

Statement of the Special Rapporteur on Disability

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**Hissa Al Thani
United Nations Special Rapporteur on Disability**

Your Excellency, Mr. President
Distinguished Members of the Commission
Ladies and Gentlemen

This is the fourth time I have the honour to stand before to present my annual report summarizing the activities of my work programme.

It is not possible to begin this presentation without first congratulating the Members of the Commission, disabled persons organizations, and

the international community for the historical achievement that we have witnessed this year, namely, the success of the Ad Hoc Committee in drafting a comprehensive convention which lays the ground work for a shared, international vision based on the principles of right, justice and equality. I speak of course of the Convention on the Rights of the Persons with Disabilities.

Mr. President,
Members of the Commission
Distinguished Representatives
Ladies and Gentlemen

I have had the honour to have been part of the activities relating to the negotiations and drafting of the articles of this Convention, where I worked, along with the Members of the United Nations Panel of Experts, using our intimate knowledge of the situation of persons with disabilities to draft a proposal regarding the monitoring of the Convention and presenting it to the drafting committee to be used as a direction and guide.

I have been keen on using my role as Special Rapporteur for the Standard Rules and the opportunity that it has afforded me, to remind all those concerned of the importance international cooperation in its broadest sense, technical, economic and knowledge-based as a way of affecting real change and illustrating the philosophy and the vision for which the United Nations stands.

I have also extended my advocacy work to endorsing and promoting the Convention, and persuading governments to remove their early reservation to some of its articles and to adopt, sign and ratify it, and incorporate its Articles into their national legislations and ensure their implementation.

Mr. President
Distinguished Representatives

This is the first time that the Special Rapporteur on Disability monitors the Standard Rules in the presence of a Convention of the Rights of Persons with Disabilities. This new reality begs the question regarding the similarities and differences between the two documents and the their relationship to one another.

A comparative look at both documents reveals a complementary relationship between the two, harmonious and organic:

On the one hand, the Convention, with its 50 Articles, represents the unified vision and presents the legal framework for a universal response to the issues of disability.

The Standard Rules, on the other hand, has functioned, since its adoption, a detailed checklist and guidelines for affecting a cultural and environmental and legislative transformation that would ensure the equalization of opportunities for persons with disabilities.

Therefore, the existence of a Convention on the Rights of persons with disabilities alongside the Standard Rules, will serve to augment the Rules and provide a legal base for the measures that need to be taken to implement the Rules.

The Standard Rules with its procedural clarity and detailed implementation measures, still solicit from the international community, development agencies and organizations a moral and political obligation toward the issues of persons with disabilities, while the Convention solicits a legal commitment to deal with those issues as rights. Therefore, the existence of both documents invites us to use both in order to improve conditions for persons with disabilities worldwide.

Ladies and Gentlemen

The past year was an exceptional one with regard to monitoring the implementation of the Standard Rules. In cooperation with South-North Center for Dialogue and Development, I have produced a detailed report based on the preliminary results of a Survey on government actions on the implementation of the Standard Rules.

Although this report does not cover the situation of all persons with disabilities in the world, nor does it present a prescription on all that should be done to meet the needs of persons with disabilities and achieve full equalization of opportunities, it does, however, clearly delineate the situation of persons with disabilities. Much more work remains to be done in order to complete this picture.

This Report is based on the response gathered from 114 countries—that is 60% of the sample of 191 Member States.

Therefore, my monitoring programme for this year will concentrate primarily on completing this picture by reaching out to the remaining 77 countries that did not respond to the Survey.

Countries need to be re-approached for data on their action

Afghanistan	Djibouti	Kyrgyzstan	Nicaragua	Sri Lanka
Andorra	Equatorial Guinea	Lao	Niger	Suriname
Angola	Estonia	Latvia	Pakistan	Tajikistan
Antigua & Barbuda	France	Lesotho	Palau	Timor-Leste
Bahamas	Gabon	Liberia	Panama	Togo
Barbados	Germany	Liechtenstein	Moldova	Tonga
Belarus	Greece	Lithuania	Saint Kitts & Nevis	Turkmenistan
Benin	Grenada	Madagascar	Saint Lucia	Tuvalu
Bhutan	Guinea-Bissau	Malaysia	San Marino	Ukraine
Burkina Faso	Iceland	Maldives	Sao Tome & Principe	Uzbekistan
Central Africa	Indonesia	Mali	Senegal	Vanuatu
Chad	Israel	Mauritania	Seychelles	Venezuela
Congo	Jamica	Micronesia	Singapore	Viet Nam
Cote d'Ivoire	Japan	Monaco	Slovenia	
Cuba	Kazakhstan	Mozambique	Solomon Islands	
N.Korea	Kiribati	Nauru	Somalia	

