**Report: Side event, 25th Session of the Human Rights Council**

**Re-engineering society for inclusion: Implementation of the CRPD and other international obligations on accessibility**

Thursday, 20 March 2014, 1:00 to 3:00 p.m.

Room 27 (XXVII), Palais des Nations

**Moderator:** H.E. Thomas Hajnoczi, Ambassador of Austria, Permanent Representative of Austria to the United Nations Office at Geneva.

**Speakers:** Mr. Michael Fembek, Head of the Zero Project, Essl Foundation   
Mr. Firoz Ali Alizada, Campaign Manager, International Campaign to Ban Landmines (ICBL)  
Ms. Ellen Walker, Human Rights Officer, Intergovernmental Processes, International Disability Alliance (IDA)   
Ms. Susan Schorr, Telecommunication Development Bureau, International Telecommunications Union (ITU)  
Ms. Krista Orama, Associate Expert, Human Rights and Disability, Office of the High Commissioner for Human Rights (OHCHR)

**Summary**

The side event, ***Re-engineering society for inclusion: implementation of Convention of the Rights of Persons with Disabilities (CRPD) and other international obligations on accessibility***,was held in Geneva on the 20th of March 2014 during the 25th regular session of the Human Rights Council.

At this event, participants highlighted the different forms of barriers to accessibility for persons with disabilities, and discussed recent developments, strategies and solutions to overcome barriers to accessibility in accordance with the CRPD.

During the side event, the speakers presented different aspects of accessibility:

- the Zero Project’s recent report and work on article 9;

- accessibility in the framework of the victim assistance and landmine ban campaign;

- developments on accessibility at the global and UN levels;

- developments on accessibility of information and communication technology;

- and, the legal and human rights bases of accessibility (article 9 of the Convention on the Rights of Persons with Disabilities (CRPD)).   
  
The need for international cooperation was underlined, as well as the potential for the UN to be a good (or bad) role model in this regard. Key progress at the U.N. in this respect was noted and welcomed by all, while the need to address remaining challenges was noted too. Also stressed was the importance of the participation of both the public and private sectors, at the global, national but also city, village or community level. Experience regarding inaccessibility and the exclusion this entails was shared from the perspective of landmine survivors.   
  
The cross-cutting nature of information and communication technologies (ICT), and ICTs’ impact on independent living, were highlighted, as was a forthcoming model policy of the International Telecommunications Union (I.T.U.) for implementing article 9 of the CRPD. The need for persons with disabilities and their representative organizations to be involved at all stages was emphasized, in addition to the need for positive awareness-raising campaigns and messages. The speakers called on all States to not only become parties to the CRPD but also to implement it, including accessibility obligations.

Following are more details of the discussion.

**H.E Thomas Hajnoczi, Ambassador of Austria, Permanent Representative of Austria to the United Nations Office at Geneva:**

He introduced and moderated the event. He warmly welcomed participants to the side event, noting the momentum that had been created on the rights of persons with disabilities with the Convention on the Rights of Persons with Disabilities and in assistance to landmine survivors. He stressed the importance of these issues for Austria. Noting that there had been increasing efforts by the international community and the private sector to improve accessibility, he regretted that even with such improvements, many persons with disabilities still lack accessibility. He underlined the importance of implementing the new standard on accessibility, the Convention on the Rights of Persons with Disabilities and also noted Austria’s commitment to these issues in the context of landmine survivors.

He hoped that the side event would help to identify achievements, and good practices to implement accessibility.

**Mr. Michael Fembek, Head of the Zero Project, Essl Foundation:**

He made a presentation giving information about the Zero Project and its efforts.

What is the Zero Project?

* It is a project of civil society, initiated by the Essl Foundation in partnership with the World Future Council and the European Foundation Center, which started in 2011.
* The mission is ‘*For a World without Barriers’*, supporting the implementation of the UN CRPD. There are 2 sides of the project:
  1. The research and selection of the most outstanding best practices to improve the situation of persons with disabilities (“Innovative Policies” and “Innovative Practices”)
  2. Research of social indicators that measure the implement of the UN CRPD worldwide
* The research is based on the Zero Project Network of experts.
* The results are communicated in the Zero Project Report and Website (www.zeroproject.org).
* Every year, the project concentrates on an annual topic, this year it was ‘Accessibility’, next year it will be ‘Independent living, personal and political rights’ and in 2016 it will be ‘Education’.

