

## **COAMEX's Shadow Reporting Initiative in Mexico: A Case Study**

Adopted from the National Democratic Institute's *Political Process Monitoring: Activists Tools and Techniques*

### ***Introduction***

A shadow report is a mechanism for monitoring and raising awareness of government compliance with signed international treaties, conventions and declarations to which the government is a signatory. In 2008, a group of disabled persons organizations (DPOs) formed the Mexican Coalition for the Rights of Disabled Persons (Coalición México por los Derechos de las Personas con Discapacidad, COAMEX) to develop a shadow report commenting on the Mexican government's compliance with the United Nations Convention on the Rights of Persons with Disabilities (CRPD or the Convention). Building off of previous work with DPOs in Mexico, NDI assisted COAMEX throughout the shadow reporting process.

In June 2010, NDI researched how and why COAMEX developed the shadow report, and NDI's role in supporting the initiative. Collecting data through a series of interviews with NDI program staff and COAMEX members, the team developed the key findings, which included:

- Shadow reports should be developed by a coalition because of the specialized expertise and large amount of time required to carry out such an initiative;
- Coalitions should engage in front-end planning and contextual analysis in order to provide structure for the shadow reporting process and foster follow-on initiatives, such as awareness raising or advocacy campaigns;
- Coalitions should develop and sign a formal mechanism at the beginning of the shadow reporting process in order to confirm and clarify member expectations, roles and responsibilities; and
- Because shadow reports can be constructively critical of the government, groups should be aware of the possible risks before beginning the reporting process.

### ***Program Background and Context***

During the more than 70 years of virtually one-party rule in Mexico, independent CSOs were systematically marginalized or co-opted by the government. Opportunities for participation in the public-policy process were channeled through political party structures and were often conditioned upon loyalty to the government. As a result, CSOs in Mexico generally lack the space and legitimacy to mobilize a broad grassroots constituency around an issue, as well as the capacity to effectively engage government representatives in policy dialogues. This led to the exclusion of civil society from political processes and deterred civic groups from developing effective political participation skills.

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Mexico's landmark elections in 2000 signified the transition to a more representative democracy. With this change came heightened optimism for substantive improvements in public policy, including those policies addressing the rights of persons with disabilities. However, while there have been advances in developing and enacting legislation promoting the rights of persons with disabilities, there has been limited implementation of these reforms – especially in the area of political and human rights. Because disabilities issues in Mexico have been viewed both culturally and legally through the lens of charity and rehabilitation, DPOs generally have not tackled long-term change through political means. As a result, the majority of DPOs have focused their efforts primarily on providing services to their members.

In September 2007, the Mexican Senate ratified the CRPD, a legally binding instrument under international law that provides greater rights to persons with disabilities. Because the Convention is meant to ensure assistance for people with disabilities beyond service delivery and to guarantee their development in social, economic and political life, its ratification has served as the catalyst for Mexican DPOs to adopt a rights-based approach to their work. This has generated a greater interest in advocacy because the rights-based approach to development focuses on ensuring that the state fulfills its obligations to citizens, and that citizens have the capacity to claim their rights. Without a history of addressing disabilities issues from a rights-based perspective, however, the Mexican DPOs have found it difficult to transition from service delivery to political advocacy initiatives.

To address these concerns, NDI began working in the summer of 2007 with the Citizen Observatory for Disability in Mexico (Observatorio Ciudadano por la Discapacidad en México, OCDM), an umbrella group of civil society organizations and citizens interested in rights for the disabled. Over the span of nearly a year, NDI assisted the OCDM with creating an internal structure and bylaws, provided them with materials on advocacy and facilitated strategy sessions. While the group was enthusiastic about the successful ratification of the CRPD, once it was ratified, the OCDM was unable to develop a vision for how to engage the government in addressing political rights for people with disabilities.

In 2008, NDI implemented the USAID-funded program called "Strengthening the Organizational Structures and Advocacy Capacities of Mexican Disabled Persons Organizations." The aim of this one-year program was to strengthen the ability of Mexican DPOs to promote the political rights of disabled persons through advocacy campaigns. NDI offered assistance to over 50 groups as they developed strategies for advocacy around disability issues. The guidance and technical assistance included topics such as coalition building, fundraising, budget management, strategic planning, media relations, political mapping, developing policy positions, engaging policymakers and managing volunteers. The Institute then selected three DPOs to receive small grants and additional technical assistance to help them implement their proposed advocacy plans.

