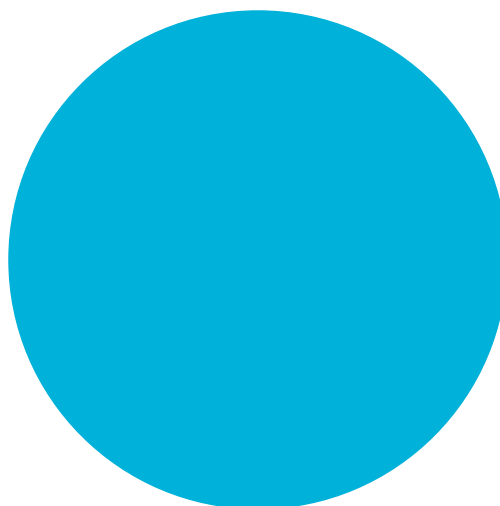
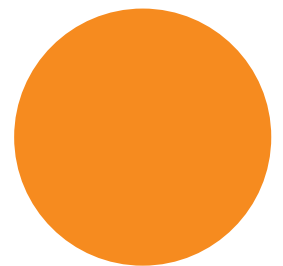
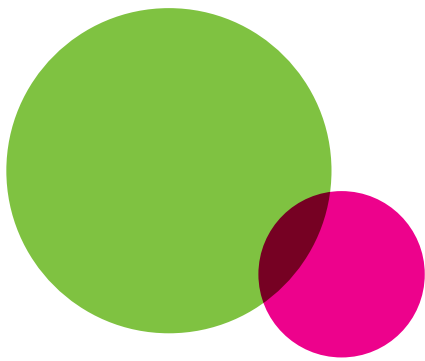


# The UN Convention on the Rights of Persons with Disabilities in Scotland



**Report of the joint information  
and consultation event in Glasgow,  
22 January 2010**

Scottish Human Rights Commission  
Equality and Human Rights Commission  
Office of Disability Issues  
Scottish Government



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# Contents

<b>1. Introduction</b>	<b>04</b>
<b>2. Introductory remarks</b>	<b>06</b>
<b>3. What is the United Nations Convention on the Rights of Persons with Disabilities?</b>	<b>10</b>
How will the Convention work?	12
Final thoughts	14
<b>4. The roles of Governments and Commissions</b>	<b>16</b>
a. The Role of the UK Government, Office of Disability Issues	16
b. The role of the Scottish Government	20
c. The role of the Equality and Human Rights Commission and the Scottish Human Rights Commission	26
<b>5. Report of roundtable discussions</b>	<b>26</b>
<b>6. Who are we?</b>	<b>34</b>
<b>7. The UN Convention on the Rights of Persons with Disabilities</b>	<b>52</b>
<b>8. Optional Protocol to the UN Convention on the Rights of Persons with Disabilities</b>	<b>92</b>
<b>9. Links to further information</b>	<b>98</b>

# Introduction

On 22 January 2010 the Equality and Human Rights Commission (EHRC) and Scottish Human Rights Commission (SHRC), the Scottish Government and the UK Government Office of Disability Issues hosted an awareness raising and involvement event for disabled people and representatives of disabled people about the UN Convention for the Rights of Persons with Disabilities (the Convention).





The event was attended by 90 people, primarily people with disabilities, as well as disabled peoples organisation and other civil society organisation working to promote the rights of people with disabilities, as well as the UK and Scottish Governments, the Equality and Human Rights Commission (EHRC) and the Scottish Human Rights Commission (SHRC).

**This report sets out what was discussed:**

1. What is the UN Convention on the Rights of Persons with Disabilities?
2. What are the roles of Governments and Human Rights Commissions?
3. And a report of roundtable discussions where participants discussed the following questions:
  1. priority issues for action in Scotland,
  2. expectations of Governments and of the Commissions,
  3. the role of disabled people in implementing and monitoring the Convention in Scotland.

The views of participants during the roundtable discussions is being used to inform the EHRC and SHRC joint approach to promoting, protecting and monitoring the implementation of the Convention in Scotland.

This report is another step towards raising awareness of what the Convention means for people with disabilities in Scotland. It provides a wealth of important information about how we can make the Convention a reality. As such we hope it will be a useful tool for disabled people, disabled peoples' organisations and other civil society organisations to support their own awareness raising and monitoring activities.

# Introductory Remarks

**Tressa Burke**, Director,  
Glasgow Disability Alliance

A warm welcome to everyone here today to this event which will let us find out more and give our views on the UN Convention on the Rights of People with Disabilities.

I would like to thank the Equality & Human Rights Commission and the Scottish Human Rights Commission for inviting me along today and I hope we're all going to enjoy this event.

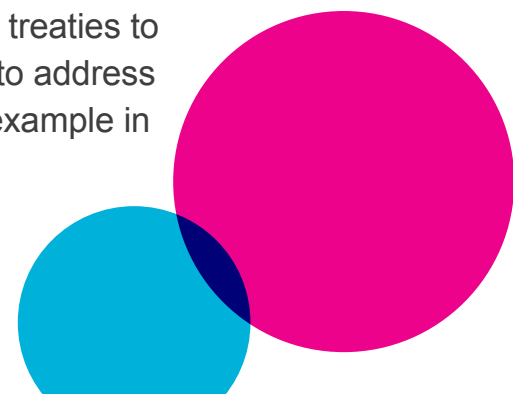


The organisation I work with, Glasgow Disability Alliance (GDA), is committed to the promotion and protection of human rights in Scotland as are all of us here today. GDA defines human rights standards as covering economic, social, cultural, civil, political and environmental rights. Human rights principles are understood to be fairness, respect, equality, dignity and autonomy (self-rule) which is particularly important in independent living which is a key campaign issue for our members.

We understand that some issues are reserved such as the national welfare benefit system and some matters are devolved such as accessible housing. So I am pleased that both our human rights Commissions have organised this event today so that we can look at how the UN Convention on the Rights of Disabled People is going to make a difference to our lives. We can also consider how Government implementation is going to be monitored by our two National Human Rights Institutions as well as how civil society – and I'm talking here about disabled people's organisations and disabled people themselves - how can we monitor progress on implementation too?

When the Convention was adopted by the UN, the Secretary General Ban Ki-moon hailed it as the first human rights Treaty of this Millennium. This Convention is a sign that a specific set of rights for people who are disabled by society is needed in order to achieve equality. In other words general human rights standards have proven ineffective in addressing the specific barriers to disabled peoples' equality.

This is a well proven strategy of the UN which has also adopted treaties to promote and protect the human rights of distinctive groups and to address particular institutional, cultural and legal barriers to equality for example in respect of children and against race and sex discrimination.



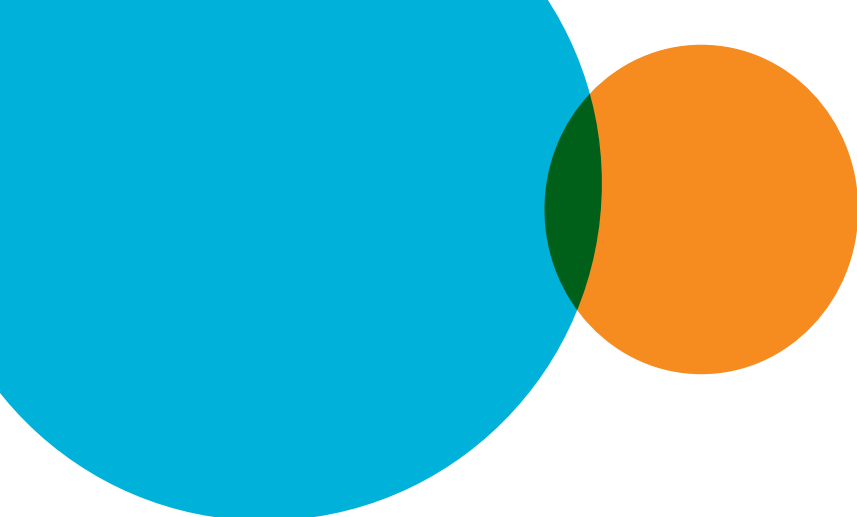
The UK ratified the Convention on 8 June 2009, and the Optional Protocol on 7 August 2009. This Protocol allows individuals who believe that their rights under the Convention have been breached, to bring complaints to the UN Committee which was established to monitor the Convention. The Convention applies to all disabled people and covers all areas of life including access to justice, personal mobility, health, education, work and recreation.

When the UK Government decided to ratify the Convention as opposed to just signing it, the UK was promising the UN that all our laws and policies comply. The fact that some did not, meant that the UK has to make some reservations – exceptions to the promise – and provide declarations of how it is interpreting the Convention.

The UK's reservations include ones related to employment into or service in any of the naval, military or air forces of the Crown. Education also sees another reservation whereby the UK has reserved the right for disabled children to be educated outside their local community where more appropriate education provision is available elsewhere. Nevertheless, parents of disabled children have the same opportunity as other parents to state a preference for the school at which they wish their child to be educated.

The Convention is evidence of a growing sophistication at the UN as it knows that Governments say they are delivering on human rights yet the periodic reporting process, which each State undergoes across a variety of treaties, reveals that all is not well. So that is why monitoring is built into this Treaty so there is regular internal monitoring of implementation which can provide evidence of deficiencies that should be rectified by our Government: two of the key provisions on national monitoring are Article 31 and Article 33.





Article 31 of the Convention states that the Government should collect appropriate information, including statistical and research data, to enable them to formulate and implement policies which will properly implement the Convention. They are also supposed to share these statistics and this applies to Scotland as well as the whole of the UK. The Government should also identify and address the barriers faced by persons with disabilities in exercising their rights.

Article 33 of the Convention relates to national implementation and monitoring. A key point in Article 33 is that “Civil society, in particular persons with disabilities and their representative organisations, shall be involved and participate fully in the monitoring process.” The UN defines civil society in quite particular terms. Civil society includes non-governmental organisations which are genuinely independent of government, organisations that are responsible for human rights and efforts to combat discrimination, trade unions, concerned social and professional organisations, for example, associations of lawyers, doctors, journalists and scientists. For those of you who do not already know, GDA is the lead organisation in the setting up of a ‘Human Rights Consortium Scotland’ which is a network of civil society organisations that seeks to improve knowledge of and capacity to promote and protect human rights.

So, today we will hear more about the Convention from people who understand it far better than myself and we can all learn more! Perhaps you can be thinking during this time about how the Convention can help disabled people and about what all of our roles should be in relation to this - the Scottish and UK Governments as well as disabled people themselves.

# What is the United Nations Convention on the Rights of Persons with Disabilities?

Based on a presentation by **Professor Alan Miller**,  
Chair, Scottish Human Rights Commission

As the first speaker, Alan explained the purpose of the United Nations Convention on the Rights of Persons with Disabilities (“the Convention”) and how it will work in practice.

The Convention is the first human rights treaty of the 21st century and has been legally binding on the United Kingdom Governments since the UK Parliament ratified it on 8 June 2009.

The purpose of the Convention is to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities.<sup>1</sup> Among the many innovations of the Convention are the following:

1. The Convention takes a social, rather than a medical model to disability, emphasising barriers which people with long-term physical, mental, intellectual or sensory impairments may experience to their full and effective participation in society.<sup>2</sup>
2. The Convention clarifies that people with disabilities are subjects of rights, not objects of welfare. As such they have the same human rights as everyone else, and while the Convention does not create new rights, it sets out in some detail what is required to respect, protect and fulfil those rights in reality, not only in law, for people with disabilities.



<sup>1</sup> Convention on the Rights of Persons with Disabilities, Article 1.

<sup>2</sup> Convention on the Rights of Persons with Disabilities, Article 1.

3. The Convention is based on the promotion and protection of human dignity. Its scope goes well beyond non-discrimination to uphold the human dignity of persons with disabilities - their right to freedom from violence and abuse, as well as their right to fulfilment of the conditions required to live with human dignity. It includes human rights across all areas of disabled people's lives, including participation in decisions which affect their lives, access to justice, education, housing, health, independent living, and many more (the full text of the Convention is included at the end of this report).
4. The Convention requires a shift in power to people with disabilities. It requires a fundamentally different process of developing laws and policies than has often been the case. People with disabilities should be involved and their rights taken into account in all processes of development of laws, policies and practices at all levels. The unprecedented involvement of people with disabilities in the development of the Convention has led to it being the embodiment of the principle of "nothing about us without us".
5. The Convention includes a series of general principles which act as the foundation for the specific requirements of other Articles. These principles are: respect for inherent dignity, individual autonomy including the freedom to make one's own choices, and independence of persons; 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; equality between men and women; respect for the evolving capacities of children with disabilities and respect for the right of children with disabilities to preserve their identities.<sup>3</sup>
6. The Convention includes innovative mechanisms to ensure national implementation including government focal points, independent mechanisms to promote, protect and monitor implementation, and a central role for civil society and people with disabilities themselves.

<sup>3</sup> Convention on the Rights of Persons with Disabilities, Article 3



## How will the Convention work?

The Convention is binding on the UK as a matter of international law. At the UN level, the UK has to report to the UN Committee on the Rights of Persons with Disabilities (an international committee of independent experts) on steps it is taking to comply with the Convention at regular intervals. The UK's initial report is due to be submitted in 2011. Thereafter it will be reviewed periodically, approximately once every four to five years. These reports should include an overview of steps taken to fulfil the rights guaranteed in the Convention across the whole UK, including Scotland.

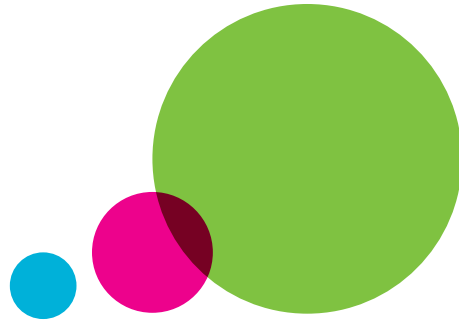
During each of these reviews, anyone – including individuals and voluntary organisations as well as other members of civil society – can submit additional information in the form of “parallel reports” (sometimes referred to as shadow reports) to ensure that the Committee has before it all of the information it needs. Once the Committee has completed its review it will issue “concluding observations” on positive aspects as aspects of concern.

