

UN Convention on the Rights of Persons with Disabilities Fact Sheet

Why do we need the UN Convention on the Rights of Persons with Disabilities (CRPD)?

People with disabilities worked with the United Nations to develop a treaty to protect their human and civil rights. The CRPD bars discrimination on the basis of disability, and requires nations that ratify the treaty to ensure that the rights of people with disabilities are extended and enforced "on an equal basis" with the rights of people without disabilities.

Human rights treaties, also known as *conventions*, put into words commonly agreed upon human rights shared by human beings around the world. Most treaties are developed through the United

Nations and other international bodies. For countries that sign and ratify them, conventions become legally binding international law. Some apply to all human beings while others focus on the rights of specific populations such as women, children, or refugees.

The existing core human rights treaties are rarely used to enforce the human rights of people with disabilities. They don't adequately address the physical, social, cultural, economic and legal barriers to inclusion of, and participation by, people with disabilities in all aspects of life.

How can my organization, city council, government agency, business, or other entity help the international effort to maximize the number of nations that ratify the Convention?

First, contact disability rights organizations in your area. Many such groups are leading efforts to promote the Convention - they can tell you how you can help.

Second, help get the word out! Add information about the Convention to your website or newsletter, and make sure civil and human rights organizations in your area add disability rights and Convention support to their action agendas.

Third, join RatifyNow's list serve, and visit our website for updates and examples of successful local, regional, and national advocacy campaigns. We'll include key facts and contact information for local leaders, so you'll know who to contact for details, or to brainstorm how best to adapt a successful effort to meet your needs.

How many countries must ratify the Convention for it to enter into force and become international law?

At least 20 countries must ratify the Convention. More than 100 nations have said they are considering ratification. Many experts predict the Convention will be signed by 20 nations before the end of 2007.



What specific rights are covered in the Convention?

The right to legal capacity
(to make one's own decisions)

The right to liberty

The right to live in the community

The right to respect for physical & mental integrity

The right to freedom from torture, violent exploitation and abuse

The right to healthcare and to free and informed consent in health services

The right to education

The right to vote and to participate in public & cultural life

The right to work, and to an adequate standard of living

The right to privacy

The right to habilitation & rehabilitation

The right to receive information in accessible formats

The right to marry and to divorce, and to share equally in child custody

The right to procreate, & the right to obtain contraception

The right to sign contracts, and own and inherit property

The right to accessible public transit and public accommodations

Can a convention on the rights of people with disabilities really make a difference?

Yes. Once completed, the Convention requires participating countries (called "States Parties" for UN treaties) to periodically report to the U.N. on their progress in implementing and enforcing the treaty obligations. Treaties are a powerful tool, and are used by advocacy groups to monitor, highlight, and promote human rights. A convention on the human rights of people with disabilities will help increase public awareness of barriers faced by people with disabilities, spur law and policy changes at the national level; provide redress in individual cases of rights violations or abuses; and channel resources into programs that support the rights of for people with disabilities.

Integrating disability into the global human rights framework and creating international legal standards will strengthen domestic disability rights movements in individual nations. The CRPD requires nations to recognize that the human rights of people with disabilities deserve the same level of commitment that governments demonstrate toward the rights of people without disabilities and society as a whole.

How was the Convention created?

This Convention began with a resolution that Mexico proposed to the United Nations General Assembly in 2001. It called for the establishment of an "Ad Hoc Committee" to consider proposals for a convention on the rights of persons with disabilities. In 2004, the Ad Hoc Committee established a working group composed of 12 organizations of people with disabilities, 27 governments, and one national human rights institution to produce a draft text for negotiations. The text was finalized after six additional meetings, and the Convention was adopted by the United Nations on December 13, 2006, and opened for ratification on March 30, 2007.

Early on, disability rights advocates created the International Disability Caucus to ensure that people with disabilities would play a central role at every stage of the process. The Convention's language reflects the IDC's influence. Government delegates with disabilities also played an important role in shaping the Convention.

Does the Convention create new rights?

No. The Convention does not create any "new rights" or "entitlements." It simply guarantees that people with disabilities will enjoy rights "on an equal basis" with people without disabilities. For example, if a nation that ratifies the treaty guarantees children the right to attend public school, children with disabilities in that nation will also have the right to attend public school. To make sure that children with disabilities benefit from their education, the public schools will have to make their classrooms and teaching methods accessible to children with all types of disabilities.

What does the Convention cover?

The purpose of the Convention is to promote, protect, and ensure the full and equal enjoyment of all human rights by persons with disabilities. It covers a number of key areas such as self-determination, physical and programmatic access, personal mobility, health, education, employment, habilitation and rehabilitation, participation in political life, and equality and non-discrimination. The Convention marks a shift in thinking about disability from a social welfare concern to a human rights issue. It acknowledges that societal barriers and prejudices are themselves disabling and must be dismantled.

What is the Optional Protocol?

The Protocol is a separate document that will enable individuals to seek redress for treaty violations after exhausting remedies available under their national laws. It requires its own ratification, and becomes legally binding when 10 nations ratify.

Links:

Convention Text: <http://www.un.org/esa/socdev/enable/>

UN Enable Convention website: <http://www.un.org/disabilities/>

Ratification and Implementation Toolkits: <http://www.icrpd.net>

The UN Convention "in plain language": <http://tinyurl.com/36ofsl>

Recent CRPD News: <http://www.un.org/disabilities/convention/index.shtml>

Handbook for Parliamentarians: <http://www.ipu.org/PDF/publications/disabilities-e.pdf>

RatifyNow Website: <http://www.ratifynow.org>