives through other channels, e.g. ODA investments in private sector companies, nor engagement with contractors or "mandataires" – but this would be an important area for future research.

[45] SDC, submission to the UN Special Rapporteur on the Rights of Persons with Disabilities' inquiry on international cooperation, p.3; interview with SDC.

[46] SDC, 2019, Application for programme contributions: checklist – criteria, pp.3-4 and p.5 (accessed February 2021)

[47] SDC, 2018, Guidance: Leave No One Behind, p.15

[48] Swiss Federation, 2014, Aktionsplan E-Accessibility 2015–2017, p.16

[49] Interview with SDC; SDC guidance on results indicators, pp.9-10

[50] SDC, 2018, Guidance: Leave No One Behind, p.16; SDC, 2019, Guidance on human rights in development and cooperation, p.10

[51] For example, Swiss Confederation, Message sur la stratégie de coopération internationale 2021-2024, p.16 ; 'The SDC's impact' web page (accessed 25 February 2021)

[52] This indicator looks at what ODA is spent on, and whether this directly contributes to activities that are contrary to the provisions of the CRPD. For the wider questions of whether ODA spending contributes to activities that fulfil the CRPD, and whether the **way** that ODA is spent complies with the CRPD by enabling the active involvement of OPDs, please refer to the other sections of this fact-sheet.

[53] Interview with SDC

[54] Source: OECD DAC, 2020 preliminary ODA data, Table 1. Exchange rates calculated using the IMF's data tables (data for the mid-point of the year, 30 June 2020).

[55] For more information on the DAC marker, please see Meeks, 2020, Getting the data: how much does aid money support inclusion of persons with disabilities?

[56] Source: interview with SDC

[57] 'Allocable' ODA spending is a category defined by the OECD. It describes types of ODA spending that can more easily be controlled and monitored directly by ODA providers (e.g. project spending is easier to control and monitor directly, compared with debt relief).

[58] This emerges especially clearly from the data in the first row of the table, on the number of projects that were assessed. It appears that Switzerland has used the marker for more high-value projects than low-value projects, which is why the figures in the first row of the table are somewhat lower than in the second. But both rows confirm the overall finding that there is room for Switzerland to use the marker much more extensively.

[59] Disability marker data for 2020 will not be available until early 2022.

[60] For full accountability, this calculation includes **all** allocable ODA spending – both that which Switzerland screened using the marker, and that which it did not

[61] 'Allocable' ODA spending is a category defined by the OECD. It describes types of ODA spending that can more easily be controlled and monitored directly by ODA providers (e.g. project spending is easier to control and monitor directly, compared with debt relief).

[62] Source: interview with SDC

[63] This breaks down as 0.7% with disability inclusion as the principal objective, and 2.0% with disability inclusion as a significant objective.

[64] This breaks down as 0.6% with disability inclusion as the principal objective, and 0.5% with disability inclusion as a significant objective.

[65] This breaks down as 0.1% with disability inclusion as the principal objective, and 2.0% with disability inclusion as a significant objective.

[66] This breaks down as 0.5% with disability inclusion as the principal objective, and 0.1.% with disability inclusion as a significant objective.

[67] Source : derived from OECD DAC Creditor Reporting System.

[68] Values stated in current 2019 US dollars.

[69] While activities such as de-mining can be important human rights interventions in their own right, they fall outside the scope of the disability marker, which relates to promotion of the CRPD and its objectives.

[70] UN Convention on the Rights of Persons with Disabilities, Preamble, (c).

[71] For example, General Comments by the Committee on the Rights of Persons with Disabilities illustrate the inter-dependence between CRPD Article 32 on international cooperation and, respectively, Article 9 on accessibility (paragraph 47); Article 6 on women and girls with disabilities (paragraphs 63e and 64f); Article 24 on inclusive education (paragraphs 40 and 43); Article 19 on independent living (paragraphs 62 and 96); Article 5 on equality and non-discrimination (paragraph 72); and Articles 4.3 and 33.3 on the participation of persons with disabilities in the implementation and monitoring of the Convention (paragraphs 63, 64, 92, 94).

