

Ensuring that no one is left behind

position paper by
Persons with Disabilities



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Introduction

Persons with disabilities comprise an estimated 15 per cent of the world's population, or one billion people, of whom 80 per cent live in developing countries and are **overrepresented among those living in absolute poverty**. Persons with disabilities often encounter discrimination and exclusion on a daily basis. This means, in particular, pervasive exclusion from development programmes and funds, as well as all areas of economic, political, social, civil and cultural life, including employment, education and healthcare.

Persons with disabilities were not referenced in the Millennium Development Goals (MDGs) and as a result were excluded from many important development initiatives and funding streams around the world. The 2030 Agenda for Sustainable Development includes persons with disabilities and has thus **opened doors for their participation and recognition as active contributing members of society: who must not face any discrimination or be left out or behind**.

Persons with disabilities should be recognized as equal partners, and be consulted¹ by Governments, the UN system, civil society and other stakeholders. Out of the 169 targets across the 17 Goals, seven targets have an explicit reference to persons with disabilities. Further, all Goals and targets are applicable to persons with disabilities by simple virtue of universality, which applies to all persons, and the overarching principle of "leave no one behind."

Persons with disabilities strongly believe that only by utilizing the UN Convention on the Rights of Persons with Disabilities (CRPD) as a guiding framework in implementing the SDGs, will it be ensured that exclusion and inequality are not created or perpetuated. This includes institutional, attitudinal, physical and legal barriers, and barriers to information and communication, among other such barriers.

This paper has been endorsed by 370 organisations to date, see link above.

¹ As required by CRPD Art 4(3)

² World Report on Disability, World Health Organisation and World Bank, 2011

Chapter I

Goals 1-5

The unfinished work of the MDGs

The aim of creating the SDGs was to take on the unfinished work of the MDGs, but go much further in aspiration. In particular, SDGs 1 to 5 address the most fundamental issues in a person's life: the basic needs which all people require, are enshrined in human rights laws and inherent to every human being for a dignified life. Statistics show that denial and exclusion of these rights leaves persons with disabilities disproportionately affected.² In particular, persons with disabilities are more likely to experience adverse socioeconomic outcomes than peers without disabilities, including less access to education, worse health outcomes, and higher poverty rates.³

The UN has acknowledged the links between poverty and disability.⁴ Poverty may increase the risk of disability through malnutrition and inadequate access to education and health care. Poverty is also both a cause and outcome of institutionalization and forced treatment, and of denial of the right and opportunity to make large and small decisions in one's own life.⁵ Persons with disabilities may face barriers to accessing social protection when information is inadequate, inaccessible or not shared, welfare offices are physically or sensorially inaccessible, or design features of particular programmes do not take into account necessary reasonable accommodations.⁶

² World Report on Disability, World Health Organisation and World Bank, 2011

³ Ibid.

⁴ 'Transforming our world: the 2030 Agenda for Sustainable Development', UN General Assembly Resolution, 25 September 2015, A/RES/70/1, at para. 1.

⁵ See, for example, 'Poverty and Intellectual Disability in Europe', Report by Inclusion Europe, at P. 41, accessed from http://inclusion-europe.eu/wp-content/uploads/2015/03/SocInc_EUPovertyReport.pdf

⁶ See, for example, Autism-Europe's Response to the Proposal for a European Accessibility Act at P. 8 accessed from

Between 93 million and 150 million children are estimated to live with disabilities⁷ and millions of these children have been denied the right to an education. Currently children with disabilities are the most excluded in society: an estimated 90% of children with disabilities in the developing world do not attend school.^{8 9} Additionally, a far larger number of students with disabilities drop out of elementary education due to barriers and do not progress to secondary and tertiary education. Accessible learning environments and supports must be provided to enable students to achieve their educational potential.¹⁰

Persons with disabilities are agents and beneficiaries of development, and the value of their contribution to the general well-being, progress and diversity of society has likewise been acknowledged at the highest level.¹¹ To achieve this, persons with disabilities and their representative organisations must be included in all phases of implementation, including planning, design, monitoring, evaluation and follow-up processes.