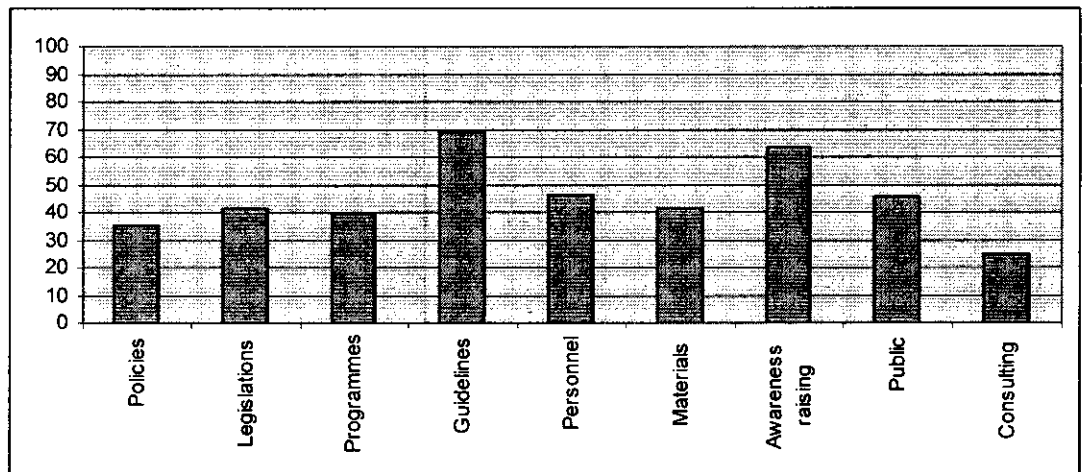
In addition, there is a need to conduct a comparative analysis of the responses given by governments and those given by disabled persons organizations, and which have revealed a large gap between the measures that governments have said have been taken and the description of the situation of persons with disabilities given by the disabled persons organizations.

Allow me at this point to draw your attention to the copies of the Report that have been distributed to you, and to give you a brief rundown of some of the main findings of the Survey. I hope that you will all have the time to go through the Report in detail at a later stage.

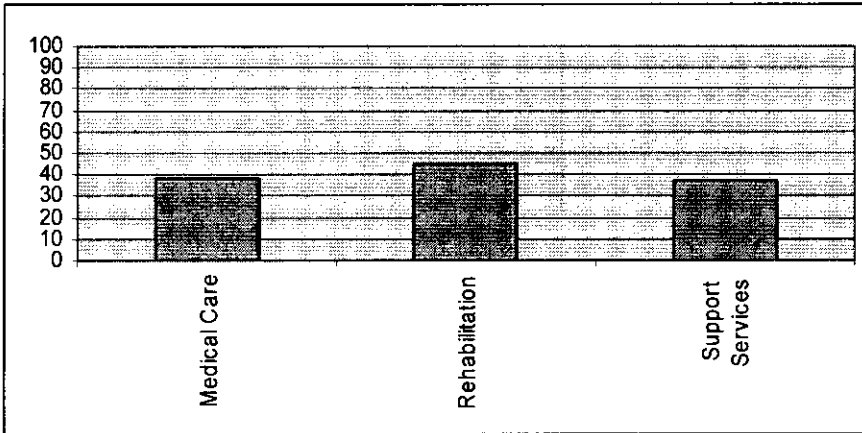
- First, after 13 years have passed on the adoption of the Standard Rules for the Equalization of Opportunities for Persons with Disabilities there is as yet no complete and comprehensive implementation of the Rules in any country.
- Second, responses have revealed that countries have done far better than expected in the provision of **medical care**,

rehabilitation and support and assistive services, including assistive devices, than they have actually reported.

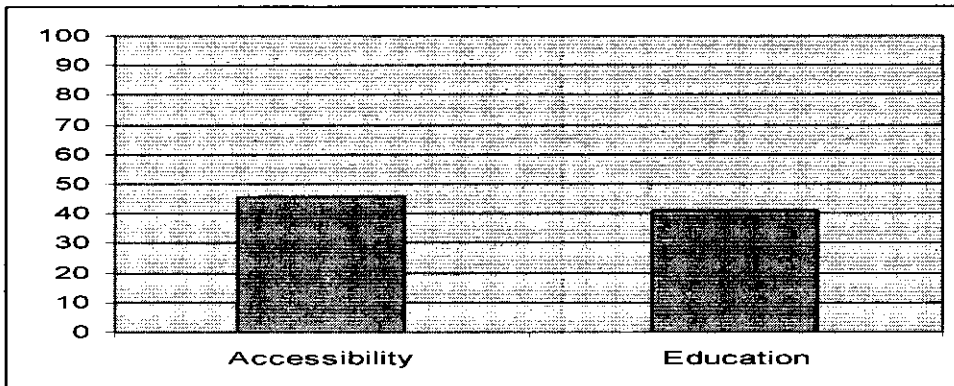
- Third, the Standard Rules has been clear in ensuring that **disabled persons organizations play an advisory and consultative role** in the implementation of the Rules. However, the Survey has revealed this not to be the case:
 - a. In the area of **Awareness Raising**, 86 out of 114 responding countries revealed that they actually use the expertise that can be gained from disabled persons organizations.