[72] As noted above, the Constitution prohibits discrimination and says that disability-based inequalities must be eliminated (Constitution fédérale de la Confédération Suisse, Article 8).

[73] RS 151.3 Federal Act on the Elimination of Discrimination against Persons with Disabilities

[74] RS 831.20 Loi fédérale sur l'assurance invalidité

[75] This extends to the language used in the laws, e.g. terms such as 'invalidity' and 'helplessness'. References: AGILE.CH, 2020, UNO Behindertenrechtskonvention: Eingabe Agile.ch zur Aktualisierung des Schattenberichts, p.3; Inclusion Handicap, 2017, Rapport alternatif de la société civile présenté à l'occasion de la première procédure de rapport des États devant le Comité de l'ONU relatif aux droits des personnes handicapées, pp. 8, 10-11.

[76] Inclusion Handicap's 2017 Rapport alternatif contains extensive examples of legislative gaps

[77] AGILE.CH, 2020, UNO Behindertenrechtskonvention: Eingabe Agile.ch zur Aktualisierung des Schattenberichts, p.6; Inclusion Handicap, 2019, Initial State procedure for Switzerland before the UN Committee on the Rights of Persons with Disabilities: submission concerning the List of Issues, p.8; Confédération suisse, 2013, L'Égalité des personnes handicapées: femmes, p.11 (note: although this last reference is a government dossier, Avanti Donne, an organisation of women with disabilities and their relatives, led in its preparation, so it was included in the review of secondary sources alongside non-government documents). What is more, persons with disabilities may face additional risks to the security of their jobs in the context of the COVID-19 pandemic: see AGILE.CH, 2021, Protection et sûreté des personnes en situation de handicap pendant la pandémie de coronavirus: prise de position (situation 30 mars 2021), pp. 6,7.

[78] At the cantonal level, positive developments in canton-level legislation on the rights of persons with disabilities have been reported in two cantons - Basel Stadt and Zürich (source: Inclusion Handicap, 2019, Initial State procedure for Switzerland before the UN Committee on the Rights of Persons with Disabilities: submission concerning the List of Issues, p. 6).

[79] Conseil Fédéral, 2018, Politique en faveur des personnes handicapées: rapport du Conseil Fédéral

[80] Inclusion Handicap, 2019, Initial State procedure for Switzerland before the UN Committee on the Rights of Persons with Disabilities: submission concerning the List of Issues, p.6

[81] Confédération suisse, 2013, L'Égalité des personnes handicapées: femmes, p.19; Fédération Suisse des Sourds, 2017, Rapport alternatif de la Fédération suisse des sourds sur la situation des personnes sourdes et malentendantes en Suisse, p.4;

Inclusion Handicap, 2017, Rapport alternatif, pp.18-21; Inclusion Handicap, 2019, Initial State procedure for Switzerland before the UN Committee on the Rights of Persons with Disabilities: submission concerning the List of Issues, pp.8-9

82 Inclusion Handicap, 2017, Rapport alternatif, pp.25-29; Inclusion Handicap, 2019, Initial State procedure for Switzerland before the UN Committee on the Rights of Persons with Disabilities: submission concerning the List of Issues, p.9

83 Confédération suisse, 2013, L'Égalité des personnes handicapées: femmes, p.49

84 Confédération suisse, 2013, L'Égalité des personnes handicapées: femmes, p.49

85 Fédération Suisse des Sourds, 2017, Rapport alternatif de la Fédération suisse des sourds sur la situation des personnes sourdes et malentendantes en Suisse, p.4

86 Confédération suisse, 2021, Stratégie Égalité 2030, p.3. With thanks to a civil society interlocutor for highlighting this point.

