



PARLIAMENT OF THE REPUBLIC OF FIJI

STANDING COMMITTEE ON FOREIGN AFFAIRS AND DEFENCE

REPORT ON THE RATIFICATION OF THE UNITED NATIONS CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES



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CHAIR'S FOREWORD

I am pleased to present this Report of the Fiji Parliament Standing Committee on Foreign Affairs and Defence (SCFAD), which was assigned to review the proposal made by the Fiji Government on ratifying the United Nation Convention on the Rights of Persons with Disabilities (UNCRPD). This report recommends that the Fiji Government ratifies the UNCRPD.

This report provides a summary and examination of written submissions and oral evidence heard at the Committee public hearings in May 2016, 99% of which were in favor of ratifying UNCRPD without reservation except for the final written submission made by the "Youth Integrity – Transparency International" had a few reservations. The report is divided into chapters:

- Chapter 1 covers the role and responsibilities of the Standing Committee and the inquiry process in undertaking a review of the UNCRPD.
- Chapter 2 provides a brief overview of the UNCRPD and includes a list of written and oral submissions received by the Committee.
- Chapter 3 details the Standing Committee's observations and areas of concern; and
- Chapter 4 provides a summary of the UNCRPD Articles.

The Constitution of the Republic of Fiji 2013 Section 70 and the Standing Orders of the Parliament of the Republic of Fiji Chapter 10, Clause 109 (2)(c) and Clause 110 (1)(c) stipulates the roles and functions of Parliamentary Standing Committees in order to enhance transparency of, and accountability by, public agencies and officials. The purpose of this report is to recommend that the UNCRPD be ratified. The report also makes recommendations to the Fiji Government as highlighted in the List of Recommendation page.

The SCFAD held its first meeting on 11th May 2016 and in response to a call for submissions, held a series of public hearings from 16th to 25th of May 2016 on whether or not to recommend to the Fiji Government that UNCRPD be ratified.

On behalf of the Honorable Members on the Standing Committee, I would like to express my sincere appreciation to all those organizations and individuals who made a submission and/or attended public hearings. The strength and in depth of the Standing Committee's inquiry rests with the voluntary commitment and time of groups and individuals making submissions and appearing at public hearings.

I also wish to extend my appreciation to the Honorable Members and the Secretariat involved with the production of this bi-partisan report: my Committee colleagues Hon. Ratu Isoa Tikoca (Deputy Chair), Hon. Alexander O'Connor (Member), Hon. Mataiasi Niumataiwalu (Member), Hon. Roko Tupou Draunidalo (Member) and the Hon. Jilila Kumar and Hon. Anare Vadei who attended our Committee meetings as alternate Members.

I commend this report to the Parliament for its consideration.

Hon. Netani B. Rika
Chairman

LIST OF ACRONYMS

FNCDP	The Fiji National Council for Disable Persons
UNCRPD	United Nations Convention on the Right of Persons with Disability
WHO	World Health Organisation
FHRC	Fiji Human Rights Commission
MoE	Ministry of Education
UNCRC	United Nations Convention on the Rights of the Child
AQEP	Access to Quality Programme
LANA	Literacy and Numeracy Assessment
SCFAD	Standing Committee on Foreign Affairs and Defence
MoH	Ministry of Health
FHRADC	Fiji Human Rights & Anti-Discrimination Commission
CRC	Convention of the Rights of Children
SODELPA	Social Democratic Liberal Party
PS	Permanent Secretary
ECE	Early Child Education
FEMIS	Fiji Education Management Information System
UNICEF	United Nations Children's Emergency Fund
LTC	Lautoka Teachers College
USP	University of the South Pacific
NCCC	National Coordinating Committee on Children
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women

RECOMMENDATION:

The Committee recommends that the UN Convention on the Rights of Persons with Disabilities be ratified without reservations, however the Committee draws the attention of Parliament to the observations of the Committee in paragraphs 3.3 and 3.8 of this Report.

1.0 INTRODUCTION

The Parliament Standing Committee on Foreign Affairs and Defence undertook a review of the proposal by the Government of the Republic of Fiji to ratify the UN Convention on the Rights of Persons with Disabilities.

