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TOWN HALL MEETING
TRINIDAD AND TOBAGO TRANSPARENCY INSTITUTE IN
PARTNERSHIP WITH CIVIL SOCIETY ORGANISATIONS
*The Role of NGOs in Holding the State Party Accountable
to the United Nations Convention on the Rights of Persons
with Disabilities*

GULF VIEW COMMUNITY CENTRE

GULF VIEW

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Salutations

Good evening,

I would like to thank the Trinidad and Tobago Transparency Institute for partnering with the NGO sector in this Integrity, Mobilisation, Participation, Accountability and Transparency (IMPACT) project which seeks to increase accountability, transparency and integrity in the public and private sectors, while empowering civil society to advocate for changes in policy and practice.

I am representing National Centre for Persons with Disabilities (NCPD) and I have been asked to speak on *the Role of NGOs in Holding the State Party Accountable to the United Nations Convention on the Rights of Persons with Disabilities*.

Some us here this evening may be aware of the United Nations Convention on the Rights of Persons with Disabilities or UNCRPD. But for the benefit of those who are not, the UNCRPD is an international instrument that focuses on the specific barriers which persons with disabilities or PWDs, experience in accessing their human rights. These human rights include the right to health; freedom; dignity; security; fair treatment no matter what religion, sex, race, colour; fair treatment by the law; education; to marry and have children; privacy; freedom of religion; freedom of speech; a fair wage; work; and to participate in government.

The UNCRPD is the first international human rights treaty to prohibit discrimination on the basis of disability. The Convention was adopted by the United Nations on December 13, 2006 and opened for signature on March 30, 2007. The UNCRPD received the highest number of signatories in the history of a UN Convention on its opening day. Trinidad and Tobago signed onto the UNCRPD in 2007 and ratified it in 2015. Presently 172 countries, including 11 English

speaking Caribbean countries, have ratified the UNCRPD and 92 countries have ratified the Optional Protocol.

The UNCRPD marks a paradigm shift in the way PWDs are viewed. PWDs are not viewed as “objects” of charity, but as “subjects” with rights, capable of claiming these rights and making decisions for their lives. The convention also states ‘that disability results from the **interaction** between persons with impairments and attitudinal and environmental barriers that hinders full and effective participation in society on an equal basis with others’. For example, a person using a wheelchair might have difficulties gaining employment not because of the wheelchair, but because there are environmental barriers such as inaccessible buses or staircases which impede access.

It is very important to note that the UNCRPD does not **create** new rights but seeks to strengthen existing rights and principles. The Convention seeks to ensure that persons across the globe with disabilities are provided with the same rights as everyone else; thereby ensuring that they can live full, satisfying and productive lives.

Throughout the UNCRPD the State Party, or the Government, has a number of responsibilities, requirements and obligations. For example:

- Article 8 Awareness Raising – State Parties undertake to adopt immediate, effective and appropriate measures to raise awareness throughout society; to combat stereotypes and promote awareness of the contributions of PWDs. A number of measures are stated in this Article.
- Article 9 – Accessibility - States Parties shall take appropriate measures to ensure persons with disabilities access, on an equal basis with others, to the physical environment, to

transportation, to information and communications, including information and communications technologies and systems, and to other facilities and services open or provided to the public.

These are from just 2 of 26 Articles (Articles 4-30) which speak to Government's obligations and responsibilities towards protecting the rights of PWDs. There are many, many measures that, by ratifying the convention, Government has indicated it will undertake, and it is our role as NGOs to lobby and monitor to ensure that the Government does these things.

However, before NGOs can take on the role of holding government accountable to the UNCRPD, it is my humble view that NGOs have two responsibilities. They are:

- organizations of and for PWDs must educate themselves on the Convention
- NGOs need to speak with a collective voice.

In order for us to hold the government accountable to what they have agreed to by ratifying the UNCRPD, we ourselves must be educated on what is included in the Convention. Although Trinidad and Tobago signed the convention back in 2007, and this year will mark the two year anniversary of ratifying the UNCRPD, there are many persons within the sector – persons within organizations of and for PWDs, PWDs, parents of PWDs and children with disabilities – that simply aren't aware of what is covered in the convention. Some are unaware that there is a requirement for government to make reasonable accommodation for the primary and secondary education of PWDs; or ensure that reasonable accommodation is provided to persons with disabilities in the workplace.

NGOs cannot lobby effectively for PWDs if we ourselves do not know what instruments exist as well as what the instruments comprise of. We cannot inform and educate others, which may even include Government if we ourselves are not aware.

In 2012, NCPD with EU funding held a conference in collaboration with the Disabled Peoples' International to educate persons on the Convention. After the ratification, NCPD partnered with the Equal Opportunity Commission to hold another session on the UNCRPD to educate stakeholders following the ratification of the Convention by the Government. I am still not sure however, even after these attempts, how many persons in the Disability Sector really understand it and can speak to it.

Secondly, the NGO sector is very fragmented. There are over 100- plus Disability Organisations in Trinidad and Tobago. They are all trying to get funding from the same pot – Government and Private Sector. In addition most represent a particular disability and each believes that its cause is most important. While we recognize that there is an umbrella body, the Consortium of Disability Organizations (CODO) and NCPD is a member of it, we are saying that we all need to start working together, as a collective, rather than as 100 plus individual organizations in order to make a sustained impact on our society and government.

Many Disability Organisations have undertaken some sort of public awareness and education programme. We are all asking for, in some cases the same funding and using the little monies received to hold short individual programmes. If we were to work together, instead of having adhoc awareness and education programmes, we may be able to carry out a sustained programme for a longer period if we pool our resources together. We must remember that at the end of the day, the entire national community would benefit and not only the individual disability type that any one group represents.

It is my humble opinion that organizations of and for PWDs, who are educated on the UNCRPD and speak with a collective voice can effectively lobby the Government for changes as espoused in the Convention. Being knowledgeable about what is expected from the government, we can then hold Government accountable to the measures they have signaled through ratification.

Article 32 speaks to Government working with Civil Society to undertake appropriate and effective measures in order to realize the purpose and objectives of the Convention. We as CSOs must insist on this happening. If CSOs are part of a National Committee on Implementation of the UNCRPD, we can ensure that the right actions are taken.

The Convention further states in article 33 – National implementation and monitoring - that ‘Civil Society, in particular PWDs and their representative organizations shall be involved and participate fully in the monitoring process.’ Our role is clearly articulated and we must participate.

In addition to lobbying and working with the Government, NGOs have another tool that can be used to hold the Government accountable. The NGO community may submit a shadow report to the United Nations Committee on Human Rights. This shadow report is an independent assessment of the Government’s compliance with the Convention’s obligations. It is prepared in response to the State Party’s periodic report to the United Nations Committee on Human Rights on their progress. Through the shadow report, NGOs can indicate as well as point out whether action and progress has really taken place.

As I close, I just want to take this opportunity to remind you all that every single one of us, as citizens of Trinidad and Tobago, have a part to play in moving towards an inclusive society. It is not only up to the Government, the Private Sector, the NGOs or the PWDs. We must all educate

ourselves and do whatever we can, no matter how small it may seem to work towards inclusiveness.

I hope I have offered sufficient food for thought to stimulate a lively discussion and I look forward to your comments and questions.

Ladies and Gentlemen, I thank you.