Recommendations

- 1.1. Introducing measures and policies to ensure that persons with disabilities, including women,¹²

<http://www.autismeurope.org/files/files/ae-position-paper-accessibility-act-1.pdf>

⁷ UNICEF, State of the World's Children 2013: Children with Disabilities, <http://www.unicef.org/sowc2013/>

⁸ Ibid.

⁹ Out-of-School Children Initiative

http://www.unicef.org/education/bege_61659.html

¹⁰ UNESCO 2015 Global Monitoring Report: *Education for All 2000-2015: Achievements and Challenges* <http://en.unesco.org/gem-report/report/2015/education-all-2000-2015-achievements-and-challenges>

¹¹ 'Outcome document of the high-level meeting of the General Assembly on the realization of the Millennium Development Goals and other internationally agreed development goals for Persons with disabilities: the way forward, a disability-inclusive development agenda towards 2015 and beyond', UN General Assembly resolution, 17 September 2013, A/68/L.1

¹² CRPD and A/RFS/61/106 at Art. 6

- children,¹³ youth, older persons and indigenous persons with disabilities, are protected from poverty and benefit equally from mainstream poverty alleviation and wealth-creation programmes, which should contribute to the implementation of disability-inclusive social protection systems and measures in line with the CRPD;¹⁴
- 1.2. Eliminating laws, policies and practices such as institutionalization, forced treatment and denial of legal capacity that segregate persons with disabilities, as well as those from underrepresented groups, from society, and reinforce such persons' personal and economic dependency on others;¹⁵
 - 1.3. Making all levels of existing healthcare and social protection systems inclusive, and public healthcare policies, programmes, facilities and information accessible by persons with disabilities, and based entirely on the free and informed consent of the person concerned, including provision of disability-related extra costs, financial risk protection, access to quality essential healthcare services and access to safe, effective and affordable medicine, assistive products and vaccines;¹⁶
 - 1.4. Introducing measures, through devising longer-term inclusive education plans¹⁷ at global, national,

regional and local levels, to ensure that all children with disabilities, including intellectual, psychosocial and developmental disabilities, are included within the mainstream educational system in line with CRPD provisions. Such measures must also ensure complete free, local, equitable and quality accessible primary and secondary education; ensuring access to quality early childhood development, including pre-primary education, promoting and using accessible communication methods, including assistive technologies and languages *inter alia* sign languages;¹⁸ and equal access to affordable and quality technical, vocational, business and tertiary education, including university;¹⁹

- 1.5. To facilitate the above recommendation, it is necessary to recruit teachers, instructors and trainers with disabilities, and train all teachers in inclusive practices, including those relating to language and communication, through teacher education programmes that focus on the pedagogy of education and inclusion. This requires training on the understanding and application of inclusive practices, and reasonable accommodations and individual support that facilitate access to knowledge,²⁰ in line with the CRPD.²¹

¹³ CRPD, Art. 7

¹⁴ This recommendation should be seen as cross-cutting across all articles of the CRPD

¹⁵ In line with CRPD Articles 5, 6, 12, 14, 15 and 19

¹⁶ In line with UCRPD Articles 10, 11, 23, 25 and 26

¹⁷ See 'Futures Stolen: Barriers to Education for Children with Disabilities in Nepal' Report by Human Rights Watch, at P. 72, accessed from <https://www.hrw.org/sites/default/files/reports/nepal0811ForWebUpload.pdf>. and WFD & EUD (2015) Submission to the Day of General Discussion on the right to education for persons with disabilities - http://wfdeaf.org/wp-content/uploads/2015/03/WFD-and-EUD-

submission-to-day-of-general-discussion-on-education.pdf

¹⁸ CRPD Article 21, Article 9, Article 2

¹⁹ In line with CRPD Article 24

²⁰ 'Educating Teachers for Children with Disabilities, Report for UNICEF, 2013, at P. 28, accessed from http://worldofinclusion.com/v3/wp-content/uploads/2014/01/UNICEF-Educating-Teachers-for-Children-with-Disabilities_Lores.pdf

²¹ Example deaf children have the right to specialist deaf and/or bilingual education if this is their choice in line with CRPD Art 24

Chapter II Goals 6, 7, 8, 9 and 11

Realizing, through an enabling environment, the full potential of persons with disabilities

Evidence suggests that persons with disabilities and their families are more likely to experience economic and social disadvantage than those without disabilities. The World Report on Disability²² outlines that households with persons with disabilities are more likely to experience material hardship including lack of access to safe water and sanitation.

