SITUATIONAL ANALYSIS
OF THE RIGHTS OF PERSONS
WITH DISABILITIES

TIMOR-LESTE

COUNTRY BRIEF
SITUATIONAL ANALYSIS OF THE RIGHTS OF PERSONS WITH DISABILITIES IN TIMOR-LESTE

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JUNE 2024

Disclaimer

This brief was prepared by the Technical Secretariat. It summarizes the key findings from the situational analysis report and does not necessarily reflect the position of the UNPRPD MPTF.
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BACKGROUND

The United Nations Partnership on the Rights of Persons with Disabilities Multi-Partner Trust Fund (UNPRPD MPTF) is a unique partnership that brings together United Nations (UN) entities, governments, organizations of persons with disabilities (OPDs) and broader civil society to advance the implementation of the Convention on the Rights of Persons with Disabilities (CRPD) and disability-inclusive Sustainable Development Goals (SDGs) at the country level around the world.

The UN entities participating in UNPRPD are ILO, OHCHR, UNDESA, UNDP, UNESCO, UNICEF, UNFPA, UN Women and WHO. Other UNPRPD members include the International Disability Alliance and the International Disability and Development Consortium (IDDC). The main contributors to the UNPRPD MPTF are Australia, Finland, Norway, Sweden and the United Kingdom.

In 2020, with the Strategic and Operational Framework 2020-2025, UNPRPD adopted a new programme design approach. The Framework moves towards proactive, results-oriented joint programming to drive implementation of the CRPD and disability-inclusive SDGs.

In the same year, the UNPRPD launched its fourth funding call and invited UN Country Teams (UNCTs) to submit proposals for joint country-level programmes with the objectives of advancing CRPD implementation and improving the implementation of disability-inclusive SDGs. The selected teams were then allocated an initial budget to deliver an induction training, conduct a country situational analysis and complete a full joint programme proposal based on the findings of the situational analysis.

From March to August 2023 Timor Leste UNCT conducted the comprehensive situational analysis. The methodology included a desk review of relevant literature, key informant interviews and focus groups, stakeholder mapping exercises, and consultative workshops with key stakeholders.

This brief provides a summary of the key gaps and opportunities presented in the full report. The full situational analysis report with additional background and context can be found on the UNPRPD webpage.
WHY A COUNTRY ANALYSIS?

Many countries still struggle to transform the CRPD into concrete policies, systems, programmes and services that uphold the rights of persons with disabilities. It is urgent that governments and their implementation partners deliver on their SDG commitments through CRPD-compliant interventions. To support countries in the most catalytic way requires understanding the main bottlenecks and priorities in each country in relation to the fulfilment of the CRPD. We needed to know who the key stakeholders are, how implementation/monitoring mechanisms are functioning (or not), which capacities stakeholders may need to improve, and which ongoing development processes could be leveraged to become more disability inclusive.

The situational analysis was designed to:

- Inform the design of future PRPD funded programmes in the country and serve as a baseline for these programmes;
- Inform UNCTs of gaps in terms of disability inclusion in ongoing national processes and programmes and recommend further, in-depth analysis where needed;
- Build a base of mutual understanding and working relationships among UN entities, government, OPDs and other civil society organizations, as well as the private sector and academia, as the basis for future co-design of joint programmes;
- Strengthen the capacity of those stakeholders to more effectively include and address the rights of persons with disabilities as outlined in the CRPD; and,
- Serve as an advocacy tool for ODPs and other civil society partners, both national and international.
The Constitution of Timor-Leste recognizes and guarantees the equal rights of all citizens, including those with disabilities, and mandates the state to protect their rights. A policy framework to support the realisation of these rights and responsibilities was established in the Government’s National Policy on the Inclusion and Promotion of the Rights of People with Disabilities, which was adopted in 2012. This paved the way for the development of the first Disability National Action Plan (DNAP) 2014-2018, which was subsequently updated through the DNAP 2021-2030. The updated action plan adopts a progressive perspective on disability, framing it not merely as an individual health issue but as a product of societal barriers. Timor Leste ratified the CRPD in January 2023. Despite this legal framework, the implementation of policies and initiatives for disability inclusion has been slow and beset with challenges.

