

**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**

Submission by the
Swiss Coalition for the Rights of Persons with Disabilities
in International Cooperation

25 July 2019. For any questions or for more information please contact Mirjam Gasser, Secretariat Swiss Coalition for the Rights of Persons with Disabilities in International Cooperation and Head Advocacy CBM Switzerland (mirjam.gasser@cbmswiss.ch).

1. Executive Summary

This alternative report of the Swiss Coalition for the Rights of Persons with Disabilities in International Cooperation (SDIC)¹ focuses on Switzerland's implementation of Article 11 and Article 32 of the UN Convention on the Rights of Persons with Disabilities (CRPD). It is an update of the information provided within the shadow report of Inclusion Handicap from June 2017 on the same articles of the CRPD².

While this submission focuses on Art. 11 and 32, it takes into consideration the CRPD in its entirety when applied extraterritorially through international development and humanitarian action.

Since the last report, the Swiss Agency for Development and Cooperation (SDC) has continued to take positive steps towards making their development and humanitarian work more inclusive of persons with disabilities. This includes:

- Nomination of a focal point on disability within the Institutional Partnership's Department instead of the Health Department
- Commitment to implement the OECD DAC Marker on Disability
- Guideline on "Leave no one behind" mentioning disability as one important topic
- Financial support of different NGO programs on disability-inclusive development
- Signing the Charter for Change during the Global Disability Summit in 2018

We welcome this progress, but **caution that these are only initial steps and that significant progress still needs to be made for Switzerland to meet its obligations under the CRPD.**

Our submission makes **six recommendations** for Switzerland's international cooperation:

1. Develop a strategy on the inclusion of persons with disabilities in Switzerland's international development and humanitarian action, including DRR, and resource it adequately with personnel and budget.
2. Ensure that – in line with the CRPD – persons with disabilities are included into all newly developed or revised strategies of the Federal Department of Foreign Affairs in international cooperation, especially in the new Dispatch on International Cooperation 2021-2024.
3. Meaningfully consult with persons with disabilities and their representative organizations and actively involve them throughout all strategy, policy and

¹ The Swiss Coalition for the Rights of Persons with Disabilities in International Cooperation consists of CBM Switzerland, HI Switzerland, the International Disability Alliance and FAIRMED.

² Inclusion Handicap. Shadow Report on the First Report of the Swiss Confederation on the Convention on the Rights of Persons with Disabilities, 2017. URL: https://www.inclusion-handicap.ch/de/themen/uno-brk/schattenbericht_0-257.html (retrieved on 14 July 2019)

program processes (including planning, implementation, monitoring and evaluation) to ensure their effective participation in decisions affecting them in line with Art. 4.3 CRPD and General Comment No. 7.

4. Make sure that the implementation of the 2030 Agenda for Sustainable Development in and by Switzerland is inclusive of persons with disabilities and prioritizes the "Leave no one behind" principle, especially in the new Sustainable Development Strategy 2020-2030 and its quadrennial action plans. This entails that persons with disabilities or their representative organizations are included and actively involved in the advisory group formed for the implementation of the 2030 Agenda.
5. Systematically collect and disaggregate data on disability by using as a minimum standard the Washington Group Short Set of Questions and the Washington Group/UNICEF Child functioning model to make sure persons with disabilities are not left behind.
6. Sign the Charter on the Inclusion of Persons with Disabilities in Humanitarian Action and commit to render humanitarian action inclusive of persons with disabilities by lifting barriers persons with disabilities are facing in accessing relief, protection and recovery support and ensuring their participation in the development, planning and implementation of humanitarian programs.

2. Update since the last report

Since our last report to the CRPD Committee in 2017, Switzerland has made some significant progress regarding disability-inclusive development and humanitarian work. While welcoming this progress, we consider these as initial steps with considerable gaps and challenges still remaining for the full implementation of the CRPD.

A positive step towards the inclusion of persons with disabilities in Switzerland's international development and humanitarian work is the change in the organizational position of the focal person on the inclusion of persons with disabilities in international cooperation. While the focal person on disability issues was formerly within the health department, the position is now within the department on institutional partnerships. We welcome this shift insofar as disability is no longer reduced to health issues only. However, the department of institutional partnerships' primary task is the promotion of partnerships and the institutional dialogue of SDC with Swiss organizations. Given the transversal nature of disability, the focal person or department on the inclusion of persons with disabilities in international cooperation should sit centrally within the staff of the directorate of SDC³ to be able to work with and towards all departments.

