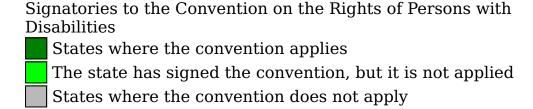
Convention on the Rights of Persons with Disabilities



The **Convention on the Rights of Persons with Disabilities** is an international agreement to protect the <u>rights</u> and <u>freedom</u> of people with <u>disabilities</u>. The convention was based on <u>international human rights</u> laws that were made after the <u>Universal Declaration of Human Rights</u> was <u>ratified</u>.

The <u>United Nations General Assembly</u> adopted the convention on 13 December 2006. It has been in effect since 3 May 2008. As of November 2024, 191 countries have <u>ratified</u> the convention (they have promised the <u>United Nations</u> they will obey the convention). As of 23 December 2010, the <u>European Union</u> has collectively ratified the convention.

Part of the Convention includes meetings to make sure the convention is being followed. People with disabilities can also take part in these meetings.

Main Contents

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You can find an Easy Read explanation about the Convention here. Easy Read is written in Simple English and has pictures to help people understand.

Preamble

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The <u>preamble</u> (beginning) of the Convention recognizes these things:

- The Convention follows the rules set down by the Universal Declaration of Human Rights, other conventions based on the Declaration, and the main idea of the <u>Vienna Declaration</u> (including <u>sustainable</u> <u>development</u>)
- Many people with disabilities suffer from <u>domestic violence</u>, <u>bullying</u>, <u>neglect</u> and <u>poverty</u>
- Everyone is responsible for protecting the rights of people with disabilities. Each person has a duty to every other person and to their community.

Article 1. Purpose

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Article 1 sets out the purposes or goals of the convention:

- To promote and protect the rights of people with disabilities
- To make sure people with disabilities enjoy the same <u>human rights</u> and freedoms as people without disabilities
- To respect the <u>dignity</u> of people with disabilities

Article 1 also says that there are many types of disabilities: physical disabilities, mental illnesses, intellectual disabilities, muteness, deafness, and blindness. According to Article 1, all of these people should be protected by the convention.

Article 2. Meaning of Words

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Article 2 explains what certain words in the Convention mean. For example:

- <u>Communication</u> means *any* sort of communication, not just spoken <u>language</u>. It can also mean display of text, <u>Braille</u>, communication by touch, large writing, audio, simple languages, human-readers, <u>information technology</u>, and other ways of <u>nonverbal communication</u>.
- *Language* includes <u>sign language</u>, and other non-spoken languages, as well as spoken ones.
- Discrimination on the basis of disabilities means that:
 - A person with a disability has been limited or excluded from doing something a non-disabled person could do, just because they have a disability; or
 - $^{\circ}$ A reasonable accommodation could have been made for people with disabilities, but was not
- *Reasonable accommodation* means the aid and support people with disabilities may need to enjoy all human rights.
- *Universal design* is a way of designing products and services so that all people can use them.

Article 3. General Principles

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Article 3 says the convention is based on these values and goals:

- Respect for dignity and <u>autonomy</u>, including the freedom to make one's own choices
- Non-discrimination
- Full acceptance of people with disabilities into society
- Respect and acceptance for people with disabilities as human beings

- Social equality between people with disabilities and people without disabilities
 - People with disabilities should have the same chances and opportunities that people without disabilities have
- Fair <u>accessibility</u>
- Social equality between men and women
- Respect and acceptance for children with disabilities

Article 4. General Obligation

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Article 4 says that countries must make sure people with disabilities have full human rights by:

- Changing national laws
- Getting rid of laws which discriminate against people with disabilities
- Stopping practices which go against the Convention

Article 5. Social Equality

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Countries must forbid all <u>discrimination</u> because of disability. Countries must also protect all persons against discrimination.

Article 6. Women

[change | change source]

Countries must understand that <u>women</u> and <u>girls</u> with disabilities suffer from double discrimination (they face discrimination both because they are disabled *and* because they are female). Countries must protect them so that they can enjoy human rights equally.

Article 7. Children

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Countries must take action to make sure children with disabilities enjoy the same rights and freedoms as children without disabilities. In all actions about children with disabilities, the most important thing is the child's best interests – what is best for the child. Children with disabilities should be able to have a say in decisions that affect them.

Article 8. Raising Awareness

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Countries must raise awareness and increase respect toward persons with disabilities. They must work to correct <u>stereotypes</u> and <u>prejudice</u> against people with disabilities.