There is a significant gap between reported disability rates in national census data and those from other studies. According to the 2022 National Census, there are 17,061 people with disabilities in Timor-Leste (50% male; 50% female), representing approximately 1.6% of the population. This data is widely considered by OPDs and civil society to be a significant underestimate of the actual population of people with disabilities. Other nationally representative studies such as the 2016 Demographic and Health Survey (DHS) suggest a much larger population, with 21% of respondents over 15 years reporting any functional difficulty. Possibly the real number is somewhere in between these estimates.
4.1 Stakeholder coordination mechanisms

The key stakeholders responsible for implementing and monitoring the CRPD are highlighted below. A comprehensive list of stakeholders is included in the full report.

1. Equality and non-discrimination
2. Accessibility
3. Inclusive service delivery
4. CRPD-compliant budgeting and financial management
5. Accountability and governance

Government and its coordination mechanisms (national level)

The Ministry for Social Solidarity and Inclusion (MSSI) acts as the lead government agency with responsibility to protect and promote the rights of vulnerable persons including persons with disabilities. MSSI’s National Directorate for the Promotion of the Rights of People with Disabilities (DNPDPD) oversees implementation of the DNAP and leads coordination with OPDs and other line ministries to review progress against the DNAP and ministerial action plans. Meetings are organized every three months, though challenges remain at the local level due to limited coordination and accessibility issues.

The Secretary of State for Equality and Inclusion (SEII) also plays a key role in advocating for the rights of women, people with disabilities and other marginalised groups (including the LGBTQIA+ community) in Timor-Leste. Eleven (11) line ministries and secretaries of state have each designated two disability ambassadors to coordinate disability inclusion efforts within their institutions.

Efforts are underway to establish a National Council on Disability, but delays persist. Concerns exist regarding potential disruptions from changes in government following elections, but stakeholders remain committed to meeting reporting requirements for international commitments like the CRPD and CEDAW.

Organizations of persons with disabilities (OPDs)

In Timor-Leste, there’s a growing number of Organisations of Persons with Disabilities (OPDs) which vary in organization and formality, primarily based in Dili but with some municipality-based branches drawing members from both urban and rural areas. Despite limited resources, OPD advocacy has influenced policy changes, including the country’s accession to the CRPD. Leading OPDs have developed strategic plans and internal policies, receiving capacity-building in advocacy and sectoral topics.
Some OPDs provide training to government and civil society. Key OPDs include Asosiasaun Defisiênsia Timor-Leste (ADTL), Ra‘es Hadomi Timor Oan (RHTO), Community Based Rehabilitation Network Timor-Leste (CBRN-TL), Asosiasaun Halibur Defisiênsia Matan Timor-Leste (AHDMTL), Klibur Defisiênsia Tilun Timor-Leste (KDT-TL), and The Leprosy Mission Timor-Leste (TLM-TL), each with distinct focuses and activities.

Other civil society organizations

Psychosocial Recovery and Development East Timor (PRADET) and Centro São João de Deus (Saint John of God) in Lacublar are among very few non-government organisations providing services and support to people with psychosocial impairments including mental illness. PRADET also has a number of programs and activities involving people with intellectual disabilities.

UN agencies

The UN has been actively involved in promoting disability inclusion in Timor-Leste through projects like Empower for Change, aimed at addressing discriminatory attitudes and enhancing service delivery. Currently, the Empower for Inclusion project is laying the groundwork for future investments. Disability inclusion is integrated into the work of various UN agencies (including ILO, UNDP, UNFPA, UNICEF, UN Women, and WHO), with a focus on mainstreaming inclusion, particularly for women and girls with disabilities. UNICEF’s Gender and Disability Programmatic Review underscores this commitment.

International agencies

The international donor community in Timor-Leste is increasingly committed to promoting disability inclusion across various sectors and investments. The Australian Government has long-term partnerships with the government, OPDs, and civil society, focusing on health, education, social services, access to justice, water and sanitation, and public infrastructure. Recent significant investments through Australia’s Partnership for Human Development (PHD) program have prioritized policy support, advocacy, and systems strengthening, including the development of the DNAP. Similarly, the United States Agency for International Development (USAID), US Embassy, European Union (EU), and other donors/agencies have supported capacity-building activities and initiatives aimed at enhancing the social and economic participation of people with disabilities.