Toward the end of the "Strengthening the Organizational Structures and Advocacy Capacities of

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Mexican Disabled Persons Organizations” project, NDI began providing technical assistance to COAMEX. The assistance continued in late 2009 through the three-year “Consolidating Political Parties, Civil Society and Consensus Building Processes” program, also funded by USAID. NDI designed these projects, in part because it wanted to support political competition and participation of underrepresented populations during policy development and implementation. More specifically, the Institute sought to increase the participation of DPOs in political processes in order to address the underrepresentation of persons with disabilities. To do this, NDI aimed to bring DPOs together, build their legitimacy at the grassroots level and strengthen their capacity to engage government officials on policy issues.

As part of this effort, NDI partnered with COAMEX to explore how the coalition could use the CRPD as an entry point for engaging in the public policy process. Over the course of several planning meetings, COAMEX determined that its primary initiative would be to develop a shadow report and present it to the United Nations in late 2010 to coincide with the Mexican government’s progress report on its implementation of the Convention. The coalition members planned to later use the report to support subsequent advocacy campaigns.

Originally, a representative from five Mexican DPOs comprised COAMEX, but one organization eventually dropped out of the coalition. The four remaining DPOs were the Association for People with Cerebral Paralysis (Asociación pro Personas con Parálisis Cerebral, APAC), the Mexican Confederation of Organizations in Favor of People with Learning Disabilities (Confederación Mexicana de Organizaciones en Favor de la Persona con Discapacidad Intelectual, CONFE), Free Access (Libre Acceso) and Step by Step (Paso a Paso). According to COAMEX members, they developed a shadow report for a variety of reasons:

- The shadow report would support the DPOs’ other areas of work because it would use the Convention’s principles and standards to hold the Mexican government accountable for enhancing services and creating a more supportive culture for people with disabilities.
- The shadow reporting process could lead to other follow-up projects – such as issue-based advocacy campaigns or other shadow reports – that build off of the shadow report findings and recommendations.
- Developing a shadow report presented an opportunity for shifting from a service-delivery approach to a rights-based, political approach to disabilities issues.
- Because a shadow report focuses on national-level policy, the DPOs felt that it would have the most widespread impact on the lives of people with disabilities.
- The shadow report would allow the DPOs to identify gaps in the implementation of Mexico’s national laws and policies addressing disability issues.
- The shadow report would provide an opportunity for the DPOs to provide the government with recommendations on how to change or strengthen laws and policies so that they better reflect the CRPD.

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- By holding the government accountable, the shadow report would help make the CRPD a better instrument for change.
- The shadow report would help generate a better understanding of disabilities issues by both the disabled and non-disabled communities.
- The report would serve as a tool for raising the DPOs' affiliate organizations' and members' awareness of the CRPD and its implications.
- Because the shadow reporting process involves raising awareness of the Convention among the disabled population and publicizing the experiences and priorities of people with disabilities, the DPOs felt that a shadow report would help increase the political participation of people with disabilities.
- Developing a shadow report presented an opportunity to enter into the international arena for the first time.

### ***Shadow Reporting Activities***

#### The Monitoring Preparation Stage

Though the COAMEX members formed the coalition for the explicit purpose of ensuring that the Mexican Government follows through on implementing the Convention, they were unsure of how to do so. Therefore, the first step that the group took was to determine a strategy for engaging the CRPD. During one of the coalition's initial meetings, NDI and the American Institution of Research (AIR) presented different types of initiatives that COAMEX might want to pursue. The coalition showed the most interest in shadow reporting – it was a concrete idea with a tangible product that they felt they had the resources to complete.

The COAMEX members had no experience working as a coalition or developing a shadow report, so NDI and AIR conducted workshops and provided technical assistance to build these capacities. Through weekly meetings and trainings, NDI helped COAMEX decide on its desired group dynamic; conduct a self-assessment of their capacities as a group; and brainstorm coalition rules, rights, responsibilities, expectations and a system for decision making. NDI also led COAMEX through strategic planning exercises where the group developed problem trees and objective trees to better analyze the context before beginning to develop a shadow report. Because AIR had been involved with developing the CRPD, it took responsibility for conducting workshops about the Convention and bringing a legal perspective to the DPOs.

