

Report of the Expert Working Group on the Commonwealth Disability Inclusion Action Plan

Executive Summary

This paper provides background information on the origins of the draft Commonwealth Disability Inclusion Action Plan (draft DIAP) and the role played by Commonwealth accredited organisations in the development of the draft DIAP. It also outlines the establishment and purpose of the member country nominated Expert Working Group on the Disability Inclusion Action Plan and their recommendations to Commonwealth Law Ministers, as summarised below.

The EWG recommends that Law Ministers:

- a) Endorse the Disability Inclusion Action Plan and recommend its adoption by Leaders at the next Commonwealth Heads of Government Meeting; and
- b) Thank the Expert Working Group for finalising the draft Disability Inclusion Action Plan, and particularly thank members from Canada, Eswatini and New Zealand for chairing the sessions;
- c) Thank the Advisory Group of Persons with Disabilities and Disabled Peoples Organisations and the Commonwealth Children and Youth Disability Network for their valuable contribution to the development of the DIAP.

I. Introduction

1. At their meeting in October 2024 in Samoa, Commonwealth Heads of Government reaffirmed their commitment to ensuring, protecting and promoting the full realisation of the human rights and fundamental freedoms of all persons with disabilities and to fully implement the United Nations Convention on the Rights of Persons with Disabilities (CRPD). Heads also commended the ongoing work towards the finalisation of a Disability Inclusion Action Plan and the important role of National Human Rights Organisations in monitoring the CRPD implementation.
2. In February 2025, the Secretariat requested member countries to nominate suitably experienced senior officials to join a member country Expert Working Group (EWG), supported by an Advisory Group of Persons with Disabilities and Disabled Persons Organisations (DPOs) under the principle ‘nothing about us without us’ to finalise the draft Disability Inclusion Action Plan that had been developed by the Commonwealth Disabled People’s Forum in 2023-2024. Through the EWG, member countries provided inputs and negotiated the contents of the draft Commonwealth Disability Inclusion Action Plan (DIAP).

II. Background to the Draft Commonwealth Disability Inclusion Action Plan

3. The Commonwealth Secretariat is committed to supporting members in their work to ensure, protect, and promote the full realisation of the human rights and fundamental freedoms of all persons with disabilities. At the 2018 and 2022 Commonwealth Heads of Government Meetings (CHOGM), Heads urged member countries to ratify and implement the United Nations Convention on the Rights of Persons with Disabilities.
4. The Secretariat has collaborated with its partner organisations working on the rights of persons with disabilities to provide technical assistance to member countries to support their implementation of the Convention. Commonwealth member countries have made considerable progress in this regard. Additionally, the Secretariat with its partner organisations in collaboration with member countries undertakes awareness raising and consensus building activities in relation to the rights of persons with disabilities.
5. In 2023, the Commonwealth Disabled Peoples Forum (CDPF), an accredited organisation, developed a draft DIAP to further support member countries in implementing the Convention on the Rights of Persons with Disabilities. Commonwealth Heads of Government, at their meeting in Samoa in October 2024, commended the ongoing work towards finalisation of the Action Plan.
6. The Commonwealth Disability Inclusion Action Plan will not be legally binding. Rather, it draws on the Convention on the Rights of Persons with Disabilities to provide valuable guidance to member countries to support their implementation efforts. The DIAP sets out a framework for measures that member countries may undertake to implement CRPD and outlines how the Commonwealth Secretariat can support and facilitate such action.

