

Article

Intersecting Disability and Poverty in the Global South: Barriers to the Localization of the UNCRPD

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Abstract

The UN Convention on the Rights of Persons with Disabilities (UNCRPD) remains in place as the major disability rights instrument recognising that all persons with disabilities must enjoy human rights and freedoms as every other person. However, the CRPD does not automatically confer realization of these rights. In practice, its implementation is met by multiple hurdles, most pronounced at the local level in the Global South, where disability and poverty intersect. This article reports on findings from a study in five countries (Kenya, Philippines, Jamaica, Guatemala, and South Africa) looking at the extent to which the CRPD is being implemented locally in contexts of poverty, and the factors and processes impacting this localization. The findings highlight multiple barriers, becoming more pronounced in local rural areas. These include weak and fragmented organisations of persons with disabilities (OPDs), political and legal issues, and a siloed approach where disability is marginalised in mainstream areas, including development. These barriers are accentuated as intersectional dimensions are factored in, including indigeneity, age, gender, race, and ethnicity. Overall, each local context is left to its own devices, with urban stakeholders, unknowing of what life in poverty is like and how this reframes the CRPD in discourse and practice at the forefront. Our study concludes that there is a profound need for an informed, contextualized, intersectional, and geopolitical analysis where poverty is kept sharply in focus. This is essential to move beyond unrealistic assumptions about disability rights frameworks and to work towards truly localized and transformative efforts.

Keywords

disability rights; Global South; human rights; localization; UN Convention on the Rights of Persons with Disabilities; poverty

Issue

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1. Introduction

The intersections between disability and poverty have long been acknowledged in academic and practice circles. Often framed as a mutually reinforcing relationship, it is suggested that poverty exacerbates impairment, while disability intensifies poverty, especially in spaces and places where persons with disabilities confront disabling policies, discourses, attitudes, and practices (see Banks et al., 2018). Despite the continued lack of research into the dynamics operating in this relation-

ship (Grech, 2023), it is often stated that persons with disabilities, especially those in the Global South, are among the poorest of the poor, whereby their rights are violated, in some contexts more than others (Banks et al., 2022; Benvenuto & Caulfield, 2019; Degener, 2016).

An important tool in seeking to redress these rights violations and breaking this disability/poverty cycle (at least at the level of discourse), has been the UN Convention on the Rights of Persons with Disabilities (UNCRPD, or simply CRPD). Opened for ratification in 2007, the CRPD sets out minimum standards for the

rights of people with disabilities across a range of areas, for example, health and rehabilitation, inclusion in the community, accessibility and the right to life, alongside advocacy on the equalization of rights of people with disabilities. To date, over 185 states have ratified the convention. The references to the disability and poverty relationship are multiple in the CRPD. For example, the preamble highlights “the fact that the majority of persons with disabilities live in conditions of poverty, and in this regard recognizing the critical need to address the negative impact of poverty on persons with disabilities” (UN Nations, 2006, para. t). Article 28 lays out how states parties shall take appropriate steps “to ensure access by persons with disabilities, in particular women and girls with disabilities and older persons with disabilities, to social protection programmes and poverty reduction programmes” and “ensure access by persons with disabilities and their families living in situations of poverty to assistance from the State with disability-related expenses, including adequate training, counselling, financial assistance and respite care.” Together, the CRPD and a stronger global disability movement have sparked considerable developments in global norms and standards relating to persons with disabilities. These include work by the Committee on the Rights of Persons with Disabilities, political commitments made through the 2030 Agenda for Sustainable Development (and reflected in the 17 SDGs; UN, 2015), and guidelines on the inclusion of persons with disabilities in humanitarian action among others (UN, 2019).

The CRPD, though, does not automatically translate into benefits for persons with disabilities, especially for those caught in the disability/poverty bind in the Global South. As with other international human rights conventions, national governments are responsible for entrenching the implementation of the CRPD into their domestic systems and context in order to meet their obligations (Lord & Stein, 2008). Problems become accentuated as one moves from the international to the national and the local. There have been a number of critiques of international human rights law and international human rights conventions, including that they are often state-centric, top-down, do not allow for local values and cultural differences, and are “too technical—or abstract and aspirational, rather than practical and close to the people” (Durmuş, 2020, p. 36). Critics (see Harpur & Stein, 2022; Soldatić & Grech, 2014, 2022) also highlight how the CRPD may be a one-size-fit-all policy, ratified with ease, but with little alertness to how local contexts encounter, react to, and perhaps even resist it. Critical work has been growing, alerting that there may be multiple barriers that impact the extent to which the CRPD is being implemented and to what degree of success (see Grech, 2009; Najafi et al., 2021). Despite differences in opinion (see, for example, Crock et al., 2013), authors such as Pisani (2012), for example, have stressed how conventions such as the CRPD are also ultimately bound to citizenship, meaning that forced migrants for

