



# Equal Access without Discrimination

## The Right to Disability-Inclusive Health

Issue Brief – May 2021

### Summary

- ▶ The right to the highest attainable standard of health is fundamental, as health is a precondition for equal participation in society.
- ▶ Despite clear legal obligations, persons with disabilities continue to experience discrimination in their access to health.
- ▶ As a result of these barriers and rights violations, persons with disabilities report lower standards of health and experience higher mortality rates.
- ▶ Governments, international organisations and development actors urgently need to mainstream disability into their health strategies, services and interventions.

### A) Right to Health in a Nutshell

“The highest attainable standard of health [is] a fundamental right of every human being.” This is the heart of the constitution of the World Health Organisation (WHO). States must realise this universal human right without delay.

In practice, it entails the freedom from non-consensual or degrading treatment as well as the entitlement to health care that is accessible, available in sufficient quality and culturally acceptable. This includes the full spectrum of essential health services, from health promotion to prevention, treatment, rehabilitation, and palliative care.<sup>1</sup>

The right to health is essential for the attainment of other human rights. For instance, physical and mental health enable children to learn or adults to work. As a result, equal participation in society is preconditioned on the highest attainable standard of health.<sup>2</sup>

1 WHO & OHCHR (2008): The Right to Health. pp. 1-4. [www.who.int/gender-equity-rights/knowledge/right-to-health-factsheet31.pdf](http://www.who.int/gender-equity-rights/knowledge/right-to-health-factsheet31.pdf).

2 Shakespeare, T., Bright, T. & Kuper, H. (2018): Access to Health for Persons with Disabilities, pp. 3-4. [www.ohchr.org/Documents/Issues/Disability/StandardHealth/BackgroundDoc\\_EGM\\_Righttohealth.docx](http://www.ohchr.org/Documents/Issues/Disability/StandardHealth/BackgroundDoc_EGM_Righttohealth.docx).

## B) Access to Health for Persons with Disabilities

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According to the WHO, persons with disabilities make up 15% of the world's population. Like everyone else, they have general health needs. While persons with disabilities are in no way 'unhealthy' or 'invalid', some might have additional health needs.<sup>3</sup>

### Situation of Persons with Disabilities

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Persons with disabilities often do not reach the highest attainable standard of health and subsequently experience higher mortality rates than their peers. The reason for this is that they face discrimination on basis of their disability as well as multiple barriers to an equal access to health.<sup>4</sup> Among others, these include:

- ▶ **Cost of Health Care:** Persons with disabilities experience poverty at higher rates. As a result, the WHO reports that more than half of persons with disability are unable to afford health care compared to about a third of those without disability.<sup>5</sup>
- ▶ **Inaccessible Information:** Health-related information is rarely available in accessible formats for patients with disabilities. This significantly limits their scope for informed decisions or consent.<sup>6</sup>
- ▶ **Built Environment:** Inaccessible buildings, equipment and services create barriers to health. Patients with disabilities from remote areas additionally often encounter inaccessible transportation.<sup>7</sup>
- ▶ **Exclusion:** Public health promotion and services often exclude persons with disabilities. For instance, UNICEF reports that national vaccination programmes reach less children with than without disabilities.<sup>8</sup>
- ▶ **Service Gap:** There is a discrepancy between specialised services needed and offered. As one instance of this service gap, in some low-income settings, health-related rehabilitation is only available to 5% of persons with disabilities.<sup>9</sup>
- ▶ **Rights Violations:** Persons with disabilities are often denied their right to bodily autonomy. Women with disabilities are regularly denied their sexual and reproductive health rights. For example, they experience forced sterilisation three times more often than women without disabilities.<sup>10</sup>
- ▶ **Ableism:** Negative attitudes of staff are a major barrier to health care. Disability is regularly stigmatised as a deviation from the norm and incorrectly linked to lower quality of life.<sup>11</sup>

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3 *ibid.*

4 UN Special Rapporteur on the Rights of Persons with Disabilities (2018): The Right to Health. A/73/161. §§4-5. <https://undocs.org/en/A/73/161>.

5 WHO (2020): Disability and Health. [www.who.int/news-room/fact-sheets/detail/disability-and-health](http://www.who.int/news-room/fact-sheets/detail/disability-and-health).

6 Baart, J. & Taaka, F. (2018): Barriers to Healthcare Services for People with Disabilities in Developing Countries: A Literature Review. Disability, CBR & Inclusive Development, vol. 28, no. 4, pp. 34-35. <https://dcidi.org/articles/10.5463/dcid.v28i4.656/galley/275/download/>.

