

Human Rights Implementation Centre
Law School, University of Bristol
Wills Memorial Building
Queens Road, Bristol BS8 1RJ
United Kingdom

Tel: +44 (0) 117 954 5330

Fax: +44 (0) 117 925 1870

E-mail: Elina.Steinerte@bristol.ac.uk

14 February, 2014

Re: *Submission related to the Draft General Comment No 1 on article 12*

Dear Members of the Committee on the Rights of Persons with Disabilities,

The Human Rights Implementation Centre (HRIC) of the University of Bristol welcomes the efforts of the Committee on the Rights of Persons with Disabilities (CRPD) to formulate its first General Comment on Article 12 and is grateful for the opportunity given to all the stakeholders to provide feedback on the draft of this General Comment.

The HRIC would like to draw the attention of the CRPD specifically to the following issue:

1. The role of national bodies mentioned in Article 33.

The HRIC welcomes the approach of the CRPD to devote the last section of the General Comment (paras 46-47) to the issues of national implementation. We believe it is paramount that States parties are given concrete and practical advice on steps to be taken at their respective national levels on ways to implement the provisions of the Convention. The HRIC would like to invite the CRPD to include a similar section on the implementation at the national levels also in its second General Comment (and any subsequent General Comments that the CRPD may elaborate in the future).

Moreover the HRIC would like to invite the CRPD to emphasize explicitly the role of the national bodies that States parties must establish in accordance with Article 33 of the Convention in the process of national implementation. By taking such approach the CRPD would not only remind those States parties who have not yet complied with the obligations under Article 33 but also give support to those national bodies which have been established. The practice of other UN treaty bodies, such as the SPT and National Preventive Mechanisms under OPCAT, indicate that these national bodies can become crucial partners in supporting the work of the UN body. Conversely, to achieve this, the national bodies need to be provided with guidance, advice, and support by the UN treaty body. The HRIC would like to submit that General Comments provide a ripe opportunity for the CRPD to engage with these national bodies on the implementation of substantive issues of the Convention.

Consequently the HRIC respectfully would like to suggest the wording along the following lines to be included in the final section of the General Comment:

‘Article 33 requires that States parties have established focal points within their governments for matters relating to the implementation of the Convention as well as national frameworks which include one or more independent mechanisms. Civil society should also be involved and participate fully in the monitoring process. It is crucial that these Article 33 bodies are duly consulted when measures for proper implementation of Article 12 are considered. They should be provided with meaningful opportunities to, *inter alia*, comment on existing and draft legislation, submit proposals for draft legislation and policy regulation, take part in policy discussions and participate fully in awareness raising and educational campaigns’.

The HRIC remains at your disposal if there is anything we can assist with in your important work.

Sincerely yours,

Human Rights Implementation Centre