The UK has also ratified the Optional Protocol to the Convention, which enables individuals and groups of individuals whose rights under the Convention have been violated to submit a communication to the Committee once they have “exhausted domestic remedies” (that is where remedies which are available have been explored without satisfaction). Where necessary the Committee may request interim measures to avoid irreparable harm, and it may also launch an inquiry into systematic abuses.

At the national level the Convention includes innovative mechanisms in Article 33 to act as the “transmission belt” for the Convention into domestic law, policy and practice. It includes three levels (or ‘focal points’):

1. Governments should establish focal points to take lead responsibility for efforts to implement the Convention across government (in the UK Government the focal point is the Office for Disability Issues and in the Scottish Government it is the Equality Unit)
2. Independent frameworks to promote, protect and monitor the implementation of the Convention (in Scotland these are the Scottish Human Rights Commission and the Equality and Human Rights Commission)
3. Participation of civil society, particularly people with disabilities in monitoring the Convention.





## Final thoughts

This Convention cuts across the artificial divide in the UK between equality and human rights. This division does not exist at the international level and overcoming it at the domestic level can significantly enhance efforts to ensure the rights of persons with disabilities. It is already influencing the way in which the European Convention on Human Rights is to be applied<sup>4</sup> and should therefore serve as the context for understanding rights within the Human Rights Act, as well as under equality laws in Scotland. In many ways it serves as a pointer for the need to integrate human rights and equality more generally in Scotland.

<sup>4</sup>See e.g. the European Court of Human Rights case of *Glor v Switzerland*, (Application no. 13444/04), judgment of 30 April 2009.





# The roles of Governments and Commissions

**The Role of the UK Government,  
Office of Disability Issues**

**Stephen Thrower,**  
Head of UN Convention and International Team,  
Office of Disability Issues

Stephen began by introducing the work of the Office of Disability Issues (ODI), explaining that it is a small unit based in London which is tasked to coordinate work across government on disability issues. The ODI was responsible for delivering UK ratification of the Convention, and of the Optional Protocol to the Convention, and continues to work on its implementation.

The ODI is the government focal point required under Article 33 of the Convention. Article 33 – requires the designation of a focal point within government for matters relating to implementation of the Convention. Article 33 talks of focal points but the expectation is that there would be one for each State, and so the UN will expect to deal with a single UK focal point.

Because of the cross-Government responsibility that ODI already has, and the variety of work that it already does, the ODI has been ideally positioned to take forward work on the Convention.

Because the Convention covers some matters which are not the responsibility of the Westminster Government but of the devolved administrations, there will be focal points in each administration – including in Scotland, the Equality Unit. The ODI is the focal point for the UK as a whole – and England - and it is ODI who will communicate with the United Nations, working with the Foreign and Commonwealth Office, for the UK as a whole.



## The focus of the ODI

With the ratification of the Convention now achieved, in the future, ODI will be focusing on a number of areas:

First there is promoting implementation of the Convention, for example to policy makers and practitioners within and outside Government, and to disabled and non-disabled people.

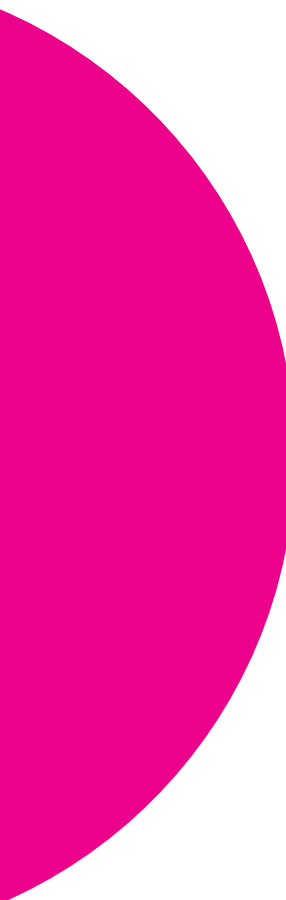
This is about ensuring that policy makers in other departments know about the Convention and understand what it means – in a way that mainstreams it rather than it being an afterthought. The challenge will be to use the Convention to help embed a human rights culture in policy making throughout departments and at all levels.

The ODI is considering what guidance might be needed so that other government departments think about the human rights approach set out in the Convention when developing new policies programmes. To some extent it is about making policy makers think more about the impact policies have on real people and their lives. This is not something that is completely new. The Independent Living Strategy springs to mind, where human rights approach is already adopted. The second key area for ODI is in the monitoring and reporting process. The UK government has to send a report to the United Nations by July 2011 which sets out how the UK is implementing the Convention and what progress is being made.

It is ODI that will coordinate writing and production of this report and it will reflect what is happening in the UK as a whole and the particular positions of Scotland, Wales, Northern Ireland and England.

The report will reflect how government thinks it is doing. But the report also needs to reflect what disabled people themselves think is happening.

The UN Committee that has been set up to monitor the Convention has set out very detailed requirements in terms of the information that it expects to be in the report. The ODI's role will be to ensure that departments provide that information, and to challenge where it is not provided. This includes ensuring that those departments which wanted reservations against the Convention consider whether they are still needed.



Engaging departments in the reporting process will itself be a way in which the knowledge and understanding of the Convention amongst policy makers can be raised. This will happen in part because the report also needs to reflect what disabled people themselves think about implementation and progress. It shouldn't be enough for a department to simply list what policies it has. It will need to show how they are having an impact and what more might be done. And they should show whether disabled people have been involved in the process of policy development and delivery and what they think.

The ODI's aim would be to have a report that is as positive as possible through a reporting and monitoring process which means that departments respond to concerns or issues as they come up so that if there is a problem, progress in addressing it can be reflected in the report.

In the ODI's reporting work there will also be a link across to the work that the Commissions will be doing as well. If, as they do work on the Convention, they identify issues to be addressed, the Commissions will talk to the relevant department to see what they are doing or will commit to doing to address them.

Ultimately the Government report and the Commission's reports should not contain any surprises, nor should there be any surprises in the reaction because there should have been enough dialogue going on as the gathering of information and writing of the reports progress. Both sides might not agree but it won't be helpful if in the Summer of 2011 lots of unexpected areas of disagreement emerge which could have already been addressed.

The ODI has been considering whether any new mechanism is needed to help formalise the process by which disabled people are consulted on the reporting process. It has been suggested for example that there could be a forum of disabled people's organisations specifically to advise on the Convention. This is one of the issues that ODI will be considering at an event similar to this one organised by ODI in London in March 2010.

## Concluding remarks

To get results from the Convention requires a collaborative approach – but of course without encroaching on any organisation’s independence. Where governments and commissions can work together – on things like joint funding of events, they should do so.

The Convention is not owned by any government. It represents the culmination of a long process in which disabled people and their organisations were the driving force. So disabled people need not wait for government to act, but should help keep the Convention in the government’s line of sight themselves – whether in Edinburgh or London but continuing to engage and make their views known.



## The role of the Scottish Government

**Hilary Third**, Team Leader -  
Equality Policy & Communities,  
Equality Unit, Scottish Government

Hilary began by emphasising that the Scottish Government welcomes the Convention and is approaching its implementation enthusiastically. Its principles are in tune with the Scottish Government's approach to disability equality in Scotland, and they welcome the opportunity to explore this with disabled people. This type of engagement will characterise the approach to implementation and reporting, indeed the input of disabled people is critical in making the Convention a success.

The Convention requires state parties to involve disabled people. The Scottish Government's commitment to genuinely involve disabled people predates the Convention and the Disability Equality Duty (DED).

Since devolution, the Scottish Government has funded capacity building work with the Disability Movement. The purpose of this funding is to increase and improve on engagement with disabled people and help us make better policy.



## Implementation of the Convention in Scotland

The approach that the Scottish Government is taking in the run up to implementation includes:

1. Setting the Convention in a broader framework of existing work to promote disability equality in Scotland to recognise that this work is not happening in isolation.
2. Looking at the existing provisions and mechanisms in place and then seeing what else might be necessary to ensure effective delivery.

The purpose of the Convention is to promote, protect and ensure the full and equal enjoyment of all human rights by disabled people, reaffirming the fact that disabled people have the same human rights as others and they must be able to enjoy them on an equal basis with non-disabled people.

The Convention does not create any new rights and it applies to all disabled people and covers all areas of life, including:

Access to justice; Personal mobility; Health; Education Work, and Recreation.

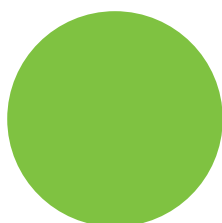
Individual Government departments are responsible for taking forward action to implement the Convention in the areas where they have policy responsibility. Therefore, because many of the areas covered by the articles are devolved to the Scottish Government it is the responsibility of the Scottish Government to ensure effective implementation of these articles in Scotland, and also to feed into the UK Report.

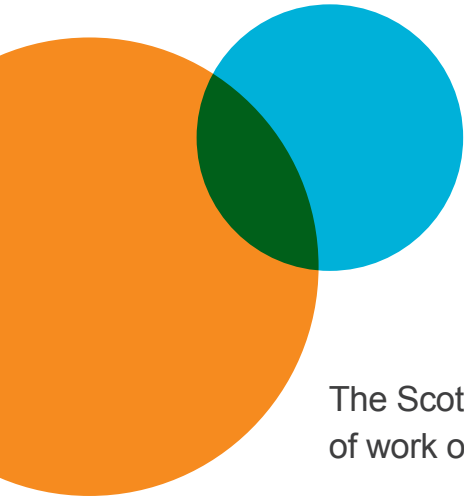
The Scottish Government Equality Unit has a similar role to that of the ODI, where it has responsibility for convention articles. The Equality Unit will coordinate the Scottish Government's implementation of the Convention and the Scottish input to the UK Report by working across the Scottish Government with the relevant policy teams.

## The approach to promoting disability equality in Scotland

The Convention cannot be seen in isolation and we need to focus on the following specifics:

1. The principles that underpin the Convention are making better policy that meets the needs of Scotland's diverse communities, including disabled people and involving disabled people in that process.
2. The National Performance Framework sets out the aspirations of both the Scottish Government and local government, to ensure that disabled people can benefit from, and contribute to all that the Government is trying to achieve. This does not happen automatically and we need to take steps to ensure that the needs of marginalised and excluded groups are considered when we are designing and delivering public policy.
3. The reason behind the Disability Equality Duty (DED) is that we have a positive duty to promote disability equality and build it into all our services and those of public bodies. This duty is much more ambitious than previous anti-discrimination legislation and therefore it is very important for delivering change and mainstreaming equality across the public sector and is a useful tool for implementing the Convention.
4. The Scottish Government involves disabled people to ensure that we have a better understanding of what their requirements are from our policy, to ensure that we are focusing on the right things and that disabled people have a seat at the table to help inform better policy, dispelling the idea that we know best.



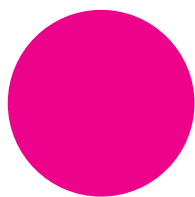


The Scottish Government is taking forward an ambitious programme of work on Independent Living, which is reflected in:

1. Its building on a 3-way partnership between ourselves, disabled people and the Convention of Scottish Local Authorities (CoSLA);
2. The strong representation of disabled people on the Independent Living Core Reference Group;
3. Supporting the involvement of disabled people through funding we provide to the Independent Living in Scotland Project and;
4. Using disabled people's priorities as a starting point for the Core Reference Group Work-plan.
5. Asking disabled people to set the agenda and help prioritise the issues is an important feature of involving them in helping them shape the priorities for the Independent Living Work-plan, and;
6. Consulting with disabled people on priority areas for coordination of action under the Scottish Minister's duty.

In Scotland, we have an established tradition of working with disabled people to help set our direction of work and work together on delivering policy. The existing work on the DED, Scottish Minister's duty and Independent Living provides a context for implementing the Convention, where we will make use of the mechanisms that are already in place and see what else is necessary to ensure effective implementation and monitoring.





## Closing remarks

Human rights and equality are at the heart of Government in Scotland, with equal opportunities being the founding principle of the Scottish Parliament and Human rights are enshrined in the foundations of Government through the Scotland Act 1998. Although we are part of the UK, our relationship with the international human rights instruments takes place within that context. The Scottish Government has not been afraid to take a clear stand on human rights issues that affect Scotland regardless of which side of the reserved-devolved line they might fall. Scottish Ministers have said:

“The Scottish Government is committed to advancing equality and to creating a human rights culture. We have benefited from the significant legacy of those – both at home and abroad – who have struggled and sacrificed to preserve liberty, promote equality and improve rights – from the great social movements which have changed our world and from the courageous individuals who have made stands against oppression and injustice”.

The Scottish Government recognises the contribution of disabled campaigners in Scotland to achieving social change at home and abroad.

We recognise the importance of the international human rights Conventions in Scotland, especially in countries where there is little or no protection from discrimination in law and where legislation to promote equality for disabled people is still a long way off.

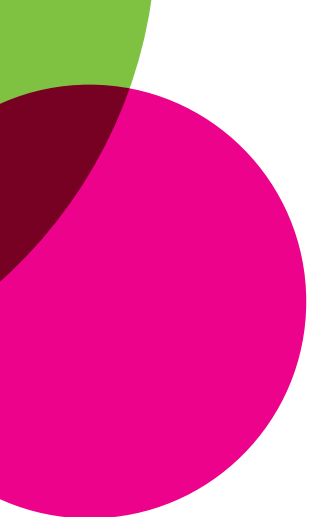
While we recognise in Scotland that we are making progress, we continue to be committed to the principles of the Convention and are anxious to do as much as we can to implement it to maximum effect with the help of disabled people.

