

Basic concepts on disability

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Convention on the Rights of Persons with Disabilities = The Convention

1. key figures

- 600 to 650 million of persons with disabilities, about 10% of the world population (WHO)
- About 500 million (82%) are living in developing countries (UN)
- Increase in these figures with ageing of the population
- Persons with disabilities and their families are more affected by poverty

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These figures are just estimations.

It is very difficult to carry out research in this field, there is little data available. The statistics are incomparable between countries because of the various definitions and methods of research used.

- 2% of persons with disabilities in Africa have access to rehabilitation (UN)
- 1 to 2% of children with disabilities go to school in developing countries (UNESCO)
- 1% of girls with disabilities are taught reading and writing (UNICEF)
- 70 to 80% of adults with disabilities are without employment and live in great poverty (UN ; ILO)

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Handicap, causes and consequence of Poverty

• Many barriers prevent persons with disabilities from taking part in the socio-economic life of their community. They are systematically deprived of access to the necessary resources to meet their basic needs. The barriers met by persons with disabilities are generally attitudinal, legal, architectural, physical and social. They exclude persons with disabilities from basic services such as education and employment and contribute to their marginalization them and create conditions for impoverishment. **It is a vicious circle.**

• The poor populations are more vulnerable because of their living conditions. Persons with disabilities and their families are particularly hit by poverty: combined effect of the “cost” of the handicap and limited opportunities.

The cost of the handicap: extra cost for care, technical assistances, services...

Limited opportunities: Limited or no access to primary education, vocational training, employment, etc

The people who take care of persons with disabilities are also deprived of opportunities and are almost always women.

• Poverty often exposes them to deficiencies (accidents, diseases, malnutrition, psychic difficulties...).

The poor populations are more vulnerable because of the conditions under which they are forced to live:

Unhealthy housing

Limited or poor access to water

Food

Working conditions: dangerous, exposure to lethal chemicals etc

Violence

But also: weak access to the programs of public health, prevention, information, etc

2. Various approaches to disability

➤ The will of gods



Anything that cannot be explained is a manifestation of gods and a source of beliefs.

Society's response => ritual practices, beliefs

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Examples:

- deformed new-born babies were abandoned to die in the wild, as a sacrifice to gods, to ward off evil from the family.
- some mental illnesses were seen as the ability to communicate with the gods.

➤ The charity



Persons with disabilities are a load for society; they live mainly off charity and have a lower social status.

Society's response => basic medical treatment...

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Example: disabled people are considered paupers, their suffering makes them "pure" and they are fed and clothed in charity hospitals.

This charitable approach does not question the lower social status of persons with disabilities.

➤ Theoretical equality

Originally from the modern Western philosophy of Human rights, the principle of equality appears.

But this principle is not really universal and the persons with disabilities are not always recognized as human beings.



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Stating that all persons have the same rights is not enough to ensure the same rights as everybody.

➤ Beginning of medical rehabilitation

Mutilated, injured, war veterans: States feel responsible

Disabled people are defective, “broken” they have to be repaired, restored to “normality”



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Picture : ministry for the martyrs in Afghanistan

On the economic level, the rise to power of “science” can go hand in hand with industrialization and productivism which tend to exclude persons with disabilities from work (contrary to agricultural work).

This movement started when the States felt responsible for mutilated, wounded or invalids following the 2 world wars in Europe.

The State begins to provide prosthetics for amputees, wheelchairs to paraplegics, etc.

War injured heroes enjoy special treatment.

➤ The rise of disability as a Human rights issue

- The disability movement and social inclusion

The Independent Living Movement was born in a Californian University and spread in the US, the UK and a other countries

Disabled People's Organizations began to get organized and gain momentum.

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Disabled people are part of the social body and attention must be paid to enabling their inclusion in society through disability mainstreaming in health, education, training, employment, etc. An intersectoral approach and a focus on accessibility are necessary.

- The Human rights approach to disability

The whole community has a duty to enable persons with disabilities to fully participate in political and social life.



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Persons with disabilities and their representatives claim their rights and fight to have them implemented.

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Society's response:

- international level: promotion of the rights of persons with disabilities with the Standard Rules and now with the Convention on the rights of persons with disabilities.
- national level: setting disability policies focused on equalisation of opportunities and self-representation.
- Local level: consideration of the disability issue in local policies e.g. at city level.

3. Opposed models for disability

Disability viewed
as individual pathology



Disability viewed
as social pathology

The problem is in the individual: the disability is the direct result of the person's impairment