III. Background to and composition of the Expert Working Group

7. In February 2025, the Secretariat requested member countries, through a letter to Law Ministers, to nominate suitably experienced senior officials to join a member country Expert Working Group (EWG), supported by an Advisory Group of Persons with Disabilities, and Disabled Persons Organisations (DPOs) under the principle ‘nothing about us without us’, to finalise the draft Disability Inclusion Action Plan that was developed by the CDPF. Seventeen countries¹ nominated representatives to the EWG. All Commonwealth regions are represented in the EWG. In May 2025, the representatives of Canada and Eswatini were elected as EWG Co-Chairs by the EWG members. In January 2026, New Zealand replaced Canada as Co-Chair.
8. The Secretariat provided administrative and logistical support to the EWG and facilitated adoption of the EWG’s Terms of Reference. The Secretariat also provided technical guidance and legal expertise when requested by the EWG Co-Chairs and members.
9. In parallel, the Secretariat convened an Advisory Group of Persons with Disabilities and Disabled Peoples Organisations (hereafter referred to as the ‘Advisory Group’) to be engaged by the Expert Working Group in a consultative and inclusive manner consistent with the Convention on the Rights of Persons with Disabilities. The members of the Advisory Group were selected from nominations received from Commonwealth member countries, Commonwealth Secretariat teams, Commonwealth Accredited Organisations, disabled people’s organisations, persons with disabilities, and partner organisations. Advisory Group members were nominated on the basis of their expertise in different areas relevant to the rights of persons with disabilities, geographic representation from each of the Commonwealth regions, gender parity, and the broadest possible range of impairments amongst its members. They served in an independent capacity.
10. The members of the Advisory Group were Carla Qualtrough (Canada, former Member of Parliament and former Minister of Employment, Workforce Development and Disability Inclusion); Richard Rieser (UK, Commonwealth Disabled People’s Forum), Sarah Kamau (Kenya, United Disabled Persons of Kenya), Floyd Morris (Jamaica, UN Committee on the Rights of Persons with Disabilities and former Senator), Abia Akram (Pakistan, National Forum of Women with Disabilities), Setareki Macanawai (Fiji, former CEO, Pacific Disability Forum), Heather Walkus (Canada, Council of Canadians with Disabilities) and Rachael Chomba (Zambia, Zambian Federation of the Disabled).
11. Additionally, the Commonwealth Children and Youth Disability Network (hereafter referred to as the ‘Youth Network’), represented by Parmi Dheensa, Daniel Grice, Sabina Moce, and Joy Ubong, were engaged in an advisory capacity, similarly providing guidance, suggestions and recommendations to the EWG on the draft Action Plan.
12. The Advisory Group and Youth Network met independently several times in 2025 and 2026. Throughout the process, representatives from the Advisory Group and the

¹ The Bahamas, Canada, Cyprus, Eswatini, Grenada, Kenya, Lesotho, Malta, Maldives, Mauritius, New Zealand, Pakistan, Sri Lanka, Togo, Trinidad and Tobago, Uganda, and United Kingdom.

Youth Network provided background information, advice and guidance and extensive written feedback on the Disability Inclusion Action Plan as requested by the EWG.

13. The EWG, Advisory Group, and Youth Network held two joint virtual meetings in October 2025 and December 2025 to orally exchange views on the Draft Disability Inclusion Action Plan. In both meetings, the EWG received feedback on the draft DIAP text from the advisory bodies and queried the advisory bodies on specific points they had raised. The EWG Co-Chairs also held two virtual meetings with the Advisory Group and Youth Network in January 2026 and March 2026 to update them on the development of the draft DIAP text. In both meetings, the Advisory Group and Youth Network shared their priority areas and justifications for the inclusion of these points in the Action Plan. As relevant and appropriate, the EWG Co-Chairs raised these priorities in EWG meetings for consideration by EWG members.
14. From July to December 2025, the Secretariat contracted an independent expert as a consultant to consolidate EWG members' views on the draft Disability Inclusion Action Plan and revise the Zero Draft of the DIAP according to guidance received from the EWG. From January to March 2026 the EWG undertook a structured, section by section review of the draft text, facilitated by the EWG Co-Chairs over several meetings. In between meetings, EWG members submitted their positions and views, which were circulated across the EWG for consideration.