## The role of the Equality and Human Rights Commission and the Scottish Human Rights Commission

**Lynn Welsh**, Head of Legal,  
Equality and Human Rights Commission in Scotland

As the final speaker, Lynn began by explaining that she was going to talk in more detail about what the previous speakers had touched on about the roles of the Commissions, Government and disabled people. In particular what this means in terms of implementing and monitoring the Convention.





Article 33 of the Convention outlines the various steps which should be taken to ensure the national implementation and monitoring of the Convention. It includes various innovative elements:

**The role of Government (clause 1)**

1. Duty to create focal points(s) within Government;
2. Requirement to give “due consideration” to creating a coordinating mechanism within government.

**The role of national human rights institutions (Commissions) (clause 2)**

1. Requirement to designate an independent mechanism to promote, protect and monitor implementation, the Convention specifically mentions national human rights institutions which comply with UN Principles (the “Paris Principles”).

**The role of disabled people (clause 3)**

1. The Convention also specifies the role of civil society, particularly disabled people and their representative organisations, who shall participate fully in the monitoring process.

## Our role

There are also general obligations that are placed on States to implement the Convention. Article 4 sets out the general obligations, and some of the steps required to comply with the Convention:

The general obligations placed on Government (Article 4) are:

1. To ensure and promote all rights by:

1. Making necessary legislation;
2. Amending or repealing legislation where necessary;
3. Taking account of rights in all policies and programmes;
4. Ensuring public authorities comply;
5. Eliminating discrimination;
6. Promoting research and development of aids and technology and provide accessible information about it;
7. Promoting training on convention rights for those who work with disabled people;

2. To take steps to “take measures to the maximum of its available resources” to achieve progressively the full realisation of economic, social and cultural rights. It also recognises that some obligations related to these rights are immediately applicable.

3. To closely consult with and actively involve disabled people, including children, through their representative organisations. This central obligation will involve responsibilities of both devolved and reserved governments in relation to Scotland.



## Independent mechanisms

There are four National Human Rights Institutions and equality Commissions in the UK:

1. Northern Ireland Equality Commission
2. Northern Ireland Human Rights Commission
3. Scottish Human Rights Commission
4. Equality and Human Rights Commission

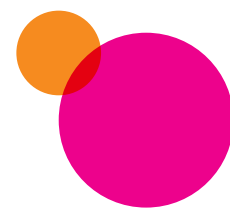
All of the Commissions are coordinating their work closely to share experience and approaches across the jurisdictions. The Commissions have and will continue to meet regularly. In Scotland, EHRC and SHRC have agreed to work jointly on the Convention.

The roles of the Commissions are to promote, protect and monitor the implementation of the Convention. In practice, this may include the following types of work:

### Promote

The Commissions' role is the promotion of implementation of the Convention, not just promotion of the Convention (Governments are required to publicise the Convention widely). Promotion of implementation of the Convention could involve:

1. Identifying organisations responsible for implementation.
2. Scoping out what change needs to be made or action implemented.
3. Working with the organisations and with disabled people to encourage change and implementation.
4. Promoting a human rights approach to their work by public bodies.



## Protect

The Commissions' work on protecting the implementation of the Convention could include:

1. Working with government, Parliament and others to consider present legislation and identify what needs changed to ensure full protection.
2. Ongoing work on removing reservations.
3. Using both human rights and equality law and our statutory powers.
4. Focusing enforcement activity where a body has powers/ duties to achieve broader impact and where action is appropriate.
5. Possibly supporting optional protocol complaints.
6. Protecting human rights legislation itself.

## Monitor

The Commissions' work on monitoring the implementation of the Convention may involve:

1. Working with government and disabled people (the Commissions cannot do this alone).
2. Not just monitoring breaches in legislation, but monitoring the steps being taken to achieve progressive realisation of the Convention over time.
3. Using equality legislation, in particular promoting and enforcing compliance with the public sector duty.
4. Developing, promoting and using indicators for the realisation of Convention rights.



## Involvement and participation of disabled people

The Convention includes clear and innovative provisions on involvement and participation of people with disabilities. This is not optional. The Convention requires that disabled people shall be involved. Likewise the Convention requires that disabled people shall participate fully in the monitoring process.

We should think and be clear about what are the most effective ways of ensuring participation and involvement of people with disabilities. It is useful to ask ourselves:

1. What can be learned from Disability Equality Duty?
2. What lessons should be learned from independent living work?
3. How can partnerships be formed with the Commissions?
4. What form of partnerships could be explored with civil society more generally?

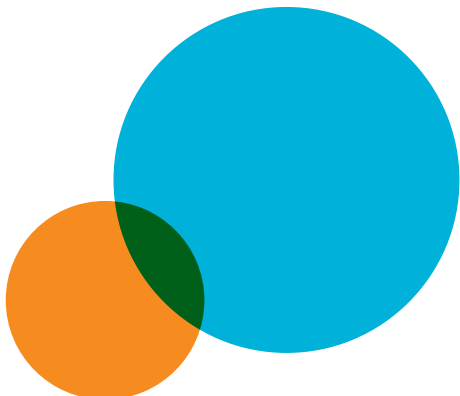
Individuals and civil society organisations also have a key and important role in submitting parallel reports to the UN Committee on the Rights of Persons with Disabilities. The Committee will take these reports into account when reviewing the UK's progress in implementing the Convention. Individuals and civil society organisation should be aware of the possibility to submit individual or group communications on alleged violations to the UN Committee under the Optional Protocol.



## Work in Scotland

This event is part of an initial programme of work being carried out jointly by the Commissions in Scotland. In addition to this event, we are working on:

1. A review of legislative landscape to have an understanding of how the law of Scotland is consistent with the Convention. We are looking in particular to identify any gaps and areas where we may want to focus research on implementation.
2. We will also soon be developing baseline research on where we are on the implementation of the Convention in Scotland in law, policy and in practice. This work will form the basis of our first parallel report to the UN Committee in 2011.







# Report of roundtable discussions

This section includes an overview of points raised by participants. These do not necessarily reflect the views of the Commissions, but this is an accurate record of discussion.

## Part 1: Priority areas for action in Scotland

Some participants felt strongly that it is difficult to push for individual and sometimes competing priorities and instead what is needed is a life-long approach to achieving disability equality and respecting the human rights of disabled people. Because people with disabilities have different needs at different stages of life, everything is relevant.

There was support for adopting priorities that had already been identified by disabled people. In particular, the four priorities identified by the Independent Living Movement and the joint Core Reference Group and the four priorities identified for attention under the Scottish Minister's disability equality duty.

Altogether a list of ten priority areas for action in Scotland was put forward.

## 1. Advocacy and support for disabled people to access services

### **You told us:**

Participants felt that support is often given only at the point of crisis, which is too late.

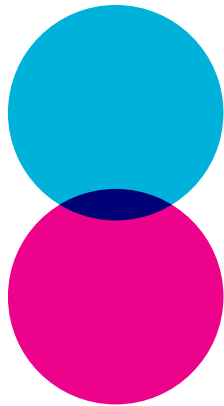
Modernising public services was seen as an opportunity to focus on people with disabilities and the modernising agenda should take a human rights-based approach to the delivery of public services for disabled people.

Too often, it was felt, there is a significant difference between the written policies of Local Authorities and the services that they offer. Concern was expressed at situations where 'guidance' is provided rather than noting the authority's legal obligations. There was also concern about the inconsistency in the delivery and availability of services to disabled people among local authorities. It was felt that there is a real need for uniformity of services.

Participants reported problems accessing appropriate education and support for children and adults with autism, learning difficulties and disabilities. While many physical barriers to education have been or are being overcome, there were felt to be continuing difficulties with access to education.

There was particular concern among some participants about the apparent use of drugs reportedly to 'control' people and manage situations rather than assist people.

Where a service provider is a charity receiving government funding it was felt that there may be restrictions on their ability to campaign. Serious concern was expressed about the impact of the economic recession on services for people with disabilities.



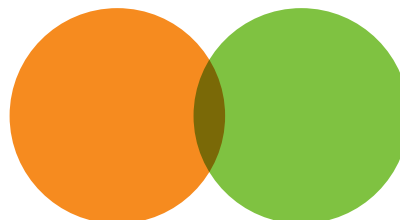
## 2. Portability of care

### **You told us:**

The realisation of freedom of movement by disabled people was thought to be impeded by practical barriers to moving between local authorities and challenges in ensuring continuity in the provision of care services.

In addition to the portability of care, we were told that there is a lack of availability of adult care support that is appropriate for the needs of disabled people.

One participant spoke of an experience where a local authority had cut services for disabled people, including in home or community care services during the night. This includes making sure people are okay and doing things like changing people who are incontinent and not able to go to the toilet by themselves. The concern was that people would end up in nursing care or hospitals at a much greater cost. These cuts were not seen to have resulted from consultation with disabled people or their families so on it was thought that there were failures on two counts under the convention. People affected the most in such cases are those who are not empowered to claim their rights when they can't even go to the toilet at night. It was suggested that there should be a service that protects these people and prevents them from being moved into old age homes when it is not through choice but because there's no option.



### 3. Housing targets

**You told us:**

Everyone needs suitable housing, whether that means adaptations or the right environment. It was felt that there should be a clear strategy for ensuring accessible, adapted housing for everyone who needs it. Concern was expressed that too often, at present, practice is incoherent and the strategy should start at the design and building stage rather than relying on very expensive adaptations.

Some felt that all social housing should be designed to accommodate people with disabilities and all the people who might live within an extended family unit. If all social housing were accessible people with disabilities would have more access to the wider community e.g.: visiting friends and family who don't live with them, instead of relying on friends and family visiting them.

Some concern was also expressed that the concept of a "home for life" may imply limited or no opportunity to move around. More availability of suitable housing, it was felt, would give people with disabilities more choice.

### 4. Transitions beyond school

**You told us:**

Participants reported barriers in some areas across Scotland which prevent people with disabilities from accessing further and higher education. A film has been made about this issue which had been taken to some local authorities.

More appropriate additional support for school children was also thought to be needed.



## 5. The right to independent living

### **You told us:**

Independent Living principles tie in with a human rights approach and independent living is an overarching priority of disabled people, giving control, freedom and choice.

A strategy on achieving Independent Living, some felt, could be the overarching priority and the Convention could be used to strengthen this work and the impact assessment of all policies.

Concerns were expressed that positive work to achieve Independent Living for disabled people is most at risk in the next five to ten years as a result of the recession and budget cuts. There is also concern that there may be an interest in maintaining the status quo and the reality is that resources are scarce.

## 6. Domestic laws and the Convention

### **You told us:**

Legislation was seen as important as it leads people down the path of thinking the right way. However, problems were perceived to exist with the existing non-discrimination legislation and in particular, concern was raised about the narrow definition of disability in domestic law which it was felt prevents certain conditions, such as autism and some mental health conditions, from benefiting from the protection of the law.

A call was made to improve awareness of how anti-discrimination and human rights legislation and UN Convention all fit together.

Participants expressed concern that young people are unaware of their rights. Many children and young people are not seen to be empowered and with a move to self-directed support this may impact negatively. Many participants were concerned about abuse of people with disabilities: sexual, physical, emotional, and financial.

## 7. Transport

### **You told us:**

Participants noted that in rural areas the infrastructure that exists in the central belt does not exist. Where people do not have access to transport then they do not have access to services, to events, to employment. Without accessible transport people with disabilities are not mobile and therefore are often not able to participate or be involved in society.

The transport issue was seen not just as one of physical access, but also of communication. Those unable to read are often unable to access public transport, and are unaware of what services are available in their local community. Accessibility is more than just signage / information. Employees of service providers need to be disability aware so that they know how to communicate with users. It was felt that signage should also be interpreted for different communities.

8. Employment –  
helping people to find a job

9. Reducing poverty

10. Inclusive Communication



## Part 2: Expectations of the Scottish and UK Governments

### You told us:

#### **Need for information**

There was agreement across all the round tables that the Convention will mean very little to the average person in the street, so the first and most important job is to raise awareness of what it is and means and to actively promote it.

Participants noted a need for clarity about the legal framework in terms of enforcement and implementation.

There was felt to be a need for a media/advertising campaign with clear signposts to the existing infrastructure for advice and guidance otherwise there is a risk that the Convention could end up as an academic exercise.

There is a need to humanise these rights – what do they mean for individuals? People need to see the relevance for each article to their individual situation. Pick one or two examples for each article and help people understand what these rights mean.

Participants also felt it would be helpful for people to understand where these rights have come from, how they provide protection and how they relate to existing laws including equality legislation. Disabled people and their families need to understand whether existing laws are modified by the Convention.

There is a perceived lack of accountability in decisions made and hence how the Convention is monitored needs to be made very explicit – who is responsible for what. Information must be provided in a form that everyone can access and understand.



### **Coherent messages**

There was strong feeling that there needs to be a single message that encompasses the existing Disability Discrimination Act (DDA), the disability equality duty (DED), the Human Rights Act (HRA), Independent Living work and the new Convention.

The Scottish Government was thought to be good at campaigns i.e. “you have the right to ask for help” – and it was felt they should look at doing this in relation to the various articles of the Convention.

### **Protecting the rights of people with disabilities**

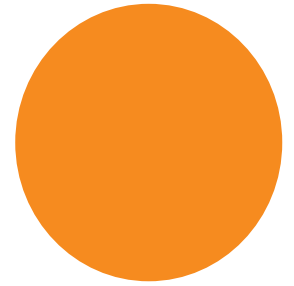
UK and Scottish Governments were called on to ensure that rights are upheld and to ensure that people are given their rights and that legislation is implemented.

Participants called for proper adoption of a ‘rights based’ approach across public authorities and to the Convention. At the moment the existing legislation still was not felt to have ‘teeth.’ There were also calls that the Convention be enshrined into domestic legislation.

