

# United States International Council on Disabilities

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## **Americans with disabilities applaud President Obama's intention to sign the Convention on the Rights of Persons with Disabilities**

Washington, DC – July 21, 2009

The United States International Council on Disabilities (USICD), representing a broad constituency of Americans with disabilities and disability organizations, praised today's announcement of President Barack Obama's intention to sign the international Convention on the Rights of Persons with Disabilities (CRPD).

"President Obama committed in his campaign to signing the Convention on the Rights of Persons with Disabilities (CRPD) and we applaud his leadership. This treaty is good for America, good for people with disabilities, and good for the world," says Marca Bristo, President of USICD. "After decades as a global leader in the civil and human rights of persons with disabilities, the United States is reconnecting with the international community by affirming the basic human rights of all people with disabilities and positioning us to better contribute our expertise on the global level."

On Friday, July 24, 2009, at a ceremony to take place in the White House, President Obama is scheduled to announce the intent of the United States to sign the CRPD. Signature indicates the country's interest in joining this treaty, and begins a process in which the US Senate will review and provide advice and consent for ratification.

"It is fitting for President Obama to sign the CRPD this week, in commemoration of the 19<sup>th</sup> Anniversary of Americans with Disabilities Act (ADA)," says Tony Coelho, former Representative from California in the US House, author of the ADA, current President of the American Association of Persons with Disabilities, and a board member of USICD. The 19<sup>th</sup> anniversary of the passage of the Americans with Disabilities Act is July 26. "When we passed the ADA in 1990, we had no idea what a grand impact on disabled people around the world this legislation would be, or how it would inspire an international treaty of this importance."

The Convention, or CRPD, addresses established international human rights standards in the context of people with disabilities. This treaty was needed because people with disabilities have historically been invisible in the implementation of international human rights standards. The international drafting process was

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notable for the inclusion of people with disabilities on official country delegations and as participants in advocacy groups invited to participate, with a rallying slogan of “Nothing about us, without us.”

“This treaty truly reflects the unique insights of disabled people from around the world. The participation of disabled people in decision-making about policies affecting our lives is changing the way we are regarded in our communities and by our governments,” says Judy Heumann, former Clinton Administration appointee, member of the Board of Directors of USICD, and an authority on disability who participated in the negotiations to draft the treaty. “The invisibility of disabled people that is all too common around the world is changing. This treaty is a major advancement.”

The United Nations estimates that there are 650 million people with disabilities globally. Approximately 87% of the world’s population now resides in countries that have signed or ratified the CRPD. The CRPD addresses barriers that impede the full inclusion and participation of people with disabilities in their communities. Its provisions touch on all aspects of daily life, such as education, employment, living independently and being included in community life. Application of the treaty’s provisions is enhancing the opportunities around the world for community access, employment and entrepreneurship, international exchange, and the attainment of an adequate standard of living for all individuals, children and families affected by disability.

The United States International Council on Disabilities (USICD) is part of a coalition of organizations that support U.S. ratification of the CRPD as a means to broaden protection of the inherent rights of persons with disabilities across the world, and to solidify the rights of persons with disabilities within the United States. The United States led this effort with the adoption of the Americans with Disabilities Act. Ratification of the Convention will assure the United States continues to lead globally in promoting the rights of persons with disabilities.

“This is a historic day in the movement for full equality, access, and inclusion of people with disabilities in America,” says David Morrissey, Executive Director of USICD. “A broad coalition of Americans with disabilities have called for our country to sign this treaty, which upholds the American values of liberty, justice, and equality. We look forward to broad support for this treaty among all Americans, both with and without disabilities.”

USICD is a federation of US-based non-governmental organizations (NGO), government agencies and individuals committed to advocating in support of the international disability community.

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## FREQUENTLY ASKED QUESTIONS ABOUT THE CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES

1. What are “human rights”?

Human rights are rights under international law that apply to individuals. Everyone is automatically entitled to enjoy the full range of human rights just because they are human. International human rights are established and defined in treaties (also called “conventions”) and in United Nations resolutions. The Universal Declaration of Human Rights, adopted by the United Nations in 1948, is the most fundamental statement of international human rights law.

2. What is a human rights convention?

A “convention” is a legally binding agreement, in writing, between two or more countries. Conventions can also be called “treaties.” Conventions can be used to address many kinds of topics. A “human rights convention” is a convention that deals specifically with the topic of human rights. The Convention on the Rights of People with Disabilities (CRPD) is an example of a human rights convention.

3. What is the Convention on the Rights of People with Disabilities (CRPD) about?

The CRPD is a human rights convention intended to promote, protect and ensure the full and equal enjoyment of all human rights by persons with disabilities. It addresses a number of key areas such as accessibility, personal mobility, health, education, employment, habilitation and rehabilitation, participation in political life, and equality and non-discrimination. The CRPD embodies a change in approach to disability, from thinking of it as a social welfare issue to being a human rights issue. Specifically, the CRPD uses a human rights approach to show how societies can remove the societal barriers and prejudices that lead to the exclusion and marginalization of persons with disabilities.