IV. Work of the Expert Working Group

15. The EWG met virtually nine times between 22 May 2025 and 26 March 2026.
16. The first EWG meeting focussed on operational and procedural matters, such as agreeing the terms of reference, working methods, electing a Chair, and setting a schedule for review of the Draft Disability Inclusion Action Plan.
17. Consideration of the Disability Inclusion Action Plan began after the second meeting. The EWG reviewed and discussed the substance and appropriateness of each objective in the draft DIAP and revised the text as appropriate on the basis of consensus. EWG members shared proposed revisions ahead of meetings to allow sufficient time for consideration by members. Proposed revisions and the underlying rationales were then discussed during the meetings. The EWG also discussed potential additional points and actions for inclusion. Where consensus on an action, or specific aspects of an action, was not achieved, the issue in questions was revisited in subsequent meetings. This process resulted in an extensive and robust examination of the Draft DIAP.
18. During the EWG's deliberations, particular actions were the subject of considerable discussion and/or revision, whilst others were largely acceptable to members, subject to minor textual and grammatical revisions. The following paragraphs provide a brief overview of areas that attracted the most scrutiny, debate and revision.

Draft Section A. Purpose - Monitoring and Review of the Action Plan

19. There were differing views among members regarding accountability mechanisms, including whether implementation of the Action Plan should be subject to monitoring or reporting requirements, and whether key performance indicators should be included to strengthen effectiveness. Members also discussed whether the Action Plan should be subject to a periodic review to ensure the opportunity for amendments to maintain relevance and effectiveness of the plan over time and the related modalities and method to trigger a review. Members also considered the possible establishment of a Commonwealth Ministerial Meeting for Ministers responsible for Persons with Disabilities or a voluntary community of practice to facilitate knowledge sharing.
20. Concerns were raised over duplicating existing mechanisms under the UN and regional human rights mechanisms, as well as the reporting burden, capacity limitations and resource constraints faced by Member Countries. It was noted that peer-to-peer exchanges were catered for under Section C, Objective 4, which provides for the Secretariat to support member countries by facilitating network-building and knowledge sharing. These issues were considered in multiple meetings. The EWG reached consensus on the Action Plan being reviewed, with the consultation and involvement of disabled people organisations, five years after its adoption to ensure it is fit for purpose.

Draft Section B, Objective 1 - Intersectionality

21. EWG members discussed the recognition of multiple and intersectional forms of discrimination experienced by persons with disabilities in the Action Plan. This included considering whether explicit grounds of intersection should be listed in the Plan. The EWG reached consensus to recognise and address multiple and intersecting forms of discrimination and marginalisation to provide a broad understanding of the different grounds of intersection, and acknowledging the social model of disability which recognises that disability results from the interaction between persons with impairments and socially-created barriers, and the need for a rights-based approach under Section B, Objective 1.

Draft Section B, Objective 2 - Meaningful Involvement and Political Participation

22. Draft Section B, Objective 2 includes an objective for Commonwealth member countries to meaningfully engage and consult with person with disabilities in the development, adoption and implementation of laws, policies, and programmes relating to disabled persons. In considering this provision, EWG members examined whether additional language should be included to reflect diversity within the disabled peoples' organisations engaged in this process. Two approaches were discussed: encouraging representative organisations within the disability community to be reflective of people experiencing multiple and intersecting forms of discrimination, and secondly, supporting DPOs to be reflective of people experiencing multiple and intersecting forms of discrimination. Members were mindful of concerns raised by the Advisory Group that wording in this provision should not provide for governments to dictate the composition of DPOs. They were similarly mindful of avoiding potential implications of financial support. Following deliberations, EWG members reached consensus, deciding not to include additional text on intersectionality within representative organisations under Draft Section B, Objective 2 given that meaningful, inclusive, consultation with DPOs was provided

for under CRPD Article 4.3 and CRPD General Comment 7 on participation of person with disabilities in the implementation and monitoring of the CRPD.