example are too often unable to claim their rights and left exposed. While the wording of the CRPD may be excellent at a macro level, it is at a local level that concrete barriers to implementation become manifest.

The term “localization” is increasingly being used by UN bodies (e.g., UNDP) and bilateral organisations (e.g., USAID) to point to the need to translate these international frameworks into reality in the daily lives of people in their communities beyond just creating national-level legislation and policies, which is often referred to as “domestication.” Localization has recently been featured in international human rights law, understood as a process to support national, regional, and local governments, civil society, and service providers to develop mechanisms, partnerships, platforms, and strategies to effectively translate the CRPD into practice. We adopt this understanding of localization in this project and article.

The implementation of the CRPD is far from straightforward, and debates and evaluations of the implementation of the CRPD in local contexts, especially in the Global South, are still in need of research (Caldas de Almeida, 2019). To be clear, different authors in different contexts may use different words or framings, for example, “domestication” or “implementation of the CRPD,” and we are therefore not suggesting that there is no research on the subject. In line with Faye Jacobsen (2022, p. 2), what we mean is that the state of research concerning localization more broadly is still a “very young object of study” where “empirical knowledge and understanding of human rights implementation at local level is still fragmented and scarce.”

This article responds to these concerns, notably the gaps in critical research and understandings of the localization of the CRPD and the intersections with the disability–poverty nexus. It synthesizes findings from a broader study looking at the process of localization of the CRPD to understand the obstacles in local contexts in the Global South (see Weber et al., 2022). The need for a study on the process of localization across multiple contexts is long overdue, not as a mere research project, but to ensure that the CRPD does have power and relevance at the local level, where it actually matters, and importantly so that it can be genuinely transformative in the lives of persons with disabilities, particularly those in situations of poverty. In this regard, we hope that this study can serve as an impetus for further critical research and theory and policy development.

2. Methodology

This study, which was conducted in 2022, employs a qualitative approach foregrounding the views and perceptions of multiple stakeholders on the process of localization of the CRPD within their respective countries. Five countries in which the international NGO Christian Blind Mission (CBM) International has contacts and is active, were selected as sites for the study: Jamaica, South Africa, Guatemala, Philippines, and Kenya.

Interviewers, none of whom self-identify as persons with disabilities, conducted semi-structured interviews of approximately one hour online using Zoom or Microsoft Teams with each key stakeholder. All interviews were conducted in English or Spanish by the authors of this article and three other academic project collaborators in South Africa, Jamaica, and the Philippines respectively. Interviews were recorded with the permission of participants and then transcribed. Sampling was purposive, with a total of 40 participants of all genders recruited through the use of a collaboratively designed sampling frame for each country. See Table 1 below for a description of the participants. The objective was to have diverse views from different levels and phases of the localization process.

2.1. Data Analysis

The research team used thematic analysis (Braun & Clarke, 2006) to identify themes and patterns in the data that are pertinent to the research study objectives. It provided an inductive approach to engaging with data. The process involved manually identifying and coding key themes that would then lay out the thematic areas on which the findings below are based.

2.2. Ethical Procedures

Formal ethical approval was obtained from the University of Cape Town (Ref. HREC REF 275/2022). All

ethical procedures were rigorously followed, including informed consent, confidentiality, voluntary participation, and anonymity in interviews while consistently highlighting the rights of all participants, including the right to withdraw from the study at any time. All names have been removed to protect the identity of participants.