1.1 The Standing Committee on Foreign Affairs and Defence

The Committee is a standing committee established under Standing Orders 109(2) (e) of the Parliament of the Republic of Fiji. The Standing Committee is mandated to look into matters related to Fiji's relations with other countries, development aid, foreign direct investment, oversight of the military and relations with multi-lateral organisations.

Under SO 110(1) (e) the Committee is also tasked with reviewing international treaties and conventions ratified by the Government and monitor their implementation.

The Committee comprises five Honourable Members drawn from both the Government and the Opposition parties.

1.2 Committee Members

The members of the Standing Committee on Foreign Affairs and Defence are:

- Hon. Netani Rika MP (Chairman)
- Hon. Ratu Isoa Tikoca MP (Deputy Chairman)
- Hon. Roko Tupou Draunidalo MP (Member)
- Hon. Alexander O'Connor MP (Member)
- Hon. Mataiasi Niumataiwalu MP (Member)

During the Standing Committee's meetings, the following alternate membership arose pursuant to Standing Order 115(5):

- Hon. Jilila Kumar MP (Alternate Member for Hon. Mataiasi Niumataiwalu)
- Hon. Anare Vadei MP (Alternate Member for Hon. Deputy Chairman)

1.3 Procedure and Program

The Standing Committee on Foreign Affairs and Defence met in the Parliament Complex from the 11th of April to discuss and plan their strategy for receiving public submissions.

The Committee placed advertisements in the local newspapers, Fiji Sun and Fiji Times on Saturday 14th May, Tuesday 17th May and Thursday 19th May. The advertisement was also placed on the Parliament website (www.parliament.gov.fj).

The Committee again met in the Parliament Complex from 16th to 25th May to hear oral submissions on the Convention.

2.0 CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES

2.1 Background

On 25 April 2016, the ratification of the UN Convention on the Rights of Persons with Disabilities (UNCRPD) was referred to the Foreign Affairs and Defence Committee for review.

Under section 51 of the Constitution, “an international treaty or convention binds the State only after it has been approved by Parliament.”

The ratification of the Convention is **separate to the *Rights of Persons with Disabilities Bill 2016***, which was referred to the Social Affairs Committee for consideration on the same day.

The UNCRPD and its Optional Protocol¹ were adopted in 2006, and entered into force in 2008. There are currently 160 signatories and 163 parties to the Convention².

Fiji signed the Convention and its Optional Protocol in 2010, but is yet to ratify and become a Party to the Convention.

Pacific Island Countries that have signed or ratified the UNCRPD:

Ratified	Signed, not ratified
<ul style="list-style-type: none">• Australia (2008)• Cook Islands (2009)• Kiribati (2013)• Nauru (2012)• New Zealand (2008)• Palau (2013)• Papua New Guinea (2013)• Republic of the Marshall Islands (2015)• Tuvalu (Tuvalu)• Vanuatu (2008)	<ul style="list-style-type: none">• Fiji• Federated States of Micronesia• Samoa• Solomon Islands• Tonga

¹ The Optional Protocol provides for individual petitions alleging a violation of the Convention by a State Party to be considered by the Committee on the Rights of Persons with Disabilities

² UNCRPD ratifications: <https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities/latest-developments.html>

2.2 What does the Convention do?

The Convention follows decades of work by the United Nations to change attitudes and approaches to persons with disabilities.

In the past, persons with disabilities have tended to be viewed as "objects" of charity, medical treatment and social protection. The Convention moves toward the idea that persons with disabilities are "subjects" with rights, who are capable of claiming those rights and making decisions for their lives based on their free and informed consent, as well as being active members of society.

The Convention builds on existing human rights treaties, including the International Covenant on Civil and Political Rights and the International Covenant on Economic Social and Cultural Rights.

The UN Handbook for Parliamentarians on the Convention stresses that the Convention is not intended to create new rights, but "clarifies the obligations and legal duties of States to respect and ensure the equal enjoyment of all human rights by all persons with disabilities"³.

