1. Record Nr. UNINA9910755075903321 Autore Della Fina Valentina Titolo The Committee on the Rights of Persons with Disabilities: Law and **Practice** Cham:,: Springer International Publishing AG,, 2023 Pubbl/distr/stampa ©2023 **ISBN** 9783031394157 3031394151 Edizione [1st ed.] Descrizione fisica 1 online resource (209 pages) Disciplina 342.087 People with disabilities - Civil rights Soggetti Human rights Lingua di pubblicazione Inglese **Formato** Materiale a stampa Livello bibliografico Monografia Nota di contenuto Intro -- Contents -- Abbreviations -- Chapter 1: Introduction -- 1.1 The CRPD Committee in the Framework of the UN Human Rights System -- 1.2 The CRPD Monitoring System: Some Innovative Features -- 1.3 Strengthening the Rights of Persons with Disabilities Through the CRPD Committee's Work: General Remarks -- References -- Chapter 2: The Negotiations on the CRPD Monitoring System and the Treaty Body Reform -- 2.1 The Reform of the Human Rights Treaty Bodies and Its Influence on the CRPD Monitoring System -- 2.2 The Proposals Concerning the CRPD International Monitoring System -- 2.2.1 The First Drafts Within the Ad Hoc Committee -- 2.2.2 The Latest Sessions of the Ad Hoc Committee -- 2.3 The Drafting of the Optional Protocol and Its Adoption -- References -- Chapter 3: Membership, Internal Rules and Structure of the CRPD Committee -- 3.1 The Establishment of the CRPD Committee and Its Membership -- 3.2 The Election of the

Members: Requirements and Selection Criteria -- 3.2.1 The

"Addis Ababa Guidelines" -- 3.2.2 The Balanced Gender

Independence and Impartiality of the CRPD Committee Members: The

Representation -- 3.3 The Role of the COSP in the Election of the CRPD Committee Members -- 3.4 The Privileges and Immunities of the CRPD Committee Members -- 3.5 The Internal Rules -- 3.6 The Structure of the CRPD Committee -- 3.7 The CRPD Committee as a UN Organ --

Table of Cases -- References -- Untitled -- Chapter 4: Sessions and Meetings of the CRPD Committee: Participatory Process and Accessibility -- 4.1 Regular, Special and Virtual Sessions -- 4.1.1 The Agenda of the Sessions -- 4.1.2 Days of General and Thematic Discussion -- 4.1.3 Public and Closed Meetings -- 4.1.4 Accessibility of the Meetings -- 4.2 Decision-Making and Voting Procedure. 4.3 The Participation of the Specialised Agencies, UN Organs and Other Bodies in the CRPD Committee's Meetings: The Ways of Mu... -- 4.4 The Involvement of DPOs and NGOs in the CRPD Committee's Work --4.5 The Participation of the Independent Monitoring Frameworks and NHRIs in the CRPD Committee's Activities -- Table of Cases --References -- Chapter 5: The Reporting Procedure -- 5.1 The Role of the Reporting Procedure Under the Core International Human Rights Treaties -- 5.2 The Reporting Procedure Under the CRPD and The Obligation to Consult DPOs -- 5.2.1 The Guidelines on Reporting --5.2.2 The Content and the Structure of Initial Reports -- 5.2.3 The Periodic Reports and the Simplified Reporting Procedure -- 5.2.4 The Role of Independent Monitoring Frameworks, NHRIs, NGOs and DPOs in the Reporting Procedure: The Alternative Reports -- 5.3 The Consideration of Reports: The Constructive Dialogue Between the CRPD Committee and the States Parties -- 5.4 The Concluding Observations: The Co-Operation Between the CRPD Committee and the States Parties -- 5.5 The Follow-Up Procedure -- 5.6 Non-Compliance with Reporting Obligations -- 5.7 The Co-Operation Between the CRPD Committee, the Specialised Agencies and Other UN Organs -- Table of Case -- References -- Chapter 6: The Individual Communications Procedure Under the Optional Protocol -- 6.1 The Individual Communications: Locus Standi and Notion of Victim Under the OP-CRPD -- 6.1.1 The Concept of Jurisdiction -- 6.2 The Admissibility Requirements -- 6.2.1 Anonymous Communications -- 6.2.2 The Abuse of the Right of Submission of Communications and the Incompatibility with the Provisions of the CRPD -- 6.2.3 The Same Matter Has Already Been Examined by the Committee and the Lis Pendens -- 6.2.4 The Exhaustion of Domestic Remedies. 6.2.5 Communications That Are Manifestly III-Founded or Not Sufficiently Substantiated -- 6.2.6 Inadmissibility Ratione Temporis --6.3 The Procedure Concerning the Communications Received: Pre-Registration and Registration -- 6.3.1 Consideration of Admissibility and Merits -- 6.4 The Interim Measures -- 6.5 The Examination of the Communications: Confidentiality and Third-Party Interventions -- 6.5.1 The Views of the CRPD Committee -- 6.5.1.1 The Legal Nature of the Views -- 6.6 The Remedies Following the Finding of Violations -- 6.7 The Follow-Up Procedure for Monitoring the Implementation of the Views -- Table of Cases -- References -- Chapter 7: The Inquiry Procedure Under the Optional Protocol and the Special Procedures --7.1 The Concepts of ``Grave or Systematic Violations'' Under Article 6 of the OP-CRPD -- 7.2 The Establishment of an Inquiry: The Examination of the Information -- 7.2.1 Visits and Hearings -- 7.2.2 Findings, Recommendations and Follow-Up -- 7.3 The Special Procedures: Early-Awareness and Urgent Action Procedures --References -- Chapter 8: The Role of the CRPD Committee in Interpreting the Convention on the Rights of Persons with Disabilities -- 8.1 The Interpretation of the Human Rights Treaties by Monitoring Bodies -- 8.2 General Comments: Their Standing in International Human Rights Law and Their Role -- 8.3 The CRPD Committee's General Comments: The Drafting Process and Their Adoption -- 8.3.1 The Drafting of a General Comment on Article 11 of the CRPD and the Chapter on the Situation of Persons with Disabilitie... -- 8.4

Statements, Joint Statements and Declarations -- 8.5 The Guidelines -- Table of Cases -- References -- Chapter 9: The Protection of the Rights of Persons with Disabilities Through the CRPD Committee's Work: Final Remarks.

## Sommario/riassunto

This book, authored by Valentina Della Fina, provides an in-depth analysis of the Committee on the Rights of Persons with Disabilities (CRPD), focusing on its role within the United Nations Human Rights System. It explores the CRPD Committee's establishment, membership, and internal structure, as well as its innovative monitoring and reporting procedures. The text examines the negotiations leading to the CRPD's monitoring system and the treaty body reform, highlighting the participatory process and accessibility of the Committee's sessions and meetings. The book aims to strengthen the rights of persons with disabilities by detailing the CRPD Committee's work and is intended for scholars, practitioners, and policymakers interested in international human rights law and disability rights.