

Making the United Nations Convention on the Rights of Persons with Disabilities feel real



Centre on Human Rights
for People with Disabilities

What is the United Nations Convention on the Rights of Persons with Disabilities?

The United Nations Convention on the Rights of Persons with Disabilities (2008) is an international agreement drawn up by states with the involvement of disabled people which affirms that people with disabilities have the same rights as everyone else. Ninety-five states around the world have ratified it, accepting to be bound by its provisions which require action by government to ensure the human rights of disabled people on an equal basis with others.

Why is it so important?

People with disabilities encounter a range of physical and social barriers preventing them from accessing the same rights as non-disabled people, including making decisions about their lives, getting a job, obtaining an adequate standard of living, getting around and being included in society.

The Convention confirms that disabled people have the same rights as non-disabled people and countries must remove these barriers, providing disabled people with the opportunities to live life to their fullest potential. It

confirms that disabled people have the right to take responsibility as full participants in the society in which they live.

Legally binding

The Convention was ratified by the UK in June 2009 which means the UK is legally bound to implement the Convention. It must therefore put a National Framework in place to promote, protect and monitor the implementation of the Convention. It must also submit a report to the UN Committee on the Rights of Persons with Disabilities on what it has done to implement the Convention by July 2011.

Who is responsible?

The Office for Disability Issues (ODI) is the focal point at UK level for coordinating implementation of the Convention. In Northern Ireland, the Office of the First Minister and deputy First Minister is responsible for this. But we all have a role to play. The Convention makes clear that people with disabilities, their representative organisations and society as a whole have an essential role to play in ensuring the Convention is being implemented effectively.

So what needs to be done to make the Convention real for the 1 in 5 people living with a disability in Northern Ireland?

- Government Ministers and elected representatives must ensure that their Department and Party policies and strategies are inclusive and responsive to the rights of disabled people. You should consult with disabled people and their representative groups to ensure this.
- There is a need to change the way disabled people are perceived and treated. They are often seen as people who require protection and evoke sympathy rather than respect. Disabled people have rights like everyone else and they should be given every opportunity to exercise these rights as responsible participants in society.
- Cross-departmental working is fundamental to the implementation of the Convention. Given the cross-cutting nature of the Convention, such work should include health, education, employment, mobility and independent living.
- Use the Convention as a tool to challenge or change the law in order to protect the rights of people with disabilities.

How can you make the Convention real for your constituents with a disability?

21% of adults and 6% of children living in private households in Northern Ireland have a disability and the incidence is one of the highest in the United Kingdom.

Elected representatives and their Parties have a key role in protecting the rights of people with disabilities who make up a significant section of the electorate. **Here are a few specific examples of how you can make the Convention real for your constituents with a disability:**

1. Article 12 of the Convention says that people with disabilities have legal capacity on an equal basis with others in all aspects of life. This is currently not the case in Northern Ireland. **Support the broad direction of the Mental Capacity (Health, Welfare and Finance) Bill when it goes to the Assembly next year and make Article 12 real.** This new law enshrines the right to make decisions about your own life and to be held responsible for them, a right too many disabled people are still denied. It will reform the Mental Health Order (1986) which is long overdue and provide capacity legislation for Northern Ireland. It will promote people's autonomy and their right to make decisions for themselves in relation to their own health, welfare and finances where they have the capacity to do so and protect the rights and interests of those who do not. **This will protect the rights of many people with disabilities including people with learning disabilities, mental disabilities and dementia.**

2. **Article 28 states that people with disabilities have the right to an adequate standard of living.** However, disabled people are twice as likely to live in poverty as non-disabled people. The Conservative/ Liberal Democrat Coalition Government has attacked the poorest people in society with its spending review. The Executive must not follow this example. **Ministers should ensure that within the available budget, the most disadvantaged in society, including people with disabilities, are protected.**

Disability Action's Centre on Human Rights works to promote and protect the human rights of people with disabilities and to foster a culture of human rights for disabled people through education, capacity building, outreach work, advocacy, research and campaigning.

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