2.3. Limitations of the Study

The first limitation is that the choice of countries was arbitrarily made from those with which CBM International has links, and therefore findings cannot be generalized. We are aware that every context is different and so are the processes of localization. The purpose of this study, though, is not to generalize, but to provide a snapshot of localization in the Global South that can inspire other research and possibly influence policy and practice on disability and poverty. The fact that interviews were conducted in dominant English and Spanish languages is another limitation, meaning that multiple voices and perspectives, especially those at the margins are excluded. This is especially the case when it comes to indigenous languages and perspectives where active efforts need to be in place for them to be heard and prioritized. Thus, the findings in this article are positioned and contextualized, and need to be read with this in mind. Finally, this article and the research project more broadly are limited conceptually. Localization as a concept related to the CRPD is severely under-researched and the concept itself scarcely developed theoretically,

Table 1. Description of participants.

Country	Organisational base of participants and number	Total	
Guatemala	Disability Council member	1	7
	Organisation of persons with disabilities (OPD) members	3	
	UN official	2	
	Municipal office official	1	
Jamaica	Disability Council member	2	8
	OPD member	3	
	UN official	2	
	Municipal office official	1	
Kenya	Disability Council Member	2	9
	OPD member	2	
	Policy maker	3	
	UN Country rep.	1	
	Country rep.	1	
Philippines	OPD member	3	8
	Local government	3	
	Disability Council	1	
	National level policy consultant	1	
South Africa	Disability Council	1	8
	OPD member	3	
	UN official	1	
	Department of Social Development	2	
	Donor organisation	1	

leading to possible inconsistencies in its application by the research team.

3. Findings and Discussion

The following sections and subsections present and discuss the main findings from the thematic analysis, notably the key obstacles encountered in the local implementation of the CRPD. They navigate conceptual issues, followed by social, economic, political, and legal terrains, rights discourses and applications in practice, and organisational and representation concerns, rounding off with problems in mainstream areas and sectors.

3.1. Obstacles to Localization

3.1.1. Issues in Conceptualization

The first problem that deserves attention is a lack of clarity and agreement as to what localization actually means and involves concerning the CRPD, which implies that it remains uncertain as to what one is talking about or is meant to do:

Honestly, I do not know what you mean [by] localization. Does it mean you have results locally, or is it more a process...of things you need to do, that you can implement it in a village, for example...? (Participant, Jamaica)

Participants expressed a range of views, such as that national ratification is localization in action, or that localization is a process or impact in local communities or a tool to push local government to consider the rights outlined in the CRPD:

How I understand localization is that it is considering the capacities and culture of a community. (Participant, Philippines)

Localization is bringing the CRPD to our national and local levels. (Participant, Kenya)

However, despite the diversity of views, there appeared to be some fluid patterns that illustrate limited reflection on what makes the localization of the CRPD particular and with its specific baggage of complexities and nuances. The following quote highlights this tendency towards simplification:

Since it ratified—and [was] based on the Constitution—any treaties of international conventions we agree[d] to [make it] part of the law of the land. So basically, [the CRPD] also became part of the law of the Philippines. When it is part, then it is part, then it is included in our domestic legislation. (Participant, Philippines)

The tendency to see localization as a linear, somewhat organised one-way process from top to bottom to fit the CRPD within a national context, was a pronounced pattern in the data. This is despite the fact that, in practice, it is a complex, diverse, and dynamic process often determined by a range of connected and even conflicting factors (for more on these see Caldas de Almeida, 2019). A Filipino participant from an organisation of persons with disabilities (OPD) explained some of these interconnected factors:

The context and capacity of the area are considered [in localization]. The culture, although possibly a barrier, should also be considered in localization. Financial constraints are also present. But part of the mandate of these duty bearers is to find resources to help society enjoy and exercise their rights.

3.1.2. Socio-Economic, Political, and Legal Contexts

What was evident in the data was that the CRPD and the processes of localization exist within and are conditioned by a complex ecosystem that is heterogeneous, dynamic and varies across contexts. What we present below are the main emerging themes.

3.1.2.1. Poverty and Its Limitations

Critics have often highlighted how the power of the CRPD is constrained in practice by multiple factors, not least the inequality it meets at a local level, especially in rural areas (Grech, 2015; Opoku et al., 2016). Evidence from this study suggests that the process of localization in some contexts is conditioned by the complexity, multidimensionality, heterogeneity, and dynamic nature of poverty. Indigeneity and other intersectional dimensions additionally create a complex web of hardships and oppression, as the following quote illustrates:

Poverty means no money, no health care...long distances, and no support [from] anyone....You are alone...and indigenous, even harder, like with racism....So even making people aware of their rights is limited with no money. (Participant, Guatemala)