Social Indicators – an overview:

* There are 32 questions on the state of the CRPD implementation, and then experts from civil society are invited to answer to these.
* There is a ‘Traffic light system’ (Yes, Yes with qualifications, No).
* There is space for comments and additional remarks.
* Respondents included 164 disability experts from 130 countries.
* In 2014, they covered more than 80% of the States that have ratified the UN CRPD.
* They do a quantitative and qualitative analysis.

Innovative practices:

Criteria for the innovative practices that they select:

* Innovation
* Professionalism
* Impact
* Scalability

How the Expert Network Selected the Innovative Practices in a Three-Step-Process:

* Nomination: 243 practices from 58 countries.
* 143 practices were shortlisted according to defined criteria.
* 54 innovative practices were finally selected, based on votes from 208 experts worldwide. Innovative practices work on all different aspects of accessibility. There is no big solution, but hundreds of small ones.

16 approaches/techniques used by innovative practices:

* All stakeholders
* Applications / software
* Assistance
* Database
* E-Books
* Easy Language
* Guidebooks
* Innovative devices: for example leveraged freedom chair, talking automatic teller machines (ATMs), accessible banking, etc.
* Maps: for example wheelchair-user accessibility map
* Multimedia guides
* Multimedia presentation
* One-stop-shop
* Peer-to-peer
* Professionals
* Standards
* Translation
* Universal Design.

Innovative policies:

* Policies can be excellent tools to address social change. In total we received 68 policy nominations from 34 countries; 25 policies were shortlisted and researched; In November 2013, the Board agreed upon the 15 most Innovative Policies
* Policies for all aspects of UN CRPD article 9. Increasingly, countries enact comprehensive approaches mandating accessibility for all aspects of CRPD Article 9. More and more policies are tackling specifically the access to products and services as well as information and communication, as for example Qatar’s comprehensive eAccessibility Policy.
* Policies benefiting persons with all types of disabilities. Many of the selected Innovative Policies pay attention to the universal design approach as does Ireland’s standard on Universal Design for Energy Suppliers.
* Policies engaging everyone in society. Accessibility is a pre-condition for independent living. This applies also to the 737 million persons aged 60 and over. Japan’s policy incentivizes all individuals to invest in accessible private housing, and thus attempts to break down the exclusive association between accessibility and disability.
* Policies for low-income contexts. As most people with disabilities live in the Global South, policy solutions for low-income contexts are fundamental. In the field of transport, for example, the Bus Rapid Transit Systems were developed as an alternative to the more expensive underground. Action plans like the one Cape Town’s bus system uses, can mainstream universal design in such public transport services.
* Policies mainstreaming disability. A strategic approach with priorities can make the most of limited resources. Colombia’s Plan Vive Digital is a good example as it creates Internet access for the disadvantaged rural populations and implements specific measures to overcome the digital exclusion of people with disabilities.
* Policies mainstreaming disability into development. Too many development programmes are disability-specific, whilst large infrastructure programmes continue to build inaccessible schools. Australia is one of those few countries, which has ensured that people with disabilities benefit equally from its development efforts, thanks to its Development for All strategy.

(Additional information on developing and implementing policies, from slides, but not presented owing to time limitations-)

* Developing policies:
* Who are the drivers of legislative action? Notably, three of the policies were the direct result of lobbying by DPOs: For example, thanks to Solo city’s lively disability movement, the Standard of Accessibility of Public Transportation, Information and Communication were introduced.
* With whom to consult? For example, in Berlin State, a permanently established Accessible construction working group, that includes DPOs and Disability Commissioners, has played a particularly prominent role in drafting the handbooks and the mechanism of a consistent and mandatory accessibly concept.
* Involving the private sector: Few policies engage the private sector. The Irish Standard on Universal Design for Energy Suppliers was designed in close consultation with energy suppliers (besides DPOs), which promoted their ownership and engagement for implementation.
* Implementing policies:
* Improving accessibility expertise: Hong Kong’s access coordinator scheme established a focal point in each policy department and venue.
* Involving people with disabilities: With its accessibility policy, the London 2012 Olympic and Paralympic Games’ Committee ensured that everyone could participate equally as spectators, athletes or workforce. DPOs were involved and trained volunteers, for example.
* Opportunities for Cooperation: In Spain, the world’s biggest public-private partnership on universal accessibility has been established, which provided financial and technical support to manifold stakeholders, including 120 public authorities, universities and non-profit entities.
* Enforcing policies:
* Using review and inspections: Kuala Lumpur has set up a comprehensive monitoring and enforcement system.
* Mandating standards and compliance: Norway established inaccessibility as a case of discrimination and universal design as an enforceable legal standard, whilst referring to sector legislation as well as specific regulations elaborating on the Act itself.
* Sanctioning non-compliance: There should be penalties for non-compliance as well as a mechanism for identifying non-compliance. In Berlin, failure to comply with accessibility standards results in financial penalties or in some cases mandatory building upgrades. To identify non-compliance, accessibility audits should be conducted.
* Monitoring policies:
* Setting up a monitoring body
* Establishing ombudsmen: For example, in Norway, monitoring of the policy has been assigned to the Equality and Anti-Discrimination Ombudsman and Tribunal.
* Support from civil society: For example, the Ugandan National Association on Physical Disability, the main initiator of Uganda’s Accessibility Standards, recently created a National Accessibility Audit Team in order to monitor implementation.