2.3 Arguments for Ratification

The UN's CRPD Handbook for Parliamentarians outlines the reasons why MPs should be concerned with right for persons with disabilities:

- The human rights of persons with disabilities should be promoted for the same reason that human rights are promoted for all other people: because of the inherent and equal dignity and worth of each human being.
- In most countries, persons with disabilities have difficulty attending school, getting a job, voting and obtaining health care.
- The only way to ensure that persons with disabilities can fully enjoy their human rights is to guarantee those rights under national law, support that legislation through consistent, coordinated and continued actions across all ministries, and ensure that legal institutions enforce respect for those rights.
- Marginalizing persons with disabilities and encouraging them to remain dependent is costly, both for their families and for the general public. Empowering persons with disabilities to live independently and contribute to society is socially and economically beneficial.
- Everyone is likely to experience disability at some point during his/her lifetime because of illness, accident or ageing.

³ Background Briefing provided by Parliament Research and Library Services Hannah.Johnson@parliament.gov.fj)

- Persons with disabilities are voters, taxpayers and citizens like everyone else. They expect your support and are fully entitled to it.

2.4 Submissions

The Committee invited submissions from stakeholders and interested individuals to express their views on the Convention. The call for submissions was based on the following questions:

- a) Should Fiji ratify the Convention or not?
- b) Why should Fiji ratify or not ratify the Convention?
- c) What would be the implication of ratification on your organisation?
- d) Any other relevant points related to the Convention and ratification process?

Oral submissions were received from the following organizations and individuals:

- Monday (16th May) :
 - Office of the Solicitor-General
- Tuesday (17th May):
 - Fiji National Council for Disabled People
 - SODELPA – Opposition Chambers
- Wednesday (18th May):
 - Ministry of Foreign Affairs
 - Ministry of Women, Children and Poverty Alleviation
 - Ministry of Civil Service
 - Ministry of Education, National Heritage, Arts and Culture
 - Ministry of Youth and Sports
- Thursday (19th May):
 - United Nations Human Rights Commission
 - Fiji Disabled Persons Federation
 - Fiji Human Rights and Anti-Discrimination Commission
 - Ministry of Local Government, Urban Development and Housing
- Friday (20th May):
 - Ministry of Health and Medical Services
 - Pacific Disability Forum
 - Ministry of Employment, Productivity and Industrial Relations
 - Ministry of Infrastructure and Transport
- Tuesday (24th May):
 - SPC/Regional Rights Resource Team
- Wednesday (25th May):
 - Fiji Elections Office

- Thursday (26th May):
 - Ms Seema Chand, Solicitor General's Office

The Committee also received written submissions from the following organizations and individuals:

- Joint submission by Fiji Alliance for Mental Health & Youth Champs 4 Mental Health
- Fiji Commerce and Employers Federation
- Fiji Women's Rights Movement
- Joint submission by Pacific Disability Forum and UNESCAP (Pacific Office)
- Youth for Integrity – Transparency International
- National Federation Party

Copies of all written submissions received are attached as Appendix A.

Verbatim reports of oral submissions are available on the Parliament website: (<http://www.parliament.gov.fj/Parliament-Business/Select-Committees/Standing-Committee-on-Foreign-Affairs-and-Defence/Standing-Committee-on-Foreign-Affairs-and-Defence.aspx>)

3.0 COMMITTEE'S OBSERVATIONS AND AREAS OF CONCERN

3.1 Should Fiji ratify the UN Convention on the Rights for Persons with Disabilities (UNCRPD)

The Convention is an international human rights convention which sets out the fundamental human rights of people with disabilities⁴. The Committee noted from the submissions received that all of the submissions bar one, supported the ratification of the Convention without reservation. Many stakeholders were of the view that Fiji should ratify the Convention as it would strengthen our commitment to our international obligations and legal duties by virtue of our being a member of the UN since 13th October 1970. However, the Committee received a submission by Youths for Integrity (Transparency International) which recommended the ratification of the Convention with reservations for Article 9 (Accessibility), Article 24 (Work and Employment) and Article 27 (Education).

The CEO of the Pacific Disability Forum was of the view that ratification would help Fiji to secure adequate financial and technical assistance for the development and implementation of laws at both national and local levels as well as to meet other implementation requirements like data collection and analysis.

The Ministry of Infrastructure and Transport informed the Committee that people living with disabilities must be given a fair and equal opportunity in terms of accessibility (Article 9).

3.2 Why should Fiji ratify the UNCRPD?

It became clear from the evidence that stakeholders held a common view that Fiji should ratify the Convention since it had already signed the UNCRPD on 2nd June 2010. Fiji is committed to realizing the rights of people with disabilities by setting up a number of initiatives which government has progressed in previous years. The National Policy on Persons Living with Disabilities (2008-2018)⁵ provides a framework and guide for government, NGOs, communities, families and individuals on how to create a society that respects the rights and freedoms of all its citizens.