Access to justice was thought to be unduly complex. At the moment individuals have to struggle with many barriers on their own. It takes time, knowledge, inclination and energy to assert and demand that your rights are respected. Not everyone can do this or have access to advocates to do it for them.

There was seen to be a real need for more advocacy provision and services as this is viewed as key to improving people’s access to and understanding of the Convention.

Policy makers need to ‘live the life’. They need to come out and see people in the community rather than the community having to come to them. They could shadow someone for a day.



### **Standards for care and education services in Scotland**

Participants felt that standards for care and education provision should clearly take into account all forms of disability so that service providers can't 'wriggle out' of providing appropriate services.

Some participants felt that the government is often more reactive than proactive. Rather than waiting for negative press, problems and legal cases, being proactive could save a lot of money. The government issuing guidance is not 'job done' – they should be involved in the implementation and enforcement too.

### **Resources for disabled people's organisations**

Clear calls were made by participants for governments to provide disabled people's organisations with the resources needed to promote the Convention and empower people to refer to it.

It was also felt that governments should be employing more people with disabilities in this work, putting disabled people into their workforce rather than 'using' them as unpaid experts through consultation and various committees. Likewise some participants felt that governments should take responsibility for resourcing networks of disabled people and avoid overburdening networks which are not paid for.

Governments were called on to use existing networks and if they are properly resourced and involved there won't be the need to set up more.



## **Involving disabled people**

Some participants felt that governments need a better understanding of what is a disability, what is disabling and the best people to tell them how things should be, generally aren't getting their voices heard.

Governments were called on to work towards targets, action plan and timeline and to develop and monitor these with the involvement of disabled people, utilising the knowledge and expertise of disabled people.

Participants felt that governments should work with disabled people to monitor and evaluate the performance of Government, government departments and agencies.

Concern was expressed that money is spent inefficiently where there may be cheaper solutions. Involving disabled people in the design of services right from the start would avoid this, rather than waiting until something has been built or created and then has to be corrected when it's pointed out that it is not appropriate or accessible.

## **Single Outcome Agreements**


Concern was expressed about how the rights of persons with disabilities are reflected in Single Outcome Agreements (SOAs). Some participants suggested that none of the SOAs refer to learning disabilities, only a few feature disabilities and then only in relation to access, not independent living, employment or care support. Many disability issues do not feature in these agreements but are said to be "below the waterline". However it is not clear how these issues will feature in reality when finances are extra-tight such as the current recession – the concern is that they won't happen.

## Part 3: Expectations of the EHRC and SHRC

### You told us:

#### Reaching out to society

Participants felt that there needs to be common support and purpose from both Commissions and across the UK.




The Commissions were thought to have a strong role to play in educating society to understand and support disabled people and the pursuit of our human rights. The Commissions were encouraged to produce some easy access literature on the Convention quickly. This should include case studies to organisations and to service users.

Participants called for a single message that encompasses the existing Disability Discrimination Act and Disability Equality Duty, Human Rights Act, Independent Living work and the new Convention rather than risking confusion with too many parallel messages.

It was pointed out that there is a lack of understanding about who the ODI, EHRC and SHRC are and what could happen if the Human Rights Act is repealed. People requested information about what the roles are, how truly independent or not the Commissions are from government and what could happen with a change of government.

The Commissions were encouraged to set up forums on the different Convention issues that interlink (could be internet forums as well as meetings and conferences) where the service users are listened to. It was felt that these would ensure service users are more involved and have a better understanding of the Convention.

The Commissions were encouraged to work to develop champions for the Convention in the small, grassroots organisations who are already respected in the community.



### Problem solving, rather than legal cases

“If someone is having a difficult life how can you expect them to take the time to fight for their rights?” Some participants pointed to the example of employment tribunals, which they understood had been set up so ordinary people could take the dispute without solicitors but some felt that they risked being “taken over by solicitors” acting for employers. It was suggested that there is a need to focus on outcomes and problem solving and not just taking on legal cases.

It was felt to be important that the Commissions are as accessible as possible to people with disabilities. Emphasis was placed on the need to provide disabled people and groups with access to the SHRC and EHRC to report issues, make complaints and raise issues and concerns.

The Commissions were also encouraged to take on more enforcement work and use this to be more persuasive. However, participants suggested that first there is a need to set up or clarify the enforcement infrastructure, with clarification for people about where and how to get advice and support to take action to ensure their Convention rights are realised.



**Legal action**

Where their powers permit, some participants felt the Commissions should start taking legal cases, which in their view can have significant impact. There was a view that there should be a named contact for people and someone to act on a complainant's behalf. For example, if someone were to complain about the venue of today's conference not having adequate escape routes for a fire, they should be able to contact a named person whose job it is to write to the hotel explaining what they are doing wrong and what their legal obligations are.

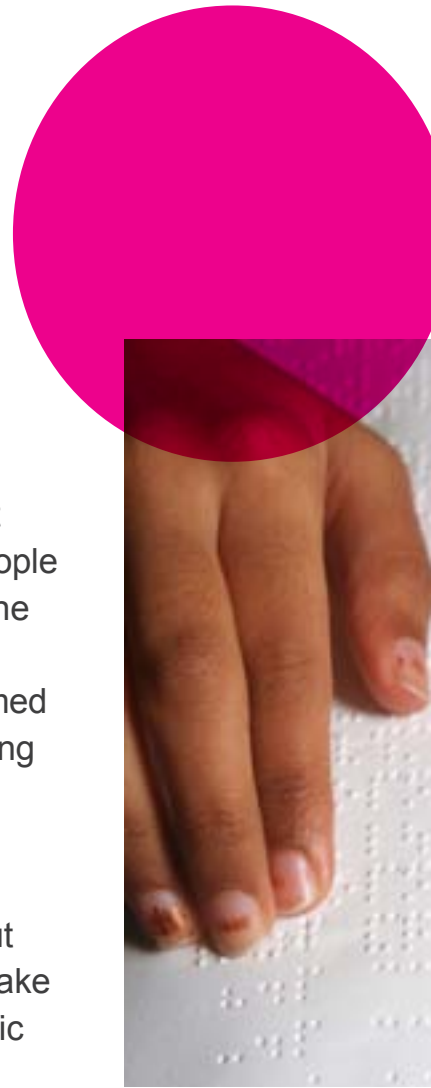
The EHRC and SHRC should be given more resources to facilitate this role. There was recognition that not all cases could be taken on but a feeling that more should be dealt with than the EHRC can currently take on. It was also felt that more local resources and geographically specific support would speed up the process from the perspective of disabled people in more remote areas.

**Involving disabled people in monitoring work**

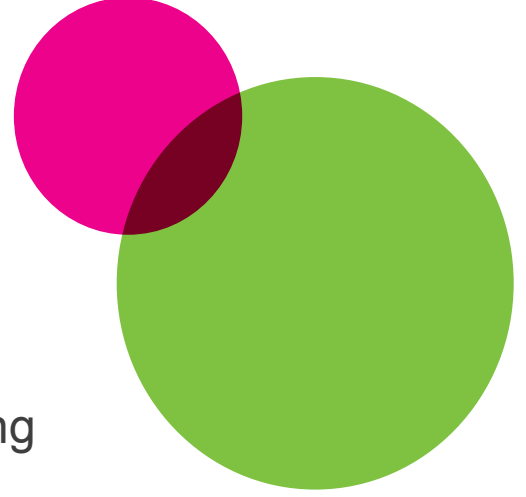
The Government is required to work with disabled people on implementation of policies and the EHRC and SHRC need to do the same with monitoring UK and Scottish Government performance against the Convention.

“Back us up!” Disabled people can provide evidence and data for research. Building community capacity is important, for instance by resourcing disabled people's organisations.

When the EHRC and SHRC consider who and how to engage with disabled people and their representatives they need to move beyond the involvement of the “usual” suspects. It is key that both involve those who are not traditionally involved. Inclusion must mean inclusion of all, not just those who it is easy to engage. The hardest to reach must be involved and barriers to communicate must be overcome.







## Part 4: The role of disabled people in making the Convention work

### You told us:

#### **Building a collaborative approach**

There was a general feeling that what is needed is to promote a collaborative approach across disabled people's communities, without encroaching on people's individual autonomy.

There was felt to be a need for a unified voice, perhaps through a non-governmental organisation such as a human rights consortium.

Participants expressed the wish that disabled people and their representatives would work together through forums and directly to advance the Convention. This should happen regionally as well as nationally.

Commonality of experience was highlighted, on the basis that we all have the same rights. What was felt to be common were the barriers to realising those rights and we need to tackle this as a group. People did not want to see factions forming but rather to use this as an opportunity to celebrate a common agenda and help "the person who needs help to go to the loo at night".

#### **Using existing mechanisms and networks**

There are mechanisms already set up for disseminating information to people, for example through the Scottish Consortium for Learning Disability (SCLD), Inclusion Scotland and others.

We need to make sure the EHRC and SHRC know the networks. There are good examples of disability campaigners using the internet for campaigns which should be reviewed and considered for the Convention. Some, for example, have successfully used social networking sites.

It was felt that consideration could be given to how disabled people could use the 'blogosphere'. When we're talking about people who can't get out of their house – this might be a good way to get them involved.





**Getting active**

“It’s up to us!” People with disabilities should grasp their freedoms and rights, tell people about their freedom and rights and share the success of asserting their rights.

Participants felt it was up to disabled people and their representatives to take and bring forward the test cases which will develop the law but lots of disabled people don’t have the capacity, knowledge, or money to get to court – but that’s a key way to make the Convention a reality. Those who can should challenge service providers whenever they can.

Success also needs to be promoted and celebrated to motivate and educate others so they learn how to challenge inequality and discrimination.

Disabled people too were challenged to take part in existing forums and develop a direct line to service providers. Participants felt they too have a responsibility to pass on knowledge, skills and values to the next generation.

There is a role for disabled people to become partners in the independent living movement and to incorporate the Convention message within that.



## Part 5: Involving disabled people in the work of the Commissions and Government

### You told us:

#### Concerns about resources

There was widespread agreement about the important role of disabled people in contributing to the UK Report and Shadow Report. However concerns were expressed about costs and resources to make this worthwhile and properly representative.

In times of increasingly limited resources, there was felt to be a need to ensure “ring fenced” funding to support disabled people and organisations to participate and be involved in the raising awareness of and monitoring compliance with the Convention. The issues of resources cannot be ignored or overstated – this was like an elephant in the room! Participants felt it was particularly important to look at capacity building and funding for capacity building.

A suggestion was made to train representatives from a number of large and small disabled people’s organisations on the Convention. Those people, it was felt could then return to their organisations and train their members and colleagues. Some core funding could be provided to create a specific post (or part of a post) that would focus on raising awareness and monitoring compliance with the Convention.

#### Value disabled people

Some participants raised the importance of avoiding “tokenistic” involvement of disabled people and of ensuring respect and recognition in all involvement.

To continue to be motivated and remain actively involved participants needed to feel valued, listened to and feel that action will be taken based on contributions.

Involvement of disabled people needs to be at different levels to help raise awareness – through special events, through disabled people’s organisation, through Independent Living in Scotland and perhaps through a Scottish Forum, although people were not keen on adding new structures and systems where enough existed already.





# Who Are We?

## The Scottish Human Rights Commission (SHRC)

More information is available from the SHRC website:

<http://www.scottishhumanrights.com>

The Scottish Human Rights Commission (SHRC) is the national human rights institution for Scotland. It was created by the Scottish Commission for Human Rights Act 2006, an Act of the Scottish Parliament, and was formed in 2008. SHRC is independent of both the Scottish and UK Governments and the Scottish and UK Parliaments and is not subject to their direction or influence in the exercise of its functions.

According to the Scottish Commission for Human Rights Act 2006, SHRC has a general duty to promote awareness, understanding and respect for human rights, and in particular to encourage best practice in relation to human rights. It will fulfil this duty through education, training, awareness raising and research, as well as by recommending such changes to Scottish law, policy and practice as its work demonstrates are needed.

Also according to the Scottish Commission for Human Rights Act 2006, SHRC has powers to:

1. Conduct inquiries into the policies or practices of Scottish public authorities, where relevant to the promotion of awareness, understanding and respect for human rights;
2. Enter places of detention as part of an inquiry;
3. Intervene in civil court cases where relevant to the promotion of human rights and where the case appears to us to raise a matter of public interest.

## The Equality And Human Rights Commission (EHRC)

More information is available at the EHRC website:

<http://www.equalityhumanrights.com>

The Equality and Human Rights Commission (EHRC) was launched in October 2007, taking over the role and functions previously exercised by the Commission for Racial Equality (CRE), the Disability Rights Commission (DRC) and the Equal Opportunities Commission (EOC) and assuming new responsibilities for sexual orientation, age, religion and belief, and human rights.

The Commission is a Non-Departmental Public Body (NDPB), established under the Equality Act 2006 as a corporate body. It is sponsored by the Government Equalities Office. The Commission has a board of commissioners who steer the Commission's work and direction. It also has three statutory Committees – the Disability Committee, the Wales Committee and the Scotland Committee.

The Equality and Human Rights Commission (EHRC) is the national human rights institution for Great Britain, with the exception of matters falling under the remit of the Scottish Human Rights Commission. The EHRC is also the national equality agency for England, Scotland and Wales.