For more information, here is the website: [www.zeroproject.org](http://www.zeroproject.org)

A Zero Project video on accessibility was played. (Available at <https://www.youtube.com/watch?v=WV8wpQhBfTc&feature=youtu.be>)

**Mr. Firoz Ali Alizada, Campaign Manager, International Campaign to Ban Landmines (ICBL);**

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The International Campaign to Ban Landmines (ICBL) is a network of civil society organizations working for world free of landmines and forfulfillment of the rights and needs of all landmine survivors and other people with disabilities. ICBL’s members are present in over 100 countries around the world.

He would address accessibility in the framework of victim assistance.*‘Victim assistance’* is a term that we use in the context of disarmament in particular the Mine Ban Treaty and the Convention on Cluster Munitions. It covers individuals, family members and community affected by landmines and explosive remnants of war. Victim assistance has six pillars:

- Data collection

- Emergency and continuing medical care

- Physical rehabilitation

- Physiological and psychosocial support

- Economic inclusion

- Establishment and enforcement of the laws and policies.

Victim Assistance is an obligation for states that are party to the 1997 Mine Ban Treaty and the Convention on Cluster Munitions. The states parties have taken steps to address not only the needs of landmine survivors but also other people with disabilities. For example, Afghanistan, Cambodia, South Sudan, and Tajikistan have established coordination mechanism, designated focal points, adapted laws and policies, developed action plans and started to fill in gaps through the lens of victim assistance and then expanded to all people with disabilities.

Often funds have been raised for victim assistance and spent on projects and programs that benefit all people with disabilities.

Accessibility has been one of the priorities in victim assistance. States have been committed in the Cartagena Action Plan of the Mine Ban Treaty and the Vientiane Action Plan of the Convention on Cluster Munition to improve accessibility, in particular physical accessibility in order to ensure survivors and all people with disabilities have access to services like other members of the society. For example, 17 States Parties to the Mine Ban Treaty have developed accessibility policies, standards or laws.

The landmine survivors and other people with disabilities have been playing a key role in implementing victim assistance. They have contributed by sharing their own experience to provide accessibility in their country. They put pressure on decision makers to prioritize victim assistance in particular accessibility especially over the past five years.

He personally suffered a lot from lack of accessibility, and had to move out of his village because the inaccessible physical environment. In Afghanistan, most people with disabilities live in the mountain areas where very little services exist. In big cities, like Kabul, you cannot see many persons with disabilities in the street, not because they don’t exist, but because they are blocked and cannot access the city, as result they live in isolation.  In Afghanistan a few non-governmental organizations (NGOs) supported by the international community that started to improve accessibility in hospitals, schools, etc. Other efforts by the government of Afghanistan are mostly limited to policies.

The common challenge is that persons with disabilities often face barriers to access services due to physical environment, distance to services, as well as negative behavior of service providers. The other challenge is that often decision makers, service providers and authorities do not give priority to accessibility, often there is a misconception for the need to accessibility; it is not seen as an essential step for persons with disabilities, but as some kind of luxury. Lack of effective standards and legislation or their appropriate implementation is another factor the imped improving accessibility.

It is vital to improve accessibility. All the states have to ratify the CRPD and put efforts to fully implement article 9 of the CRPD.

**Ellen Walker, Human Rights Officer, Intergovernmental Processes, International Disability Alliance (IDA):**

She highlighted some recent global developments on accessibility for persons with disabilities, in which IDA has been involved.

