

IDC PLENARY, 26 JANUARY 2006

FEEDBACK FROM THE STEERING COMMITTEE BY LEX

The steering committee followed the usual agenda. There first was a general evaluation of yesterday's plenary. It was noticed that the delegates referred to IDC's text many times, in a positive or negative way, but at least the text was mentioned. That's not bad.

There are concerns around the articles 25, 26 and 27 and especially on the "informed consent". There's a point left whether the paragraph 3 of Article 17 should be moved to the Article 25. There should also be further discussion regarding the proposal made by Qatar on the issue of withholding treatment (withholding food or water from a person).

Article 29 could not be discussed as the article coordinator was neither at the Steering Committee, nor this morning at the IDC plenary.

The IDC will try today to get the Ambassador MacKay to come to the IDC plenary, either tomorrow or on Monday. There is a need to talk about the current situation and about his expectations for coming negotiations.

There was discussion on the news page that is being a good success.

The article coordinators should be invited to attend the Steering Committee in order to give an overview of the situation which would be important to strengthen the process.

There are some other issues that remained on the agenda and that could not be tackled because of lack of time:

- There is a proposal to do something for the Day of Holocaust that will be tomorrow.
- How to present the IDA on the news page
- Issues on women and children with disabilities
- 6 pending applications for membership to the IDC

EVALUATION ON YESTERDAY'S ARTICLES

Article 25 Health (Tina and Kicki)

As regard to the issue of informed consent, the situation is fairly good as the IDC could get the basic minimum of what it was looking for (that services should be provided on the basis of informed consent by, inter alia...). There was a lot of support from the delegates. The Chair could not give a strong support because Japan and Norway raised concerns on the wording. As for China's proposition to move the paragraph 3 or article 17 to the article 25, the IDC considers that the paragraph 3 should not be mentioned in the Convention anyway.

There is a strong recommendation for IDC members to approach Japan and Norway in order to clarify the issue on informed consent, as well as to delegates for the issue on health services.

Article 27 Work and Employment (Tina)

The issue of the sheltered workshop is confusing. On one hand, there is mention to promote a transition from sheltered workshops to mainstream employment, but on the other hand, there is mention of having well-resourced workshops thereby implying maintaining this kind of structure. It has been decided that Robert Martin will make an intervention on this article, as persons with intellectual disabilities have intense experience with this topic.

Article 26 Habilitation and Rehabilitation (Kicki)

It was felt that in general it was a good debate and that IDC got a good support from the delegates. As many countries wanted an inclusion of the paragraph on assistive devices, the chair proposed to include it as a separate paragraph in Article 4. IDC should be flexible to this solution.

Comment:

Based on some delegations' comment, it has been agreed that speakers intervening on behalf of the IDC during the plenary should reflect the make up of the UN; in other words, the different speakers should show that the IDC is made up of representatives from around the world. It has also been agreed that interventions in English were rather easier and more relevant (and not conflicting with someone own's language), taking into consideration the complexity of the wording and the complaints expressed towards inaccurate translation. There is a suggestion that people with particular expertise on an Article would mentor people with less experience, so that these latter can feel more confident when making an intervention.

TODAY'S PLENARY

Article 28 (Lex)

At the intervention, the facilitator is going to stress the importance of the article, highlighting the link between poverty and disability. He is also going to highlight some of the proposals of the IDC especially in the paragraph on social protection. There will also be a point on the importance of income generating projects, opposing an undignifying social system. It has been commented that income generating projects are not accessible to all, especially to the poorest in developing countries, and this should be tackled in the context of the article. The facilitator will explain how this article is far away from reality; it needs to be strong but needs a lot of progressive implementations. There will be only one speaker, the facilitator. It is a difficult material

Article 30 Participation in cultural life, recreation, leisure and sport

At the intervention, the facilitator will agree and express contentment for the change of wording "persons with disabilities to have the opportunity to develop and utilise their creative, artistic and intellectual potential, not only for their own benefit, but also for the enrichment of society". This should imply the participation of persons with disability in the mainstream culture, as actors, sport players, etc., and not in separate programming or activities. There will also be mention on how to include the rights of indigenous people with disabilities in the context of this article. There will be another speaker who will talk about the deaf culture. And an additional one who will intervene on sport and leisure.

Day of Holocaust:

There's a strong suggestion to make an open statement in public tomorrow for the Day of Holocaust. Several disabled people made the request to the IDC.

William, the chairperson for the IDC plenary, asks the members to be punctual tomorrow morning since Mackay might join the meeting at 9.30.