NDI and AIR also brought in external assistance to provide COAMEX with specific expertise on shadow reporting. They jointly funded three experts to conduct trainings on: what a shadow report is, what a shadow report should look like, how to collect data and how to develop a shadow report. When it became known that two human rights organizations were also developing shadow reports on the CRPD, NDI held an informal meeting to introduce them to COAMEX. NDI and AIR hoped that the groups could work together to produce a report, but tensions quickly rose between them. The DPO community has only recently begun to transition

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its work from providing services to defending disability rights, and the DPO and traditional human rights organizations have yet to establish a positive working relationship. Tensions arose because DPOs were concerned that the human rights organizations would attempt to speak for the disabled community despite having weak ties to the issues they face.

Since neither organization had the resources to provide the coalition with financial assistance, both NDI and AIR assisted COAMEX with writing a proposal for a grant from the Disabilities Rights Fund (DRF). In mid-2009, COAMEX was awarded a \$70,000 grant from the DRF. Since shadow reports require significant time and expertise that none of the coalition members had, NDI encouraged them to use the funding to hire consultants to coordinate the initiative. All of the members agreed and, with NDI's assistance, hired a team of consultants to handle the day-to-day activities of the shadow report process. Although the COAMEX members would not carry out the majority of the shadow reporting activities themselves, they would make final decisions and supervise the initiative.

Once hired, the consultants took responsibility for much of the logistical support, technical assistance and expert guidance that NDI and AIR had previously provided COAMEX. As a result, AIR completely phased out its assistance to the coalition and NDI reduced its assistance to that of a consultant providing periodic advice. NDI and AIR's last major activity was to organize a symposium between COAMEX, the two human rights organizations developing the shadow report and other representatives from the local and national human rights community. The event was organized into panels and small group exercises in order to provide a comfortable space in which none of the groups felt threatened or disrespected. The strategy worked and though COAMEX and the human rights groups decided not to work together on a daily basis, they did decide to focus on different aspects of the CRPD so that their reports would be complementary. They also left open the option of either combining their reports into one or making a joint submission to the United Nations.

### The Data Collection Stage

COAMEX and the coordinators used three data collection methods: requesting information directly from the government, citizen questionnaires and interviews with leaders in the disabled community. The first method was fairly straightforward since each of the Mexican government agencies has a website where citizens can request information. The coordinators developed a list of questions about government disabilities programs, and then divided them up amongst the COAMEX members so that each organization would electronically submit a different set of questions to the 20 target agencies. It took almost two months, but they received responses to all of the information requests.

The second data collection method that COAMEX used was more complicated. The group aimed to systematically collect information from people with disabilities and their family members concerning their personal experiences with public services. With assistance from the

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coordinating team, the coalition developed a draft questionnaire that demonstrated the types of questions it wanted to ask. When it became clear that doing a statistical sampling of the COAMEX organizations' members was going to be too difficult primarily due to privacy issues, the coalition and coordinators decided to carry out a convenience sampling instead. In March 2010, COAMEX organized a national conference attended by 100 representatives from the DPOs' associated member organizations. During the conference, COAMEX and the coordinators gave an overview of the CRPD and trained the participants on how to apply the questionnaires within the disability community. The conference also served as an opportunity to test the questionnaire, and the participants' feedback was incorporated into the final version.

Once the coordinating team finalized the questionnaire, they sent copies to all of the conference participants, who then applied the questionnaires within their communities to people with disabilities and their family members. Through their efforts, COAMEX received responses from nearly 5,000 people. The data was then coded and entered into a database by high school and university student volunteers fulfilling service learning requirements. Before beginning the data entry, the coordinating team oriented the volunteers by explaining the Convention and the project. Most of the volunteers had known nothing about disabilities issues prior to their involvement in the project, so this part of the data collection phase also became an exercise in raising awareness among non-disabled populations.