About IDA: First, she presented IDA, which promotes the CRPD using the United Nations (UN) mechanisms. In Geneva, IDA’s work has been mainly here in the Human Right Council (HRC) and in the treaty bodies, and with other parts of the UN. IDA also has a presence in New York, where colleagues work in the General Assembly and other New York mechanisms. She agrees that accessibility is a topic that affects all part of a person’s life and is cross-cutting.

Cross-disability: For IDA, it was important to stress that we are talking about accessibility not only for a specific group of persons with disabilities but for all persons with disabilities, and that not all groups of persons with disabilities are the same but have different needs. When we talk about accessibility we talk about ALL persons with disabilities; also, people sometimes tend to forget about some persons with disabilities- for example deafblind persons- for whom accessibility improvements are also needed. IDA is a cross-disability group.

Accessibility is a cross-cutting: As mentioned, accessibility is an issue that cuts across all parts of life. She proceeded to highlight recent developments in some different areas.

Accessibility issues in the context of aviation; IDA had participated, with others, in the revision of guidance on the facilitation of air travel of persons with disabilities, in a Working Group of the International Civil Aviation Organization on this subject. The resulting updated guidance is mostly good; however, for example a bad IATA standard remains in it still. She encourages the country representatives present to inform their airlines about the new guidance and the importance of accessibility. There is a need to welcome diversity and plan and provide for equal access to air travel.

International Telecommunications Union (ITU): Together with ITU, G3ict, Microsoft and other partners, IDA worked on [a report on the ‘*ICT opportunity for a Disability – inclusive framework’*](http://www.internationaldisabilityalliance.org/en/article/information-note-launch-report-%E2%80%9C-ict-opportunity-disability-inclusive-development-framework%E2%80%9D). The report can be found at: <http://www.itu.int/en/action/accessibility/Pages/default.aspx>. The report outlines the fact that information and communication technologies (ICT) can greatly accelerate the process of inclusion of persons with disabilities in all aspects of society. One of the findings was that mobile phones were the technology most valued, for their impact on independent living. The report demonstrates the importance of including persons with disabilities at the design and planning stage in product development, etc. However, persons with disabilities are still left out, showing the need for awareness raising.

Accessibility at the UN: The UN can be a good platform to encourage good practices. We need to make the UN a place where accessibility practices and solutions can be shared. At the same time, she cautioned that it can also be a place where bad practices or examples may unfortunately be given. IDA was working in Geneva and New York so that the UN makes good progress on accessibility. The goal was for the UN to make itself more accessible.

Efforts were now in fact being made on this in Geneva and [New York](http://www.internationaldisabilityalliance.org/en/article/ida-press-release-accessibility-centre-opens-un-headquarters-new-york). In Geneva IDA had with partners achieved an [HRC Task Force on Accessibility for Persons with Disabilities](http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session23/Pages/TFOnAccessibility.aspx). Following advocacy that IDA did with the United Nations Office at Geneva (UNOG) via the task force, UNOG now has made an “[Accessibility at UNOG” web page](http://www.unog.ch/80256EE60057F2B7/(httpPages)/CD8F13AAD8BB90EAC1257C28004CBC3B?OpenDocument), on its home page. There, UNOG is flagging what it is doing to increase accessibility, and also has indicated its commitment to implementing the WCAG web accessibility standards on its website. This is a great development in terms of awareness raising around the world. Some challenges remain, but the increased commitment of UNOG is evident and is warmly welcomed by IDA.

OHCHR recently published an [Accessibility guide to the Human Rights Council for persons with disabilities](http://www.ohchr.org/Documents/HRBodies/HRCouncil/AccessibilityGuideHRC.pdf), on which IDA had cooperated. It is available on the [welcome to the HRC web page of the Council](http://www.ohchr.org/EN/HRBodies/HRC/Pages/AboutCouncil.aspx). Copies were available at the side event.

With all of this said, it was important to emphasize that the UN and governments themselves needed to be more proactive to ensure accessibility, and find ways to institutionalize this.

CRPD Committee: Accessibility was also being advanced by the CRPD Committee. IDA encouraged participants to consult the [CRPD Committee’s draft general comment on article 9 of the CRPD](http://www.ohchr.org/EN/HRBodies/CRPD/Pages/DGCArticles12And9.aspx), as well as the contributions, including IDA’s to this, available at the same web page. IDA had several suggestions on strengthening the general comment on article 9. Going back more in time, the CRPD Committee had also had a day of general discussion on article 9 in 2010. Additional resources on accessibility were available on the [CRPD Committee’s web page on the day of general discussion on accessibility](http://www.ohchr.org/EN/HRBodies/CRPD/Pages/DGD7102010.aspx).