Interviews in this study highlight how practical needs can dominate strategic ones in contexts of poverty and inequality. This has serious implications including what realistically can be included and targeted and whether “higher order” needs and rights are of consideration in contexts of extreme deprivation. Poverty can influence how the process of localization happens, what can be invested, the barriers it meets on the ground, and what can realistically be achieved. A policy developer from South Africa explains the conundrum faced by poor persons with disabilities:

Remember we live in a very difficult time, you cannot expect me to be at an awareness session for the whole 50 minutes knowing very well that within [those] 50 minutes I would have made maybe R 150 [USD 9] that I can buy food with later on for my family. So maybe that's why not everyone will be there; because some are looking at [the] time they are wasting at intervention sessions and the fact that they need to make money out there, and they have an impression that "being here will not benefit me in any way."

One participant in Jamaica was rather direct in stating how in such dire circumstances and facing the quest to merely survive, the CRPD may well become superfluous, if not meaningless:

You cannot go out and tell people about this CRPD if they are struggling to make ends meet. They need to survive. Who cares about a convention?

However, a local-level policymaker in the Philippines indicated how, despite the multiple limitations, the potential of the CRPD in challenging institutionalized discourse away from charity towards agency and the need to access social protection as a question of rights remains important:

Persons with disabilities are not just objects and charity cases. That's what I learned from the training [on the CRPD]. [We don't aim for] special treatment, [but] social protection. What the CRPD is trying to convey is for us to be subject to what's within our community.

Findings from the study illustrate that while the political terrain is not the be all and end all of localization, it can affect multiple dimensions, including access to resources, accessibility to services, investment in infrastructure, and a change in attitude towards more inclusive politics.

3.1.2.2. Political Issues

In some cases, the disability agenda may be tarnished by partisan politics whereby only party-aligned people sit on disability affairs committees. Thus, they may not readily criticise the government when rights are violated or things are not working. Greed and corruption may also dominate as explained by this participant from the Philippines:

Close to 15 years after ratifying the CRPD, it seems that we are still [at] square one because the CRPD has not really been institutionalized. Furthermore, our political culture here is that, if there are new officials, what they want to do is to make a name for themselves. They do not really examine or even continue on with the programs of their predecessors. Political ambition and greed get in the way. They want to be

identified with their programs—"This is mine, this is my program"—even if the new programs are really useless and worthless.

As indicated by a participant in Jamaica, political actors are not always aware of the CRPD and do not know the implications for their own sectors. In addition, local and regional politicians may also not see disability as a priority:

We have really always the same politicians, one or two, dealing with disability...the rest of them do not know anything about the field or are not interested.

In South Africa, one participant remarked how political players marginalise OPDs and engage consultants with no expertise on disability matters, reflecting a delegitimization of persons with disabilities in speaking about their own realities:

When legislation and documentation or policies or implementation plans are drawn up, it often happens that the government appoints some consultants to do that work, and then...after the work has been done, the document gets sent to our organization and others like us [OPDs]...to give input. Then it often happens that people with disabilities, or we as organizations, have to almost re-write the document to get it in line with the CRPD....It feels as if the government doesn't have respect for persons with disabilities and the organizations, and then for the money part it goes to the fancy consultants; and when the real work needs to be done then it comes back to the sector.

The lack of funds for implementation is a serious concern given that the localization of the CRPD is a costly exercise. The perceived costs, it was suggested, may also be used as an excuse for inertia:

They [politicians] always say: "No, disability is too expensive." So nothing is done...just a very cheap excuse. (Participant, Guatemala)

Traditional politics in many local contexts, especially rural areas in the Global South, are top-down and patronage-driven: This implies that, rather than a politics of rights, what drives the agenda is tokenism, favours, and *personalismos*. In fact, findings from the interviews highlight the multiple efforts that go into trying to warm up to local politicians—politics of favours, not rights—who act by personal choice rather than obligation. A participant from Guatemala went on to explain:

Everything in Guatemala is about who you know and never about what you should get by right, by law...so we end up having to ask for favours, for pity, so someone finds it in his heart to help us

3.1.2.3. Legal Terrain and Justice

While the existence of legislation, policies, and plans does not guarantee implementation of the CRPD, they can provide an enabling framework that OPDs and civil society can use to hold the state to account. For this reason, laws, policies, and other state commitments are considered as a possible resource for the localization of the CRPD (see Faye Jacobsen, 2022; Pons et al., 2021; Rivas Velarde et al., 2018). However, in practice, the situation is extremely complex. In this study, participants highlighted how adapting local law requires legal as well as human and financial resources to be able to do this, as well as political openness and commitment to the process that may not always be present:

Its application [of the CRPD] is very difficult and, in most cases, being able to push for inclusive public policies, to develop institutions, to assign a budget to advance the content to align with the preconditions of the CRPD, really is very difficult. (Participant, Guatemala)

In another example from this study, it is reported that some OPDs lack legal knowledge and legal support implying that they struggle to fulfil a monitoring role:

How can an OPD actually understand the full legal text? We are supposed to give input to all kinds of reports, but we do not have a legal counsellor. What we need is access to legal advice first! (Participant, Jamaica)

A participant in the Philippines explained how domestic laws often prevail over international ones, however dated they may be and whichever conflicts they may have with the CRPD. In Guatemala, a participant commented on how there is a lack of legal identification of persons with disabilities as rights-holders in need of targeted protection.

At a practical level, the findings noted there are gaps when it comes to pro bono legal services. One major point here, and aligned with other literature (Grech, 2015; Soldatić & Grech, 2014, 2022) is the fact that persons with disabilities are hardly in a position to seek legal redress on account of their poverty. These include the fact that most do not have the resources to claim their rights, for example, to reach a major city for legal support, and importantly do not have time or financial means to sustain a court case because basic needs and survival need to be prioritised.

Findings illustrated a tragic situation in South Africa where cases of rape are not reported or investigated by police, meeting ill-informed or generalized assumptions about persons with disabilities and their capacity to testify in a justice system:

There's a lack of access to the justice system...the fact that various women and girls are raped and they

don't get even as far as the support of the police to make a case...simply because of the non-willingness to "go the extra mile," [not] understanding...how people with certain impairments can actually go to court and testify, [making] wrong assumptions. (National OPD member, South Africa)

3.1.3. Individual Versus Family and Community Rights

Another emerging theme is the understanding of rights in the CRPD as *individual rights*. Participants highlighted how this is a serious problem in contexts where these individual rights are subsumed by communal ones. Within such spaces, it was suggested, families and communities may well have a critical impact on the possibilities of granting these rights to an individual, whether individuals even want individual rights, and/or would opt for the protection of their communities instead. One participant from Guatemala explains:

On paper, you have an individual rights holder, but in many close-knit communities you have individuals who live with and through their communities. And whatever is on paper needs to go through families or communities or the village elders...because "life is community." This means the CRPD, just like disability laws, may not make much sense because they focus on the individual

The findings concur with Grech's (2015) that local dynamics and processes (community development) ultimately need to be influenced in contexts and cultures where rights are collectively framed and sought. Harpur and Stein (2022, p. 92) also explain how the CRPD text focuses on individual living rights, but this focus on rights from the Global North often clashes with the Global South's "communal and family focus."

3.1.4. The Problems With OPDs

The critical participation and assumed role of persons with disabilities and their respective organisations in the fight for rights, cross-cuts the text in the CRPD (see, for example, UN Nations, 2006, Articles 4 and 29). The role of OPDs on paper appears to be broad, including the compromise to engage in consultations with powerful stakeholders on policy and practice; to monitor the implementation of policies, and to push forward representation, especially of marginalized segments of the population with disabilities. Findings from this study reinforced the need for political participation and empowerment of OPDs and persons with disabilities who should own and define the rights agenda. However, a lack of knowledge of technical issues and language by smaller rural OPDs, especially indigenous ones, limits their ability to communicate on political issues. These meet gendered and other terrains of discrimination, including racism. An indigenous participant explains:

There are many spaces where one does not feel...able to speak because people there speak very technically, the people there are supposedly very educated on the subject....Sometimes I have been invited and I do not understand anything they are talking about because they are very technical...and I have been able to study, but others....To be able to get involved in these political spaces....It has been difficult being a woman with a disability, they always push you to the side. (Participant, Guatemala)

Findings indicate a situation of excessively high and unrealistic expectations of what OPDs can achieve in practice, especially the ones in poor rural areas in the countries studied here. The interviews illustrate a plethora of problems, both internal and external to OPDs, which seriously challenge the claims as to the potential of OPDs in leading the localization process itself. For example, OPDs frequently do not fully understand the process of localization or how to communicate with politicians in a way that can lead to potential change:

Disabled people need to bring out a clear message. Politicians do not know about their situation, but their [disabled people] representatives often do not articulate what they actually want. You need to have a focused message to achieve change, not just complaints. (Participant, Jamaica)

A participant from a poorer rural area in the Philippines indicated a lack of financial capital which could enable access to powerful people....It is often difficult to move or do anything because there is no financial support. I have to dip into my own pockets. Thus, I sometimes feel so disheartened, especially when I request...support and the only word I get is that there are no funds available. (Participant, Philippines)

Evidence from the study also highlights a scenario of fragmentation between and within OPDs. For example, a local-level OPD member in South Africa explained:

What I am also seeing is that [OPDs] no longer work together as they used to, like, Blind and Deaf Society is doing their thing, Autism South Africa is doing their thing. We do not have the platform, what was called the Federal Council on Disability.

Overall, this fragmentation challenges the discourse of joint and concerted action (see, for example, Löve et al., 2019).

Some participants noted how less powerful voices are frequently not heard or ignored, especially those in poor rural areas and indigenous people:

Yes, [OPDs] probably make an impact, but where are they making this impact? Where is the funding? They are not making an impact. I mean, I am involved

in [omitted] rural area, there are 240-something blind people and I go there to help them. Why? Because organisations are not reaching out to them. (Participant, South Africa)

Participants also mentioned that the goals of some OPDs are not necessarily the same as those of persons with disabilities and may indeed not represent the interests of the latter. In some instances, they may simply be about obtaining funds for their own benefit. This quote sums up these points:

I don't think [OPDs] are doing justice...because they are after money. They are getting funding from whoever, Lotto and government and private funders and overseas funders and whoever. And then what happens is they want increases in their salaries and whatever, and they want to go and have lavish dinners in hotels and things like that, but then they want to charge for resources....It is an NGO...you need to treat it as [such]. And if you go into that line [of work], you can't expect a salary of R 30 or R 40 thousand [USD 1790–2380]. Because that is not going to happen, or it shouldn't be happening. So, I believe that a lot of funds are being misused. (Participant, South Africa)

3.1.5. Lack of Awareness and Capacity Building on the CRPD

Two of the main mechanisms through which the CRPD can be localized appear to be awareness-raising and capacity-building for key stakeholders such as policymakers, development actors, OPDs, and municipal authorities concerning the assumed possibilities offered by the CRPD (Boucher & Fiset, 2015; Opoku et al., 2016; Rivas Velarde et al., 2018). A strong focus on capacity-building is a prerequisite for local acceptance and implementation of the CRPD. However, what emerges in the interviews is that there may be such a serious lack of knowledge on disability rights as well as the CRPD itself, including by UN agencies, and even more noticeable at a local level, that capacity building can only go so far:

I do not think that people in local communities understand CRPD, what it means and what is its aim. (Participant, South Africa)

Socio-economic, cultural, and other barriers in communities on the ground in the studied countries mean that national laws and international frameworks are often neither known nor seen as relevant in local rural contexts including by those responsible for implementation such as local politicians. This supports findings in other studies (Chibaya et al., 2021; Grech, 2015; Guzu, 2015) suggesting that policies do not automatically mean that anything will be done in local contexts. The following quote highlights the situation in practice:

You need to have a minimum of education for the CRPD to be relevant and this is the problem, that people do not have this minimum of education and so, if you go to [omitted rural area], for them [rural people] they couldn't care less whether you speak about the CRPD or not. (Participant, Guatemala)

Lack of awareness, as evidenced in the interviews, becomes even more pronounced in indigenous rural areas, where geographical, linguistic, economic, and cultural factors combine to produce a situation of critical isolation from a CRPD that is ontologically, materially, and even linguistically isolated. An indigenous woman with a disability from Guatemala presents a rather grim scenario:

As women with a disability, indigenous...it is a challenge, it is survival....Many of us have not had the opportunity to study, we have no knowledge of anything...we cannot just turn up with a woman with a disability, from a rural area and speak to her about the CRPD, she will not even know what you are talking about....And the way of learning, the way of explaining it to this person, is going to be different, there will always be different ways of learning and understanding what is being told to us...and another thing is the language...it is well complicated, all of this.

