

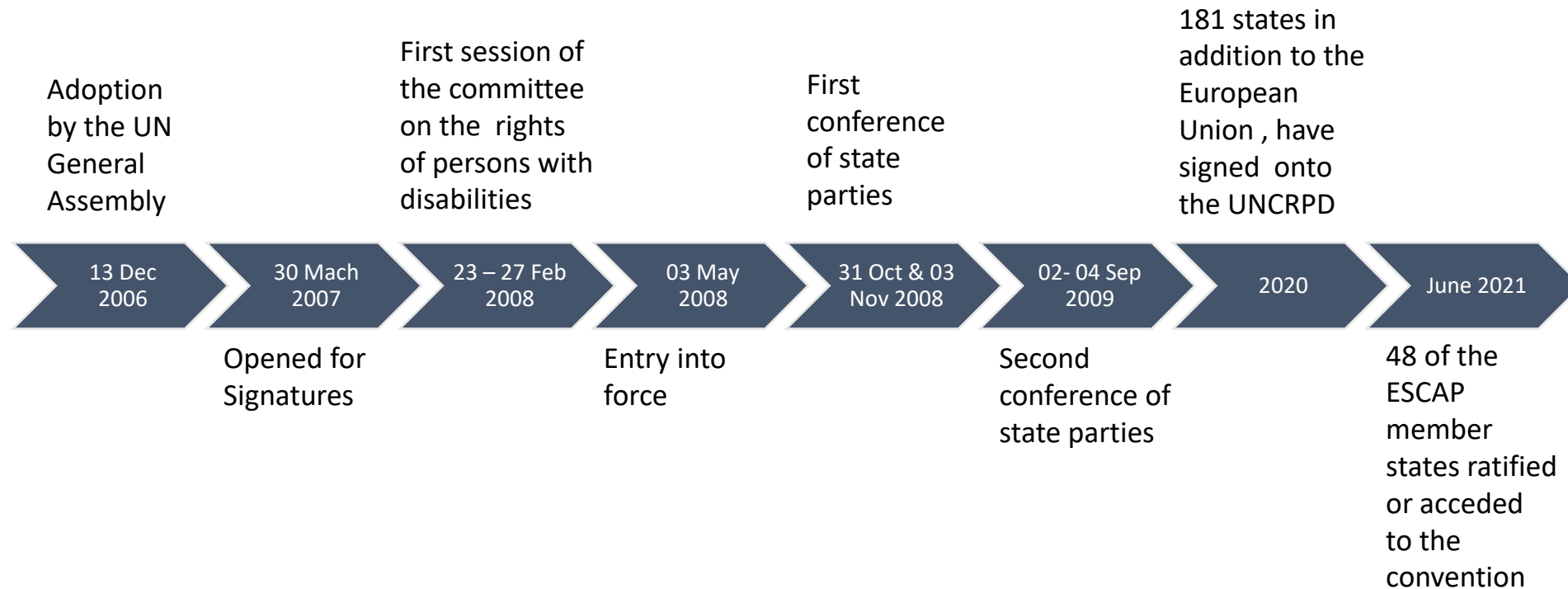
GLOBAL AND REGIONAL FRAMEWORKS AND AGREEMENTS FOR DISABILITY INCLUSION



THE UNCPD: ADOPTION AND SIGNIFICANCE



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THE UNCPD: ADOPTION AND SIGNIFICANCE

Purpose

The UNCRPD was developed to eliminate:



Violations of rights of people with disabilities

Including right to their dignity

- Denial of autonomy
- Acts of Violence
- Acts of Abuse
- Prejudice
- Disrespect because of their disability



Discrimination and oppression of persons with disability

Direct result off implicit biases, shaped by our:

- Personal Experiences
- Attitudes of family and friends
- Living and working environments
- Culture
- Media, books and movies

THE UNCPD: ADOPTION AND SIGNIFICANCE

Mission

The UNCRPD is **based on the human rights model of disability** and establishes legal framework focusing on human rights and development



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Persons of disabilities should **not** be viewed as “**objects**” of:

- Charity
- Medical Treatment
- Social Protection

Article 1

“Promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities, and to promote respect for their inherent dignity”

