



Contribution for OHCHR study on article 13 of the Convention on the Rights of Persons with Disabilities

The World Federation of the Deaf (WFD) and World Association of Sign Language Interpreters (WASLI) would like to take this opportunity to provide concerns regarding deaf people's access to justice. WFD has requested its member organisations in 133 countries to provide national inputs for this study directly to the OHCHR. This submission is focused on general concerns that apply worldwide.

Despite the scarcity of research data on deaf people's access to justice there are several cases in different parts of the world where deaf people are either not given equal opportunity to exercise legal capacity to represent themselves on the equal basis with others, or face barriers in communication due to the lack or poor quality of sign language interpretation.

Far too often deaf people are not allowed to have meaningful input into their judicial matters. The capacity of deaf people is often overlooked based on the lack of awareness on their skills and ability to express themselves, and the unavailability of professional sign language interpreters. While deaf people may be physically present in a legal event, without appropriate professional sign language interpretation they are not a full participant. Any legal proceeding concerning the rights of deaf people should not proceed without the presence of professional sign language interpretation to ensure that appropriate safeguards are available.

Countries that do not have formal training, accreditation and registration of sign language interpreters are in situation where anyone could be considered as an interpreter. Professionalism (training, certification and registration) in sign language interpretation is not sufficiently understood. Sometimes hearing family members of deaf people are asked to interpret although they have not been trained or possess certification in sign language interpretation, which is a field that requires linguistic professionalism. Knowing sign language does not mean that a person would be good interpreter. Unfortunately there are cases where people who have acted as sign language interpreters misused their position and influenced legal proceedings that led to negative results for deaf people. Interpretation in legal settings require specialised training. It is not sufficient to provide general sign language interpreter training only to prepare interpreters to work in legal settings. Confidentiality is an important matter particularly in legal proceedings concerning deaf people's matters. Professional sign language interpreters are not allowed to share information to which they have access due to interpretation job but this does not necessarily apply where there is no regulation. Gender sensitiveness is another issue that needs special attention – e.g. a deaf woman would feel more comfortable to have a female professional sign language interpreter.

WFD and WASLI would like to recommend advising national governments to pay special attention to the collaboration with national associations of the deaf in terms of legal capacity. In order to provide professional sign language interpretation in justice, national governments need to collaborate closely with both national associations of the deaf and national associations of sign language interpreters.

WFD Human Rights Officer Ms Eeva Tupi can be contacted at eeva.tupi@wfd.fi for further information.

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 133 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

About the World Association of Sign Language Interpreters

WASLI's goal is to promote and support the development of interpreters around the world. For example, some countries do not yet have interpreter associations or interpreter training, so WASLI works to encourage those countries to create national interpreter associations. WASLI also work to promote strong working ties between national interpreter associations and national Deaf associations, in the same way that WASLI and the World Federation of the Deaf (WFD) work together. (<http://wasli.org/>)