# The UN Convention on the Rights of Persons with Disabilities

## Preamble

The States Parties to the present Convention,

- (a) Recalling the principles proclaimed in the Charter of the United Nations which recognise the inherent dignity and worth and the equal and inalienable rights of all members of the human family as the foundation of freedom, justice and peace in the world,
- (b) Recognising that the United Nations, in the Universal Declaration of Human Rights and in the International Covenants on Human Rights, has proclaimed and agreed that everyone is entitled to all the rights and freedoms set forth therein, without distinction of any kind,
- (c) Reaffirming the universality, indivisibility, interdependence and interrelatedness of all human rights and fundamental freedoms and the need for persons with disabilities to be guaranteed their full enjoyment without discrimination,
- (d) Recalling the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Rights of the Child, and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,
- (e) Recognising that disability is an evolving concept and that disability results from the interaction between persons with impairments and attitudinal and environmental barriers that hinders their full and effective participation in society on an equal basis with others,
- (f) Recognising the importance of the principles and policy guidelines contained in the World Programme of Action concerning Disabled Persons and in the Standard Rules on the Equalisation of Opportunities for Persons with Disabilities in influencing the promotion, formulation and evaluation of the policies, plans, programmes and actions at the national, regional and international levels to further equalise opportunities for persons with disabilities,



- (g) Emphasising the importance of mainstreaming disability issues as an integral part of relevant strategies of sustainable development,
- (h) Recognising also that discrimination against any person on the basis of disability is a violation of the inherent dignity and worth of the human person,
- (i) Recognising further the diversity of persons with disabilities,
- (j) Recognising the need to promote and protect the human rights of all persons with disabilities, including those who require more intensive support,
- (k) Concerned that, despite these various instruments and undertakings, persons with disabilities continue to face barriers in their participation as equal members of society and violations of their human rights in all parts of the world,
- (l) Recognising the importance of international cooperation for improving the living conditions of persons with disabilities in every country, particularly in developing countries,
- (m) Recognising the valued existing and potential contributions made by persons with disabilities to the overall well-being and diversity of their communities, and that the promotion of the full enjoyment by persons with disabilities of their human rights and fundamental freedoms and of full participation by persons with disabilities will result in their enhanced sense of belonging and in significant advances in the human, social and economic development of society and the eradication of poverty,
- (n) Recognising the importance for persons with disabilities of their individual autonomy and independence, including the freedom to make their own choices,
- (o) Considering that persons with disabilities should have the opportunity to be actively involved in decision-making processes about policies and programmes, including those directly concerning them,
- (p) Concerned about the difficult conditions faced by persons with disabilities who are subject to multiple or aggravated forms of discrimination on the basis of race, colour, sex, language, religion, political or other opinion, national, ethnic, indigenous or social origin, property, birth, age or other status,
- (q) Recognising that women and girls with disabilities are often at greater risk, both within and outside the of violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation,
- (r) Recognising that children with disabilities should have full enjoyment of all human rights and fundamental freedoms on an equal basis with other children, and recalling obligations to that end undertaken by States Parties to the Convention on the Rights of the Child,



- (s) Emphasising the need to incorporate a gender perspective in all efforts to promote the full enjoyment of human rights and fundamental freedoms by persons with disabilities,
- (t) Highlighting the fact that the majority of persons with disabilities live in conditions of poverty, and in this regard recognising the critical need to address the negative impact of poverty on persons with disabilities,
- (u) Bearing in mind that conditions of peace and security based on full respect for the purposes and principles contained in the Charter of the United Nations and observance of applicable human rights instruments are indispensable for the full protection of persons with disabilities, in particular during armed conflicts and foreign occupation,
- (v) Recognising the importance of accessibility to the physical, social, economic and cultural environment, to health and education and to information and communication, in enabling persons with disabilities to fully enjoy all human rights and fundamental freedoms,
- (w) Realising that the individual, having duties to other individuals and to the community to which he or she belongs, is under a responsibility to strive for the promotion and observance of the rights recognised in the International Bill of Human Rights,
- (x) Convinced that the family is the natural and fundamental group unit of society and is entitled to protection by society and the State, and that persons with disabilities and their family members should receive the necessary protection and assistance to enable families to contribute towards the full and equal enjoyment of the rights of persons with disabilities,
- (y) Convinced that a comprehensive and integral international convention to promote and protect the rights and dignity of persons with disabilities will make a significant contribution to redressing the profound social disadvantage of persons with disabilities and promote their participation in the civil, political, economic, social and cultural spheres with equal opportunities, in both developing and developed countries.





## Have agreed as follows:

### Article 1 - Purpose

The purpose of the present Convention is to 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 with disabilities include those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others.

### Article 2 - Definitions

For the purposes of the present Convention:

“Communication” includes languages, display of text, Braille, tactile communication, large print, accessible multimedia as well as written, audio, plain-language, human-reader and augmentative and alternative modes, means and formats of communication, including accessible information and communication technology;

“Language” includes spoken and signed languages and other forms of non-spoken languages;

“Discrimination on the basis of disability” means any distinction, exclusion or restriction on the basis of disability which has the purpose or effect of impairing or nullifying the recognition, enjoyment or exercise, on an equal basis with others, of all human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field. It includes all forms of discrimination, including denial of reasonable accommodation;

“Reasonable accommodation” means necessary and appropriate modification and adjustments not imposing a disproportionate or undue burden, where needed in a particular case, to ensure to persons with disabilities the enjoyment or exercise on an equal basis with others of all human rights and fundamental freedoms;

“Universal design” means the design of products, environments, programmes and services to be usable by all people, to the greatest extent possible, without the need for adaptation or specialised design. “Universal design” shall not exclude assistive devices for particular groups of persons with disabilities where this is needed.



### **Article 3 - General principles**

The principles of the present Convention shall be:

- (a) Respect for inherent dignity, individual autonomy including the freedom to make one's own choices, and independence of persons;
- (b) Non-discrimination;
- (c) Full and effective participation and inclusion in society;
- (d) Respect for difference and acceptance of persons with disabilities as part of human diversity and humanity;
- (e) Equality of opportunity;
- (f) Accessibility;
- (g) Equality between men and women;
- (h) Respect for the evolving capacities of children with disabilities and respect for the right of children with disabilities to preserve their identities.

### **Article 4 - General obligations**

1. States Parties undertake to ensure and promote the full realisation of all human rights and fundamental freedoms for all persons with disabilities without discrimination of any kind on the basis of disability. To this end, States Parties undertake:

- (a) To adopt all appropriate legislative, administrative and other measures for the implementation of the rights recognised in the present Convention;
- (b) To take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices that constitute discrimination against persons with disabilities;
- (c) To take into account the protection and promotion of the human rights of persons with disabilities in all policies and programmes;



- (d) To refrain from engaging in any act or practice that is inconsistent with the present Convention and to ensure that public authorities and institutions act in conformity with the present Convention;
- (e) To take all appropriate measures to eliminate discrimination on the basis of disability by any person, organisation or private enterprise;
- (f) To undertake or promote research and development of universally designed goods, services, equipment and facilities, as defined in article 2 of the present Convention, which should require the minimum possible adaptation and the least cost to meet the specific needs of a person with disabilities, to promote their availability and use, and to promote universal design in the development of standards and guidelines;
- (g) To undertake or promote research and development of, and to promote the availability and use of new technologies, including information and communications technologies, mobility aids, devices and assistive technologies, suitable for persons with disabilities, giving priority to technologies at an affordable cost;
- (h) To provide accessible information to persons with disabilities about mobility aids, devices and assistive technologies, including new technologies, as well as other forms of assistance, support services and facilities;
- (i) To promote the training of professionals and staff working with persons with disabilities in the rights recognised in this Convention so as to better provide the assistance and services guaranteed by those rights.

2. With regard to economic, social and cultural rights, each State Party undertakes to take measures to the maximum of its available resources and, where needed, within the framework of international cooperation, with a view to achieving progressively the full realisation of these rights, without prejudice to those obligations contained in the present Convention that are immediately applicable according to international law.



3. In the development and implementation of legislation and policies to implement the present Convention, and in other decision-making processes concerning issues relating to persons with disabilities, States Parties shall closely consult with and actively involve persons with disabilities, including children with disabilities, through their representative organisations.

4. Nothing in the present Convention shall affect any provisions which are more conducive to the realisation of the rights of persons with disabilities and which may be contained in the law of a State Party or international law in force for that State. There shall be no restriction upon or derogation from any of the human rights and fundamental freedoms recognised or existing in any State Party to the present Convention pursuant to law, conventions, regulation or custom on the pretext that the present Convention does not recognise such rights or freedoms or that it recognises them to a lesser extent.

5. The provisions of the present Convention shall extend to all parts of federal states without any limitations or exceptions.

### **Article 5 - Equality and non-discrimination**

1. States Parties recognise that all persons are equal before and under the law and are entitled without any discrimination to the equal protection and equal benefit of the law.

2. States Parties shall prohibit all discrimination on the basis of disability and guarantee to persons with disabilities equal and effective legal protection against discrimination on all grounds.

3. In order to promote equality and eliminate discrimination, States Parties shall take all appropriate steps to ensure that reasonable accommodation is provided.



4. Specific measures which are necessary to accelerate or achieve de facto equality of persons with disabilities shall not be considered discrimination under the terms of the present Convention.

#### **Article 6 - Women with disabilities**

1. States Parties recognise that women and girls with disabilities are subject to multiple discrimination, and in this regard shall take measures to ensure the full and equal enjoyment by them of all human rights and fundamental freedoms.

2. States Parties shall take all appropriate measures to ensure the full development, advancement and empowerment of women, for the purpose of guaranteeing them the exercise and enjoyment of the human rights and fundamental freedoms set out in the present Convention.

#### **Article 7 - Children with disabilities**

1. States Parties shall take all necessary measures to ensure the full enjoyment by children with disabilities of all human rights and fundamental freedoms on an equal basis with other children.

2. In all actions concerning children with disabilities, the best interests of the child shall be a primary consideration.

3. States Parties shall ensure that children with disabilities have the right to express their views freely on all matters affecting them, their views being given due weight in accordance with their age and maturity, on an equal basis with other children, and to be provided with disability and age-appropriate assistance to realise that right.



### **Article 8 - Awareness-raising**

1. States Parties undertake to adopt immediate, effective and appropriate measures:

- (a) To raise awareness throughout society, including at the family level, regarding persons with disabilities, and to foster respect for the rights and dignity of persons with disabilities;
- (b) To combat stereotypes, prejudices and harmful practices relating to persons with disabilities, including those based on sex and age, in all areas of life;
- (c) To promote awareness of the capabilities and contributions of persons with disabilities.

2. Measures to this end include:

- (a) Initiating and maintaining effective public awareness campaigns designed:
  - (i) To nurture receptiveness to the rights of persons with disabilities;
  - (ii) To promote positive perceptions and greater social awareness towards persons with disabilities;
  - (iii) To promote recognition of the skills, merits and abilities of persons with disabilities, and of their contributions to the workplace and the labour market;
- (b) Fostering at all levels of the education system, including in all children from an early age, an attitude of respect for the rights of persons with disabilities;
- (c) Encouraging all organs of the media to portray persons with disabilities in a manner consistent with the purpose of the present Convention;
- (d) Promoting awareness-training programmes regarding persons with disabilities and the rights of persons with disabilities.



## **Article 9 - Accessibility**

1. To enable persons with disabilities to live independently and participate fully in all aspects of life, States Parties shall take appropriate measures to ensure to persons with disabilities access, on an equal basis with others, to the physical environment, to transportation, to information and communications, including information and communications technologies and systems, and to other facilities and services open or provided to the public, both in urban and in rural areas. These measures, which shall include the identification and elimination of obstacles and barriers to accessibility, shall apply to, inter alia:

- (a) Buildings, roads, transportation and other indoor and outdoor facilities, including schools, housing, medical facilities and workplaces;
- (b) Information, communications and other services, including electronic services and emergency services.

2. States Parties shall also take appropriate measures to:

- (a) Develop, promulgate and monitor the implementation of minimum standards and guidelines for the accessibility of facilities and services open or provided to the public;
- (b) Ensure that private entities that offer facilities and services which are open or provided to the public take into account all aspects of accessibility for persons with disabilities;
- (c) Provide training for stakeholders on accessibility issues facing persons with disabilities;
- (d) Provide in buildings and other facilities open to the public signage in Braille and in easy to read and understand forms;
- (e) Provide forms of live assistance and intermediaries, including guides, readers and professional sign language interpreters, to facilitate accessibility to buildings and other facilities open to the public;
- (f) Promote other appropriate forms of assistance and support to persons with disabilities to ensure their access to information;



- (g) Promote access for persons with disabilities to new information and communications technologies and systems, including the Internet;
- (h) Promote the design, development, production and distribution of accessible information and communications technologies and systems at an early stage, so that these technologies and systems become accessible at minimum cost.

### **Article 10 - Right to life**

States Parties reaffirm that every human being has the inherent right to life and shall take all necessary measures to ensure its effective enjoyment by persons with disabilities on an equal basis with others.

### **Article 11 - Situations of risk and humanitarian emergencies**

States Parties shall take, in accordance with their obligations under international law, including international humanitarian law and international human rights law, all necessary measures to ensure the protection and safety of persons with disabilities in situations of risk, including situations of armed conflict, humanitarian emergencies and the occurrence of natural disasters.

### **Article 12 - Equal recognition before the law**

1. States Parties reaffirm that persons with disabilities have the right to recognition everywhere as persons before the law.
2. States Parties shall recognise that persons with disabilities enjoy legal capacity on an equal basis with others in all aspects of life.
3. States Parties shall take appropriate measures to provide access by persons with disabilities to the support they may require in exercising their legal capacity.





4. States Parties shall ensure that all measures that relate to the exercise of legal capacity provide for appropriate and effective safeguards to prevent abuse in accordance with international human rights law. Such safeguards shall ensure that measures relating to the exercise of legal capacity respect the rights, will and preferences of the person, are free of conflict of interest and undue influence, are proportional and tailored to the person's circumstances, apply for the shortest time possible and are subject to regular review by a competent, independent and impartial authority or judicial body. The safeguards shall be proportional to the degree to which such measures affect the person's rights and interests.