7 *ibid.*, pp. 32, 35, 36.

8 UNICEF (n.d.): Disability Prevention Efforts and Disability Rights. Finding Common Ground on Immunization Efforts. [sites.unicef.org/disabilities/files/UNICEF\\_Immunization\\_and\\_Disability\\_Paper\\_FINAL.pdf](https://sites.unicef.org/disabilities/files/UNICEF_Immunization_and_Disability_Paper_FINAL.pdf).

9 Shakespeare, T. et al. (2018): *op. cit.*, p. 24.

10 UN Special Rapporteur on the Rights of Persons with Disabilities (2017): Sexual and Reproductive Health and Rights of Girls and Young Women with Disabilities. A/72/133. §3, §29. <https://undocs.org/en/A/72/133>.

11 Baart, J. & Taaka, F. (2018): *op. cit.*, pp. 33.

## Policy Framework and Legal Requirements

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This situation directly contravenes the relevant legal framework. In addition to the general right to health referenced above, the UN Convention on the Rights of Persons with Disabilities includes a stand-alone article on the right to health. It clearly mandates:

“ *the highest attainable standard of health without discrimination on the basis of disability. States Parties shall take all appropriate measures to ensure access for persons with disabilities to health services that are gender-sensitive, including health-related rehabilitation.*”<sup>12</sup>

These requirements are also reflected in the 2030 Agenda and Sustainable Development Goal 3 (SDG3). To “ensure healthy lives and promote well-being for all”, states commit to universal health coverage.<sup>13</sup> Reaching SDG3 is not possible without disability inclusion.<sup>14</sup>

The work of the WHO in this regard is guided by its Global Disability Action Plan 2014-2021. As this health policy document reaches its final year, it is important for the WHO and its Member States to develop a rights-based successor document.<sup>15</sup>

## C) Our Work

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Light for the World is an expert organisation on eye health as well as on disability inclusion. With disability-inclusive health located at the intersection of our mission, we engage governments and local health actors in multiple ways to increase access to health for all persons with disabilities. This includes:

- ▶ **Accessible Information:** We work with hospitals and health authorities in our partner countries to make information available in accessible formats, including easy-to-read, Sign language and Braille, not least during the global COVID-19 pandemic.
- ▶ **Awareness-Raising:** We developed a game-based tool to develop capacity of health practitioners on disability inclusion. Participants discuss concrete steps on how to facilitate better services for people with disabilities in rural settings.<sup>16</sup>
- ▶ **Programmatic Interventions:** Through the ‘Every Life Matters’ Project, we supported 14 health centres across Ethiopia, Mozambique and Rwanda to design, test and adapt disability-inclusive interventions in cooperation with local organisations of persons with disabilities (OPDs).<sup>17</sup>
- ▶ **Inclusive Eye Health:** We implement a disability-inclusive Trachoma programme in Ethiopia’s Tigray region. We collaborate with health authorities and OPDs to ensure accessible information, to modify infrastructure and to waive treatment fees.

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12 UN (2006): Convention on the Rights of Persons with Disabilities. Art 25.

[www.un.org/disabilities/documents/convention/convention\\_accessible\\_pdf.pdf](http://www.un.org/disabilities/documents/convention/convention_accessible_pdf.pdf).

13 UN General Assembly (2015): Transforming our World. The 2030 Agenda for Sustainable Development. A/RES/70/1, Target 3.8.

<https://undocs.org/A/RES/70/1>.

14 OHCHR (2020): Policy Guidelines for Inclusive SDGs. Good Health and Well Being.

[www.ohchr.org/Documents/Issues/Disability/SDG-CRPD-Resource/policy-guideline-good-health.pdf](http://www.ohchr.org/Documents/Issues/Disability/SDG-CRPD-Resource/policy-guideline-good-health.pdf).

15 WHO (2015): Global Disability Action Plan 2014-2021. [www.who.int/disabilities/actionplan/en/](http://www.who.int/disabilities/actionplan/en/).

16 Light for the World (n.d.): Inclusion Game. [www.inclusiongame.org/play-the-game](http://www.inclusiongame.org/play-the-game).

17 Light for the World (2020): Every Life Matters. [lab.light-for-the-world.org/programmes/every-life-matter/](http://lab.light-for-the-world.org/programmes/every-life-matter/).