Summary of stakeholder coordination analysis

- MSSI leads coordination between line ministries and OPDs in terms of implementation of the DNAP 2021-2030. Coordination lines are functional at national level and include quarterly meetings and monthly written reports.
- The planned National Council on Disability has not yet been realised. OPDs are advocating that the Council not be established under MSSI in order to increase its influence and independence.
- OPDs are increasing in number, membership and overall capacity. OPDs tend to be based in Dili although membership and activities extend into the municipalities.
- There is room to improve the meaningful participation of OPDs in formal coordination mechanisms and to ensure accessibility of coordination mechanisms at sub-national level.
- A change of government following planned parliamentary elections in May 2023 represents a risk to functional working relationships that have been established between government, OPDs and civil society.
- There is a strong commitment from the UN and other donor agencies to support disability-inclusive development in Timor-Leste.
4.2 Preconditions for disability inclusion

A critical new element of the UNPRPD strategy is its focus on the essential preconditions for disability inclusion to advance the CRPD. These preconditions must be met to address the requirements of persons with disabilities across all sectors. The following findings focus on the preconditions.

EQUALITY AND NON-DISCRIMINATION

Timor-Leste’s commitment to disability rights and inclusion is highlighted by its recent accession to the CRPD and Optional Protocol. The CRPD accession provides the government and OPDs the opportunity to make submissions and complaints to the UN Committee on the Rights of Persons with Disabilities. Capacity strengthening activities in this area may be helpful to ensure greater accountability.

The National Policy on the Inclusion and Promotion of the Rights of People with Disabilities, (DNAP) reiterate the government’s commitment to disability-inclusive service delivery and development. While policies and plans are increasingly adopting the language of disability inclusion, implementation remains slow and under-resourced. Social stigma and discrimination against people with disabilities persist. Efforts to raise awareness and engage with the government have been made, but discrimination remains. Strategies focusing solely on disability inclusion will not necessarily result in enhanced gender equality among people with disabilities as women and girls with disabilities face unique and intersectional forms of discrimination.

The Ombudsman for Human Rights and Justice (PDHJ) has the mandate and could play a more active role in supporting the rights of people with disabilities, by collaborating with OPDs to document and report human rights abuses. Capacity-building will be vital to empower people with disabilities to exercise their rights effectively under the CRPD.

Key findings

- With a progressive national Constitutions and the ratification of CRPD and its Optional Protocol, Timor-Leste has a strong legal framework to advance disability rights and inclusion.

- Despite promising advances in the legal and policy framework, social stigma and discrimination against people with disabilities persist.

- The Ombudsman for Human Rights and Justice (PDHJ) could play a role in supporting the rights of people with disabilities, by collaborating with OPDs to document and report human rights abuses.

- Capacity-building will be vital to empower people with disabilities to exercise their rights effectively under the CRPD.
INCLUSIVE SERVICE DELIVERY

Disability assessment and referral services

The current disability assessments are mainly based on physical, medical examinations, if at all available. Assessments for psychosocial and intellectual disabilities are still limited. Referral pathways for persons with disabilities do not take into consideration transport and accommodation costs, which regularly prevents people living with disabilities outside of Dili from accessing such vital services.

Disability support services

Disability support services mainly consist of disability grants, rehabilitation services and free assistive devises. However, these services are not yet available for the majority, due to limited capacity of the government to deliver these services, complex application processes and eligibility criteria and lack of information among persons with disabilities and their families about available services. Lack of information regarding psychosocial/intellectual disabilities has prevented the development of tailored services to these persons.

Mainstream services

Disability inclusion in service delivery across various sectors in Timor-Leste faces persistent challenges despite the presence of legal and policy frameworks. For example:

a. Social protection

The process of accessing disability pensions and conditional cash transfers is hindered by complex application procedures and discriminatory eligibility criteria. For instance, the disability pension’s requirements may exclude individuals who are capable of some economic activities, leading to exclusion from financial support.

b. Health

Despite recent efforts to promote disability-inclusive healthcare, individuals with disabilities still encounter difficulties accessing services due to discriminatory attitudes among healthcare providers, lack of accessible facilities, and inadequate information dissemination. Additionally, services are often centralized in urban areas, leaving rural populations underserved.