Persons with disabilities are also at heightened risk of fuel poverty, whereby having to cut down energy consumption, or to go without completely, to save money.

The exclusion of persons with disabilities from employment opportunities can also result in dramatic consequences. Working-age persons with disabilities are more likely to be unemployed than persons without disabilities, be lower paid, have fewer promotion prospects and less job security. It means that national economies face additional costs in having to support unemployed persons with disabilities. According to the ILO, the higher rates of unemployment and labour market inactivity among persons with disabilities—due to barriers to education, skills training and transport—result in a needless loss of 7 per cent of national GDP.²³

On an individual and community level, income earned from productive employment can substantially mitigate the incidence of extreme poverty among persons with disabilities and their families. Access to a decent and safe sustainable livelihood,

which includes stable social protection, employment and microfinance, is a fundamental right for persons with disabilities and should be actively supported by governments.

Many built environments, including housing, transport and information systems are not yet accessible to persons with disabilities. Lack of access to transportation is a frequent reason for a person with a disability being discouraged from seeking work or prevented from accessing healthcare or education. Information is rarely available in accessible formats, including sign languages, and there are access barriers for basic products and services such as telephones, television and the internet.

Recommendations

- 2.1. Ensure equitable access to safe and affordable drinking water and sanitation facilities for persons with disabilities; in line with CRPD Article 28, e.g. access to accessible latrines, bathing facilities and water points;
- 2.2. Ensure universal access to affordable, reliable and efficient energy services for persons with disabilities, including the use of alternative energy facilities where warranted by the local situation, limiting in particular the frequency of power cuts; in line with CRPD Article 28, e.g. access to electricity and/or affordable alternative green sources of energy;
- 2.3. Remove barriers to employment for persons with disabilities through mechanisms including non-coercive legislation and regulation, tailored interventions, internships and apprenticeships, vocational rehabilitation and training, self-employment and microfinance schemes, social protection, and working to change discriminatory attitudes, especially in rural areas;
- 2.4. Guarantee access to formal credit sources such as bank loans and micro-finance for start-up businesses, whose interest rates take into account the additional costs related to disabilities, helping

²² World Report on Disability, World Health Organisation and World Bank, 2011
http://www.who.int/disabilities/world_report/2011/report.pdf

²³ Buckup - The price of exclusion: The economic consequences of excluding people with disabilities from the world of work (2009)

- them to avoid additional credit costs from informal sources;
- 2.5. Promote universal design and remove barriers to public accommodation, transport, information, and communication to facilitate the participation of persons with disabilities in education, employment and social life; in line with CRPD Articles 9, 11, 19, 21 (e), 24, 27, 28 and 30, e.g. access to ICTs, in order to enable communication, promotion of sign languages and forms other than traditional written and verbal communication.
- 2.6. All such investment and infrastructure development should be guided by the principle of ecologically sustainability and universal design.

Chapter III

Goal 13

Working together to protect our planet

The effects of climate change, including natural disasters, food insecurity, conflict, and refugee situations, make persons with disabilities disproportionately affected. During such emergency situations, persons with disabilities experience increased challenges with separation from family, loss of assistive and mobility devices, and barriers to accessing information. Additionally, the rate of disability increases during an emergency due to direct trauma, illness from poor living conditions, a lack of trained and skilled staff, and the breakdown of health services, an increase in psychological stress and lack of rehabilitation services.