Despite the consistent calls for more awareness and capacity-building in the literature, the findings of this limited study reveal dramatic information gaps on the CRPD and how there are neither clear nor consistent guidelines on local implementation, nor informed and contextually sensitive strategies.

3.1.6. Siloed Approach: Lack of Disability Inclusion in the Mainstream

One theme that emerges with substantial force in the findings is how the almost sole focus on disability-specific interventions working within the CRPD, bypass the same mainstream, which is in fact the space that needs to be influenced and impacted because that is where effective alliances need to be built to ensure the CRPD can indeed be localized (see Skarstad & Stein, 2017). It is also where disabling and exclusionary practices may be located and hence need to be tackled. Participants explained how mainstream stakeholders (development-related, humanitarian, and others), as well as government ministries and those working across other thematic issues (e.g., gender, childhood, or indigeneity), are not actively involved in discussions or even reporting on the CRPD. This leads effectively to a siloed approach, where disability inclusion paradoxically operates in parallel to the spaces where this inclusion is meant to happen and where actual change is required:

It is all disconnected, a disaster....Gender organisations, those working on poverty reduction, or

any other thing, are disconnected from anything disability[-related]....And we, working in disability, are only talking to each other...and alone we cannot do much. (Participant, Guatemala)

This approach, as the participants discussed, has multiple repercussions. First of all, it leaves these other mainstream spaces, to an extent, "disability-free," lacking knowledge and understanding as to how to engage with disability and about the CRPD and its implications. This means that "mainstreaming" will effectively not happen:

A main problem is, really, that in our catchment area there are a lot of NGOs, but none of them understands disability....They have often funds and political contacts that we do not have, but they do not include persons with disabilities....These NGOs could actually work much more efficiently than us sometimes. (Participant, Jamaica)

This siloed approach can result in a lack of social transformation that could provide the conditions for the effective inclusion of persons with disabilities as demanded by the CRPD.

3.1.7. Who Represents Who and How?

The issue of representation is as important as it is complex (see, for example, Jan, 2015). The findings of this study lay out a panorama of challenges when it comes to the representation of persons with disabilities that, participants stressed, impact the localization of the CRPD. OPDs are not always seen as representative especially at a local level, particularly by indigenous and rural persons with disabilities who may not feel represented by privileged urban non-indigenous OPDs. An indigenous participant from Guatemala expressed frustration with this situation:

In OPDs, I believe there are always people speaking for us and this is not something good....I have had enough of this...they know nothing about us.

A participant from a rural OPD in the Philippines described how poorer and more isolated OPDs struggle when the cost of transportation to attend meetings is not covered:

I am pushing to organize for persons with disabilities but it's too hard since there are budgetary constraints. Thus, it takes us a lot of effort to make the participants attend. It's frustrating and disheartening whenever we request [this] because they'll tell us that there's no available budget. And when they tell us that they want to meet the federation, I'll ask for transportation, since persons with disabilities won't agree to join if there is no transportation.

While a disability council, commission, or the equivalent is tasked with overseeing the implementation and monitoring of the CRPD, our findings highlight how these institutions may be dogged by problems such as lack of technical knowledge, incompetence, misuse of funds, power struggles, no representation, and active exclusion of poorer rural disability organisations, especially indigenous ones. In sum, those meant to play a critical role in the localization of the CRPD may themselves be a core part of the problem. This quote from a participant in Guatemala expresses sentiments about a national disability council perceived as one that has co-opted the disability space without delivering the goods and that disempowers persons with disabilities and their organisations:

The council [CONADI] believes that its survival is at stake, so it resents persons with disabilities becoming empowered and becoming activists, to communicate with ministers and governors, because it thinks it is its executive role...it has a protagonism that is hegemonic...it has closed all the spaces for civil society participation in such a way that, if [other] organisations take their own initiative to speak to congress, with ministers, these will always tell us they “agree with CONADI”...but they are incompetent, even in the training they provide...they do not know the subject areas...the same CONADI is a barrier in our progress.

There is an assumption in the CRPD and in its interpretation at the national level that merely setting up such a post or role within these institutions will translate into local implementation of the CRPD and that these will impact other levels of relevance. Another observation here is that most of these focal points are located in urban places, especially at a regional level, the implication being that rural areas are hardly represented and covered. In a nutshell, there is profound urban-centrism.

