

UN Convention on the Rights of Persons with Disabilities

An Overview

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New Brunswick
Association for
Community Living

Association du
Nouveau-Brunswick pour
l'intégration communautaire

On March 30, 2007 a landmark Convention was signed for the first time at the United Nations. At that time 82 countries, including Canada, signed a new Convention on the Rights of Persons with Disabilities. This was the highest number of signatories for the first day of signing to a UN Convention in the history of the United Nations.

Canada was very active in the development of the Convention from 2002 to 2006. Our participation involved representation from non-government organizations, including disability organizations such as the Canadian Association for Community Living.

The main objective of the Convention is to promote, protect and ensure the full and equal enjoyment of all human rights and freedoms by all people with disabilities.

What is a Convention?

A Convention is a legal agreement between countries that they will follow the same law about a specific issue. When a country signs and ratifies a Convention, it makes a legal promise to make its laws, policies and actions consistent with the Convention. By ratifying a Convention, countries often take steps to support the goals of the Convention.

Why the Convention is Important

Throughout the world people with disabilities face discrimination, are denied basic rights, and are denied access to education, employment, equal justice, opportunities to live where they choose, and many other rights and freedoms that many people take for granted. The Convention represents the most progressive human rights document for people with disabilities in the history of the world. It marks a significant shift in attitudes and approaches to persons with disabilities. The Convention views persons with disabilities as people with rights, who are capable of claiming those rights and making decisions for themselves as well as being active members of society.

Guiding Principles of the Convention

The Convention contains a number of important principles or beliefs that set the tone for the agreement and support the overall goal of having an international law on the rights of people who have a disability. The principles of the Convention are:

- Respect for everyone's inherent dignity, freedom to make their own choices and independence.
- Non-discrimination (treating everyone fairly).
- Full participation and inclusion in society (being included in the community).
- Respect for differences and accepting people with disabilities as part of human diversity.
- Equal opportunity.
- Accessibility (having access to transportation, places and information, and not being refused access on the basis of disability).
- Equality between men and women and boys and girls.
- Respect for the evolving capacity of children with disabilities and their right to preserve their identity.

Some Important Sections of the Convention

The Convention contains 50 sections (called Articles) that spell out the various rights of people with disabilities and the obligations of countries to respect and promote those rights. Here is a summary of a few of those sections:

Article 6: Women with disabilities. Countries acknowledge that women and girls with disabilities face discrimination and agree to protect their human rights and freedoms.

Article 7: Children with disabilities. Countries agree to take action to ensure that children with disabilities are able to enjoy human rights and freedoms equally with other children. Countries also agree that children should be given the opportunity to express their views on all things that affect them.

Article 8: Awareness raising: Countries agree that they should educate the public about the rights and dignity of persons with disabilities, as well as their achievements and skills. They also agree to combat stereotypes, prejudice and activities that might cause harm to people with disabilities.

Article 9: Accessibility: Countries support the goal of making it possible for people with disabilities to live independently and to participate in their communities. This means that any place that is open to the public must be accessible by persons with disabilities. It also means that people should have access to guides, readers, or sign language interpreters while in public places.

Article 12: Equal recognition before the law. People with disabilities have the right to enjoy “legal capacity” on an equal basis as others in all aspects of life. This includes having the right to make one’s own decisions. Countries agree that they must take measures to provide people with disabilities access to the support they may require to exercise their legal capacity.

Article 13: Access to justice. Countries agree that they will provide effective access to justice for people with disabilities. This will include providing appropriate accommodations so that people can effectively participate in legal proceedings. It will also include training for people who work in the justice field including police and prison staff.

Article 19: Living independently and being included in the community. People with disabilities have an equal right to live in the community and countries agree to take action to facilitate full inclusion and participation in the community. This means that people with disabilities have the right to choose where and with whom they will live. It also means that people have access to disability related supports and services to support their inclusion in the community (and to prevent isolation and segregation from the community).

Article 24: Education. Countries recognize that people with disabilities have a right to an education. In order to realize this right without discrimination, countries agree to ensure the availability of an inclusive education system at all levels, as well as access to life-long learning. This means ensuring access to the general education system and the provision of supports and accommodations within the general education system.

Article 27: Work and Employment. Countries recognize that people with disabilities have a right to work on an equal basis with others. This includes having access to work environments that are open, inclusive and accessible. It also means having the assistance that may be required to find and maintain employment in both the public and private sectors.

Article 28: Adequate standard of living and social protection. People with disabilities have the right to an adequate standard of living and to social protection. Countries agree to take measures to ensure access to services and supports for disability related needs, public housing programs, and to poverty reduction programs.

Signing and Ratifying the Convention

As of March, 2010 144 countries have signed the convention and 82 have ratified. Under the terms of the Convention it came into force as an international agreement after 20 countries had ratified the agreement. This occurred on May 3, 2008.

Canada ratified the Convention on March 11, 2010. This ratification involved the support of all provincial and territorial governments and the Parliament of Canada.

What Does the Convention Mean for New Brunswick?

The province of New Brunswick is already doing many things that are consistent with the Convention. For example, our long term commitment to inclusive education and the recent development of a new Disability Support Program for adults with disabilities highlight progress in recognizing the rights of people with disabilities to be included in our society.

There are other areas in which we need to make improvements. For example, access to employment for many people with disabilities is still limited. Likewise, changes in the area of supported decision making are also needed. It is anticipated that it will take some time to fully implement the changes that may be required to make our laws, policies, programs and practices consistent with the Convention.

For More Information

The United Nations has a web site that features information and updates on the Convention on the Rights of Persons with Disabilities. This web site can be found at www.un.org/disabilities.