87 Confédération suisse, 2013, L'Égalité des personnes handicapées: femmes, p.49

88 Inclusion Handicap, 2019, Initial State procedure for Switzerland before the UN Committee on the Rights of Persons with Disabilities: submission concerning the List of Issues, p.27. Variation among cantons was cited as a challenge in access to health services for persons with psychosocial disabilities, for example (source: civil society interview). However, there is also some evidence of positive deviance: for example the Canton of Zürich has created a Disability Rights Coordination Office, although further research would be needed to establish how far the creation of this office has already led to positive changes in the implementation and monitoring of the CRPD in the Canton, and it was suggested the mechanism could benefit from more resources (source: advice from civil society stakeholder).

89 For example: AGILE.CH, 2020, UNO Behindertenrechtskonvention: Eingabe Agile.ch zur Aktualisierung des Schattenberichts, pp.4, 8, 11; Inclusion Handicap, 2017, Rapport alternatif, p. 12, 25-26, 40, 48, 52, 87-88, 144. Concerns about OPD participation were also expressed in many of the interviews with advisors from civil society organisations.

90 Confédération suisse, 2013, L'Égalité des personnes handicapées: femmes

91 Confédération suisse, 2019, Réponses de la Suisse à la Liste de points concernant le rapport initial CDPH, p.1

92 Inclusion Handicap, 2019, Initial State procedure for Switzerland before the UN Committee on the Rights of Persons with Disabilities: submission concerning the List of Issues, p.7. See also Inclusion Handicap, 2017, Rapport alternatif, p.12. Further corroborated by interviews.

93 Source: exchanges with civil society stakeholders.

94 Source: civil society interview and review of statutes and member lists from a few major organisations.

95 UN Committee on the Rights of Persons with Disabilities, General Comment no. 7, paragraphs 13 and 14.

96 A related issue raised by some civil society stakeholders was the availability of government funds to different organisations in the disability sector (source: exchanges with civil society stakeholders). In particular it seems unclear how far government financing includes **core** funding for organisations **of** persons with disabilities representing the diversity of persons with disabilities including under-represented groups, as specified in the UN Committee on the Rights of Persons with Disabilities' General Comment no. 7 (e.g. paragraphs 50, 61). Within the scope of the research for this fact sheet it was not possible to produce a full mapping of government funding to different organisations, nor the alignment of such funding with the General Comment – however, this is noted as a pressing area for future research.

97 AGILE.CH, 2020, UNO Behindertenrechtskonvention: Eingabe Agile.ch zur Aktualisierung des Schattenberichts, p.5; Inclusion Handicap, 2017, Rapport alternatif, pp.32-34.

98 Exchange with civil society expert.

99 AGILE.CH, 2020, UNO Behindertenrechtskonvention: Eingabe Agile.ch zur Aktualisierung des Schattenberichts, p.5

[100] Confédération suisse, 2019, Réponses de la Suisse à la Liste de points concernant le rapport initial CDPH, p.16. For details on the Treaty, see: Marrakech Treaty to facilitate access to published works for persons who are blind, visually impaired or otherwise print disabled

[101] For example AGILE.CH, 2020, UNO Behindertenrechtskonvention: Eingabe Agile.ch zur Aktualisierung des Schattenberichts, pp.5-6; Inclusion Handicap, 2019, Initial State procedure for Switzerland before the UN Committee on the Rights of Persons with Disabilities: submission concerning the List of Issues, pp. 10,11,19,20; Fédération Suisse des Sourds, 2017, Rapport alternatif de la Fédération suisse des sourds sur la situation des personnes sourdes et malentendantes en Suisse, pp. 5,6. In the context of COVID-19, despite some positive steps to make information available in accessible formats at federal level, concerns have been raised over a lack of accessible information at cantonal level. Concerns over the accessibility of vaccinations have also been raised (source: Protection et sûreté des personnes en situation de handicap pendant la pandémie de coronavirus: prise de position (situation 30 mars 2021), pp. 3,4).

[102] Fédération Suisse des Sourds, 2017, Rapport alternatif de la Fédération suisse des sourds sur la situation des personnes sourdes et malentendantes en Suisse, p.3; AGILE.CH, 2020, UNO Behindertenrechtskonvention: Eingabe Agile.ch zur Aktualisierung des Schattenberichts, p.10

[103] AGILE.CH, 2020, UNO Behindertenrechtskonvention: Eingabe Agile.ch zur Aktualisierung des Schattenberichts, p.5; Fédération Suisse des Sourds, 2017, Rapport alternatif de la Fédération suisse des sourds sur la situation des personnes sourdes et malentendantes en Suisse, p.4 ; exchange with civil society expert.