5. Subject to the provisions of this article, States Parties shall take all appropriate and effective measures to ensure the equal right of persons with disabilities to own or inherit property, to control their own financial affairs and to have equal access to bank loans, mortgages and other forms of financial credit, and shall ensure that persons with disabilities are not arbitrarily deprived of their property.

### **Article 13 - Access to justice**

1. States Parties shall ensure effective access to justice for persons with disabilities on an equal basis with others, including through the provision of procedural and age-appropriate accommodations, in order to facilitate their effective role as direct and indirect participants, including as witnesses, in all legal proceedings, including at investigative and other preliminary stages.

2. In order to help to ensure effective access to justice for persons with disabilities, States Parties shall promote appropriate training for those working in the field of administration of justice, including police and prison staff.



### **Article 14 - Liberty and security of the person**

1. States Parties shall ensure that persons with disabilities, on an equal basis with others:

- (a) Enjoy the right to liberty and security of person;
- (b) Are not deprived of their liberty unlawfully or arbitrarily, and that any deprivation of liberty is in conformity with the law, and that the existence of a disability shall in no case justify a deprivation of liberty.

2. States Parties shall ensure that if persons with disabilities are deprived of their liberty through any process, they are, on an equal basis with others, entitled to guarantees in accordance with international human rights law and shall be treated in compliance with the objectives and principles of this Convention, including by provision of reasonable accommodation.

### **Article 15 - Freedom from torture or cruel, inhuman or degrading treatment or punishment**

1. No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. In particular, no one shall be subjected without his or her free consent to medical or scientific experimentation.

2. States Parties shall take all effective legislative, administrative, judicial or other measures to prevent persons with disabilities, on an equal basis with others, from being subjected to torture or cruel, inhuman or degrading treatment or punishment.

### **Article 16 - Freedom from exploitation, violence and abuse**

1. States Parties shall take all appropriate legislative, administrative, social, educational and other measures to protect persons with disabilities, both within and outside the , from all forms of exploitation, violence and abuse, including their gender-based aspects.



2. States Parties shall also take all appropriate measures to prevent all forms of exploitation, violence and abuse by ensuring, inter alia, appropriate forms of gender- and age-sensitive assistance and support for persons with disabilities and their families and caregivers, including through the provision of information and education on how to avoid, recognise and report instances of exploitation, violence and abuse. States Parties shall ensure that protection services are age-, gender- and disability-sensitive.

3. In order to prevent the occurrence of all forms of exploitation, violence and abuse, States Parties shall ensure that all facilities and programmes designed to serve persons with disabilities are effectively monitored by independent authorities.

4. States Parties shall take all appropriate measures to promote the physical, cognitive and psychological recovery, rehabilitation and social reintegration of persons with disabilities who become victims of any form of exploitation, violence or abuse, including through the provision of protection services. Such recovery and reintegration shall take place in an environment that fosters the health, welfare, self-respect, dignity and autonomy of the person and takes into account gender- and age-specific needs.

5. States Parties shall put in place effective legislation and policies, including women- and child-focused legislation and policies, to ensure that instances of exploitation, violence and abuse against persons with disabilities are identified, investigated and, where appropriate, prosecuted.

### **Article 17 - Protecting the integrity of the person**

Every person with disabilities has a right to respect for his or her physical and mental integrity on an equal basis with others.



### **Article 18 - Liberty of movement and nationality**

1. States Parties shall recognise the rights of persons with disabilities to liberty of movement, to freedom to choose their residence and to a nationality, on an equal basis with others, including by ensuring that persons with disabilities:

- (a) Have the right to acquire and change a nationality and are not deprived of their nationality arbitrarily or on the basis of disability;
- (b) Are not deprived, on the basis of disability, of their ability to obtain, possess and utilise documentation of their nationality or other documentation of identification, or to utilise relevant processes such as immigration proceedings, that may be needed to facilitate exercise of the right to liberty of movement;
- (c) Are free to leave any country, including their own;
- (d) Are not deprived, arbitrarily or on the basis of disability, of the right to enter their own country.

2. Children with disabilities shall be registered immediately after birth and shall have the right from birth to a name, the right to acquire a nationality and, as far as possible, the right to know and be cared for by their parents.

**Article 19 - Living independently and being included in the community**

States Parties to this Convention recognise the equal right of all persons with disabilities to live in the community, with choices equal to others, and shall take effective and appropriate measures to facilitate full enjoyment by persons with disabilities of this right and their full inclusion and participation in the community, including by ensuring that:

- (a) Persons with disabilities have the opportunity to choose their place of residence and where and with whom they live on an equal basis with others and are not obliged to live in a particular living arrangement;
- (b) Persons with disabilities have access to a range of in-, residential and other community support services, including personal assistance necessary to support living and inclusion in the community, and to prevent isolation or segregation from the community;
- (c) Community services and facilities for the general population are available on an equal basis to persons with disabilities and are responsive to their needs.

**Article 20 - Personal mobility**

States Parties shall take effective measures to ensure personal mobility with the greatest possible independence for persons with disabilities, including by:

- (a) Facilitating the personal mobility of persons with disabilities in the manner and at the time of their choice, and at affordable cost;
- (b) Facilitating access by persons with disabilities to quality mobility aids, devices, assistive technologies and forms of live assistance and intermediaries, including by making them available at affordable cost;
- (c) Providing training in mobility skills to persons with disabilities and to specialist staff working with persons with disabilities;
- (d) Encouraging entities that produce mobility aids, devices and assistive technologies to take into account all aspects of mobility for persons with disabilities.

**Article 21 - Freedom of expression and opinion, and access to information**

States Parties shall take all appropriate measures to ensure that persons with disabilities can exercise the right to freedom of expression and opinion, including the freedom to seek, receive and impart information and ideas on an equal basis with others and through all forms of communication of their choice, as defined in article 2 of the present Convention, including by:

- (a) Providing information intended for the general public to persons with disabilities in accessible formats and technologies appropriate to different kinds of disabilities in a timely manner and without additional cost;
- (b) Accepting and facilitating the use of sign languages, Braille, augmentative and alternative communication, and all other accessible means, modes and formats of communication of their choice by persons with disabilities in official interactions;
- (c) Urging private entities that provide services to the general public, including through the Internet, to provide information and services in accessible and usable formats for persons with disabilities;
- (d) Encouraging the mass media, including providers of information through the Internet, to make their services accessible to persons with disabilities;
- (e) Recognising and promoting the use of sign languages.

**Article 22 - Respect for privacy**

1. No person with disabilities, regardless of place of residence or living arrangements, shall be subjected to arbitrary or unlawful interference with his or her privacy, family, or correspondence or other types of communication or to unlawful attacks on his or her honour and reputation. Persons with disabilities have the right to the protection of the law against such interference or attacks.

2. States Parties shall protect the privacy of personal, health and rehabilitation information of persons with disabilities on an equal basis with others.



### **Article 23 - Respect for and the family**

1. States Parties shall take effective and appropriate measures to eliminate discrimination against persons with disabilities in all matters relating to marriage, family, parenthood and relationships, on an equal basis with others, so as to ensure that:

- (a) The right of all persons with disabilities who are of marriageable age to marry and to found a family on the basis of free and full consent of the intending spouses is recognised;
- (b) The rights of persons with disabilities to decide freely and responsibly on the number and spacing of their children and to have access to age-appropriate information, reproductive and family planning education are recognised, and the means necessary to enable them to exercise these rights are provided;
- (c) Persons with disabilities, including children, retain their fertility on an equal basis with others.

2. States Parties shall ensure the rights and responsibilities of persons with disabilities, with regard to guardianship, wardship, trusteeship, adoption of children or similar institutions, where these concepts exist in national legislation; in all cases the best interests of the child shall be paramount. States Parties shall render appropriate assistance to persons with disabilities in the performance of their child-rearing responsibilities.

3. States Parties shall ensure that children with disabilities have equal rights with respect to family life. With a view to realising these rights, and to prevent concealment, abandonment, neglect and segregation of children with disabilities, States Parties shall undertake to provide early and comprehensive information, services and support to children with disabilities and their families.



4. States Parties shall ensure that a child shall not be separated from his or her parents against their will, except when competent authorities subject to judicial review determine, in accordance with applicable law and procedures, that such separation is necessary for the best interests of the child. In no case shall a child be separated from parents on the basis of a disability of either the child or one or both of the parents.

5. States Parties shall, where the immediate family is unable to care for a child with disabilities, undertake every effort to provide alternative care within the wider family, and failing that, within the community in a family setting.

#### **Article 24 - Education**

1. States Parties recognise the right of persons with disabilities to education. With a view to realising this right without discrimination and on the basis of equal opportunity, States Parties shall ensure an inclusive education system at all levels and life long learning directed to:

- (a) The full development of human potential and sense of dignity and self-worth, and the strengthening of respect for human rights, fundamental freedoms and human diversity;
- (b) The development by persons with disabilities of their personality, talents and creativity, as well as their mental and physical abilities, to their fullest potential;
- (c) Enabling persons with disabilities to participate effectively in a free society.

2. In realising this right, States Parties shall ensure that:

- (a) Persons with disabilities are not excluded from the general education system on the basis of disability, and that children with disabilities are not excluded from free and compulsory primary education, or from secondary education, on the basis of disability;





- (b) Persons with disabilities can access an inclusive, quality and free primary education and secondary education on an equal basis with others in the communities in which they live;
- (c) Reasonable accommodation of the individual's requirements is provided;
- (d) Persons with disabilities receive the support required, within the general education system, to facilitate their effective education;
- (e) Effective individualised support measures are provided in environments that maximise academic and social development, consistent with the goal of full inclusion.

3. States Parties shall enable persons with disabilities to learn life and social development skills to facilitate their full and equal participation in education and as members of the community. To this end, States Parties shall take appropriate measures, including:

- (a) Facilitating the learning of Braille, alternative script, augmentative and alternative modes, means and formats of communication and orientation and mobility skills, and facilitating peer support and mentoring;
- (b) Facilitating the learning of sign language and the promotion of the linguistic identity of the deaf community;
- (c) Ensuring that the education of persons, and in particular children, who are blind, deaf or deafblind, is delivered in the most appropriate languages and modes and means of communication for the individual, and in environments which maximise academic and social development.

4. In order to help ensure the realisation of this right, States Parties shall take appropriate measures to employ teachers, including teachers with disabilities, who are qualified in sign language and/or Braille, and to train professionals and staff who work at all levels of education. Such training shall incorporate disability awareness and the use of appropriate augmentative and alternative modes, means and formats of communication, educational techniques and materials to support persons with disabilities.



5. States Parties shall ensure that persons with disabilities are able to access general tertiary education, vocational training, adult education and lifelong learning without discrimination and on an equal basis with others. To this end, States Parties shall ensure that reasonable accommodation is provided to persons with disabilities.

#### **Article 25 - Health**

States Parties recognise that persons with disabilities have the right to the enjoyment of the highest attainable standard of health without discrimination on the basis of disability. States Parties shall take all appropriate measures to ensure access for persons with disabilities to health services that are gender-sensitive, including health-related rehabilitation. In particular, States Parties shall:

- (a) Provide persons with disabilities with the same range, quality and standard of free or affordable health care and programmes as provided to other persons, including in the area of sexual and reproductive health and population-based public health programmes;
- (b) Provide those health services needed by persons with disabilities specifically because of their disabilities, including early identification and intervention as appropriate, and services designed to minimise and prevent further disabilities, including among children and older persons;
- (c) Provide these health services as close as possible to people's own communities, including in rural areas;
- (d) Require health professionals to provide care of the same quality to persons with disabilities as to others, including on the basis of free and informed consent by, inter alia, raising awareness of the human rights, dignity, autonomy and needs of persons with disabilities through training and the promulgation of ethical standards for public and private health care;



- (e) Prohibit discrimination against persons with disabilities in the provision of health insurance, and life insurance where such insurance is permitted by national law, which shall be provided in a fair and reasonable manner;
- (f) Prevent discriminatory denial of health care or health services or food and fluids on the basis of disability.

#### **Article 26 - Habilitation and rehabilitation**

1. States Parties shall take effective and appropriate measures, including through peer support, to enable persons with disabilities to attain and maintain maximum independence, full physical, mental, social and vocational ability, and full inclusion and participation in all aspects of life. To that end, States Parties shall organise, strengthen and extend comprehensive habilitation and rehabilitation services and programmes, particularly in the areas of health, employment, education and social services, in such a way that these services and programmes:

- (a) Begin at the earliest possible stage, and are based on the multidisciplinary assessment of individual needs and strengths;
- (b) Support participation and inclusion in the community and all aspects of society, are voluntary, and are available to persons with disabilities as close as possible to their own communities, including in rural areas.

2. States Parties shall promote the development of initial and continuing training for professionals and staff working in habilitation and rehabilitation services.

3. States Parties shall promote the availability, knowledge and use of assistive devices and technologies, designed for persons with disabilities, as they relate to habilitation and rehabilitation.



## **Article 27 - Work and employment**

1. States Parties recognise the right of persons with disabilities to work, on an equal basis with others; this includes the right to the opportunity to gain a living by work freely chosen or accepted in a labour market and work environment that is open, inclusive and accessible to persons with disabilities. States Parties shall safeguard and promote the realisation of the right to work, including for those who acquire a disability during the course of employment, by taking appropriate steps, including through legislation, to, inter alia:

- (a) Prohibit discrimination on the basis of disability with regard to all matters concerning all forms of employment, including conditions of recruitment, hiring and employment, continuance of employment, career advancement and safe and healthy working conditions;
- (b) Protect the rights of persons with disabilities, on an equal basis with others, to just and favourable conditions of work, including equal opportunities and equal remuneration for work of equal value, safe and healthy working conditions, including protection from harassment, and the redress of grievances;
- (c) Ensure that persons with disabilities are able to exercise their labour and trade union rights on an equal basis with others;
- (d) Enable persons with disabilities to have effective access to general technical and vocational guidance programmes, placement services and vocational and continuing training;
- (e) Promote employment opportunities and career advancement for persons with disabilities in the labour market, as well as assistance in finding, obtaining, maintaining and returning to employment;
- (f) Promote opportunities for self-employment, entrepreneurship, the development of cooperatives and starting one's own business;
- (g) Employ persons with disabilities in the public sector;
- (h) Promote the employment of persons with disabilities in the private sector through appropriate policies and measures, which may include affirmative action programmes, incentives and other measures;
- (i) Ensure that reasonable accommodation is provided to persons with disabilities in the workplace;



- (j) Promote the acquisition by persons with disabilities of work experience in the open labour market;
- (k) Promote vocational and professional rehabilitation, job retention and return-to-work programmes for persons with disabilities.