⁴ <http://www.humanrights.gov.au/news/speeches/convention-rights-persons-disabilities>

⁵ <http://www.fnmdp.org/docs/2008-18>

3.3 Implications of ratification on individuals and organisations

The Committee heard that once Fiji ratified the Convention and became a State Party to it, it would be eligible to take part in the elections of the nine member committee on the rights of persons with disabilities⁶. Fiji would also need to ensure that necessary measures are in place to safeguard the protection and safety of persons with disabilities and the realisation of their human rights. Ratification would also mean that government and relevant stakeholders will be committed to implementing new programs, and improving/strengthening existing services for persons with disabilities.

The committee observed that a number of countries placed reservations against their ratification of this convention with regard to their local laws. For example, Singapore set out the following reservations:

“1. The Republic of Singapore’s current legislative framework provides, as an appropriate and effective safeguard, oversight and supervision by competent, independent and impartial authorities or judicial bodies of measures relating to the exercise of legal capacity, upon applications made before them or which they initiate themselves in appropriate cases. The Republic of Singapore reserves the right to continue to apply its current legislative framework in lieu of the regular review referred to in Article 12, paragraph 4 of the Convention.

2. The Republic of Singapore recognises that persons with disabilities have the right to enjoyment of the highest attainable standards of health without discrimination on the basis of disability, with a reservation on the provision by private insurers of health insurance, and life insurance, other than national health insurance regulated by the Ministry of Health, Singapore, in Article 25, paragraph (e) of the Convention.

3. The Republic of Singapore is fully committed to ensuring the effective and full participation of persons with disabilities in political and public life, including through the protection of the exercise of their right to vote by secret ballot in elections and public referendums without intimidation. With respect to Article 29, subparagraph (a) (iii) of the Convention, the Republic of Singapore reserves the right to continue to apply its current electoral legislation which requires that assistance in voting procedures shall only be effected through a presiding officer who is appointed by the Returning Officer and has signed an oath to safeguard voting secrecy.”

And Poland set out the following reservations:

Reservations made upon ratification:

“The Republic of Poland understands that Article 23.1 (b) and Article 25 (a) shall not be interpreted in a way conferring an individual right to abortion or mandating state party to provide access thereto, unless that right is guaranteed by the national law.”

“Article 23.1(a) of the Convention refers to the recognition of the right of all persons with disabilities who are of marriageable age to marry and to found a family on the basis of free and full

⁶ http://www.ohcr.org/EN/HRBodies/CRDP/Pages/Elections_2016.aspx

⁷ https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-15&chapter=4&lang=en

consent of the intending spouses. By virtue of Article 46 of the Convention the Republic of Poland reserves the right not to apply Article 23.1(a) of the Convention until relevant domestic legislation is amended. Until the withdrawal of the reservation a disabled person whose disability results from a mental illness or mental disability and who is of marriageable age, cannot get married without the court's approval based on the statement that the health or mental condition of that person does not jeopardize the marriage, nor the health of prospective children and on condition that such a person has not been fully incapacitated. These conditions result from Article 12(1) of the Polish Code on Family and Guardianship (Journal of Laws of the Republic of Poland of 1964, No. 9, item 59, with subsequent amendments)."

Interpretative Declaration made upon ratification:

"The Republic of Poland declares that it will interpret Article 12 of the Convention in a way allowing the application of the incapacitation, in the circumstances and in the manner set forth in the domestic law, as a measure indicated in Article 12.4, when a person suffering from a mental illness, mental disability or other mental disorder is unable to control his or her conduct."

Reservation made upon signature:

"The Republic of Poland understands that Articles 23.1 (b) and 25 (a) shall not be interpreted in a way conferring an individual right to abortion or mandating state party to provide access thereto⁸."

Fiji has local laws against abortion for both persons with disabilities and those without. There are exceptional circumstances where abortion is allowed in Fiji but Article 23 of the convention on "equality" may have some implications for the laws against abortion in the future. So too for other permissive laws, current and yet to be enacted.