Given the current positioning of focal person on the inclusion of persons with disabilities within the Swiss administration, the question arises as to how SDC ensures a crosscutting and systematic approach to the inclusion of persons with disabilities. In fact, there exists no overarching disability strategy, including no adequate financial and personnel resources, that would allow for a comprehensive approach to the inclusion of persons with disabilities. This is evidenced regularly by the lack of references to persons with disabilities in line with the CRPD in new strategies, policies, programs as well as events or exchanges.

As far as new strategies are concerned, in addition to the ones enumerated in the last report, the 2017 Strategy on Gender Equality and Women's Rights⁴ does not entail the rights of women and girls with disabilities. Even the current explanatory report on the new Dispatch on Switzerland's International Cooperation 2021-2024⁵ mentions persons with disabilities only once in the annex regarding equal access to good basic care and does not mention at all the "Leave no one behind" principle or base the dispatch on this core concept of the 2030 Agenda for Sustainable Development. Moreover, in the explanatory report the term inclusion is mostly used and understood with regards to the equality of women while not even linking this to intersectionality and hence multiple forms of discrimination.

³ Swiss Agency for Development and Cooperation. Organigram, 2017. URL: <https://www.eda.admin.ch/deza/en/home/sdc/organisation.html> (retrieved on 16 July 2019)

⁴ Federal Department of Foreign Affairs. FDFA Strategy on Gender Equality and Women's Rights, 2017. URL: <https://www.eda.admin.ch/eda/en/home/services-and-publications/publications/alle-publikationen.html/publikationen/en/eda/Chancengleichheit/EDA-Strategie-Geschlechtergleichstellung-Frauenrechte> (retrieved on 14 July 2019)

⁵ Federal Department of Foreign Affairs. Public Consultation on international cooperation 2021-2024. URL: <https://www.eda.admin.ch/deza/en/home/news/dossiers/alle-dossiers/iza-2021-2024.html> (consultation in German only; retrieved on 14 July 2019)

As far as projects and programs are concerned, we welcome that SDC finances programs on the inclusion of persons with disabilities from different NGOs and other entities. Unfortunately, SDC does not provide access to its own list of programs on the inclusion of persons with disabilities which makes it difficult for civil society to fully understand the current status. SDC hosts however a public project database⁶. When searching for “disability” on this platform, only 26 from 4’040 projects relate to disability. From these 26, 19 are already finished while seven are still running. One of the running projects is a CBM project on community-based inclusive development in Pakistan. From the completed projects, six were in relation to humanitarian action but they all supported external partners (UN and NGOs) and were not SDC projects. Therefore, currently only 7 projects target persons with disabilities while none of them relates to humanitarian action. From the brief descriptions on the website, it is impossible to assess the quality, impact and CRPD compliance of the projects listed.

From the frequent exchanges with SDC, it is nonetheless evident that most of SDC’s projects including persons with disabilities are focused on rehabilitation and not mainstreaming. While access to rehabilitation services is important to support the full and effective participation of some groups of persons with disabilities, mainstreaming a disability-inclusive perspective across all areas of development and humanitarian action is crucial to ensure a rights-based approach and progress in realizing the CRPD.

The current Dispatch on Switzerland’s International Cooperation 2017-2020⁷ mentions persons with disabilities in the chapter on humanitarian aid as belonging, depending on the context, to the “most vulnerable groups”. In contrast, the present explanatory report on the new Dispatch on Switzerland’s International Cooperation 2021-2024 does not refer to persons with disabilities in humanitarian emergencies at all. Furthermore, up to now Switzerland has not signed the Charter on the Inclusion of Persons with Disabilities in Humanitarian Action.

A study⁸ has however confirmed that three-quarters of persons with disabilities do not have adequate access to basic assistance, such as water, shelter or food in a crisis situation. Half of the persons with disabilities being surveyed also reported not having access to disability-specific services, such as rehabilitation or assistive devices. Clearly, humanitarian aid as well as DRR are core areas of Switzerland’s international cooperation where inclusion of persons with disabilities has to be reinforced.

As a positive step forward, Switzerland recently committed to implement the new OECD DAC Marker on Disability⁹ to be able to track its spending on the inclusion

⁶ Swiss Agency for Development and Cooperation. Project Database, 2018. URL: <https://www.eda.admin.ch/deza/en/home/activities-projects/projekte-fokus/Project-database.html> (retrieved on 17 July 2019)

⁷ Swiss Confederation. Dispatch on Switzerland’s International Cooperation 2017-2020, BBI 2016 2380.