2. States Parties shall ensure that persons with disabilities are not held in slavery or in servitude, and are protected, on an equal basis with others, from forced or compulsory labour.

### **Article 28 - Adequate standard of living and social protection**

1. States Parties recognise the right of persons with disabilities to an adequate standard of living for themselves and their families, including adequate food, clothing and housing, and to the continuous improvement of living conditions, and shall take appropriate steps to safeguard and promote the realisation of this right without discrimination on the basis of disability.

2. States Parties recognise the right of persons with disabilities to social protection and to the enjoyment of that right without discrimination on the basis of disability, and shall take appropriate steps to safeguard and promote the realisation of this right, including measures:

- (a) To ensure equal access by persons with disabilities to clean water services, and to ensure access to appropriate and affordable services, devices and other assistance for disability-related needs;
- (b) 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;
- (c) To 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;
- (d) To ensure access by persons with disabilities to public housing programmes;
- (e) To ensure equal access by persons with disabilities to retirement benefits and programmes.



### **Article 29 - Participation in political and public life**

States Parties shall guarantee to persons with disabilities political rights and the opportunity to enjoy them on an equal basis with others, and shall undertake to:

- (a) Ensure that persons with disabilities can effectively and fully participate in political and public life on an equal basis with others, directly or through freely chosen representatives, including the right and opportunity for persons with disabilities to vote and be elected, inter alia, by:
  - (i) Ensuring that voting procedures, facilities and materials are appropriate, accessible and easy to understand and use;
  - (ii) Protecting the right of persons with disabilities to vote by secret ballot in elections and public referendums without intimidation, and to stand for elections, to effectively hold office and perform all public functions at all levels of government, facilitating the use of assistive and new technologies where appropriate;
  - (iii) Guaranteeing the free expression of the will of persons with disabilities as electors and to this end, where necessary, at their request, allowing assistance in voting by a person of their own choice;
- (b) Promote actively an environment in which persons with disabilities can effectively and fully participate in the conduct of public affairs, without discrimination and on an equal basis with others, and encourage their participation in public affairs, including:
  - (i) Participation in non-governmental organisations and associations concerned with the public and political life of the country, and in the activities and administration of political parties;
  - (ii) Forming and joining organisations of persons with disabilities to represent persons with disabilities at international, national, regional and local levels.

**Article 30 - Participation in cultural life, recreation, leisure and sport**

1. States Parties recognise the right of persons with disabilities to take part on an equal basis with others in cultural life, and shall take all appropriate measures to ensure that persons with disabilities:

- (a) Enjoy access to cultural materials in accessible formats;
- (b) Enjoy access to television programmes, films, theatre and other cultural activities, in accessible formats;
- (c) Enjoy access to places for cultural performances or services, such as theatres, museums, cinemas, libraries and tourism services, and, as far as possible, enjoy access to monuments and sites of national cultural importance.

2. States Parties shall take appropriate measures to enable persons with disabilities to have the opportunity to develop and utilise their creative, artistic and intellectual potential, not only for their own benefit, but also for the enrichment of society.

3. States Parties shall take all appropriate steps, in accordance with international law, to ensure that laws protecting intellectual property rights do not constitute an unreasonable or discriminatory barrier to access by persons with disabilities to cultural materials.

4. Persons with disabilities shall be entitled, on an equal basis with others, to recognition and support of their specific cultural and linguistic identity, including sign languages and deaf culture.



5. With a view to enabling persons with disabilities to participate on an equal basis with others in recreational, leisure and sporting activities, States Parties shall take appropriate measures:

- (a) To encourage and promote the participation, to the fullest extent possible, of persons with disabilities in mainstream sporting activities at all levels;
- (b) To ensure that persons with disabilities have an opportunity to organise, develop and participate in disability-specific sporting and recreational activities and, to this end, encourage the provision, on an equal basis with others, of appropriate instruction, training and resources;
- (c) To ensure that persons with disabilities have access to sporting, recreational and tourism venues;
- (d) To ensure that children with disabilities have equal access with other children to participation in play, recreation and leisure and sporting activities, including those activities in the school system;
- (e) To ensure that persons with disabilities have access to services from those involved in the organisation of recreational, tourism, leisure and sporting activities.

### **Article 31 - Statistics and data collection**

1. States Parties undertake to collect appropriate information, including statistical and research data, to enable them to formulate and implement policies to give effect to the present Convention. The process of collecting and maintaining this information shall:

- (a) Comply with legally established safeguards, including legislation on data protection, to ensure confidentiality and respect for the privacy of persons with disabilities;
- (b) Comply with internationally accepted norms to protect human rights and fundamental freedoms and ethical principles in the collection and use of statistics.





2. The information collected in accordance with this article shall be disaggregated, as appropriate, and used to help assess the implementation of States Parties' obligations under the present Convention and to identify and address the barriers faced by persons with disabilities in exercising their rights.

3. States Parties shall assume responsibility for the dissemination of these statistics and ensure their accessibility to persons with disabilities and others.

### **Article 32 - International cooperation**

1. States Parties recognise the importance of international cooperation and its promotion, in support of national efforts for the realisation of the purpose and objectives of the present Convention, and will undertake appropriate and effective measures in this regard, between and among States and, as appropriate, in partnership with relevant international and regional organisations and civil society, in particular organisations of persons with disabilities. Such measures could include, inter alia:

- (a) Ensuring that international cooperation, including international development programmes, is inclusive of and accessible to persons with disabilities;
- (b) Facilitating and supporting capacity-building, including through the exchange and sharing of information, experiences, training programmes and best practices;
- (c) Facilitating cooperation in research and access to scientific and technical knowledge;
- (d) Providing, as appropriate, technical and economic assistance, including by facilitating access to and sharing of accessible and assistive technologies, and through the transfer of technologies.

2. The provisions of this article are without prejudice to the obligations of each State Party to fulfil its obligations under the present Convention.



### **Article 33 - National implementation and monitoring**

1. States Parties, in accordance with their system of organisation, shall designate one or more focal points within government for matters relating to the implementation of the present Convention, and shall give due consideration to the establishment or designation of a coordination mechanism within government to facilitate related action in different sectors and at different levels.
2. States Parties shall, in accordance with their legal and administrative systems, maintain, strengthen, designate or establish within the State Party, a framework, including one or more independent mechanisms, as appropriate, to promote, protect and monitor implementation of the present Convention. When designating or establishing such a mechanism, States Parties shall take into account the principles relating to the status and functioning of national institutions for protection and promotion of human rights.
3. Civil society, in particular persons with disabilities and their representative organisations, shall be involved and participate fully in the monitoring process.

### **Article 34 - Committee on the Rights of Persons with Disabilities**

1. There shall be established a Committee on the Rights of Persons with Disabilities (hereafter referred to as “the Committee”), which shall carry out the functions hereinafter provided.
2. The Committee shall consist, at the time of entry into force of the present Convention, of twelve experts. After an additional sixty ratifications or accessions to the Convention, the membership of the Committee shall increase by six members, attaining a maximum number of eighteen members.



3. The members of the Committee shall serve in their personal capacity and shall be of high moral standing and recognised competence and experience in the field covered by the present Convention. When nominating their candidates, States Parties are invited to give due consideration to the provision set out in article 4.3 of the present Convention.

4. The members of the Committee shall be elected by States Parties, consideration being given to equitable geographical distribution, representation of the different forms of civilisation and of the principal legal systems, balanced gender representation and participation of experts with disabilities.

5. The members of the Committee shall be elected by secret ballot from a list of persons nominated by the States Parties from among their nationals at meetings of the Conference of States Parties. At those meetings, for which two thirds of States Parties shall constitute a quorum, the persons elected to the Committee shall be those who obtain the largest number of votes and an absolute majority of the votes of the representatives of States Parties present and voting.

6. The initial election shall be held no later than six months after the date of entry into force of the present Convention. At least four months before the date of each election, the Secretary-General of the United Nations shall address a letter to the States Parties inviting them to submit the nominations within two months. The Secretary-General shall subsequently prepare a list in alphabetical order of all persons thus nominated, indicating the State Parties which have nominated them, and shall submit it to the States Parties to the present Convention.



7. The members of the Committee shall be elected for a term of four years. They shall be eligible for re-election once. However, the term of six of the members elected at the first election shall expire at the end of two years; immediately after the first election, the names of these six members shall be chosen by lot by the chairperson of the meeting referred to in paragraph 5 of this article.

8. The election of the six additional members of the Committee shall be held on the occasion of regular elections, in accordance with the relevant provisions of this article.

9. If a member of the Committee dies or resigns or declares that for any other cause she or he can no longer perform her or his duties, the State Party which nominated the member shall appoint another expert possessing the qualifications and meeting the requirements set out in the relevant provisions of this article, to serve for the remainder of the term.

10. The Committee shall establish its own rules of procedure.

11. The Secretary-General of the United Nations shall provide the necessary staff and facilities for the effective performance of the functions of the Committee under the present Convention, and shall convene its initial meeting.

12. With the approval of the General Assembly, the members of the Committee established under the present Convention shall receive emoluments from United Nations resources on such terms and conditions as the Assembly may decide, having regard to the importance of the Committee's responsibilities.

13. The members of the Committee shall be entitled to the facilities, privileges and immunities of experts on mission for the United Nations as laid down in the relevant sections of the Convention on the Privileges and Immunities of the United Nations.



### **Article 35 - Reports by States Parties**

1. Each State Party shall submit to the Committee, through the Secretary-General of the United Nations, a comprehensive report on measures taken to give effect to its obligations under the present Convention and on the progress made in that regard, within two years after the entry into force of the present Convention for the State Party concerned.
2. Thereafter, States Parties shall submit subsequent reports at least every four years and further whenever the Committee so requests.
3. The Committee shall decide any guidelines applicable to the content of the reports.
4. A State Party which has submitted a comprehensive initial report to the Committee need not, in its subsequent reports, repeat information previously provided. When preparing reports to the Committee, States Parties are invited to consider doing so in an open and transparent process and to give due consideration to the provision set out in article 4.3 of the present Convention.
5. Reports may indicate factors and difficulties affecting the degree of fulfilment of obligations under the present Convention.

### **Article 36 - Consideration of reports**

1. Each report shall be considered by the Committee, which shall make such suggestions and general recommendations on the report as it may consider appropriate and shall forward these to the State Party concerned. The State Party may respond with any information it chooses to the Committee. The Committee may request further information from States Parties relevant to the implementation of the present Convention.



2. If a State Party is significantly overdue in the submission of a report, the Committee may notify the State Party concerned of the need to examine the implementation of the present Convention in that State Party, on the basis of reliable information available to the Committee, if the relevant report is not submitted within three months following the notification. The Committee shall invite the State Party concerned to participate in such examination. Should the State Party respond by submitting the relevant report, the provisions of paragraph 1 of this article will apply.

3. The Secretary-General of the United Nations shall make available the reports to all States Parties.

4. States Parties shall make their reports widely available to the public in their own countries and facilitate access to the suggestions and general recommendations relating to these reports.

5. The Committee shall transmit, as it may consider appropriate, to the specialised agencies, funds and programmes of the United Nations, and other competent bodies, reports from States Parties in order to address a request or indication of a need for technical advice or assistance contained therein, along with the Committee's observations and recommendations, if any, on these requests or indications.

### **Article 37 - Cooperation between States Parties and the Committee**

1. Each State Party shall cooperate with the Committee and assist its members in the fulfilment of their mandate.

2. In its relationship with States Parties, the Committee shall give due consideration to ways and means of enhancing national capacities for the implementation of the present Convention, including through international cooperation.



### **Article 38 - Relationship of the Committee with other bodies**

In order to foster the effective implementation of the present Convention and to encourage international cooperation in the field covered by the present Convention:

- (a) The specialised agencies and other United Nations organs shall be entitled to be represented at the consideration of the implementation of such provisions of the present Convention as fall within the scope of their mandate. The Committee may invite the specialised agencies and other competent bodies as it may consider appropriate to provide expert advice on the implementation of the Convention in areas falling within the scope of their respective mandates. The Committee may invite specialised agencies and other United Nations organs to submit reports on the implementation of the Convention in areas falling within the scope of their activities;
- (b) The Committee, as it discharges its mandate, shall consult, as appropriate, other relevant bodies instituted by international human rights treaties, with a view to ensuring the consistency of their respective reporting guidelines, suggestions and general recommendations, and avoiding duplication and overlap in the performance of their functions.

### **Article 39 - Report of the Committee**

The Committee shall report every two years to the General Assembly and to the Economic and Social Council on its activities, and may make suggestions and general recommendations based on the examination of reports and information received from the States Parties. Such suggestions and general recommendations shall be included in the report of the Committee together with comments, if any, from States Parties.

**Article 40 -Conference of States Parties**

1. The States Parties shall meet regularly in a Conference of States Parties in order to consider any matter with regard to the implementation of the present Convention.

2. No later than six months after the entry into force of the present Convention, the Conference of the States Parties shall be convened by the Secretary-General of the United Nations. The subsequent meetings shall be convened by the Secretary-General of the United Nations biennially or upon the decision of the Conference of States Parties.