The previous speakers had referred to efforts to make changes at different levels, whether global or local. Changes were needed with the help of different actors at all levels, global, national (with national policies and laws to implement the CRPD), and city. As previous speakers had pointed out it was true that there was the city level was very important. In this regard, one recent good practice could be found in Austin, Texas, where there was [new ordinance requiring new private houses to be accessible and visit-able](http://www.kvue.com/news/City-Council-to-vote-on-Ramp-Rules-242782691.html).

**Ms. Susan Schorr, Telecommunication Development Bureau, International Telecommunications Union (ITU):**

The ITU is a specialized UN agency that tries to connect the world to information and communication technologies. There are over 6 billion of mobile subscribers all around the word.

ICT accessibility in the United Nations Convention on the Rights of Persons with Disabilities (CRPD):

* [Article 9 of the CRPD](http://www.un.org/disabilities/default.asp?id=269) defines ICT accessibility as an integral part of accessibility rights on par with transportation and the physical environment. Many people fought to include this right in the CRPD.
* [Article 30 of the CRPD](http://www.un.org/disabilities/default.asp?id=290) requires States Parties among other things to take measures to ensure that persons with disabilities “*Enjoy access to television programmes, films, theatre and other cultural activities, in accessible formats*”.

CRPD into national law?

* States Parties have ICT policies, legislation and regulations.
* Their key legal instruments must be updated to achieve the goal of promoting ICT accessibility.
* States Parties’ disability laws also have to be updated to promote ICT accessibility.
* Updating States Parties’ public procurement laws may be one of the most effective ways to ensure the availability of accessible ICTs.

There are different strategies to implement a human rights policy on the ground:

* Convince the provider of ICT that there is a business case in providing ICT for persons with disabilities. For instance, Japan is a country that does that;
* Countries that show more progress have been creating ‘obligations’ for ICT provider to open their market to persons with disabilities;
* ICT legislation can be an effective tool to ensure ICT accessibility.

Background

* ITU is preparing a model policy for its member states as a resource.
* ITU does not require implementation of the model policy by its members but it is a model that can be used.
* This tool will be published later this year.
* Expert and ICT industries have reviewed the model.

The basics – examples of what the policy would do:

* Definitions:
  + Add key terms to ICT law’s Definitions
    - Include persons with disabilities in definition of “ICT users”
* All ICT policies promote universal access / service.
  + These policies promote ICT network rollout to rural and underserved areas and to underserved communities and affordable ICT services.
    - Expand universal access and service definitions to also include ICT accessibility for persons with disabilities.
* Update Universal Service and Access Fund laws:
  + To authorize these funds to subsidize costs for ICT accessibility.

What would be funded?

* Project:
  + Development of speech-to-text engines in national languages
  + Support for skills development
* Subsidies:
  + Relay services, AT
  + Special tariffs for persons with disabilities
  + Procurement of accessible ICTs for public community ICT centers.

Nothing about us without us:

* Public consultation on ICT policy, legislation and regulation to include persons with disabilities and disability organizations.
  + Publish all documents in accessible format.
  + Ensure persons with disabilities participate in public consultation.
  + Establish a Committee on persons with disabilities.

Model ICT accessibility policy report:

* Provides policy guidelines and legal and regulatory framework.
* Designed to help policy makers and regulators develop their own accessibility policies and regulations.
* Modular design includes stand-alone sections on:
* Model ICT legislative, policy and regulatory framework;
* Public ICT access, accessibility;
* Mobile accessibility;
* TV accessibility;
* Web accessibility; and
* Public procurement of ICT.

Additional information from Ms. Schorr’s PowerPoint presentation (not presented at meeting because of limited time available):

Model Mobile Phone Accessibility policy:

* Availability:
  + Mobile operators and service providers to provide customers a range of accessible products, services and devices meeting the requirements of various types of persons with disabilities.
* Affordability:
  + Mobile operators and service providers to offer special and/or discounted rates and plans for users with disabilities – i.e. text only plans for the deaf.
* Awareness:
  + Mobile operators to train staff on accessible products and services.