Fiji also has laws that limit the Bill of rights in the 2013 Constitution. In fact any written law may limit the constitutional Bill of Rights therefore ratification without reservation and the review process may have some bearing on the constitutional Bill of Rights provisions in the future.

There is a process of review (every four years) under the convention whereby countries that have ratified the convention (and civil society) meet with the UN committee overseeing the convention to look into whether a state party has domestic laws that are in line with the requirements of the convention.

In its deliberations, the committee noted how some international laws affected domestic laws and law making as has been the case in our large, neighbouring jurisdiction - Australia. The cases of *Commonwealth v Tasmania* (1983) 158 CLR 1⁹ and *Minister of State for Immigration and Ethnic Affairs v Ah Hin Teoh* [1995] AUJIH Rights 10¹⁰ were noted by the committee.

⁸ https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-15&chapter=4&lang=en

⁹ <http://envlaw.com.au/tasmanian-dam-case/> - Environmental Law Australia

¹⁰ <http://www.austlii.edu.au/au/journals/AJHR/1995/10.html> - Minister Of State For Immigration And Ethnic Affairs V Ah Hin Teoh: The High Court Decision And The Government's Reaction To It - Susan Roberts

3.4 UNCRDP vs Rights of Persons with Disabilities Bill, 2016

Although the consideration of this treaty ratification is independent of the consideration of the Bill, it is worth noting that the Bill contains two main issues that link with the UNCRPD, that is:

- It provides the rights of persons with disabilities in Fiji, which are largely in line with the core provisions of the Convention, and
- It provides for the establishment of the National Council for Persons with Disabilities, which will enforce the rights of persons with disabilities, and “act as a focal point for the UNCRPD in Fiji”.

However, the Bill omits some specific rights in the Convention, namely:

- **Article 4:** the general obligation for there to be no laws discriminating against people with disabilities;
- **Article 6:** the recognition that **women with disabilities** are subject to multiple discrimination, and the obligation to ensure full and equal enjoyment of their rights and freedoms;
- **Article 8: awareness raising** to educate people about the rights and dignity of persons with disabilities;
- **Article 10:** the **right to life** being equal for persons with and without disabilities;
- **Article 15:** the right to **freedom from torture** or cruel, inhuman or degrading treatment or punishment (including medical experimentation);
- **Article 26:** the right to **habilitation and rehabilitation services and programmes**, particularly in the areas of health, employment, education and social services; and
- **Article 31:** requires countries to **collect statistics and data** about disabilities to develop better programmes and services¹¹.

The Committee also noted that the indemnity provisions in the Rights of Persons with Disabilities Bill 2016 were broader than in the Fiji National Council for Disabled Persons Act 1994. The 1994 Act limits indemnity to acts done in good faith whereas the Bill grants blanket immunity.

¹¹ Background Briefing provided by Parliament Research and Library Services
(Hannah.Johnson@parliament.gov.fj)

3.5 Availability of Funding and Resources

The Committee, through submissions received, was made aware of the various programs and foreign aid available for persons with disabilities. However, concern was raised in terms of the disbursement of funds and whether it was really being used for the purpose it was given.

The Committee was also informed through a submission made by the Pacific Disability Forum that there was no financial contribution from the government, which they clearly understood, therefore overseas donors were sought to assist with the funding of programs or activities that persons with disabilities wished to participate in.

Another issue that arose from the submissions was the lack of resources and public services available for persons with disabilities. It was noted that most of the new buildings or other infrastructure being constructed had little or no consideration at all for the welfare of persons with disabilities. Public transportation was also an issue as most of the vehicles were not well equipped to cater for their needs.

On a positive note, the Committee discussed that if all the necessary facilities were put in place in buildings and installed on public transportation for ease of movement and accessibility by persons with disabilities, Fiji could become a major tourist destination for persons with disabilities.

3.6 Data Collection

The Committee noted the absence of data or records on persons with disabilities around the country. It was of the view that even if data had been collected, those living in remote areas and outer islands may not be included therefore the figures given would not be a true reflection of what was on the ground.

A comment was also made that there was no connection between the hospitals and the organisations for persons with disabilities in relation to the Ministry of Health and Medical Services: there is no accurate data kept in terms of persons who enter the hospitals and have their limbs amputated to becoming classified as persons with disabilities.

