

# IDA CRPD FORUM

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## **Call for Action: Breathing Life into the UN Convention on the Rights of Persons with Disabilities**

We would first like to express our utmost appreciation at the fact that here, in the United Nations, with so many Member States, we are celebrating the historic occasion of the entry into force of the UN Convention on the Rights of Persons with Disabilities and its Optional Protocol. We can all be proud that we now have a binding human rights treaty focused solely on the rights of more than 650 million persons with disabilities, at least 10% of the world's population. As we know, eighty percent of people with disabilities live in developing countries, often times facing extreme poverty and social exclusion, particularly in rural and indigenous areas.

The Convention is the means to realizing our shared dream of a world in which persons with disabilities enjoy equal rights and are included in all aspects of society, and are free from condescending societal views and discrimination based on disability, gender, ethnicity, and age.

Let us all continue in the spirit of partnership that so characterized the Convention negotiations, and turn the Convention from an abstract idea on paper into a practical reality, improving the lives of persons with disabilities all over the world.

It is in this partnership that we call for all governments that have not ratified the Convention and its Optional Protocol to do so as soon as possible, without reservations or declarations. We also call on those that have made reservations or declarations, to withdraw them as a matter of priority. Reservations or declarations are all too often loopholes to water down the obligations of the Convention, and can set poor examples for other states, jeopardizing the ratification processes overall. And let us not forget that the significance of the Optional Protocol, a key last resort for us to ensure that our rights are respected when national legal procedures have been exhausted.

So what happens next? Unless the Convention is actually implemented, ratification will be meaningless. We call for new laws, policies and action plans – at the international, national and local levels - that fully recognize persons with disabilities as equal citizens. But how do we measure the effect of the implementation for anyone of us, as people with disabilities?

- When we want to live in our own home, will we be able to do so in our community, or be forced into institutions or otherwise isolated and marginalized?

- When we want to celebrate our diverse minds and bodies, will we find support and accommodation, or be forced to undergo destructive medical interventions for the convenience of others?

-When we are ready to attend school, will we be able to learn by having books in Braille or teachers who use Sign Language?

- When we wish to earn a living, will we face discrimination or be able to find work that actually draws on our skills and achievements?

-When we attempt to open a bank account or use our money in ways that we see fit or to go to court to enforce our rights, will we need to seek a guardian's approval or have access to appropriate support to make our own decisions? Will our signature be seen as valid as yours?

-When making any decisions in our lives, will our government continue to substitute our decision-making power with that of tutors' or guardians'? Or will measures be taken to support our autonomy and decisions?

-When we require health and rehabilitation services, will they be available in our communities, accessible and affordable to us? Will we, many of whom face poverty, have financial support for these costs?

These are just a few of the many questions that we – people with and without disabilities – will be asking but also responding to, as contributing members of society. Regardless of whether we are people with disabilities or people without disabilities – we all have a role to play as government leaders, judges, teachers and employers. We are empowered to have a voice in the decisions at all levels about issues that affect us most personally. To summarize in five words: Nothing About Us, Without Us!

The Convention tells us that these five words mean:

- that we participate in the monitoring of the Convention at ALL levels – particularly in consultations during the selection process of the Committee of Experts and as actual members. Furthermore, we must have an active role in the Conference of States Parties at the international level, and in the independent monitoring bodies at the national level, such as national human rights institutions.

- that we help formulate rights-based policies to combat poverty and discrimination, to address the multiple forms of discrimination faced by many of us who are indigenous persons, women, children and older persons with disabilities;

- that we can exercise full legal capacity, where out-dated systems of guardianship and compulsory treatment are replaced with supported decision-making models that fully respect our right to make our own decisions and take risks in our lives, just as anyone else;

- that we have access to both the physical spaces of universities, restaurants, theaters and other public facilities and to the informational world of books, Internet, film, TV programs, and other materials;

- that we have the means to make all of these promises in the Convention a reality, including country-to-country technical assistance and financial support to ensure

cooperation and an equalization of opportunities among persons with disabilities everywhere, regardless of the strength of their country's economy. Financial support from both the private and public sectors for organizations of persons with disabilities is also fundamental. Implementation of the Convention will require strong self-advocacy groups at the national, regional and international levels, who have adequate resources to carry our common mission.

These are not unrealistic goals. We will achieve them together – not years from now, but soon, through innovative thinking, hard work and partnership, in line with Article 4 of the CRPD which requires the active involvement of organizations of persons with disabilities. So what should our next steps be?

Each nation must immediately bring its laws into harmony with the Convention, and take pragmatic steps to implement the laws in ways that will immediately improve the day-to-day lives of persons with disabilities. For example, laws and practices will need to be changed in many countries to replace guardianship and compulsion with supported decision-making.

Each country must also immediately implement Article 33 of the CRPD, by allocating responsibilities for the promotion and implementation of the CRPD to a governmental body, and establishing or strengthening an existing, coordination mechanism and an independent monitoring structure.

Countries must create media campaigns, such as on national television and radio stations, to break down stereotypes of persons with disabilities.

Along these lines, people with disabilities must educate government officials, parliamentarians, lawyers, jurists, and other professionals to understand the Convention's overarching paradigm shift that replaces paternalistic and medical approaches to disability with an approach based on protecting our human rights and honoring our human dignity.

Within the United Nations, we ask that the CRPD Secretariat in the Department of Economic and Social Affairs (DESA) and the Office of the High Commissioner for Human Rights (OHCHR) be strengthened and given the resources they need to carry out their important functions.

We also call on governments to promote the full participation of organizations of persons with disabilities in the Conference of States Parties, to take place later this year. Further, we urge governments to follow the criteria set forth in the Convention, by consulting organizations of persons with disabilities in the nomination of persons with disabilities for the Committee of Experts and electing the most qualified candidates in a fair and transparent process.

We also need to build up our information resources -- statistics and research so that we know more about the daily living situation of persons with disabilities. Our governments must commit to learn about us, how many we are, and what our real demands and needs are.

These are just a few of the challenges and responsibilities that lie ahead. We in the disability community are ready to roll up our sleeves, and join our partners in civil society, governments, the United Nations and other international organizations.

We have already seen tremendous success, especially today as we celebrate the Convention's entry into force. Ratification, of the Convention and its Optional Protocol, without any reservations or declarations, and implementation must follow.

If willingness exists – and what more testimony than the people and numbers gathered here today – then there is nothing that can stop us in our common efforts to turn society into an inclusive, just and accessible society for all.