ANNOUNCEMENTS:

- The women's caucus is meeting today at 10.30 AM, outside the room; every woman is kindly invited to join.
- Working group on Article 2 is meeting, Friday 27 January, at 10.30 AM, outside room B, if not available, in room 10.
- Side event, Friday 27 January, 1 PM, in Room C, for a demonstration of a reading machine for blind people, the text can be read very quickly. It is important to be aware of the products available on the market.
- Working group Article 4 is meeting today at 11 AM, in Room B
- People should not use the computers that are connected to a printer just to surf on internet.
- Side Event today, by the Arab organisation of People with disabilities, at 1.30 PM, in Room B.
- Facilitators on women are meeting today at 5.30 PM, no location yet.
- Developing Inclusive Education, tomorrow, Friday 27 January, at 1.15 PM, in Room B

IDC PLENARY MEETING, 27.01.2006

FEEDBACK FROM THE STEERING COMMITTEE BY LEX

There was a message from Handicap International who will not be able to keep the secretariat role at the next Ad Hoc committee meeting. Therefore, there is a need to find another organisation who could take up this role.

There is a need to find a new coordinator for the preamble.

The DESA website contains too many PDF files and this is a problem for a lot of people who cannot read them. Kirsten is going to take up the issue.

It has been decided as a commemoration of today's Holocaust Day that there will be a reference in the IDC daily news page; a reference to the nazi regime which wanted to eliminate disabled people from the earth.

There has been a discussion on the contributions of the participants from Southern countries. It has been decided that the next chairperson for the steering committee, as well for the IDC plenary meetings, will be a person from the South. There was also an agreement that there should be an item on the agenda for the questions/comments from the South, during both the steering committee meetings and the IDC plenary meetings. Also, it has been suggested that participants from the South should not hesitate to work with article facilitators in order to have their proposals taken into consideration. It was also reminded that article facilitators are very open to new inputs.

The Steering committee have screened the new memberships.

1. Netzwerk Artikle
2. German Social Association
3. Dutch Coalition on Disability and Development (DCDD)
4. Council of Organisations for Self-Determined Living in Germany (JSL)
5. Scope
6. European Women's Lobby

The IDC has no objection for the new memberships. IDC comprises now 70 member organisations.

There has been a concern expressed towards the process of selection for the participation of DPOs from the South, funded by the UN Voluntary fund. It has been answered that the DESA has a limited budget and that, in its selection process, it tries to reach a regional and gender balance. If needed, the DESA representatives can give some further explanations.

IDC MEETING WITH THE AMBASSADOR MACKAY

The ambassador has been invited in order to have his assessment of the situation.

The ambassador is pretty pleased with the progress of the meeting.

He thanks the IDC for the interventions made respecting the time constraint and level of negotiations.

Looking at the week programme, by the end of next week, the reading of the text should be completed.

According to the discussions and inputs from the IDC and from the states, at the exception of few issues, the overall text seems pretty acceptable. There have been very few proposals for deletion or issues that are unacceptable. In general, the proposals were rather about additions of few words.

The chair sees two possibilities for the next steps:

1. Either, we take a longer path and go through other detailed readings of the text which will make additional AdHoc meetings ahead.
2. Or, we take a shorter path and at the next AdHoc, we basically look at the outstanding key issues.

No decision is required yet, it is a matter of how things will go forward.

There will be a drafting committee that will be set up after the next AdHoc and that will only deal with linguistic issues.

The ambassador reminds that the biggest issue is going to be the implementation and the ability of states to implement the Convention. There are huge obligations that figure in the text for the states. The chair recommends provision for reservations.

Ambassador's answers to questions:

- What is the process to come regarding discussion on women and children with disabilities? The ambassador expects to get something from the facilitators. Discussion on women with disabilities will take place on Monday and on children on Monday or Tuesday. He does not want to open the floor to a polarized debate or to enter in too much detail in the text. He has the feeling that there will not be any contentious issues. It will become clearer as the discussions will start.
- How will the drafting committee operate and what are its responsibilities? The work of the drafting committee will mainly deal with the linguistic consistency. For example, some paragraphs are defined with numbers (1, 2, 3, etc.) and some others with letters (a, b, c, etc.). It will not therefore deal with the substance of the text. There will be a formal reporting back from the drafting committee.
- Funding for the participations of DPOs. The chair will tackle the issue and ask the states for possible contribution and thereby ensure a broader participation of organisations.
- When is the chair's draft article on monitoring to be expected? The chair will not issue a proposal for the monitoring, but rather a discussion paper with draft provisions that could be approached.
- A new chair's text. By the end of the meeting, there will be new draft texts on all articles reflecting the different views.