Model Public Procurement module:

* Public procurement laws by which governments procure exclusively accessible ICTs ensure that ICT manufacturers as well as software and website developers produce accessible ICTs in the countries where these laws exist.
* Every country can ensure accessible ICTs in their country by adopting similar public procurement laws.
* Defines the needs of end users who benefit from accessible ICT.
* Ensures that relevant ICT accessibility criteria are included in the call for tender and verified.
* Defines functional performance standards to achieve economies of scale.
* Includes links to existing performance standards.

Model TV accessibility Policy – Captioning /subtitling for deaf and hard of hearing persons:

* Broadcasters to deliver closed captioning/subtitling.
* Content creators are responsible for creating the content for these services and delivering the content along with the programming to the broadcaster or AV content provider.
* Sets targets for number of broadcasts to be made accessible in next three years.
* Calls for awareness-raising to users so that they are aware that accessible broadcasting services exist.

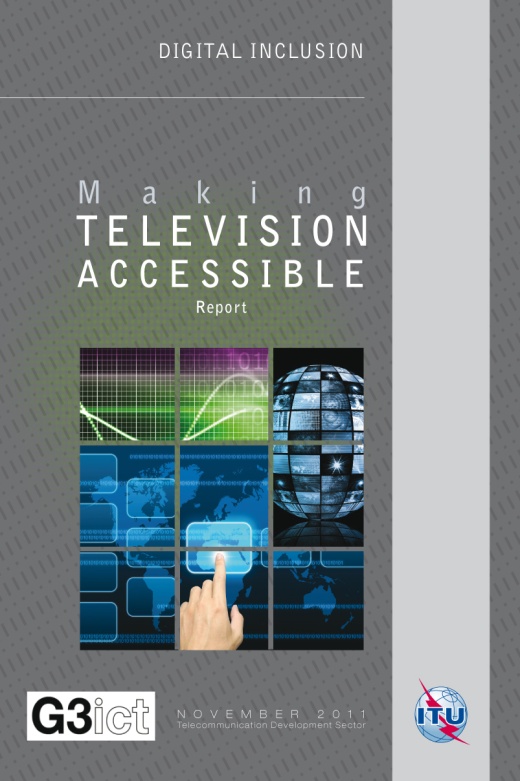
Model TV Accessibility Policy – Audio Description (AD) and audio subtitles for blind persons and for viewers with low vision:

* AD to be provided in an official language of the country.
* The language of the AD should be the same as the program audio.
* Subtitling countries can use audio subtitles.
* Signing requirements to be developed through open consultation.

Model TV code of conduct:

* Licensed content providers required to develop a Code of Conduct on minimum standards for amount of programming with:
  + Subtitling.
  + Visual signing.
  + Audio descriptions and audio subtitling.
  + Ability to adjust caption fonts, contrast and colors.
* Code to set 3, 5 and 10 year targets.

Following is a screenshot of the homepage of [www.e-accessibilitytoolkit.org](http://www.e-accessibilitytoolkit.org). 

Other ITU reports (in addition to the one already mentioned by IDA):

Making TV Accessible Report:

* Prepared by Peter Looms, Chairman of ITU-T Focus Group on Audiovisual Media Accessibility.
* Looks at how TV can be made more accessible.
* Timely given the transition from analogue to digital TV.

Making Mobile Phones and Services Accessible Report:

* Prepared by a team of experts.
* Explains in concrete terms, what we mean by accessible mobile phones.
* Developments in accessible mobile apps.
* Business opportunities and case studies.
* Policy guidelines.

For more information:  
<http://www.itu.int/en/ITU-D/Digital-Inclusion/Persons-with-Disabilities/Pages/Persons-with-Disabilities.aspx>

**Ms. Krista Orama, Associate Expert, Human Rights and Disability, Office of the High Commissioner for Human Rights, (OHCHR);**

She presented the human rights framework of accessibility and its intersectional nature, and as presented in the CRPD, as an all-encompassing concept.

She addressed the legal and human right basis of accessibility. Before turning to this, she reminded participants of the concept of disability as established in the CRPD, which deliberately does not define disability but Instead recognizes that disability is an “evolving concept” that “… results from the interaction between persons with impairments and attitudinal and environmental barriers that hinders their full and effective participation in society on an equal basis with others.” (ref.: preamble (p) and article 1(2) CRPD). Thus it is the environment in which we live that has a problem, and needs to be changed, and not persons with disabilities.

