

CRPD Section, Policy & Research Team

Update- February 2024

CRPD Independent Monitoring Mechanism

IHREC is the 'Independent Monitoring Mechanism' ('IMM') for the UN Convention on the Rights of People with Disabilities ('CRPD'). The CRPD, which Ireland ratified in 2018, establishes two criteria for national implementation and monitoring. First, the monitoring framework must include an independent mechanism in accordance with the Paris Principles. Second, the national framework must work to promote, protect and monitor the implementation of the Convention. Therefore, there are three elements to the IMM function:

- Promotion of the CRPD includes raising and promoting awareness, capacity strengthening, participating in legislative scrutiny, and cooperating with international, regional and other national human rights institutions;
- Protection of CRPD rights includes considering individual and collective complaints of alleged breaches of Convention rights, conducting inquiries, participating in judicial proceedings, and issues reports related to complains received; and
- Monitoring implementation of the CRPD includes developing and maintaining a system to assess the impact of legislation and policies, developing benchmarks and indicators; and maintaining databases containing information on practices related to the implementation of the Convention.

The Assisted Decision-Making (Capacity)(Amendment) Act 2022 established the Commission's CRPD IMM mandate and provided for the appointment of a section 18 Advisory Committee (the 'Disability Advisory Committee').

In its role as the IMM for the CRPD, IHREC will build upon an existing body of work, in particular in legislative, policy, international reporting and legal work, as well as its work in outreach, information work and on public sector duty. As required by the provisions and the spirit of the CRPD, the participation of disabled people and their representative organisations will be a core principle. This will be achieved in different ways, including through the guidance and input of the Disability Advisory Committee, whose role is to assist and advise the Commission on matters related to its function of keeping under review the adequacy and effectiveness of law and practice in the State relating to the protection of people with disabilities, and to advise the Commission on the fulfilment of its CRPD Article 33 independent monitoring role.

The CRPD Section:

In December 2023, the resources required to establish a small team to initiate the IMM establishment were committed and in January 2024 the CRPD Section was established in IHREC's Policy & Research team. The section is managed by Karen Murphy, Assistant Principal, under the leadership of Iris Elliott, Head of Policy and Research Team and informed by the Disability Advisory Committee. Fearghal Frain (AO) & Charienne Layson (EO) have also joined the CRPD section, moving from other roles internally.

This team is currently considering and establishing the frameworks, systems and resources required to operationalize the IMM. In these initial months, particular consideration will be given the following:

- The experience and lessons that can be drawn and learned from other NHRIs that have established and operationalised IMMs, and the guidance and direction that is provided by the CPRD Committee, OHCHR, EUFRA and others.

- The importance of meaningful participation of disabled people and their representative organisations in all of the work that the IMM undertakes.
- Internally, how to establish a thematic section that will work effectively with existing functional sections/teams, given that the IMM function will cross teams and work-streams.
- The resources and factors needed to establish this function- including internally (salary and non-salary for example cross-team collaboration) and externally (access to data and information, trust within the sector).
- The voice of the Commission as CRPD IMM and the options for framing the IMM's initial statements about CRPD rights in Ireland.

On a practical level, the team are investing in internal learning and skills-strengthening, stakeholder mapping, engaging with external experts, engaging with and collating IHREC's CRPD relevant work, collating information about CRPD rights and providing the secretariat to the DAC.