- ▶ **Rehabilitation:** In 2019, we reached 45.000 persons with disabilities through community-based rehabilitation services and collaborated with governments to include rehabilitation in health care systems.<sup>18</sup>
- ▶ **Sexual and Reproductive Health:** Together with a local partner from Ethiopia, we developed guidance for community workers and parents on how to discuss sexual health with girls with intellectual disabilities.<sup>19</sup>
- ▶ **Referrals:** We create sustainable links to OPDs. In Burkina Faso for instance, as health workers organise medical consultations in the community, they refer patients with disabilities to their local representative organisations.
- ▶ **Advocacy:** We supported the Ministry of Health of Mozambique to include collection of and disaggregation by disability in eye health data sets. Moreover, to ensure a favourable global policy framework, we advocate WHO Member States to commit on the highest attainable standard of health for persons with disabilities.<sup>20</sup>

## **D) Recommended Action**

Governments, international organisations and development actors need to overcome barriers and discrimination that restrict the right to health for persons with disabilities. They need to mainstream disability into all relevant policies, strategies, programmes and services.

To guarantee the highest attainable standard of health, particularly in the wake of the global COVID-19 pandemic, they have to:

- ▶ Ensure political commitment to rights-based health policies and strategies, including agreement on pertinent resolutions at the World Health Assembly and on a successor to the WHO Global Disability Action Plan.
- ▶ Develop and implement legislation to outlaw any type of non-consensual treatment, in particular forced sterilisation of women and girls with disabilities.
- ▶ Provide adequate funding for rights-based, disability-inclusive and community-based health services, including through international cooperation.
- ▶ Ensure available, adequate and affordable Universal Health Coverage for persons with disabilities, which covers all essential health services, including eye health.
- ▶ Ensure full accessibility of health facilities, equipment, services and information for all persons with disabilities.
- ▶ Ensure disability awareness of all health staff, including community-based health workers, and provide guidance on adequate disability-sensitive services, including on sexual and reproductive health.
- ▶ Disaggregate statistical data on the health status and the access to health care at least by sex, age and disability.

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18 Light for the World (2021): Impact Report 2019/2020, p. 4.

[www.light-for-the-world.org/sites/ldfw\\_org/files/download\\_files/2019\\_impactreport\\_english\\_accessible\\_0.pdf](http://www.light-for-the-world.org/sites/ldfw_org/files/download_files/2019_impactreport_english_accessible_0.pdf).

19 Light for the World (2016): Her Body, Her Rights.

[www.light-for-the-world.org/sites/ldfw\\_org/files/download\\_files/her\\_body\\_her\\_rights\\_web.pdf](http://www.light-for-the-world.org/sites/ldfw_org/files/download_files/her_body_her_rights_web.pdf).

20 IDDC (2020): Influencing the WHA Draft Resolution. [www.iddcconsortium.net/blog/influencing-the-wha-draft-resolution-on-the-highest-attainable-standard-of-health-for-persons-with-disabilities/](http://www.iddcconsortium.net/blog/influencing-the-wha-draft-resolution-on-the-highest-attainable-standard-of-health-for-persons-with-disabilities/).

## Further Reading

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- ▶ UN Special Rapporteur on the Rights of Persons with Disabilities (2018): The Right to Health for Persons with Disabilities. A/73/161. <https://undocs.org/en/A/73/161>.
- ▶ Baart, J. & Taaka, F. (2018): Barriers to Healthcare Services for People with Disabilities in Developing Countries: A Literature Review. Disability, CBR & Inclusive Development, vol. 28, no. 4, pp. 33. <https://dcidj.org/articles/10.5463/dcid.v28i4.656/galley/275/download/>.
- ▶ OHCHR (2020): Policy Guidelines for Inclusive SDGs. Good Health and Well Being. [www.ohchr.org/Documents/Issues/Disability/SDG-CRPD-Resource/policy-guideline-good-health.pdf](http://www.ohchr.org/Documents/Issues/Disability/SDG-CRPD-Resource/policy-guideline-good-health.pdf).
- ▶ UN DESA (n.d.): Toolkit on Disability for Africa. Inclusive Health Services. [www.un.org/esa/socdev/documents/disability/Toolkit/Inclusive-Health.pdf](http://www.un.org/esa/socdev/documents/disability/Toolkit/Inclusive-Health.pdf).



### About Light for the World

Light for the World is a global disability and development organisation, breaking down barriers to enrich society and unlock the potential in all of us. Our vision is an inclusive society for all where no one is left behind. We enable eye health services and empower people with disabilities in some of the poorest regions of the world.

### Contact Us

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