Owing to the many kinds of barriers that exist, the concept of accessibility needs to be equally complex. It emerged in the CRPD for the first time as it is now. There have been some other notions of accessibility in other treaties - elements of accessibility have been present e.g. in the Convention on the Elimination of Racial Discrimination (article 5) and the Convention on the Elimination of All forms of Discrimination Against Women (E.g. access to studies in 10(a); health care services (12) etc.), which talk about “equal access to…”.

The CRPD goes further than that.

The CRPD treats accessibility in a complex and broad manner, at two main levels: as a core principle, anchored in article 3, and as a stand-alone provision in article 9.

General principles are new to a human rights treaty; the CRPD is innovative in this regard and contains others in addition to accessibility in article 3. Whether we discuss inclusive education or work environments, access to justice or the realization of the right to vote, accessibility must be – per definition – a key consideration.

Article 9 has the aim of enabling persons with disabilities to live independently and to participate in all aspects of life. The private sector is important in that regard.

There are at least 6 different dimensions of accessibility:

1. Social/attitudinal accessibility: removing the stigma and other negative behaviour against persons with disabilities and their families/caretakers;
2. Intellectual accessibility: providing reading formats and speaking in a way that is accessible to persons with intellectual or learning impairments;
3. Communication accessibility: ensure accessible formats in alternative modes and means of communication (compare definition of “language” in article 2);
4. Institutional accessibility: e.g., ensuring that legislation, policies and practice do not contribute to the exclusion and discrimination of persons with disabilities (compare obligations in article 4(1));
5. Physical accessibility: the removal of barriers in the physical environment; and,
6. Economic accessibility: which is also referred to as “affordability” and has been established as part of the core requirements of the social and cultural dimension of human rights.

There is an obligation of States Parties to adopt legislative measure for the rights recognized in the Convention, and they should closely consult with persons with disabilities for the implementation of the Convention. The Convention is a great base where we can base the argument.

The multiple dimensions of accessibility should be taken into account when fulfilling the general obligations defined in article 4 of the Convention.

OHCHR work on accessibility

OHCHR aims to work consciously on the parallel tracks of accessibility, including standard-setting, awareness-raising in accordance with the CRPD; and that very practical work where things should not fail.

* Law reforms: provide support to states.
* [Inclusion in planning and budgeting]: Improved accessibility for persons with disabilities to the work of the human rights mechanisms is both a priority and a deliverable in the Office’s strategy. Enhanced accessibility is also part of the global management output for the whole Office to increase and strengthen our effectiveness in supporting the human rights mechanisms over the next four years (2014-2017).
* Standard setting: OHCHR has been feeding into a Secretary-General’s Bulletin on Accessibility, which is to be the first ever UN Secretariat policy on accessibility and will be key in the continued development of accessible rules, regulations and practices.
* Practical level: to a large extent under the guidance of the HRC Task Force on Accessibility, OHCHR cooperates with relevant parts of UNOG to make sure that the Palais and human rights mechanisms become increasingly accessible to persons with disabilities. OHCHR published an accessibility guide to the Human Rights Council earlier this year. The Strategic Heritage Plan is a plan for the renovation of the Palais des Nations. In cooperation with others, OHCHR has requested the renovation to include accessibility for persons with disabilities. She requests everybody that can support to help ensure that the plan to be very accessible and to consult persons with disabilities in that regard.

It is in the interplay of the various aspects of accessibility that we will, little by little, create accessible and inclusive environments. We should be proud of achievements, but critical when we fail. Every time we succeed, it means that we are a bit closer to full equality but every time something goes wrong, it means, directly or indirectly, that some is discriminated against or left behind.

OHCHR is eager to continue working with everyone in this room and far beyond towards full inclusion and participation of persons with disabilities and the respect of their human rights.

**Discussion:**

**Mexico:**

About including the private sector, there is more room to follow that strategy. An important area, in particular for Mexico, is tourism. They could link accessibility with tourism not only physical accessibility but also ensure the full participation of persons with disabilities in the tourism activities.

The accessibility standards would be easier to compare from country to country if there are movements between the countries.

**New Zealand:**

The representative shared New Zealand’s experience following the Christchurch earthquake. The biggest challenge is to follow an earthquake in a city, and having to rebuild the city and to be able to render the new environment accessible. The natural disasters show us the big gap in our legislation system. One of the big challenges is in the private sector; bringing them in this process of making an accessible environment. There is a business case here.