[104] Inclusion Handicap, 2019, Initial State procedure for Switzerland before the UN Committee on the Rights of Persons with Disabilities: submission concerning the List of Issues, pp. 12-13

[105] Confédération suisse, 2017, Premières expériences avec le nouveau droit de la protection de l'enfant et de l'adulte, p.69; Confédération suisse, 2019, Réponses de la Suisse à la Liste de points concernant le rapport initial CDPH, p.6

[106] For instance: a new app that offers emergency warning information to people with hearing loss (though it appears that many other aspects of the emergency warning system remain inaccessible); incorporation of persons with disabilities in the government's Vocational Training Strategy; and some (albeit incomplete) steps to improve access to information on elections for persons with sensory disabilities, and adoption by the people of the canton of Geneva of a change to the constitution allowing all persons with disabilities to vote without restrictions. (Sources: Confédération suisse, 2019, Réponses de la Suisse à la Liste de points concernant le rapport initial CDPH, p.5; Inclusion Handicap, 2019, Initial State procedure for Switzerland before the UN Committee on the Rights of Persons with Disabilities: submission concerning the List of Issues, pp.10, 24, 26 and n46; exchanges with civil society expert).

[107] Inclusion Handicap, 2019, Initial State procedure for Switzerland before the UN Committee on the Rights of Persons with Disabilities: submission concerning the List of Issues, p. 12

[108] AGILE.CH, 2020, UNO Behindertenrechtskonvention: Eingabe Agile.ch zur Aktualisierung des Schattenberichts, p.6; Inclusion Handicap, 2017, Rapport alternatif, pp.63, 64

[109] Inclusion Handicap, 2017, Rapport alternatif, p.77

[110] AGILE.CH, 2020, UNO Behindertenrechtskonvention: Eingabe Agile.ch zur Aktualisierung des Schattenberichts, p.6; Inclusion Handicap, 2017, Rapport alternatif, pp. 71-72, 74

[111] Inclusion Handicap, 2017, Rapport alternatif, p. 84, 85

[112] AGILE.CH, 2020, UNO Behindertenrechtskonvention: Eingabe Agile.ch zur Aktualisierung des Schattenberichts, p.7; Inclusion Handicap, 2017, Rapport alternatif, p. 93

[113] Inclusion Handicap, 2017, Rapport alternatif, pp. 104-109

[114] AGILE.CH, 2020, UNO Behindertenrechtskonvention: Eingabe Agile.ch zur Aktualisierung des Schattenberichts, p.8; Inclusion Handicap, 2017, Rapport alternatif, pp. 101-102, 110-118, 120-121

[115] AGILE.CH, 2020, UNO Behindertenrechtskonvention: Eingabe Agile.ch zur Aktualisierung des Schattenberichts, p.9; Inclusion Handicap, 2017, Rapport alternatif, pp. 127-129; Confédération suisse, 2013, L'Égalité des personnes handicapées: femmes, p. 32; this priority was also raised by a civil society interlocutor over email .

[116] AGILE.CH, 2020, UNO Behindertenrechtskonvention: Eingabe Agile.ch zur Aktualisierung des Schattenberichts, p.9; Inclusion Handicap, 2017, Rapport alternatif, pp. 133-136; Confédération suisse, 2013, L'Égalité des personnes handicapées: femmes, pp. 14,15,17,29; also raised by civil society specialist.