c. Education

Discrimination and exclusion persist in educational settings, preventing children with disabilities from accessing quality education. Barriers such as insufficient facilities, resources, and trained staff limit their educational opportunities, with girls with disabilities facing even greater challenges.

d. Employment and Vocational Training

Limited access to education and vocational training programs results in a lack of skills among people with disabilities, impeding their participation in the job market. Discriminatory hiring practices further exacerbate unemployment rates, particularly for women with disabilities.

e. Access to Justice

Violence against people with disabilities remains prevalent, yet there are few protection services available, and the justice system lacks accessibility for individuals with disabilities. Limited awareness among legal professionals and inadequate support during legal proceedings exacerbate these challenges.
Key findings

- Despite the existence of a both a legal and policy framework, improvement in disability and gender inclusive service delivery has been slow and many services remain inaccessible for people with disabilities, especially women.
- Government line ministries have taken some steps to improve service delivery for people with disabilities in line with the DNAP, however investment of resources to date has been insufficient to meet objectives.
- Poor understanding and implementation of reasonable accommodation remains a key barrier to accessing services.
- Across all line ministries, there is a lack of systematically collected, disability-disaggregated data (further disaggregated by gender and type of disability) to help inform government planning and implementation of inclusive service delivery.
- Despite these obstacles, advocacy efforts led by OPDs have raised awareness about the need for accessible services and infrastructure. Collaborations between OPDs and government ministries aim to address these issues, signalling progress towards more inclusive service delivery in Timor-Leste.

CRPD-COMPLIANT BUDGETING AND FINANCIAL MANAGEMENT

The DNAP mandates alignment of annual action plans of 11 line-ministries with sufficient budget allocation for disability inclusion. However, ministerial planning and budgeting processes struggle to meet CRPD commitments and DNAP objectives due to competing resource demands. “Disability ambassadors” within ministries have limited influence, hindering advocacy for increased budget allocation. Coordination between stakeholders during planning and budgeting processes needs improvement, with limited flexibility to add new activities once plans are approved. Lack of clear budget lines and a dedicated disability marker within Ministry of Finance systems pose challenges in tracking investments in disability inclusion. Collecting reliable, gender and disability-disaggregated data for monitoring progress is therefore a challenge. Development partners are integrating disability-related objectives into their program plans, but these are not yet accompanied by explicit budgets.

Key findings

- The DNAP specifies that line ministries must allocate sufficient budget to deliver on their action plans, but budgets for disability-inclusive programming remain small.
- Although there are some exceptions, OPDs are generally not included in government planning and budgeting processes.
- There is room to improve coordination between stakeholders in the planning and budgeting cycle to ensure government plans are aligned with the CRPD and the DNAP and receive suitable budget allocation.
- Government budget systems require strengthening to help track total investment in disability inclusion, using gender and disability responsive tools.
- Development partners including UN agencies are increasingly incorporating disability related objectives and indicators into their programming, but still not always accompanied by budgets.
ACCOUNTABILITY AND GOVERNANCE

Inclusive evidence and data gathering systems

Although the Washington Group Short Set of questions on disability is being used more widely, concerns persist about data accuracy and the underestimation of people with disabilities in Timor-Leste, impacting government commitments and budget allocations.

The lack of reliable data on people with disabilities hinders programming, accountability, and governance efforts. The Disability National Action Plan (DNAP) emphasizes the importance of developing efficient monitoring tools for tracking outreach, service delivery, and inclusion of people with disabilities by line ministries. However, government representatives find reporting challenging due to data unavailability. This data is essential for monitoring DNAP progress and fulfilling other government commitments, such as the SDGs, Maubisse Declaration, and laws of the 11 line-ministries. The DNAP also recommends enhancing data dissemination through interministerial meetings, annual progress reports, and best practice case studies.

National accountability mechanisms

The dual role of MSSI as the state institution involved in social protection of people with disabilities and the coordinating ministry overseeing implementation of the DNAP may limit overall transparency and accountability in the implementation of the CPRD. Therefore, OPDs are strongly advocating that the proposed National Council on Disability does not sit under MSSI but is established under the Prime Minister’s office to increase its influence and independence. The delayed establishment of an independent National Council on Disability represents a significant challenge to ensuring accountability given its proposed role in independently monitoring implementation of CRPD.