Persons of disabilities should **not** be seen as “**subjects**” with rights who are capable of:

- Claiming the rights
- Making decisions for their lives

It is one of the **9 core human rights treaties** of the UN

THE UNCPD: ADOPTION AND SIGNIFICANCE

Uniqueness



GENERAL PRINCIPLES AND RIGHTS



General Principles

Respect for inherent dignity, individual autonomy including autonomy including the freedom to make one's own choices, and independence of persons with disabilities

Non-discrimination

Full and effective participation and inclusion in society

Respect for difference and acceptance of persons with disabilities as part of human diversity and humanity

Equality of Opportunity

Accessibility

Gender Equality

Respect for evolving capacities of children with disabilities and respect for their right to prevent their identities

GENERAL PRINCIPLES AND RIGHTS



Economic, Social and Cultural Rights	Civil and Political Rights	Rights with specific relevance to persons with disabilities
Accessibility (Article 9)	Right to liberty (Article 14) and integrity of the person (Article 17)	Right to non-discrimination (Article 5)
Right to home and family life Article 23)	Right to freedom of expression (Article 21) and privacy (Article 22)	Right to independent living and community inclusion (Article 19)
Right to Education (Article 24)	Right to freedom from torture and inhuman treatment (Article 15)	Right to personal mobility (Article 20)
Health (Article 25)	Right to equal recognition before the law (Article 12) and access to justice (Article 13)	Right to work and employment (Article 27)
Habilitation and rehabilitation (Article 26)		Right to participation in cultural life (Article 30)
		Right to be free from exploitation and abuse (Article 16)

OBLIGATIONS OF COUNTRIES: ARTICLES OF THE UNCRPD



Over **181 states**, in addition to the European Union, have signed on to **the UNCRPD**

OBLIGATIONS OF COUNTRIES: ARTICLES OF THE UNCRPD

Articles:

- Article 1 – Purpose
- Article 2 – Definitions
- Article 3 – General principles
- Article 4 – General obligations
- Article 5 – Equality and non-discrimination
- Article 6 – Women with disabilities
- Article 7 – Children with disabilities
- Article 8 – Awareness-raising
- Article 9 – Accessibility
- Article 10 – Right to life
- Article 11 – Situations of risk and humanitarian emergencies
- Article 12 – Equal recognition before the law
- Article 13 – Access to justice
- Article 14 – Liberty and security of person
- Article 15 – Freedom of torture or cruel, inhuman or degrading treatment or punishment
- Article 16 – Freedom from exploitation, violence and abuse
- Article 17 – Protecting the integrity of the person
- Article 18 – Liberty of movement and nationality
- Article 19 – Living independently and being included in the community
- Article 20 – Personal mobility
- Article 21 – Freedom of expression and opinion, and access to information
- Article 22 – Respect for privacy
- Article 23 – Respect for home and the family
- Article 24 – Education
- Article 25 – Health
- Article 26 – Habilitation and rehabilitation
- Article 27 – Work and employment
- Article 28 – Adequate standard of living and social protection
- Article 29 – Participation in political and public life
- Article 30 – Participation in cultural life, recreation, leisure and sport
- Article 31 – Statistics and data collection
- Article 32 – International cooperation
- Article 33 – National implementation and monitoring
- Article 34 – Committee on the Rights of Persons with Disabilities
- Article 35 – Reports by States Parties
- Article 36 – Consideration of reports
- Article 37 – Cooperation between States Parties and the Committee
- Article 38 – Relationship of the Committee with other bodies
- Article 39 – Report of the Committee
- Article 40 – Conference of States Parties
- Article 41 – Depositary
- Article 42 – Signature
- Article 43 – Consent to be bound
- Article 44 – Regional integration organizations
- Article 45 – Entry into force
- Article 46 – Reservations
- Article 47 – Amendments
- Article 48 – Denunciation
- Article 49 – Accessible format
- Article 50 – Authentic texts

Q1. Which of the following is not a General Principle of the UNCRPD?

A

Respect for inherent dignity, individual autonomy, including the freedom to make one's own choices and independence of persons with disabilities.