[117] AGILE.CH, 2020, UNO Behindertenrechtskonvention: Eingabe Agile.ch zur Aktualisierung des Schattenberichts, p.9; Inclusion Handicap, 2019, Initial State procedure for Switzerland before the UN Committee on the Rights of Persons with Disabilities: submission concerning the List of Issues, p. 26; Inclusion Handicap, 2017, Rapport alternatif, pp.142-4

[118] Inclusion Handicap, 2017, Rapport alternatif, pp. 145-148

[119] For example AGILE.CH, 2020, UNO Behindertenrechtskonvention: Eingabe Agile.ch zur Aktualisierung des Schattenberichts, pp. 8,9; Inclusion Handicap, 2019, Initial State procedure for Switzerland before the UN Committee on the Rights of Persons with Disabilities: submission concerning the List of Issues, p. 23; Inclusion Handicap, 2017, Rapport alternatif, pp. 19, 27, 63, 74-75, 85, 105, 108, 112, 113, 116, 123, 128

[120] For example Inclusion Handicap, 2019, Initial State procedure for Switzerland before the UN Committee on the Rights of Persons with Disabilities: submission concerning the List of Issues, p. 23; Inclusion Handicap, 2017, Rapport alternatif, pp.64, 105, 108, 112, 113, 123, 128, 141, 145, 146.

[121] For example Fédération Suisse des Sourds, 2017, Rapport alternatif de la Fédération suisse des sourds sur la situation des personnes sourdes et malentendantes en Suisse; Inclusion Handicap, 2019, Initial State procedure for Switzerland before the UN Committee on the Rights of Persons with Disabilities: submission concerning the List of Issues, p. 12, 18, 21; Inclusion Handicap, 2017, Rapport alternatif, p. 50, 84

[122] For example AGILE.CH, 2020, UNO Behindertenrechtskonvention: Eingabe Agile.ch zur Aktualisierung des Schattenberichts, pp. 6, 8, 9; Inclusion Handicap, 2017, Rapport alternatif, p.146

[123] For example Inclusion Handicap, 2017, Rapport alternatif, pp. 113-114, 117

[124] For example AGILE.CH, 2020, UNO Behindertenrechtskonvention: Eingabe Agile.ch zur Aktualisierung des Schattenberichts, p.8, Inclusion Handicap, 2017, Rapport alternatif, p. 113.

[125] For example Confédération suisse, 2013, L'Égalité des personnes handicapées: femmes, p.14, 15, 17, 29, 32; Inclusion Handicap, 2019, Initial State procedure for Switzerland before the UN Committee on the Rights of Persons with Disabilities: submission concerning the List of Issues, pp. 8-9; Inclusion Handicap, 2017, Rapport alternatif, pp. 18-23

[126] For example Inclusion Handicap, 2019, Initial State procedure for Switzerland before the UN Committee on the Rights of Persons with Disabilities: submission concerning the List of Issues, p.9; Inclusion Handicap, 2017, Rapport alternatif, pp. 25-29

[127] For example Inclusion Handicap, 2017, Rapport alternatif, pp. 120-121

[128] AGILE.CH, 2021, Protection et sûreté des personnes en situation de handicap pendant la pandémie de coronavirus: prise de position (situation 30 mars 2021), pp. 2,3,4,6

[129] Inclusion Handicap, 2017, Rapport alternatif, pp. 23, 25, 149-151

[130] Confédération suisse, 2019, Réponses de la Suisse à la Liste de points concernant le rapport initial CDPH, pp. 5, 7, 10, 11, 16

[131] Confédération Suisse, 2020, Égalité pour les personnes handicapées: statistique de poche, pp. 13, 14, 16, 17

[132] Confédération Suisse, 2020, Égalité pour les personnes handicapées: statistique de poche, p.13. Please refer to this publication for more details on the confidence intervals around these estimates and for further context on how disability is defined for the purposes of Swiss official statistics.

[133] Inclusion Handicap, 2019, Initial State procedure for Switzerland before the UN Committee on the Rights of Persons with Disabilities: submission concerning the List of Issues, pp.18-19

[134] Inclusion Handicap, 2019, Initial State procedure for Switzerland before the UN Committee on the Rights of Persons with Disabilities: submission concerning the List of Issues, pp.18-19.