- b. With regard to medical care, rehabilitation services and supportive services, it was revealed that in 44, 53 and 43 countries only are disabled persons organizations consulted or involved



c. On the issue of Accessibility and Education, disabled persons organizations were not consulted or involved in 52 and 47 countries respectively. These numbers do not change much when it comes to employment where 50% of the countries responded that they give no role to disabled persons organizations in this area.



I believe these numbers speak for themselves and explain one of the reasons that equalization of opportunities has not occurred.

Finally, and before I move on the second part of my report, allow me to share with you our findings on **international cooperation** which is Rule 21 of the Standard Rules under the heading **Technical and Economic Cooperation**.

The Survey results have revealed that in spite of the fact that 79 countries have signed international cooperation agreements, these

have not been effectively translated into an exchange of technical know-how and expertise, or good practices and joint programmes.

Additionally, it seems that in spite of the stated commitment to international cooperation, this has not extended to include services to minority groups, immigrants and refugees in those countries.

These represent some of the findings in brief of the results of the Global Survey. Allow me now to present some of the other activities of the past year:

- In the area of advocacy and capacity building, a formal committee on disability was established within the Federation of Arab Parliaments, whose activities include sharing information and expertise on updating legislations and mainstreaming disability into the laws;
- In the area of inter-regional cooperation, and in order to develop sign language education for children and youth, an agreement has been reached with the Government of Finland and the World Federation of the Deaf to conduct a needs assessment in four countries;
- In the area of protecting persons with disabilities in times of armed conflict and natural disasters, work has been continuing on producing a manual for aid and relief workers on how to best meet the needs of this group of persons in these situations;
- In the area of awareness raising, public education and awareness television spots have been commissioned portraying persons with disabilities in a positive light;
- On women, a speech was presented to the Commission on the Advancement of Women regarding the situation of women with disabilities on International Women's Day;
- Participation and presentations were made in the activities and meetings of the WHO, the UN Human Rights Council and the meeting of the First Ladies of Latin America
- Monitoring activities have also encompassed close and in-depth observation of the experiences of two countries in Africa and Asia. Country visits to South Africa and China revealed the ways

in which those two countries have responded to the issues and met the needs of persons with disabilities;

- **South Africa** is one of the countries where the concept and philosophy of equalization of opportunities permeate all aspects of dealing with the issues of persons with disabilities. Persons with disabilities in South Africa have been the beneficiaries of the great transformation. The country could also serve as an example of what government commitment to equalization can result in even in the absence of enormous financial resources. Policies, legislations and programmes are all geared towards full inclusion and participation.
- **China** is a country that has put a great deal of resources, both financial and human, behind the implementation of the Standard Rules. From the Vice Chairman of the People's Republic of China, who is also the head of "Working Committee on Disability", down to services providers at the local community level, there is a firm grasp and deep knowledge of the Standard Rules and what it entails to implement the measures.

Mr. President

Ladies and Gentlemen

Before ending my presentation I would like to thank the members of the Commissions for allowing the opportunity to share with you the activities and achievements of the past year, with all their challenges and opportunities. I would also like to express my appreciation for the support that the Commission has given—which encourages me to ask for additional support in reaching the goals set for the coming year and which I will now place before you:

1. Urge countries that have not responded to the Survey to send in the responses in order to complete the world picture with regard to the situation of persons with disabilities.
2. Encourage countries to review the measures they have taken and improve them and increase their activities in order to reach equalization
3. Encourage disabled persons organizations to examine their countries' responses to the Survey and use them as a framework

for cooperation with their governments in order to improve the situation.

4. Urge countries to implement their existing legislations and translate them into programmes of action capable of responding to the needs of persons with disabilities and achieving equalization of opportunities.
5. Encourage governments to allocate financial resources to these programmes and to acknowledge this a right for persons with disabilities as rights rather than a donation to be granted whenever there is a surplus of funds.
6. intensify government efforts in raising awareness of the rights of persons with disabilities and to make them part of their priority issues.
7. Provide the necessary financial support to disabled persons organizations in their countries.
8. Increase international cooperation in the area of disability through the exchange of information, expertise, technology, experiences and good practices.
9. Sign and ratify the Convention on the Rights of Persons with Disabilities and incorporate its letter and spirit into the laws and legislations of their countries.

I thank you once again and wish you every success in your future endeavours.