The Fijian Elections Office suggested that the creation of an administrative database would capture persons with disabilities who may require reasonable accommodation – be it for electoral purposes or generally. The database will be a crucial step in terms of facilitating the required accommodation for persons with disabilities. It was noted that in 2014, the Fiji National Council for Disabled Persons (FNCDP) was unable to furnish the FEO with details of accommodations required

as they did not have a database in place. The database would enable government agencies to have access to specific data on persons with disabilities¹².

3.7 Gender Analysis

The Parliament of Fiji Standing Orders 110(2) specifically states that a committee shall ensure that full consideration will be given to the principle of gender equality so as to ensure all matters are considered with regard to the impact and benefit on both men and women equally.

The Committee noted the views expressed in a written evidence provided by the Fiji Women's Rights Movement. They stated that gender issues are evident in the different life experiences of women and girls with disabilities, from that of men and boys with disabilities. The organisation is of the view that the ratification of the Convention will ensure that the rights and needs of people living with disabilities, especially women with disabilities, are taken into account and issues dealt with accordingly.

The Committee is satisfied that the matters considered in this report, impacts on both women and men equally and as such, ratification of the Convention will assist in upholding the rights of all Fijians.

3.8 General Observation

As set out in paragraph 3.3 above, the Committee noted that some countries have articulated reservations with regard to the limitations in their local laws and noted from the submissions by the SPC/Regional Rights Research Team that there is a system of review of compliance under this convention.

The Convention is a human rights instrument adopting a broad categorization of persons with disabilities and also reaffirming that persons with all types of disabilities are entitled to enjoy all their human rights and fundamental freedoms. Implementation of the Convention could be done through 'progressive realisation' given the resource limitations.

3.9 Conclusion

The Committee considered the Convention Article by Article and agreed that the Convention be ratified without reservation however the Committee draws the attention of Parliament to the observations of the Committee in paragraphs 3.3 and 3.8 of this Report.

¹² FEO Submission page 3 (Database of persons requiring reasonable accommodation)

4.0 CONSIDERATION OF CONVENTION ARTICLE BY ARTICLE

The Committee considered the Convention Article by Article and agreed with the Articles as summarized below:

Article 1: Purpose

The purpose of the Convention is to promote, protect and ensure the full enjoyment of all human rights and fundamental freedoms by all persons with disabilities. People with disabilities include those who have long-term physical, mental, intellectual or sensory impairments which, in interaction with various barriers, may hinder their full and effective participation in society on an equal basis with others.

Article 2: Definitions

This article defines some of the key terms used in the Convention including “communication”; “language”; “discrimination on the basis of disability”; “reasonable accommodation” and “universal design”.

Article 3: General principles

The Convention is based on the principles of respect for dignity; non-discrimination; participation and inclusion; respect for difference; equality of opportunity; accessibility; equality between men and women; and respect for children.

Article 4: General obligations

Countries must take a range of measures, with the active involvement of people with disabilities, to ensure and promote the full realization of all human rights and fundamental freedoms for all persons with disabilities without discrimination of any kind.

Article 5: Equality and non-discrimination

Everyone is equal before and under the law. Everyone is entitled to the equal protection and benefit of the law without discrimination.

Article 6: Women with disabilities

Women and girls with disabilities experience multiple discrimination. Countries must take all appropriate measures to ensure that women with disabilities are able to fully enjoy the rights and freedoms set out in the Convention.

Article 7: Children with disabilities

Children with disabilities have the same human rights as all other children. The best interests of the child must be a primary consideration in all actions concerning children with disabilities. Children with disabilities have the right to express their views on all matters affecting them

Article 8: Awareness-raising

Countries must raise awareness of the rights, capabilities and contributions of people with disabilities. Countries must challenge stereotypes and prejudices relating to people with disabilities through campaigning, education, media and awareness-raising programmes.

Article 9: Accessibility

People with disabilities have the right to access all aspects of society on an equal basis with others including the physical environment, transportation, information and communications, and other facilities and services provided to the public.

Article 10: Right to life

People with disabilities have the right to life. Countries must take all necessary measures to ensure that people with disabilities are able to effectively enjoy this right on an equal basis with others.

Article 11: Situations of risk and humanitarian emergencies

Countries must take all necessary measures to ensure the protection and safety of all persons with disabilities in situations of risk, including armed conflict, humanitarian emergencies and natural disasters.