**Representative of International Campaign to Ban Landmines (ICBL)** (speaking from the floor):

Question to ITU:

- Could Ms. Schorr explain again what she means by public procurement and its importance?

Question to IDA:

- What kind of resistance was faced from the airlines companies?

**Tunisia:**

The representative noted that the ‘Zero Project’ information is only in English, which is a limitation for us to profit from it.

Coming back to the title of the side event, and the concept of ‘*Re-engineering society’*. The speaker felt that this was an aspect that has not been treated enough. He regretted the lack of attention and inclusion of persons with disabilities in different aspects of life. He wondered what a good way to address this going forward was. Tunisia was very interested in the ITU model policy.

**Ms. Susan Walker, Consultant, Humanitarian affairs and disarmament:**

She thanked each of the panelists for their presentations. She hoped that a summary of the meeting would be put on the website somewhere.

Question to Mr. Alizada: He mentioned challenges, what are those? The challenges seem to be the same than the one she was going through 35 years ago.

**Ms. Krista Orama, Associate Expert, Human Rights and Disability, Office of the High Commissioner for Human Rights (OHCHR):**

In relation to New Zealand; article 11 of the CRPD provides a good basis for us to make sure that national system is prepared for that kind of event. OHCHR would be happy to work with you on that issue.

It comes to all very concrete things that need to be done even though we are talking about principles, practices, etc. It is very difficult to work if we do not have a legal basis.

**Ms. Susan Schorr, Telecommunication Development Bureau, International Telecommunications Union (ITU):**

Public procurement: the governments are huge consumers of ICT. They have to buy mobile phones for agents; schools will have to buy computers for students, computers for tourism agencies. In that process, they can make sure that this equipment is made accessible for persons with disabilities. Most of the mobile phones are already accessible because some governments require them to be accessible in order to be able to buy them.

If all government would request ICT companies to make accessible phones, then accessible ICT will be available everywhere.

**Ms. Ellen Walker, Human Rights Officer, Intergovernmental Processes, International Disability Alliance (IDA):**

To the representative of Mexico- regarding tourism- tourism did have a large potential to increase inclusion in many aspects of life but an important aspect of this that was often overlooked was the employment aspect. For example, in the Universal Periodic Review of Mauritius that had recently taken place at the Human Rights Council, it had come to light that although tourism is a main source of the gross national product in Mauritius, most hotels etc. are not accessible to persons with disabilities- meaning that persons with disabilities cannot be working at them or have income from that, leaving fewer and also less stable forms of employment as options.

To the representative of Tunisia, she thanked him for reminding of and reflecting on the event’s title- and on why persons with disabilities were still left out of so many aspects of society. In a sense employment was also a key to solving this, along with education and awareness raising. More employment of persons with different disabilities across more sectors could lead to better inclusion at the design and policy making phase.

To the ICBL representative speaking from the floor- about the airlines, some of the issues that had come up during the revision of the guidance were around accompanying persons, and the (bad) IATA classification system that was being used among cooperating airlines, which attempted to classify persons with disabilities, rather than the type of assistance required.

**Mr. Firoz Ali Alizada, Campaign Manager, International Campaign to Ban landmines (ICBL):**

One big challenge that moves slowly is the low level of political will. Accessibility is not recognized as basic human rights but as a luxury. We have to put it in the priority. Countries have to make it a priority, put budget and then things will work. The solution is to fully implement the CRPD and its article 9.

**Mr. Michael Fembek, Head of Zero Project, Essl Foundation:**

He wants to share three thoughts:

* If you plan accessibility in the first place in planning new building it costs only about 0.6% more. If you include it in the first place it is not a real additional cost.
* The biggest foundation is the Bill Gates foundation. The amount they have is the amount that the state of California spends every year in education. So even a foundation cannot pay for that, there need to participation from public sector.
* About including tourism. They have been trying to put wireless around the touristic part the city Lucca, Italy. The industry is not interested in that project if the government does not give them budget.

**H.E. Thomas Hajnoczi, Ambassador of Austria, Permanent Representative of Austria to the United Nations Office at Geneva:**

Ambassador Hajnoczi thanked all of the speakers and participants for the presentations and fruitful exchanges, which had helped to share information about key challenges and developments. He expressed the hope for continued cooperation and increased progress to ensure accessibility for persons with disabilities, in light of what had been shared, and of obligations in the CRPD.