Article 9. Accessibility

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Countries must make changes (reasonable accommodations) and laws so people with disabilities can:

- Access the physical environment (for example, using <u>public</u> <u>transportation</u> or getting into public buildings)
- Access information (for example, through the <u>Internet</u>)
- Communicate (whether through spoken words, <u>Braille</u>, <u>sign language</u>, or some other way)

Article 10. Right to Life

[change | change source]

Every human being has the right to live. Countries must do everything they can to make sure people with disabilities can enjoy life as fully as people without disabilities can.

Article 11. Situations of Risk and Humanitarian Emergency

[change | change source]

When war, a natural disaster, or any other kind of emergency happens, countries must protect and save persons with disabilities. This is in line with international law on humanitarian aid and human rights.

Article 12. Equal Recognition Before the Law

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Countries should give people with disabilities the support they need to exercise their legal rights – for example, by:

- Owning property
- Controlling their own money
- Having access to bank loan and credit

Countries should also make sure that nobody takes advantage of people with disabilities.

Article 13. Access to Justice

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People with disabilities have the right to access the <u>justice</u> and <u>court</u> systems just like people without disabilities. Countries must give special training on dealing with individuals with disabilities to people working in the <u>justice system</u>, including <u>police</u> and <u>prison</u> guards.

Person with disabilities has the right to access to the justice and court equally with other persons. To help this countries must do training for police and staff in prison. This Ariticle is cited with Article 12 by UN Office on Drugs and Crime.

Article 14. Liberty and Security of the Person

[change | change source]

People with disabilities have the right to <u>liberty</u> and safety. A person's freedom can never be taken away just because they have a disability. Countries must make sure people with disabilities are free and safe, even if this means making reasonable accommodations.

Article 15. Freedom from Torture or Cruel, Inhuman or Degrading Treatment or Punishment

[change | change source]

All people are free from:

- Torture
- <u>Cruel</u> or inhuman treatment or <u>punishment</u>
- Degrading (humiliating) treatment or punishment
- Scientific testing done on them without their permission

Article 16. Freedom from Violence and Abuse

[change | change source]

Countries must do everything they can to protect people with disabilities from violence and abuse.

Article 17. Protecting the Integrity of the Person

[change | change source]

Every person with disabilities has a right to be given respect for his or her <u>physical integrity</u> and mental <u>integrity</u>, the same way people without disabilities are.

Article 18. Liberty of Movement and Nationality

[change | change source]

People with disabilities have the right to move about freely, without being restricted. They have the right to choose their <u>nationality</u> and where they want to live.

Article 19. Living Independently and Being Accepted In the Community

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People with disabilities have the right to choose where they want to live, and who they want to live with. They cannot be forced to live in a certain place just because they are disabled. They should have supports and services to help them live independently at home and participate in their communities. Community activities should be accessible to people with disabilities. People with disabilities should not be isolated or segregated from society.

Article 20. (Personal moving)

[change | change source]

Countries must do any policy for persons with disabilities to get personal moving aides and support at cheap cost.

Article 21. (Freedom of expression, <u>opinion</u> and access to <u>information</u>)

[change | change source]

Countries must do all policy for person with disabilities to be able to express, to state opinion and to seek, receive and share information and ideas through Braille, sign languages and Internet.

Article 22. (Respect for private life)

[change | change source]

Countries must protect the <u>private life</u> of persons with disabilities about their own health and rehabilitation information.

Article 23. (Respect for home and family)

[change | change source]

Countries must do all policy to abolish discrimination against persons with disabilities about marriage, family, adoption, being parents and relationships. Any compulsory sterilization must be prohibited.^[1]

Article 24. (Education)

[change | change source]

Countries must admit that persons with disabilities have the right to inclusive education without discrimination and with equal chance, also education for adult and lifelong learning. The aim of education is to develop human dignity, self-worth, self-esteem, and respect for human rights and

human diversity, and for person with disabilities to develop their <u>personality</u>, <u>talents</u>, and <u>creative nature</u>. And for their full and equal participation in education as members of the <u>community</u>, countries must make it easy to learn <u>Braille</u> and <u>sign language</u> and also employ teachers with disabilities for this end.

Article 25. (Health)

[change | change source]

Countries must admit that persons with disabilities have the rights to enjoy the highest possible standard of health without discrimination and with informed consent.

Article 26. (Habilitation and rehabilitation)

[change | change source]

Counties must do habilitation and rehabilitation, that is aid to help independence and full physical, mental, social and vocational ability for the persons with disabilities, as early as possible with consideration of the individual needs and strengths of the persons, and also through peer support.

Article 27. (Right to work)

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Countries must admit the right of person with disabilities to work in just, good, safe and healthy condition and do policy that forbid all <u>discrimination</u> and <u>bullying because of disability</u>, and further must promote chance for person with disabilities to do self-work, <u>entrepreneur</u> and start one's own business. They must make more <u>jobs</u> for persons with disabilities also in <u>public sector</u>. Any <u>unfree labour</u> must be prohibited.