B

Non-discrimination and Equality between men and women

C

Partial and limited participation and inclusion in society

D

Respect for difference and acceptance of persons with disabilities as part of human diversity and humanity

E

Accessibility

REASONABLE ACCOMMODATION



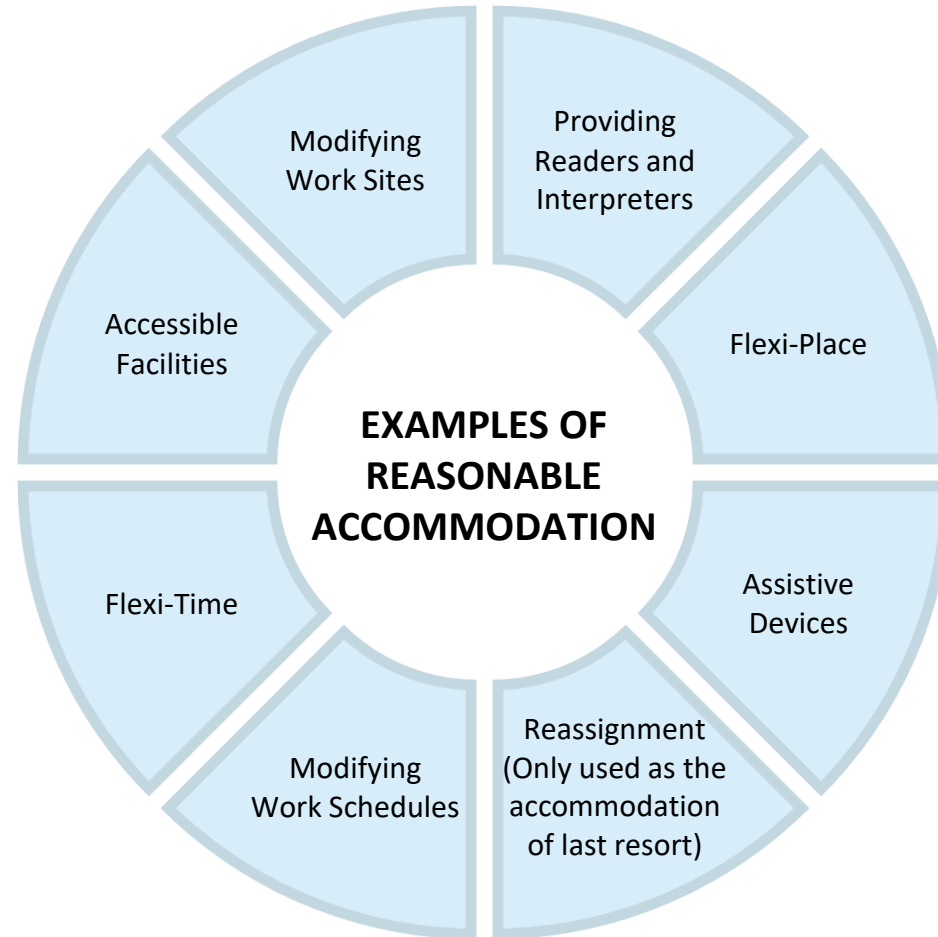
Reasonable accommodation implies:

Necessary and appropriate modifications/
adjustments made to accommodate all, including
persons with disabilities

Not causing disproportionate or undue burden to
differently abled people

Ensuring persons with disabilities can enjoy/
exercise all human rights and fundamental
freedoms on an equal basis with others

REASONABLE ACCOMMODATION



Q2. Which of the following is not an example of reasonable accommodation?

A Fixed work schedules

B Modifying work sites

C Assistive devices and Providing readers and interpreters

D Flexi-time

E Accessible facilities

UN COMMITTEE ON THE RIGHTS OF PERSONS WITH DISABILITIES

UN Committee on the Rights of Persons with Disabilities was established to oversee progress on the implementation of the UNCRPD via **State Parties'** periodic reporting and the committee publishing comments on progress



UN Committee on the Rights of Persons with Disabilities



Body of Independent experts serving in their personal capacity



Tasked with reviewing States' implementation of the Convention



Initially comprises of 12 independent experts. Rises to 18 members after an additional 60 ratifications or accessions to the convention