⁸ Handicap International. Disability in humanitarian contexts. Views from affected people and field organisations, 2018. URL: <https://www.un.org/disabilities/documents/WHS/Disability-in-humanitarian-contexts-HI.pdf> (retrieved on 16 July 2019)

⁹ OECD. Proposal to introduce a policy marker in the CRS to track development finance that promotes the inclusion and empowerment of persons with disabilities, 2018. URL:

of persons with disabilities. We strongly welcome this step to improve data on persons with disabilities. This commitment should now translate into collecting information on the quality and impact of projects and programs. In other words, all programs and projects have to collect data on disability and disaggregate along disability in order to track quality and impact and to make sure persons with disabilities in general and specific groups of persons with disabilities are not left behind, such as those persons most marginalized as for example persons with psychosocial or intellectual disabilities.

Switzerland furthermore participated in the Global Disability Summit in 2018 and signed the Charter for Change¹⁰. Unfortunately, up to date it is not clear how Switzerland will turn the commitments from the Charter for Change into action.

As part of implementing the 2030 Agenda for Sustainable Development, SDC developed a promising guideline on “Leave no one behind”¹¹ including persons with disabilities. The question now is how this new guideline will be implemented and adequately resourced, i.e. if the inclusion of persons with disabilities will be promoted and implemented in a crosscutting manner and if a CRPD compliant disability budget will be adopted. Apart from that, the inclusion of persons with disabilities has not featured in the implementation of the 2030 Agenda in and by Switzerland so far: neither, as mentioned beforehand, does the explanatory report on the new Dispatch on Switzerland’s International Cooperation¹² mention the “Leave no one behind” principle which includes but is not restricted to persons with disabilities nor does the interdepartmental management committee tasked to oversee the implementation of the 2030 Agenda in and by Switzerland include the Federal Office for the Equality of Persons with Disabilities. While the Federal Department of Foreign Affairs (FDFA) is represented in the committee, it is not clear to what point the inclusion of persons with disabilities will be raised by the FDFA and treated as a crosscutting issue. Furthermore, the advisory group, consisting of representatives from civil society, the private sector as well as science, does not include persons with disabilities or their representative organizations.

In the upcoming months, Switzerland will develop its implementation tools for the 2030 Agenda for Sustainable Development – the new Strategy on Sustainable Development 2020-2030 as well as the first quadrennial action plan (2020-2024). If Switzerland takes its commitment to “Leave no one behind” as well as its

[http://www.oecd.org/officialdocuments/publicdisplaydocumentpdf/?cote=DCD/DAC/STAT\(2018\)39/REV1&docLanguage=En](http://www.oecd.org/officialdocuments/publicdisplaydocumentpdf/?cote=DCD/DAC/STAT(2018)39/REV1&docLanguage=En) (retrieved on 14 July 2019)

¹⁰ Government of UK. Department for International Development. Global Disability Summit – Charter for Change, 2018. URL: <https://www.gov.uk/government/publications/global-disability-summit-charter-for-change> (retrieved on 14 July 2019)

¹¹ Swiss Agency for Development and Cooperation. SDC Guidance Leave No One Behind, 2018. URL: <https://www.shareweb.ch/site/Poverty-Wellbeing/addressingpovertyinpractice/Pages/SDC-Guidance-Leave-No-One-Behind.aspx> (retrieved on 14 July 2019)

¹² Federal Department of Foreign Affairs. Public Consultation on international cooperation 2021-2024. URL: <https://www.eda.admin.ch/deza/en/home/news/dossiers/alle-dossiers/iza-2021-2024.html> (consultation in German only; retrieved on 14 July 2019)

commitments under the CRPD serious, the inclusion of persons with disabilities has to figure as a crosscutting issue in the strategy as well as in the first action plan.

In line with the motto of the disability movement of “nothing about us, without us”, the CRPD calls for the close consultation and active participation of persons with disabilities and their representative organizations in all issues relating to them (Art. 4.3). SDC does not yet consult in a meaningful way with persons with disabilities and their respective organizations or ensure their active participation. Neither for the development of strategies and policies nor in the development, implementation, monitoring and evaluation of programs and projects. However, discussions with the International Disability Alliance began in late 2018 and can be interpreted as one valuable starting point.

We invite Switzerland to join the GLAD network to learn and share their experiences with other donors and actors active in the field of the inclusion of persons with disabilities in international cooperation. This would be an important step showing Switzerland’s commitment towards compliance of its external action with the CRPD. It would also support translation into relevant action on the policy and programmatic level as well as within the internal structures of SDC and the Federal Department of Foreign Affairs in general (i.e. for example regarding personnel).

In conclusion, while promoting human rights and a rights-based approach in its international cooperation, Switzerland does not yet fully include, promote, protect and ensure the rights of persons with disabilities in its international cooperation including development and humanitarian policies and programs. Specifically, the core guiding principles of accessibility, non-discrimination and reasonable accommodation, full and effective participation as well as the twin-track approach are not yet fully understood and translated into action by the Swiss government.