3.1.8. Reflections on Intersectionality in Localization of the CRPD and the Disability–Poverty Nexus

Our findings provide opportunities for reflections on intersectionality. Localization of the CRPD is conditioned and impacted by complex dynamic interwoven factors that traverse personal, social, economic, political, cultural, ideological and religious, racial and ethnic, gendered, organisational, representational, technical, and also structural factors among others. These have serious impacts not only on the extent to which the CRPD is localized and how, but also on the disability–poverty relationship. More specifically, these intersectional dimensions bind localization–disability–poverty in a triple nexus, posing an intense challenge not only to the expectations and demands of the CRPD but also to discourses on poverty reduction among persons with disabilities when these complex and interconnected factors are not care-

fully understood and addressed—not individually but as jointly operating factors and processes.

4. Conclusions and Recommendations

This article has explored the various obstacles in place when it comes to the localization of the CRPD. The findings are clear in suggesting that localization is far from straightforward. To be clear, the CRPD, despite multiple hurdles, does have much merit, and as Bartlett and Schulze (2017, p. 3) remind us:

While the difficulties in implementation are not to be underestimated, the CRPD offers a renewed opportunity to address those injustices. It should not be dismissed lightly as the treaty offers the best chance for at least a generation for a real, lasting and beneficial change in the lives of persons with disabilities.

However, much work needs to go into bolstering the CRPD’s power to render disability visible, while tackling the issues that limit what it can do in practice to make the impacts stronger, more pertinent, and responsive to the local level.

A key conclusion is that we need a genuinely holistic, dynamic, ongoing, and responsive framing of localization that does not merely imply implementing a global framework that we assume somehow trickles down from international to national to local level. Instead, it means a cycle that is constantly being fed (and also at times interrupted) by multiple factors and processes within complex national, local, and geopolitical ecosystems that are themselves consistently changing and dynamic.

In conclusion, to effectively localize the CRPD beyond mere ratification, we need a political directorate familiar with the CRPD, the allocation of local budgets for its implementation, and a review of national policies in areas like justice and employment to address local disability needs. Access to justice must be universal, with structures in place for disability representatives in local offices. Crucially, OPDs need to be engaged as governance participants, community organizations must be bolstered, disability must be integrated into other practices, and partnerships fostered with OPDs and advocacy groups. Without this comprehensive approach, the CRPD’s essence will likely remain unfulfilled in marginalized contexts.

It is also important to note that all contexts are heterogeneous and dynamic and therefore the process of localization can be neither generalized nor simplified. In fact, localization is itself in a state of constant flux and motion, is complex and not quite understood. At the most basic level, the findings in this study lay out a landscape that is still in need of much more research not as a mere academic project, but one that can work closely with policy development and practice as a project of praxis to ensure the CRPD does have impact at the most local levels in sensitive, adaptive and responsive ways.

Localization requires multiple and complex resources, both financial and representative voices, to include those that are most marginalised and for them to speak on their own terms. The process of localization is politically loaded and debates on localization cannot ignore the politics that frame and determine the boundaries and reach of the CRPD. As Dolmaya (2018, p. 343) stresses in the opening line to her chapter: “To discuss the politics of localization, we first need to define both politics and localization.” Furthermore, there is no localization without the communities something is localized in. Systemic localization of the CRPD requires a “whole of society” approach and a transformation process in the way that international and national institutions, the private sector, and citizens collaborate to achieve the goals of the framework. Additionally, effective and meaningful localization is more than just the local implementation of the CRPD; rather, it is an ambitious and complex cycle and interplay of processes that include mechanisms from international to national and local and vice versa.

We need critical research to understand how the CRPD is being implemented across multiple local contexts, the factors and processes impacting implementation and the obstacles encountered as the CRPD “meets” local spaces imbued with intersecting historical, social, (geo)political, economic, cultural, and intersectional particularities and complexities. This means the need to engage with social, economic, political, cultural, ideological, and religious dimensions, including the complexities of livelihoods and infrastructure, alongside framings of disability in context. All these interact with multiple other dimensions to impact the extent to which the CRPD can be localized, how and to what extent, and with what effect in multiple areas. In particular, we need a consistent focus and emphasis on poverty that affects everyone indiscriminately, but whereby the barriers are intensified for persons with disabilities while creating new obstacles (see also Dziva et al., 2018).

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Conflict of Interests

There are no conflicts of interest to report.

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