Draft Section B, Objective 3 - Public Procurement

23. The provision on public procurement under Draft Section B, Objective 3 was the subject of extensive debate by EWG members over multiple meetings. The historical contribution of non-inclusive public procurement practices to the exclusion of persons of disabilities from access to public infrastructure and services was a key consideration. Two principal approaches were considered: firstly, the use of public procurement as a lever to promote the rights of persons with disabilities; and secondly, ensuring procurement processes comply with accessibility standards. The engagement of persons with disabilities to enable disabled persons and their representative organisations to inform procurement standards and processes was discussed in line with Article 4(3) of the UNCRPD. Some members raised concerns over the practical feasibility of requiring the participation of persons with disabilities in all public procurement processes, as well as the need to ensure compatibility with existing legal frameworks. Following these deliberations, the EWG reached consensus on text that calls on member countries to ensure public procurement processes adhere to accessibility standards in accordance with their legal systems, with the engagement of persons with disabilities qualified by considerations of appropriateness.

Draft Section B, Objective 3 - Reasonable Accommodation

24. The provision on reasonable accommodation under Section B, Objective 3 was discussed in depth by EWG members. Members noted that the denial of reasonable accommodation may not be automatically discriminatory but may amount to discrimination, depending on the reasonableness of the accommodation, any justification for the differential treatment, and the specific circumstances of the case. There was also a discussion to acknowledge that the denial of reasonable accommodation be recognised as a possible ground of discrimination, and that the concept of reasonable accommodation may evolve over time, in light of developments in assistive technologies and jurisprudence. Following deliberations, EWG members reached consensus by acknowledging that the denial of reasonable accommodation could constitute discrimination on the basis of disability and that member countries should take appropriate steps to ensure reasonable accommodation is provided to persons with disabilities.

Draft Section C, Objective 1 - Mechanisms and Peer Exchange

25. Considering the 2024 CHOGM Communique in which Heads urged the Secretariat to prioritise and expedite the establishment of a High-level Advisory Group of Persons with Disabilities to support member states in advancing the rights of people with disabilities, the EWG discussed options around the ongoing engagement of disabled peoples' organisations in Commonwealth-level matters. In this context, the EWG considered three options: a disability advisory committee to support the Secretariat on disability-related issues; a mechanism for implementation; and voluntary peer exchange around the Action Plan. Concerns were raised by some members regarding the resourcing, administration, and management implications of establishing additional formal mechanisms. It was noted that existing mechanisms under the

Convention on the Rights of Persons with Disabilities, including the annual Conference of State Parties, already provide for knowledge exchange and monitoring. Following these deliberations, the EWG members reached consensus to amend the provision under Section C, Objective 1 to ‘Commonwealth-level’ discussions, thereby enabling broader engagement of persons with disabilities and their representative organisations across relevant Commonwealth processes. The EWG also agreed to amend Section C, Obligation 4, to explicitly include organisations of persons with disabilities within ‘ fora of stakeholders’ reflecting their role in promoting the rights of persons with disabilities through task forces and related knowledge-building activities convened by the Secretariat, as appropriate.

Final review of text as a whole

26. Upon completing its review, the EWG considered the revised text. On the basis of consensus, the EWG approved the draft Action Plan.

V. Recommendations

27. Whilst recognising the non-legally binding nature of the draft Commonwealth Disability Inclusion Action Plan, the EWG stresses their value as guidance to member countries. The Expert Working Group makes the following recommendations to Law Ministers.

28. Law Ministers may wish to:

- a. Endorse the Commonwealth Disability Inclusion Action Plan as revised by the EWG and recommend its adoption by Leaders at the next Commonwealth Heads of Government Meeting; and
- b. Thank the Expert Working Group for finalising the draft Disability Inclusion Action Plan, and particularly thank members from Canada, Eswatini and New Zealand for chairing the sessions;
- c. Express thanks to the Advisory Group of Persons with disabilities and Disabled Peoples Organisations, and the Commonwealth Children and Youth Disability Network, for their valuable contribution to the development of the Draft Action Plan.