3. Key Recommendations

Our submission makes **six recommendations** for Switzerland's international cooperation:

- 1. Develop a strategy on the inclusion of persons with disabilities in Switzerland's international development and humanitarian action, including DRR, and resource it adequately with personnel and budget.**

There exists no overarching disability strategy, including no adequate financial and personnel resources that would allow for a comprehensive approach to the inclusion of persons with disabilities. However, disability is a cross-cutting issue and has to be treated as such. For this reason, the position of the focal person on the inclusion of persons with disabilities should sit centrally within the staff of the directorate to be able to work in a comprehensive and systematic way.

- 2. Ensure that – in line with the CRPD – persons with disabilities are included into all newly developed or revised strategies of the Federal Department of Foreign Affairs in international cooperation, especially in the new Dispatch on International Cooperation 2021-2024.**

The lack of a comprehensive strategy, including no adequate financial and personnel resources, as well as the current position of the focal person on the inclusion of persons with disabilities contribute to the fact that the inclusion of persons with disabilities does not figure in new or revised strategies, policies, programs as well as events or exchanges. The current explanatory report on the new Dispatch on Switzerland's International Cooperation 2021-2024¹³ e.g. mentions persons with disabilities only once in the annex regarding equal access to good basic care and does not mention at all the "Leave no one behind" principle or base the dispatch on this core concept of the 2030 Agenda for Sustainable Development. However, the new dispatch on international cooperation should clearly comply with the CRPD and promote the rights and inclusion of persons with disabilities.

- 3. Meaningfully consult with persons with disabilities and their representative organizations and actively involve them throughout all strategy, policy and program processes (including planning, implementation, monitoring and evaluation) to ensure their effective participation in decisions affecting them in line with Art. 4.3 CRPD and General Comment No. 7.**

In line with the motto of the disability movement "nothing about us, without us", the CRPD calls for the meaningful consultation and active participation of persons with disabilities and their representative organizations in all issues relating to them (Art. 4.3). This is to be considered both a guiding

¹³ Federal Department of Foreign Affairs. Public Consultation on international cooperation 2021-2024. URL: <https://www.eda.admin.ch/deza/en/home/news/dossiers/alle-dossiers/iza-2021-2024.html> (consultation in German only; retrieved on 14 July 2019)

principle and the main objective of the Convention. SDC does not yet consult in a meaningful way with persons with disabilities and their respective organizations or ensure their participation. Neither for the development of strategies and policies nor in the development, implementation, monitoring and evaluation of programs and projects.

- 4. Make sure that the implementation of the 2030 Agenda for Sustainable Development in and by Switzerland is inclusive of persons with disabilities and prioritizes the “Leave no one behind” principle, especially in the new Sustainable Development Strategy 2020-2030 and its quadrennial action plans. This entails that persons with disabilities or their representative organizations are included and actively involved in the advisory group formed for the implementation of the 2030 Agenda.**

The inclusion of persons with disabilities has not yet figured prominently in Switzerland’s implementation of the 2030 Agenda for Sustainable Development. The interdepartmental management committee tasked to oversee the implementation of the 2030 Agenda in and by Switzerland includes the FDFA, but it is not clear to what point the inclusion of persons with disabilities will be raised by the FDFA and treated as a crosscutting issue as the Federal Office for the Equality of Persons with Disabilities is not represented within that committee. Furthermore, the advisory group consisting of representatives from civil society, the private sector as well as science does not include persons with disabilities or their representative organizations. The new Strategy on Sustainable Development 2020-2030 as well as the first quadrennial action plan (2020-2024), both being developed within the next few months, have to cover the inclusion of persons with disabilities as a crosscutting issue.

- 5. Systematically collect and disaggregate data on disability by using as a minimum standard the Washington Group Short Set of Questions and the Washington Group/UNICEF Child functioning model to make sure persons with disabilities are not left behind.**

All programs and projects have to collect data on disability and disaggregate along disability in order to track quality and impact and to make sure persons with disabilities in general and specific groups of persons with disabilities are not left behind, such as those persons most marginalized as for example persons with psychosocial or intellectual disabilities. Data disaggregation along disability is equally important in monitoring and evaluating the 2030 Agenda for Sustainable Development.

- 6. Sign the Charter on the Inclusion of Persons with Disabilities in Humanitarian Action and commit to render humanitarian action inclusive of persons with disabilities by lifting barriers persons with disabilities are facing in accessing relief, protection and recovery support and ensuring their participation in the development, planning and implementation of humanitarian programs.**

By signing the Charter on the Inclusion of Persons with Disabilities in Humanitarian Action Switzerland affirms its commitment to render humanitarian action inclusive of persons with disabilities and to take appropriate steps towards this goal. The Charter provides key principles for doing so.