The final data collection method involved conducting in-depth interviews with leaders within the disabilities community. The coordinators particularly wanted to target people with high levels of education who could go beyond their personal experiences to provide insights and analysis of the Mexican government's disabilities policies and programs. The COAMEX members nominated five candidates and agreed upon the content of the interviews. The coordinating team then designed and conducted the interviews.

Throughout the data collection stage NDI maintained a consultative role, interacting with both the coalition and the coordinators to give suggestions concerning logistics, data collection techniques and who to target with the questionnaires.

### *Resulting Products and Initiatives*

COAMEX and the coordinators' primary focus has been on developing a report to present to the United Nations, the Mexican government, national and international CSOs and Mexican people with disabilities. Because COAMEX did not have the time or experience with shadow reports, the coordinators became responsible for writing the report with guidance from the COAMEX secretariat. The final report included an introduction, an outline of their methodology, a discussion of their findings and recommendations.

As of the writing of this toolkit in September 2010, COAMEX has not made any concrete plans for further action beyond the shadow report. Everyone in the coalition does believe that the

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shadow report should be a step in a larger process, but they are studying what the next steps should be. One idea is to begin work on the next shadow report, building off of what the coalition has learned while developing the current one. Because this shadow report has produced a lot of data on the disabilities community in Mexico, the coalition would also like to use that information in advocacy and awareness-raising campaigns. All of the COAMEX members hope to increase their political activities and work with the government to apply the shadow report findings and recommendations to disabilities projects.

### *Analysis*

COAMEX's shadow report initiative may have represented the first time that any group of CSOs have come together in a coalition to report on a government's implementation of the CRPD. By seizing this opportunity, the four DPOs in the coalition have cultivated relationships with national and international stakeholders. Not only have the DPOs learned to work with the other coalition members with whom they had previously been in competition, they have made connections with human rights organizations and INGOs. These relationships have led the COAMEX members to expand their scopes of work from focusing solely on service delivery, to also working towards guaranteeing the disabled community's political, social and economic rights. COAMEX's shadow reporting initiative has led to positive changes for both the member organizations and the disabled community.

The project is also a great learning opportunity for COAMEX and others interested in shadow reporting. Many of the coalition's challenges have stemmed from two things. The first is that the DPOs resisted engaging in front-end analysis and planning because they wanted to begin the shadow reporting process as soon as possible. As a result, NDI did not meet with success in effectively guiding them through a vision-building and strategic planning process that would provide more structure and meaning to the shadow reporting process.

The second major cause of COAMEX's challenges comes from not immediately using an MoU to formally define roles, responsibilities and expectations for each of the DPOs and NDI. While NDI was successful in using informal methods to clearly define its own role as a consultant and advisor, the coalition was left without a clear management structure and mechanism for internal accountability. Tension rose between the DPOs because some participated in the activities more than others. This happened so easily because no formal accountability mechanism existed and, therefore, no consequences existed for those who did not adequately fulfill their assigned roles. By signing an MoU and spending more time in the planning stages of the project, COAMEX may not have experienced as many challenges. However, this project has taught some important lessons about coalition-building and shadow reporting that will enrich the future initiatives of both COAMEX and other coalitions.

## ***Findings***

### Difficulty seeing beyond the shadow report

- Although COAMEX has always viewed the shadow report as means to an end and never intended that it be the end product of its efforts, it operates activity-to-activity and does not yet have a long-term strategy or concrete goals.

### Difficulties working together and confusion over roles and responsibilities

- DPOs in Mexico are not accustomed to working together, in part because they are often in competition for recognition and funding from the government. This, compounded by the tensions over their roles and responsibilities, led to breakdowns in communication and difficulties working together. It became difficult for them to come to timely consensus on decisions, which led them to fall behind schedule on fulfilling activities.
- Confusion over the roles and responsibilities of each COAMEX member led to an uneven distribution of work among the four DPO representatives. As a result, the coalition experienced problems with follow-through on planned activities and struggled to meet day-to-day deadlines. It also became clear later in the process that not all of the DPOs' expectations for the final report were in tune with the reality of the process. Specifically, some of the organizations were not completely comfortable with the idea of publishing a document critical of the government's policies and programs for the disabled community.