4. Does the CRPD create new rights?

The CRPD does not create any new or different rights for persons with disabilities under international human rights law. Rather, the CRPD defines existing international human rights in a disability context.

5. How will the CRPD help persons with disabilities?

Historically, persons with disabilities have been treated as people to be sympathized or protected, and have often been forced to change or conform with societal views of what is “normal.” The CRPD helps to change this perception by embracing diversity, emphasizing the dignity and equality of all persons with disabilities, and recognizing that

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all people must be provided with the opportunities to live life to their fullest potential, whatever that may be. The extensive support for the CRPD around the world will help to establish greater inclusion of persons with disabilities in a wide variety of contexts. For example, increasing commitment abroad to accessibility will provide Americans with disabilities fresh opportunities to work, travel and contribute as equal members of the international community.

6. Who are persons with disabilities?

There is no internationally accepted definition of disability, and the CRPD does not include a definition of who persons with disabilities are. However, the CRPD approaches “disability” as an evolving concept which results from the interaction between people with different functional abilities and societal obstacles, such as physical barriers and attitudes. In other words, it is these barriers that are disabling for people, not their impairments or different functional abilities. The more obstacles and barriers a person faces the more disabled they become. Under the CRPD, persons with disabilities include but are not limited to those who have long-term physical, mental, intellectual, or sensory impairments such as blindness, deafness, impaired mobility, and developmental impairments.

7. The U.S. is a States Party to other human rights conventions - why aren't those enough to protect the rights of people with disabilities?

None of the conventions to which the US is already legally bound mentions disability. The CRPD is the first human rights convention to apply the disability perspective to all the human rights found those conventions. The CRPD can help provide guidance on how we can better live up to the human rights obligations we have already undertaken in other conventions, such as the International Covenant on Civil and Political Rights.

8. Is "signing" a convention the same thing as "ratifying" it?

No. When a country signs it becomes a “signatory.” Being a signatory means that the country agrees with the main idea of the convention, that it agrees it will not take any action to violate the main idea of the convention, and that it is interested in fully joining the convention in the future. When a country ratifies it becomes a “States Party.” Being a States Party means that a country is legally bound to comply with its obligations under the convention. Under the U.S. Constitution the President has the authority to ratify conventions with the advice and consent of two-thirds of the Senate.

9. Will the CRPD create obligations on countries?

Yes. The CRPD requires States Parties to ensure the enjoyment of human rights by persons with disabilities on an equal basis with others. For some countries this will require the introduction of non-discrimination legislation like the Americans with Disabilities Act. Additional measures might include eliminating laws and practices that

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discriminate against persons with disabilities, and considering persons with disabilities when adopting new policies and programs. Other measures could include making services, goods, and facilities accessible to persons with disabilities.

## 10. How is the CRPD monitored?

The success of the CRPD's implementation will be independently monitored at both the national and international levels. At the national level States Parties must designate or establish an independent body to do this monitoring. At the international level a panel of independent experts called the "Committee on the Rights of Persons with Disabilities" will monitor the CRPD. For example, the Committee will review periodic reports submitted by States Parties and make recommendations on how implementation of the CRPD can be improved.

## 11. In the United States, we already have the Americans with Disabilities Act (ADA). Why do we also need to sign and ratify the CRPD?

The U.S. is a global pioneer in championing the rights and inclusion of persons with disabilities. Indeed, many countries have modeled their disability legislation, policies and practices on those adopted by the U.S. Nevertheless, we still have more work to do to ensure the full inclusion of persons with disabilities in all areas of American life. Although ground-breaking, legislation such as the Americans with Disabilities Act does not address every fundamental right to which persons with disabilities are entitled. The CRPD addresses many of these missing areas, and its core principles are consistent with American values. Furthermore, the 2008 National Council on Disabilities report comparing the CRPD with U.S. law found that "there is no legal impediment to U.S. signature and ratification on the basis that, in large measure, the legal standards articulated in the CRPD align with U.S. disability law." By joining the CRPD the U.S. would strengthen its approach to ensuring the full equality of persons with disabilities, and would send a message to the world that our commitment to the human rights of persons with disabilities is as strong as ever.

## 12. Does it make economic sense to join the CRPD?

Yes. Ensuring that persons with disabilities are able to live up to their potential makes good economic sense. By removing barriers persons with disabilities are just as able to be employees, employers, entrepreneurs, consumers and taxpayers as anyone else. When persons with disabilities are excluded from society we all lose out on the contributions they would otherwise make. Also, complying with the CRPD benefits all people, not just persons with disabilities. For example, universal design features such as elevators, ramps, and clear signage assist many people in addition to persons with disabilities.