UN COMMITTEE ON THE RIGHTS OF PERSONS WITH DISABILITIES

Additional functions for the Committee on the Rights of Persons with Disabilities



Individual Communications

Committee considers communications from individuals or group of individuals claiming to be victims of a violation of the provisions of the convention by a State Party of the part to the Protocol



Inquiries

Committee member may conduct an inquiry on a State Party, following information received indicating grave or systemic violations of the Convention by State Party

SPECIAL RAPPOREUR ON DISABILITY



Create awareness of the UNCRPD, including for its wider signature and ratification by Member States



Monitor the implementation of the Standard Rules for the Equalization of Opportunities of Persons with Disabilities



Advocate the equalization of opportunities for, the full enjoyment of all human rights by, and the well-being of persons with disabilities in all respects



Promote international and technical cooperation on disability issues



Collaborate in the fulfilment of the above tasks, with all relevant stakeholders, including organizations of persons with disabilities

OTHER SIGNIFICANT INTERNATIONAL AGENCIES

Article 4.1. (c):

States Parties undertake to take into account the protection and promotion of the human rights of persons with disabilities in all policies and programs



Conference of State Parties

Meets in order to consider any matter with regard to the implementation of Convention
(Biannually or upon decision by the Conference)

MAINSTREAMING DISABILITY ISSUES

According to UNCRPD, mainstreaming of disability issues must be in:

- Work of existing human rights treaty bodies
- Human Rights Council
- Sustainable Development Goals (SDGs)- National and international strategies
- Common country Assessment (CCA)/ United Nations Development Assistance Framework (UNDAF)
- Poverty Reduction Strategy Papers (PRSP)
- Development activities of international donors and NGOs
- Census data
- Sectoral and cross-sectoral policies
- Programs and policies for women (Article 6) and children (Article 7)



MECHANISMS FOR IMPLEMENTATION

Global

Stand alone article on Accessibility (Article 9)

Right to independent living and community inclusion (Article 19)

Right to personal mobility (Article 20)

Right to freedom of expression (Article 21)

National

National Human Rights Institutions (NHRIs)

National focal points and coordination mechanisms within governments

Multi-sectoral involvement of all government ministries

Outreach to other national stakeholders:

- Civil Society
- Academic/Scientific institutions
- Private sector

Within the UN

United Nations Inter-Agency Support Group for the Convention on the Rights of Persons with Disabilities (IASG)

- Came into force in December 2007

- It was established for the UN to support state parties, based within a framework of coordinated planning and action

- IASG ensures that the programs and policies of the UN are inclusive of persons with disabilities and will work to strengthen recognition of and respect for the principles of the UNCRPD

- Members are UN departments, regional commissions, agencies, funds and programs whose work is relevant to the convention



Q3. Which of the following statements regarding the uniqueness of the UNCRPD is false?

- A It is both a development and human rights instrument
- B It is a policy instrument which is cross-disability and cross-sectoral
- C It is legally non-binding
- D It marks a paradigm shift in attitudes and approaches to persons with disabilities
- E It gives universal recognition to the dignity of persons with disabilities

SUMMARY

Persons with disabilities have the same needs as non-disabled people to access education, employment, health and wellbeing, for economic and social security, to learn and develop skills, and to live in their communities.

To the greatest extent possible, these needs must be met within existing mainstream programs and services, not in specialized or segregated settings.

The UNCRPD, adopted on 13 December 2006, is based on the human rights model of disability and establishes a legal framework focusing on human rights and development

Over 181 States, in addition to the European Union, have signed on to the UNCRPD to take measures to modify or abolish existing discriminatory laws, regulations and practices

The UN Committee on the Rights of Persons with Disabilities oversees the progress on the implementation of the UNCRPD practices at global, national and within the UN level



ANSWERS

Q1. Which of the following is not a General Principle of the UNCRPD?

C

Partial and limited participation and inclusion in society

ANSWERS

Q2. Which of the following is not an example of reasonable accommodation?

A

Fixed work schedules

ANSWERS

Q3. Which of the following statements regarding the uniqueness of the UNCRPD is false?

C

It is legally non-binding

Congratulations!

You have come to the end of this module