Article 28. (Good standard of living)

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Countries must admit that person with disability have the <u>right to an</u> adequate standard of living including <u>right to housing</u> without discrimination and must give <u>social protection</u> or <u>welfare</u>, especially for women and girls, and also <u>financial</u> aid for person in <u>poverty</u>.

Article 29. (Taking part in political and public life)

[change | change source]

Countries must admit that person with disabilities have the rights to take part in political and public life, also rights to be <u>elected</u>.

Article 30 (Taking part in culture)

[change | change source]

Countries must admit that persons with disabilities have the right to take part in cultural life and enjoy recreation, leisure and sports without discrimination and with reasonable support. And persons with disabilities must be given the chance to grow and use their own creative and intellectual or artistic capacity, not only for themselves but for better society, and their own identity on culture and language including sign language and culture of persons with disabilities.

Article 33 (Application in national level)

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Countries must make a national human rights institution to realise this convention and to watch the condition of the application of this, and make persons with disabilities enable to participate the institution.

Article 34 (Committee on the rights of persons with disabilities)

[change | change source]

<u>United Nations</u> will make the committee on this convention by countries to realise this convention.

Article 49 (Format accessible for all)

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This Convention must be published in a way accessible for all.

Optional Protocol

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This convention has also have an agreement that can accept a claim of a single person who has got an offense by a country where the person lives. That is called *Optional Protocol* and until <u>November 2024</u>, 107 countries have <u>ratified</u> to <u>United Nations</u> to realize that. (see data of other websites)

Related pages

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- <u>Disability</u>
- Discrimination
- Reasonable accommodation

- Accessibility
- inclusive education
- Human rights
- Universal Declaration of Human Rights
- Disability Discrimination Act 1995

Notes

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1. ↑ Report of United Nationa on torture (A/HRC/22/53), para 57-70

Other websites

[change | change source]

- Text of the Convention
- Full texts of the Convention with *Optional Protocol* and data of countries about the Convention
- Handbook on prisoners with special needs, pp. 47-48

International human rights instruments

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Declarations, manifestos, and resolutions

Brazilian Resolution

<u>Declaration on the Granting of Independence to Colonial Countries and Peoples</u>

<u>Universal Declaration of Human Rights</u> (UDHR)

Cairo Declaration on Human Rights in Islam

Declaration of Montreal

Declaration of the Rights of the Child

Declaration on the Elimination of Discrimination Against Women (DEDAW)

Declaration on the Elimination of Violence Against Women (DEVAW)

Declaration on the Rights of Indigenous Peoples (UNDRIP)

Declaration on sexual orientation and gender identity

American Declaration of the Rights and Duties of Man

Paris Principles

Vienna Declaration and Programme of Action (VDPA)

Yogyakarta Principles

Declaration on the Rights of Peasants (UNDROP)

International law

•	United Nations General Assembly Resolution 1514 (XV) Granting of Independence to
	Colonial Countries and Peoples
•	Convention against Torture
	Convention on the Elimination of All Forms of Discrimination Against Women
	(CEDAW)
•	Convention on the Elimination of All Forms of Racial Discrimination
•	Convention on the Political Rights of Women
•	Convention on the Rights of Persons with Disabilities
•	Convention on the Rights of the Child
•	Convention on the Protection of the Rights of All Migrant Workers and Members of
	Their Families
•	International Convention on the Suppression and Punishment of the Crime of
	<u>Apartheid</u>
	International Convention for the Protection of All Persons from Enforced
	<u>Disappearance</u>
	Indigenous and Tribal Peoples Convention, 1989
•	International Covenant on Civil and Political Rights
	International Covenant on Economic, Social and Cultural Rights
	Regional law
	African Charter on Human and Peoples' Rights
	Protocol to the African Charter on Human and Peoples' Rights on the Rights of
	Women in Africa (Maputo Protocol)
	European
	-
	Convention on Human Rights (ECHR) Convention for the Prevention of Torture
	European Convention on Nationality Convention for the Protection of National Minorities
	Social Charter
	Convention on preventing and combating violence against women and domestic
	violence (Istanbul Convention)
	American Convention on Human Rights
	Inter-American Convention
	to Prevent and Punish Torture
	on the Elimination of All Forms of Discrimination against Persons with Disabilities
	on the Prevention, Punishment, and Eradication of Violence against Women (Belém do Pará Convention)
	do Fara Convention)
	International humanitarian law
	Genocide Convention
	Convention Relating to the Status of Refugees

Protocol Relating to the Status of Refugees
Convention on the Reduction of Statelessness

Geneva Conventions Hague Conventions Rome Statute of the International Criminal Court

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