OPDs, civil society, and human rights organizations actively monitor disability rights in Timor-Leste. Led by ADTL, OPDs have submitted reports to the Universal Periodic Review Working Group, emphasizing the need for greater accountability, governance measures, and improved data collection. While Timor-Leste recently joined the CRPD, the effectiveness of reporting requirements is yet to be seen. Development partners are aiding government and OPDs in capacity building for the reporting process. However, programming and governance are hindered by the lack of reliable data on people with disabilities. The DNAP calls for better monitoring tools and dissemination of data, with OPDs involved in social auditing to monitor government service provision.

Key findings

- There is not yet an independent National Council on Disability in Timor Leste.
- OPDs, civil society and human rights organisations play a key role in monitoring the advancement of disability rights. Social auditing/monitoring is an area where OPDs and civil society could strengthen their role in monitoring implementation of the DNAP.
- Programming, accountability and governance is made more difficult by the lack of clear and reliable data relating to people with disabilities.
- The Washington Group questions on disability are being increasingly applied but require appropriate translation and increased enumerator training to support collection of accurate data.
- Development partners have commenced capacity strengthening activities for government and OPDs to support them in CRPD reporting processes.
4.3 Cross-cutting approaches: Participation, gender, inequalities

The UNPRPD has adopted three cross-cutting approaches to be intrinsically applied across all of UNPRPD MPTF’s work, including its structures, programmes, and processes to ensure full and meaningful participation of all persons with disabilities.

**Participation:**
Enabling full and effective participation of persons with disabilities

**Inequalities:**
Ensuring the inclusion of marginalized and underrepresented groups of persons with disabilities

**Gender:**
Addressing gender inequality and advancing the rights of women and girls with disabilities

**PARTICIPATION**

People with disabilities, especially women and marginalized groups in Timor-Leste, face challenges in political participation, including voting in elections. Issues such as inaccessible voting centers, lack of information, ballot secrecy violations, and discrimination persist. The electoral law in Timor-Leste lacks inclusion provisions aligned with international standards. OPDs have urged the National Electoral Commission to provide reasonable accommodation. Despite challenges, people with disabilities are increasingly active in political and public life, with growing representation, particularly of women, in OPDs. While participation at the national level is progressing, barriers persist at sub-national and local levels due to lack of awareness and poor accessibility. Development partners are supporting increased participation through awareness training and encouraging local leadership to involve people with disabilities in community activities. Participation of people with psychosocial and intellectual impairments remains more limited, with some restrictions on voting rights for those publicly identified as mentally ill.

**GENDER**

Women and girls with disabilities, especially in rural areas in Timor-Leste, face compounded discrimination, hindering their full participation in society. Challenges accessing health, education, training, and employment are more acute for them, with most services not tailored to their specific needs. They are less likely to marry, work, or be economically active than men with disabilities, leading to increased vulnerability and poverty. Despite being highlighted in the Disability National Action Plan (DNAP), few targets directly address their needs, potentially leaving them neglected. Additionally, they are at higher risk of physical and sexual violence, with limited access to support and justice due to communication barriers. Initiatives like the GBV Toolkit aim to address these issues, but advocacy efforts need to prioritize their safety.

**INEQUALITIES**

OPDs and civil society in Timor-Leste, highlight the significant challenges faced by people with psychosocial and intellectual disabilities, who are among the most marginalized and underserved groups. Mental health services are severely limited, with only one residential facility accommodating a small number of patients. Despite the Ministry of Health’s mental health strategy, implementation has been slow and under-resourced. A qualitative study\(^1\) revealed widespread exclusion and discrimination against people with mental illness, with some protective factors from family support and faith-based organizations. LGBTQIA+ people also face high levels of exclusion and violence, with potential collaboration between OPDs and LGBTQIA+ organizations to reach marginalized individuals with disabilities.

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4.4 Disability inclusion in broader development, humanitarian and emergency contexts

National Development Plans

Disability inclusion in national planning processes, including alignment with the SDGs, is gradually gaining traction in Timor-Leste. OPDs played a crucial role in crafting the DNAP, fostering collaboration among stakeholders. The DNAP has specified a target that by the end of 2025, all national policies and laws will be aligned with the CRPD. A positive example of how this might be achieved include the most recent National Action Plan Against Gender-Based Violence 2022-2032, which includes a strong focus on services for women and girls with disabilities.