[135] Inclusion Handicap, 2017, Rapport alternatif, pp. 65-66

[136] Inclusion Handicap, 2017, Rapport alternatif, pp. 76-77

[137] Inclusion Handicap, 2017, Rapport alternatif, p.99

[138] Inclusion Handicap, 2017, Rapport alternatif, p.114

[139] Inclusion Handicap, 2017, Rapport alternatif, p.136

[140] Inclusion Handicap, 2017, Rapport alternatif, p.83,86,89,90

[141] Source: interview with civil society stakeholder.

[142] For example Inclusion Handicap, 2019, Initial State procedure for Switzerland before the UN Committee on the Rights of Persons with Disabilities: submission concerning the List of Issues, pp.21-22; Inclusion Handicap, 2017, Rapport alternatif, p.105

[143] AGILE.CH, 2020, UNO Behindertenrechtskonvention: Eingabe Agile.ch zur Aktualisierung des Schattenberichts, p.8; Inclusion Handicap, 2019, Initial State procedure for Switzerland before the UN Committee on the Rights of Persons with Disabilities: submission concerning the List of Issues, pp.23-24; Inclusion Handicap, 2017, Rapport alternatif, pp.123-4

[144] Inclusion Handicap, 2017, Rapport alternatif, pp.48-49, 102

[145] Inclusion Handicap, 2019, Initial State procedure for Switzerland before the UN Committee on the Rights of Persons with Disabilities: submission concerning the List of Issues, pp.14-15, 16-17; Inclusion Handicap, 2017, Rapport alternatif, pp.67-71, 79; related concerns over the use of prison places to accommodate persons with psychosocial disabilities when hospital space is not available are raised in AGILE.CH, 2020, UNO Behindertenrechtskonvention: Eingabe Agile.ch zur Aktualisierung des Schattenberichts, p.6

[146] Source: correspondence with civil society stakeholder. This figure is of a consistent order of magnitude with data presented in the Government's response to the List of Issues from the UN Committee on the Rights of Persons with Disabilities (Réponses de la Suisse à la Liste de points concernant le rapport initial CDPH, p.7), although a full comparison between the two figures is not possible, particularly since the latter data has substantial gaps.

[147] Confédération suisse, 2019, Réponses de la Suisse à la Liste de points concernant le rapport initial CDPH, pp. 6-7

[148] Inclusion Handicap, 2019, Initial State procedure for Switzerland before the UN Committee on the Rights of Persons with Disabilities: submission concerning the List of Issues, p.17; Inclusion Handicap, 2017, Rapport alternatif, p.81

[149] Inclusion Handicap, 2017, Rapport alternatif, pp.101-102

[150] European Disability Forum, 2021, Fact sheet on disability inclusiveness of development and humanitarian aid in the UK

[151] UN Committee on the Rights of Persons with Disabilities, CRPD/C/15/4, Inquiry concerning the United Kingdom of Great Britain and Northern Ireland carried out by the Committee under article 6 of the Optional Protocol to the Convention : Report of the Committee, p.18

[152] For example, one apparent area of positive deviance is the recognition in SDC's Leave No One Behind guidance of the need to allocate dedicated resources for inclusion and to allow for this in evaluations, although further detailed research would be needed to

confirm how this is put into practice, and whether similar guidance has been produced by other parts of the Federal Government.

[153] For example, Inclusion Handicap, 2019, Initial State procedure for Switzerland before the UN Committee on the Rights of Persons with Disabilities: submission concerning the List of Issues, p. 27

[154] Confédération suisse, 2020, Réponses de la Suisse à la Liste de points concernant le rapport initial CDPH

[155] Please note readers are advised not to draw comparisons between different ODA providers on the basis of the questions in this annex : the questions have been tailored to individual contexts and are not an indication of relative performance across different providers assessed under the 'mapping inclusiveness' project by EDF.

[156] Swiss Confederation, Message sur la stratégie de coopération internationale 2021-2024, Annexe 4. SDC also allocates ODA to other countries through humanitarian action, global programmes, civil society initiatives, and multilateral organisations' programmes. Furthermore, the list only includes SDC's priority countries, not those of other departments.