



WORLD FEDERATION OF THE DEAF

Legal Seat – Helsinki, Finland

WORLD FEDERATION OF THE DEAF

An International Non-Governmental Organisation in official liaison with ECOSOC, UNESCO, ILO, WHO and the Council of Europe. WFD was established in Rome in 1951.

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Submission on the Draft General Comment No. 6

The World Federation of the Deaf (WFD) welcomes the opportunity to provide comments on the draft general comment on article 5 of the Convention on the Rights of Persons with Disabilities (CRPD) prepared by the Committee on the Rights of Persons with Disabilities (CRPD Committee).

Previously, the WFD prepared a submission on the outline draft general comment on article 5. The WFD would like to express concern that the previous submission has not been incorporated into the draft general comment. Particularly from education perspective the right to receive education in sign language is not sufficiently reflected. This point is clarified below in addition to further comments that the WFD would like to make on the latest version of the draft general comment.

As a general remark the WFD would like to stress that deaf people compared to other groups of persons with disabilities may experience different barriers due to their own language. The guarantee that deaf people will be invited and included in every aspect of social life is one thing and another is guarantee that they will be adequately informed and able to fully participate. In that sense, it is not enough to ensure the attendance of a deaf person to a meeting if accessibility through sign language is not provided. The lack of sign language interpretation may turn the environment inaccessible, leading to exclusion of deaf people.

The representation of organisations of persons with disabilities could be further clarified to highlight the importance of genuine leadership by persons with disabilities in paragraphs 38, 40 and 76i. Particularly in the Global South there are organisations led by persons without disabilities claiming to represent Deaf Communities. Similar situation may be observed among other groups of persons with disabilities. It is important to emphasise that real representation of an organisation of persons with disabilities is linked to the recognition of their capacity and potential. When persons without disabilities work together with persons with disabilities, the number, diversity and quality of occupation of persons with disabilities within an organisation, should be considered as an indicator of the level of participation. All organisations should have and implement policies to allow particularly marginalised groups such as women with disabilities to have equal opportunity to fully engage in decision-making processes.

Paragraph 43: the WFD would like to make the addition (in bold): “Many children with disabilities do not have access, on an equal basis with others, to education, **language**, housing, or goods and services.” Considering the best of the child and recalling article 21 of the CRPD it is utmost of importance to provide the opportunity for all deaf children to learn sign language as early as possible.

Paragraphs 46-48 on accessibility: this part does not mention about professional sign language interpretation. In our previous submission we expressed our concern on the lack of involvement of national associations of the deaf in planning and implementing interpreter training programs. Deaf people continue to face unwillingness of national governments and other institutions to fund sign language interpretation constituting barriers.

Paragraph 60: the use of sign language is not reflected in this paragraph. It would be important to add the bold text to 60b: “**Choice of language**, communication and accommodation of will and preference as to the procedure in general (including supports)”.

Paragraph 62a: deaf people have linguistic identity, which could be emphasised by adding the following: “The complexities of intersectionality, including the individual’s cultural, religious, **linguistic** and social identifications...”

Paragraph 76c: “... denial of sign language (interpretation)...” is not clear. This could mean e.g. denial of the existence of sign language or its use. The WFD would like to propose the following replacement: “... **denial of the provision of sign language instruction and professional sign language interpretation...**”

In terms of the right to education, the WFD would like to stress the importance of understanding that the unavailability of education through the medium of sign language is discrimination against deaf children’s linguistic human rights. As pointed out in our previous submission, deaf children are not equal until they are provided quality education in sign language. Although deaf schools are traditionally viewed as segregated or special schools, it is very important to understand that in the inclusive education system deaf schools do have place as schools based on language and culture, not on disability, in similar ways as different language schools operate in several countries (e.g. English schools in Spanish speaking countries). From this perspective the WFD hopes to change following sentences (changes in bold) “Education laws shall ensure individualized education for each child without relegating children with disabilities to special education schools or classrooms **unless justified by their use of minority language e.g. sign language.**” in paragraph 18 and “... segregated education laws and policies **except in cases of language and culture based education such as sign language**” in paragraph 32 to note that these do not apply for deaf children who go to deaf school as sign language immersion school to acquire sign language learning environment and promote deaf culture and identity. The same goes for paragraphs 70-71 that do not reflect article 24.3(b) and 24.3(c) in this version of draft at all. The following could be incorporated into paragraphs 70-71 or added as a separate paragraph: “**In order to ensure equality and non-discrimination for deaf children in educational settings they must be provided with sign language learning environment with deaf peers and deaf adult role models. The lack of proficiency in sign language skills of teachers of deaf children and inaccessible school environment exclude deaf children and are thus considered discriminatory.**” The WFD urges to include these aspects to make it clear what education through the medium of sign language means and how it should be implemented.

If you have any question, please do not hesitate to contact WFD Human Rights Officer Ms Eeva Tupi at eeva.tupi@wfd.fi

About the World Federation of the Deaf

The World Federation of the Deaf (WFD) is an international non-governmental organisation representing and promoting approximately 70 million deaf people’s human rights worldwide. The WFD is a federation of deaf organisations from 135 nations; its mission is to promote the human rights of deaf people and full, quality and equal access to all spheres of life, including self-determination, sign language, education, employment and community life. WFD has a consultative status in the United Nations and is a founding member of International Disability Alliance (IDA). (www.wfdeaf.org) Email: info@wfd.fi