However, there’s a growing desire among OPDs to enhance their participation in planning processes. This will require capacity strengthening, especially regarding engagement in budgeting processes. While some ministries have shown proactive efforts, there’s a need to improve the planning and budgeting systems to be able to track investments in disability inclusion. Overall, deeper collaboration between government and OPDs is essential to advance disability rights and inclusion effectively.

Climate change, disaster risk reduction and humanitarian action

Research shows that people with disabilities in Timor-Leste are disproportionately affected by climate change, disasters, and emergencies (including the COVID-19 pandemic). Damage to infrastructure, closure or disruption of essential services, and restrictions on travel negatively impact livelihoods and further isolate poor and vulnerable households. Despite this, government policies that have been developed in times of crisis (e.g. the COVID-19 economic recovery plan) include very limited consideration of the needs of people with disabilities, and few specific recommendations. There is also very limited consideration of the specific needs of women and girls with disabilities in disasters and emergencies, despite their increased vulnerability in such situations.

Based on lessons learnt from the COVID-19 pandemic, OPDs are increasingly being consulted in climate change, disaster risk reduction, and emergency response programs, especially those led by development partners. This includes participation in research, trainings and community meetings. The additional vulnerability of people with disabilities in these types of scenarios strengthens the rationale for increasing the focus on disability-inclusive education, vocational training and employment opportunities, while ensuring adequate access to social protection as a safety net in times of crisis.

COVID-19 recovery

People with disabilities in Timor-Leste were disproportionately affected by the COVID-19 pandemic. Closure or disruption of essential services, and restrictions on travel negatively impacted livelihoods and further isolated persons with disabilities. The COVID-19 response and the economic recovery plan included very limited consideration of the needs of people with disabilities.
CONCLUSIONS

Overall, Timor-Leste has a comprehensive framework to protect the rights of people with disabilities and there is growing commitment to implementing the CRPD and meeting international obligations. However, there are clear gaps in terms of what is written in national policies and what is delivered through ministerial annual plans and budgets. Commitments to the principles of equality, non-discrimination and accessibility outlined in the CRPD are treated as aspirational guidelines rather than enforceable standards, which undermines implementation and overall compliance.

The forthcoming UNPRPD program will be initiated following parliamentary elections and a likely reshuffling of personnel and leadership across all line ministries and secretaries of state. This presents both challenges and opportunities for development partners, civil society and OPDs to renew their engagement with government and reinforce their commitment to implementing the CRPD. These opportunities are reflected in the following recommendations which are focused on potential UN contributions.

Stakeholders and coordination: Enhance capacity across OPDs, government, and civil society to understand and implement the CRPD. Strengthen connections between OPDs, civil society, and PDHJ to report human rights abuses against people with disabilities. Promote ongoing formal coordination between MSSI, line ministries, and OPDs. Support OPDs in their advocacy for an independent National Council on Disability. Ensure coordination with other development partners to align disability inclusion activities.

Equality and non-discrimination: Conduct targeted research to address information gaps and challenge discriminatory attitudes. Advocate for the inclusion of non-discrimination provisions in government policies and applications. Strengthen capacity for monitoring and reporting on disability rights, with a focus on marginalized groups. Ensure capacity building addresses the specific needs of women and girls with disabilities.

Inclusive service delivery: Address gaps in inclusive service delivery, particularly concerning violence prevention and access to justice for women and girls with disabilities. Support systematic monitoring of government services. Promote reasonable accommodation for people with disabilities in community-level activities.

Accessibility: Promote the adoption of national sign language and ensure its interpretation in activities. Ensure accessibility of UN agency-funded activities at all levels and encourage accessibility in government and civil society activities.

CRPD-compliant programming and budgeting: Strengthen OPDs’ capacity to understand planning and budget cycles and advocate for increased budget allocations. Develop monitoring tools to track outreach and inclusion of people with disabilities. Encourage the use of the Washington Group Short Set of questions in research studies and support workshops on using data for policymaking and programming.

More detailed recommendations are found in the full Situational Analysis.