Persons with disabilities are often overlooked throughout the disaster management cycle and especially during relief operations, as well as throughout conflict and displacement, even though they are more marginalized in such events. The UNISDR survey found that 70 per cent of persons with disabilities participating indicated they had no personal preparedness plan and only 17 per cent

knew about any disaster management plan in their community.²⁴

Recommendations

- 3.1. Climate resilience programmes and disaster risk reduction (DRR) strategies and policies should make disability a core, cross-cutting theme and must be included in the implementation of the SDGs and the Sendai Framework for Disaster Risk Reduction 2015-2030 so that they are both implemented in line with CRPD Articles 11, 21 and 25;
- 3.2. Particular focus must be on the leadership, knowledge and suggestions of persons with disabilities living in disaster-prone countries, in low elevation coastal areas or small island developing states to make sure that goals, indicators and development policies are fully inclusive of persons with disabilities in all phases of DRR;
- 3.3. The immediate post-emergency phase and early reconstruction period should be driven by the “build back better” principles, stressing the opportunity to improve the quality of life of persons with disabilities through accessible and inclusive investment and decision-making processes;
- 3.4. The observations and recommendations of OHCHR in relation to Article 11 of the CRPD should be noted and implemented.²⁵ In particular, temporary shelters and other constructions must be fully accessible, information and communications, health and education provision must be accessible to persons with disabilities, in particular children with disabilities.

²⁴ <http://www.unisdr.org/archive/35032>

²⁵ Office of the High Commissioner for Human Rights (2016) Thematic study on the rights of Persons with Disabilities: Article 11 of the CRPD
http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/31/30

Chapter IV

Goals 10, 16, 17

Reaching the farthest behind first

Most States are making significant investments to develop frameworks and national plans within their countries as well as in their international development strategies. However, governments often ignore or inadvertently leave behind persons with disabilities. All persons with disabilities – and particularly those from underrepresented groups – in rural and urban areas, including persons with psychosocial, intellectual and developmental disabilities, as well as children, women, older persons and indigenous persons with disabilities – must have equal opportunities to contribute to sustainable development if the SDGs are going to be realized.

The mandate of ‘leave no one behind’ will only be achieved when all international treaties, national laws and policies are inclusive, eliminate discrimination, and provide for reasonable accommodation, and when discriminatory laws and practices, in particular allowing forced treatment, institutionalization, and restriction of legal capacity are abolished.

Recommendations

- 4.1. There is a need for global, regional and national data collection, capacity building and disaggregation of data by disability. In addition we are calling that Member States recognize and integrate the Washington Group module²⁶ short set of questions into their national censuses, labour force surveys and other household surveys. This will require *all* persons with disabilities to be registered at birth; *all* persons with disabilities to be included in and have access to public services, *all* persons with disabilities to be represented in key

- decision-making bodies and processes;
- 4.2. Governments should ensure the provision of equality training to civil servants, teachers and health and social workers at all levels and in all sectors, in an effort to reduce disability-based discrimination. Governments should also establish accountability mechanisms and sanctions for failure to act against discrimination and exclusion;
- 4.3. As an urgent priority, there must be a major reduction of instances of persons with disabilities being subjected to violence and abuse, in particular women and girls with disabilities;
- 4.4. Justice, law and order institutions must be empowered to apply the normative standards of the CRPD so as to end impunity for rights violations. Legal systems must be accessible so persons with disabilities can actively promote and defend their rights and actively participate in justice processes.

Conclusions

The inclusion and the participation of persons with disabilities and their representative organizations in all phases of implementation is critical, not only to ensure that they are not left behind, but also because only they are the true experts when it comes to their complete inclusion in society.

Through consultations and by partnering with persons with disabilities, governments will receive technical assistance, capacity building and access to data, which are essential to achieving inclusion and realizing the overarching principle of leaving no one behind.

Bringing persons with disabilities explicitly into mainstream development discourse will not only benefit us, it will enable the world to realize that there is immense untapped potential to transform the world into a better place for all people.

²⁶ National Center for Health Statistics
http://www.cdc.gov/nchs/washington_group/wg_questions.htm