Article 12: Equal recognition before the law

People with disabilities have the right to recognition as persons before the law. People with disabilities have legal capacity on an equal basis with others in all aspects of life. Countries must take appropriate measures to provide support to people with disabilities so that they can effectively exercise their legal capacity.

Article 13: Access to justice

People with disabilities have the right to effective access to justice on an equal basis with others, including through the provision of appropriate accommodations.

Article 14: Liberty and security of person

People with disabilities have the right to liberty and security of person on an equal basis with others. Existence of disability alone cannot be used to justify deprivation of liberty.

Article 15: Freedom from torture or cruel, inhuman or degrading treatment or punishment

People with disabilities have the right to be free from torture and from cruel, inhuman or degrading treatment or punishment. No one shall be subjected to medical or scientific experimentation without his or her free consent.

Article 16: Freedom from exploitation, violence and abuse

People with disabilities have the right to be protected from all forms of exploitation, violence and abuse, including their gender based aspects, within and outside the home.

Article 17: Protecting the integrity of the person

Every person with disabilities has a right to respect for his or her physical and mental integrity on an equal basis with others.

Article 18: Liberty of movement and nationality

People with disabilities have the right to a nationality. Children with disabilities have the right to a name and to know and be cared for by their parents.

Article 19: Living independently and being included in the community

People with disabilities have the right to live independently in the community. Countries must ensure that people with disabilities have the opportunity to choose where they live and with whom they live, and that they are provided with the support necessary to do this.

Article 20: Personal mobility

Countries must take effective and appropriate measures to ensure personal mobility for people with disabilities in the manner and time of their choice, and at affordable cost. People with disabilities also have the right to access quality mobility aids, assistive technologies and forms of live assistance and intermediaries.

Article 21: Freedom of expression and opinion, and access to information

People with disabilities have the right to express themselves, including the freedom to give and receive information and ideas through all forms of communication, including through accessible formats and technologies, sign languages, Braille, augmentative and alternative communication, mass media and all other accessible means of communication.

Article 22: Respect for privacy

People with disabilities have the right to privacy. Information about people with disabilities including personal information and information about their health should be protected.

Article 23: Respect for home and the family

People with disabilities have the right to marry and to found a family. Countries must provide effective and appropriate support to people with disabilities in bringing up children, and provide alternative care to children with disabilities where the immediate family is unable to care for them.

Article 24: Education

People with disabilities have a right to education without discrimination. Countries must ensure that people with disabilities can access an inclusive, quality and free primary and secondary education in their own community. Countries must also provide reasonable accommodation and individualised support to maximise academic and social development.

Article 25: Health

People with disabilities have the right to the enjoyment of the highest attainable standard of health without discrimination. Countries must take all appropriate measures, including measures that are gender-sensitive, to ensure that people with disabilities have access to the same range, quality and standard of health care that is available to everyone else, and which are close to people's own communities.

Article 26: Habilitation and rehabilitation

Countries must take effective and appropriate measures to enable people with disabilities to develop, attain and maintain maximum ability, independence and participation through the provision of habilitation and rehabilitation services and programmes.

Article 27: Work and employment

People with disabilities have the right to work, including the right to work in an environment that is open, inclusive and accessible. Countries must take appropriate steps to promote employment opportunities and career advancement for people with disabilities.

Article 28: Adequate standard of living and social protection

People with disabilities have the right to an adequate standard of living including food, water, clothing and housing, and to effective social protection including poverty reduction and public housing programmes.

Article 29: Participation in political and public life

People with disabilities have the right to participate in politics and in public affairs, as well as to vote and to be elected.

Article 30: Participation in cultural life, recreation, leisure and sport

People with disabilities have the right to take part in cultural life on an equal basis with others, including access to cultural materials, performances and services, and to recreational, leisure and sporting activities.

Article 31: Statistics and data collection

Countries must collect information about people with disabilities, with the active involvement of people with disabilities, so that they can better understand the barriers they experience and make the Convention rights real.

Articles 32-50

Articles 32-50 explain how countries which are bound by the Convention must give it full effect. They also explain the responsibility of countries to report to the United Nations Committee on the Rights of Persons with Disabilities on how they are putting the Convention into effect.

A copy of the Convention is attached as Appendix B.