### Shadow reporting demands a lot of time and expertise

- Developing a shadow report requires expertise not only in the relevant issue area, but also in how to structure, research and write the report. COAMEX did not have this expertise going into the process, and the initial trainings merely served as an introduction rather than a comprehensive transfer of knowledge and skill. The shadow reporting process also demands a large time commitment, especially in terms of data collection and writing. The DPO staff in COAMEX carried out activities for the coalition, in addition to fulfilling their full-time jobs, making them unable to put in the amount of effort required to develop a shadow report. This is why they hired a team of coordinators to work on the shadow report full-time.

### Difficulties adopting the human rights approach and fear of being critical of the government

- For decades, the DPOs that form COAMEX have almost exclusively focused on improving the lives of people with disabilities through a service delivery approach. They have almost no background in human rights, and though all of the COAMEX member representatives understand and value this approach, they had difficulty shifting to a more political perspective. This led to tensions when interacting with human rights organizations and some discomfort when they needed to be critical of certain government actions.

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- The DPOs in COAMEX are service delivery organizations that depend heavily on Mexican government funding for their projects. This is one of the primary reasons that they have shied away from a focus on human rights and taking a more political approach to addressing disabilities issues. This is also the reason that some of the DPOs were hesitant to carry out tasks for the shadow report, such as electronically submitting potentially sensitive questions on government agencies' websites.

#### Resistance from the COAMEX organizations' board members

- The staff representing each of the DPOs that comprise COAMEX are not the most senior staff of their respective organizations. Board members of the organizations had misgivings about the shadow report throughout the process because they did not understand the project and feared that their funding would be jeopardized if they were to be seen as critical of the government. As a result, the staff representatives involved with COAMEX received resistance from their respective boards and had to spend an inordinate amount of time convincing them of the value of a shadow report.

#### No history of shadow reporting, especially connected to the CRPD, in Mexico

- Shadow reporting and addressing disabilities issues from the human rights perspective is not only new for COAMEX, but also for Mexico. There are no documents or statistics that address service delivery for people with disabilities in Mexico. COAMEX had no example of a CRPD shadow report to guide them through the process of creating its own report.

#### ***Lessons***

- Establish a coalition of CSOs to develop the shadow report. It is too large a task for one organization to tackle on its own.
- While establishing the coalition, ensure that the CSOs are interested in developing a shadow report and willing to work together with other organizations to do so. Also consider how the local government and other local and international CSOs view the potential coalition members.
- Use a formal mechanism – such as a memorandum of understanding (MoU) – to establish the roles, responsibilities and expectations of the coalition members, NDI and any other organization providing assistance.
- Immediately identify the coalition's vision and goals in order to ensure that all coalition members agree that the shadow report should be a means for change and not viewed as an end in itself.
- Immediately establish a concrete organizational structure for both decision making purposes and to ensure that all coalition members are committed to completing tasks on time and in their entirety.
- Before beginning work on the shadow report, the coalition should map the context in which it is working – specifically what other organizations are doing in its issue area and if other organizations are developing shadow reports. Then develop short- and long-

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term strategies based on the programmatic and political context and the coalition's vision and goals.

- Message development, communications and media trainings should be a part of strategic planning discussions and trainings throughout the shadow reporting process.
- Assistance to the coalition should include consensus building and conflict mitigation, especially in contexts where there isn't a history of CSOs working together.
- The coalition should act transparently and involve as many stakeholders in the shadow reporting process as possible – including citizens from non-disabled communities. The senior staff of each member organization should also be brought into the process from the beginning to ensure institutional buy-in and support.
- There should be at least one person hired, either externally or internally, to work full-time on the shadow report. This person should have connections with CSOs and government officials at the local and international levels, as well as expertise in human rights, shadow reporting and the issues addressed by the report. Therefore, the coalition should seek out external funding so that it can hire the necessary full-time staff.

#### COAMEX'S ORGANIZATIONAL STRUCTURE

COAMEX consists of representatives from four DPOs, all of them at the director level within their organization. However, except for Step by Step, none of the organizations' presidents were directly involved with the day-to-day work of the coalition. The two consultants hired by COAMEX to act as program coordinators planned, designed and implemented the majority of the shadow reporting activities – including report-writing. COAMEX held bi-monthly meetings with the coordinators and an NDI representative to make strategic decisions, assign tasks, discuss progress and determine next steps.

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