**Article 41 - Depositary**

The Secretary-General of the United Nations shall be the depositary of the present Convention.

**Article 42 - Signature**

The present Convention shall be open for signature by all States and by regional integration organisations at United Nations Headquarters in New York as of 30 March 2007.

**Article 43 - Consent to be bound**

The present Convention shall be subject to ratification by signatory States and to formal confirmation by signatory regional integration organisations. It shall be open for accession by any State or regional integration organisation which has not signed the Convention.





#### **Article 44 - Regional integration organisations**

1. “Regional integration organisation” shall mean an organisation constituted by sovereign States of a given region, to which its member States have transferred competence in respect of matters governed by this Convention. Such organisations shall declare, in their instruments of formal confirmation or accession, the extent of their competence with respect to matters governed by this Convention. Subsequently, they shall inform the depositary of any substantial modification in the extent of their competence.

2. References to “States Parties” in the present Convention shall apply to such organisations within the limits of their competence.

3. For the purposes of article 45, paragraph 1, and article 47, paragraphs 2 and 3, any instrument deposited by a regional integration organisation shall not be counted.

4. Regional integration organisations, in matters within their competence, may exercise their right to vote in the Conference of States Parties, with a number of votes equal to the number of their member States that are Parties to this Convention. Such an organisation shall not exercise its right to vote if any of its member States exercises its right, and vice versa.

#### **Article 45 - Entry into force**

1. The present Convention shall enter into force on the thirtieth day after the deposit of the twentieth instrument of ratification or accession.

2. For each State or regional integration organisation ratifying, formally confirming or acceding to the Convention after the deposit of the twentieth such instrument, the Convention shall enter into force on the thirtieth day after the deposit of its own such instrument.



### **Article 46 - Reservations**

1. Reservations incompatible with the object and purpose of the present Convention shall not be permitted.
2. Reservations may be withdrawn at any time.

### **Article 47 - Amendments**

1. Any State Party may propose an amendment to the present Convention and submit it to the Secretary-General of the United Nations. The Secretary-General shall communicate any proposed amendments to States Parties, with a request to be notified whether they favour a conference of States Parties for the purpose of considering and deciding upon the proposals. In the event that, within four months from the date of such communication, at least one third of the States Parties favour such a conference, the Secretary-General shall convene the conference under the auspices of the United Nations. Any amendment adopted by a majority of two thirds of the States Parties present and voting shall be submitted by the Secretary-General to the General Assembly for approval and thereafter to all States Parties for acceptance.
2. An amendment adopted and approved in accordance with paragraph 1 of this article shall enter into force on the thirtieth day after the number of instruments of acceptance deposited reaches two thirds of the number of States Parties at the date of adoption of the amendment. Thereafter, the amendment shall enter into force for any State Party on the thirtieth day following the deposit of its own instrument of acceptance. An amendment shall be binding only on those States Parties which have accepted it.



3. If so decided by the Conference of States Parties by consensus, an amendment adopted and approved in accordance with paragraph 1 of this article which relates exclusively to articles 34, 38, 39 and 40 shall enter into force for all States Parties on the thirtieth day after the number of instruments of acceptance deposited reaches two thirds of the number of States Parties at the date of adoption of the amendment.

#### **Article 48 - Denunciation**

A State Party may denounce the present Convention by written notification to the Secretary-General of the United Nations. The denunciation shall become effective one year after the date of receipt of the notification by the Secretary-General.

#### **Article 49 - Accessible format**

The text of the present Convention shall be made available in accessible formats.

#### **Article 50 - Authentic texts**

The Arabic, Chinese, English, French, Russian and Spanish texts of the present Convention shall be equally authentic.

# Optional Protocol to the UN Convention on the Rights of Persons with Disabilities

## **Article 1**

1. A State Party to the present Protocol (“State Party”) recognises the competence of the Committee on the Rights of Persons with Disabilities (“the Committee”) to receive and consider communications from or on behalf of individuals or groups of individuals subject to its jurisdiction who claim to be victims of a violation by that State Party of the provisions of the Convention.

2. No communication shall be received by the Committee if it concerns a State Party to the Convention that is not a party to the present Protocol.

## **Article 2**

The Committee shall consider a communication inadmissible when:

- (a) The communication is anonymous;
- (b) The communication constitutes an abuse of the right of submission of such communications or is incompatible with the provisions of the Convention;
- (c) The same matter has already been examined by the Committee or has been or is being examined under another procedure of international investigation or settlement;
- (d) All available domestic remedies have not been exhausted. This shall not be the rule where the application of the remedies is unreasonably prolonged or unlikely to bring effective relief;
- (e) It is manifestly ill-founded or not sufficiently substantiated; or when
- (f) The facts that are the subject of the communication occurred prior to the entry into force of the present Protocol for the State Party concerned unless those facts continued after that date.

**Article 3**

Subject to the provisions of article 2 of the present Protocol, the Committee shall bring any communications submitted to it confidentially to the attention of the State Party. Within six months, the receiving State shall submit to the Committee written explanations or statements clarifying the matter and the remedy, if any, that may have been taken by that State.

**Article 4**

1. At any time after the receipt of a communication and before a determination on the merits has been reached, the Committee may transmit to the State Party concerned for its urgent consideration a request that the State Party take such interim measures as may be necessary to avoid possible irreparable damage to the victim or victims of the alleged violation.

2. Where the Committee exercises its discretion under paragraph 1 of this article, this does not imply a determination on admissibility or on the merits of the communication.

**Article 5**

The Committee shall hold closed meetings when examining communications under the present Protocol. After examining a communication, the Committee shall forward its suggestions and recommendations, if any, to the State Party concerned and to the petitioner.

**Article 6**

1. If the Committee receives reliable information indicating grave or systematic violations by a State Party of rights set forth in the Convention, the Committee shall invite that State Party to cooperate in the examination of the information and to this end submit observations with regard to the information concerned.



2. Taking into account any observations that may have been submitted by the State Party concerned as well as any other reliable information available to it, the Committee may designate one or more of its members to conduct an inquiry and to report urgently to the Committee. Where warranted and with the consent of the State Party, the inquiry may include a visit to its territory.

3. After examining the findings of such an inquiry, the Committee shall transmit these findings to the State Party concerned together with any comments and recommendations.

4. The State Party concerned shall, within six months of receiving the findings, comments and recommendations transmitted by the Committee, submit its observations to the Committee.

5. Such an inquiry shall be conducted confidentially and the cooperation of the State Party shall be sought at all stages of the proceedings.

### **Article 7**

1. The Committee may invite the State Party concerned to include in its report under article 35 of the Convention details of any measures taken in response to an inquiry conducted under article 6 of the present Protocol.

2. The Committee may, if necessary, after the end of the period of six months referred to in article 6.4, invite the State Party concerned to inform it of the measures taken in response to such an inquiry.

### **Article 8**

Each State Party may, at the time of signature or ratification of the present Protocol or accession thereto, declare that it does not recognise the competence of the Committee provided for in articles 6 and 7.

**Article 9**

The Secretary-General of the United Nations shall be the depositary of the present Protocol.

**Article 10**

The present Protocol shall be open for signature by signatory States and regional integration organisations of the Convention at United Nations Headquarters in New York as of 30 March 2007.

**Article 11**

The present Protocol shall be subject to ratification by signatory States of this Protocol which have ratified or acceded to the Convention. It shall be subject to formal confirmation by signatory regional integration organisations of this Protocol which have formally confirmed or acceded to the Convention. It shall be open for accession by any State or regional integration organisation which has ratified, formally confirmed or acceded to the Convention and which has not signed the Protocol.

**Article 12**

1. “Regional integration organisation” shall mean an organisation constituted by sovereign States of a given region, to which its member States have transferred competence in respect of matters governed by the Convention and this Protocol. Such organisations shall declare, in their instruments of formal confirmation or accession, the extent of their competence with respect to matters governed by the Convention and this Protocol. Subsequently, they shall inform the depositary of any substantial modification in the extent of their competence.

2. References to “States Parties” in the present Protocol shall apply to such organisations within the limits of their competence.



3. For the purposes of article 13, paragraph 1, and article 15, paragraph 2, any instrument deposited by a regional integration organisation shall not be counted.

4. Regional integration organisations, in matters within their competence, may exercise their right to vote in the meeting of States Parties, with a number of votes equal to the number of their member States that are Parties to this Protocol. Such an organisation shall not exercise its right to vote if any of its member States exercises its right, and vice versa.

### **Article 13**

1. Subject to the entry into force of the Convention, the present Protocol shall enter into force on the thirtieth day after the deposit of the tenth instrument of ratification or accession.

2. For each State or regional integration organisation ratifying, formally confirming or acceding to the Protocol after the deposit of the tenth such instrument, the Protocol shall enter into force on the thirtieth day after the deposit of its own such instrument.

### **Article 14**

1. Reservations incompatible with the object and purpose of the present Protocol shall not be permitted.

2. Reservations may be withdrawn at any time.

### **Article 15**

1. Any State Party may propose an amendment to the present Protocol and submit it to the Secretary-General of the United Nations. The Secretary-General shall communicate any proposed amendments to States Parties, with a request to be notified whether they favour a meeting of States Parties for the purpose of considering and deciding upon the proposals.





In the event that, within four months from the date of such communication, at least one third of the States Parties favour such a meeting, the Secretary-General shall convene the meeting under the auspices of the United Nations. Any amendment adopted by a majority of two thirds of the States Parties present and voting shall be submitted by the Secretary-General to the General Assembly for approval and thereafter to all States Parties for acceptance.

2. An amendment adopted and approved in accordance with paragraph 1 of this article shall enter into force on the thirtieth day after the number of instruments of acceptance deposited reaches two thirds of the number of States Parties at the date of adoption of the amendment. Thereafter, the amendment shall enter into force for any State Party on the thirtieth day following the deposit of its own instrument of acceptance. An amendment shall be binding only on those States Parties which have accepted it.

#### **Article 16**

A State Party may denounce the present Protocol by written notification to the Secretary-General of the United Nations. The denunciation shall become effective one year after the date of receipt of the notification by the Secretary-General.

#### **Article 17**

The text of the present Protocol shall be made available in accessible formats.

#### **Article 18**

The Arabic, Chinese, English, French, Russian and Spanish texts of the present Protocol shall be equally authentic.

# Links to further information

More information on the UN Convention can be found via the following links:

## **UN resources**

United Nations Committee on the Rights of Persons with Disabilities, (the committee of independent experts charged with monitoring the implementation of the Convention by States parties): [www.ohchr.org/EN/HRBodies/CRPD](http://www.ohchr.org/EN/HRBodies/CRPD)

United Nations Enable, (the secretariat for the Convention), a joint initiative between the UN Office of the High Commissioner for Human Rights and the UN Department of Economic and Social Affairs: [www.un.org/disabilities](http://www.un.org/disabilities)

From Exclusion to Equality, realising the rights of persons with disabilities, a handbook for Parliamentarians on the Convention on the Rights of Persons with Disabilities and its Optional Protocol, United Nations, UN Office of the High Commissioner for Human Rights, Inter-Parliamentary Union, Geneva, 2007: <http://www.un.org/disabilities/default.asp?id=212>

It's about Ability, An explanation of the Convention on the Rights of Persons with Disabilities, UNICEF, New York, 2008: [http://www.unicef.org/publications/files/Its\\_About\\_Ability\\_final\\_.pdf](http://www.unicef.org/publications/files/Its_About_Ability_final_.pdf)

Convention on the Rights of Persons with Disability, The Basics, a UN PowerPoint: <http://www.un.org/disabilities/documents/ppt/crpdbasics.ppt>

Easy Read version of the Convention: <http://www.inspiredservices.org.uk/IS366%2007%20%20Easyread%20UN%20Convention%20on%20Human%20Rights%20FINAL%20low%20res%205%20Dec%2007.pdf>

## **Civil society resources**

Convention in plain-language:

<http://ratifynow.org/un-convention/crpd-in-plain-language/>

Making it Work (a website dedicated to making the Convention work):

<http://www.makingitwork-crpd.org/>



Manual on the Convention: Understanding the UN Convention on the Rights of Persons with Disabilities, Marianne Schulze, edited by Handicap International, September 2009, [http://www.makingitwork-crpd.org/fileadmin/user/HI\\_CRPD\\_Manual\\_sept\\_2009\\_final.doc](http://www.makingitwork-crpd.org/fileadmin/user/HI_CRPD_Manual_sept_2009_final.doc)

Human Rights Yes! Action and Advocacy on the Rights of Persons with Disabilities: <http://www1.umn.edu/humanrts/edumat/hreduseries/TB6/>

Disabled People International, a series of primers on the Convention: <http://v1.dpi.org/lang-en/resources/details.php?page=950>

Teaching Kit: This CD-Rom contains a set of visual aids, international texts and documentary resources required to stage training sessions in connection with the Convention on the rights of persons with disabilities. The visual aids address many aspects of disability, of human rights and of the Convention and need to be adapted by the organiser to the public concerned. Handicap International France, <http://www.handicap-international.fr/kit-pedagogique/indexen.html>

Disability Rights Advocacy Workbook, Nancy Flowers, Landmine Survivors Network, Geneva, 2007, <http://www.handicap-international.fr/kit-pedagogique/documents/ressourcesdocumentaires/apadoption/DisabilityRightsAdvocacyWorkbook2007.pdf>

Implementation Toolkit: Disability Rights = Human Rights, Disabled Peoples' International, <http://www.icrpd.net/>

Monitoring tool: Human Rights Indicators for People with Disabilities – a resource for disability activists and policy makers, Phillip French, Disability Studies and Research Institute, for Queensland Advocacy Incorporated, [http://www.humanrights.gov.au/disability\\_rights/convention/DC131207HumanRightsIndicatorsV2%20\(2\).zip](http://www.humanrights.gov.au/disability_rights/convention/DC131207HumanRightsIndicatorsV2%20(2).zip)