Disability is only a health (thus medical) issue

Solutions are designed by « experts » on the basis of a diagnosis

Focus: elimination or cure of disability ; normalisation

Reference to People with Disabilities as an oppressed minority

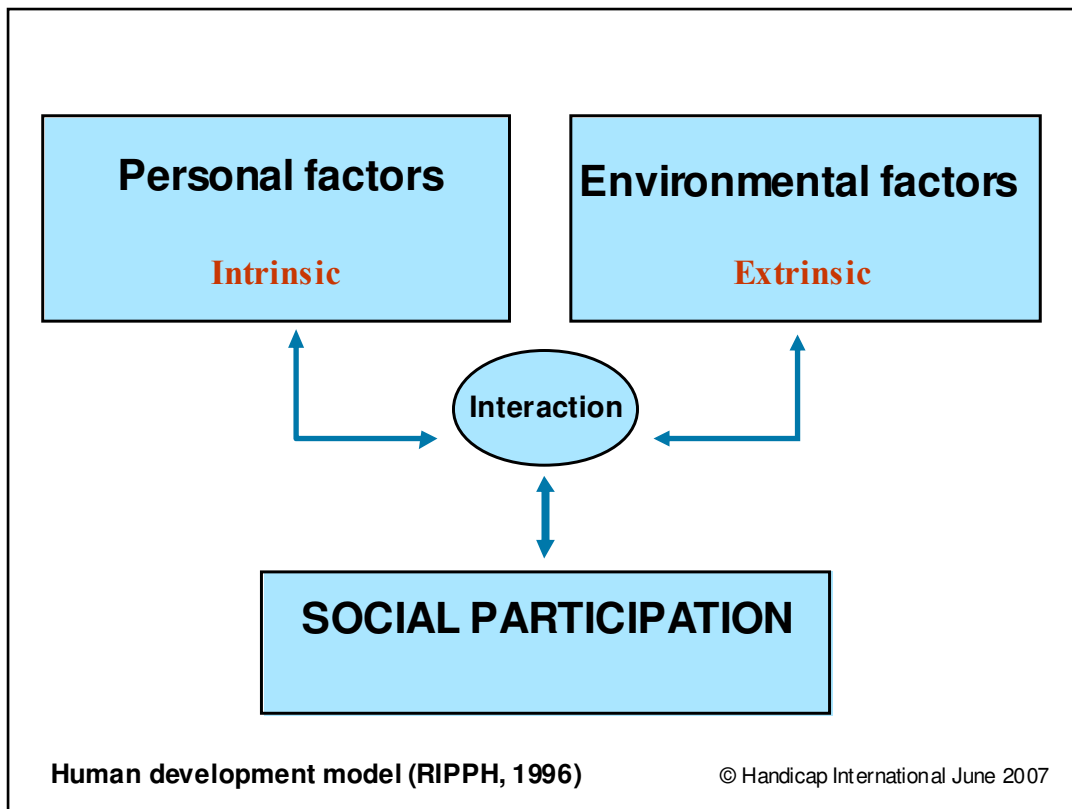
The environment of persons with disabilities is a problem

The disability is the result of social shortcomings in terms of accessibility and equalisation of opportunities

Focus: elimination of physical, social, economic barriers

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Adapted from Floux, 1997 - Cité par Interactif déc 2002 - Understanding disability : look, then act



Disability is an evolving concept.

It is a relative concept which varies according to the context and the environment.

It is a condition which can be modified by means of reduction of impairments or development of abilities (personal factors) but also by means of accommodation to the environment (environmental factor).

This model which shows that disability results from an **interaction** between personal factors and environmental factors is used by the Convention.

Preamble of the Convention on the rights of persons with disabilities:
 “*Recognizing* that disability is an evolving concept and that disability results from the interaction between persons with impairments and attitudinal and environmental barriers that hinders their full and effective participation in society on an equal basis with others.”

4. Disability is a Human rights issue

- Disability is an unavoidable and universal part of human diversity.
- A shift in perspective has taken place on how to consider the person with disabilities :
 - From object of charity and burden = approach of assistance
 - To subject of law = approach based on the respect of any human being.

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«Disability (is) a Human Rights issue. As long as people with disabilities are denied the opportunity to participate fully in society, no one can claim that the objectives of the Universal Declaration of Human Rights have been achieved». *Bengt Lindqvist / UN ex-Special Rapporteur on disability*

see "Human Rights and Disability" Quinn and Degener p11

- This shift implies that four core values of Human rights are especially relevant in the context of disability :
 - Dignity: respect of physical and moral integrity of the person...
 - Autonomy: capacity for self-directed action, decision and behaviour...
 - Equality: prohibition of discrimination...
 - Solidarity: collaboration, support...
- Everybody has the same rights and should have the same access to their rights.
- ➔ Human Rights apply to persons with disabilities.

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see “Human Rights and Disability” Quinn and Degener p11

1. Dignity

For each human being = an inherent right

Without any condition = an inviolable right

Dignity implies equality of rights

In practice: respect of the body and mind of the person, recognition of the person as a full citizen.

2. Autonomy

Ability to control one's life: everyday life, choice of life...

Moral dimension: to recognise the capacity of judgement

Material dimension: make mobility, accessibility... possible

Financial dimension: recognise and allow independence

3. Equality

The differences exist, but all human beings are considered the same way.

Equality implies prohibition of discrimination

Theoretic equality (equality of rights): the law is the same for all, but it is insufficient to materialise equality.

Practical equality (actual equality): Each human is theoretically the equal of his neighbour, but this equality is not real (economic, physical, health inequalities). Law therefore intervenes in order to ensure actual equality, by taking into account the differences.

example: give the means for equality to an individual.

4. Solidarity

In almost every culture, it is seen as a moral duty.

It is the realisation of a mutual need as well as a shared responsibility of assistance, from all to all.

Solidarity is the means for everyone to participate in society.