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REPORT

on the inclusion of persons with disabilities in developing countries

Committee on Social Affairs and the Environment

Co-rapporteurs: Musikari Kombo (Kenya) and Catherine Bearder

PART A: DRAFT MOTION FOR A RESOLUTION

AP/100.954/A/fin.

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PROCEDURAL PAGE

At its meeting of 1 December 2010, the Bureau of the ACP-EU Joint Parliamentary Assembly authorised its Committee on Social Affairs and the Environment to draw up a report, pursuant to Rule 2(8) of its Rules of Procedure, on the inclusion of persons with disabilities in developing countries.

At its meeting of 16 March 2011, the Committee on Social Affairs and the Environment appointed Musikari Kombo (Kenya) and Catherine Bearder as co-rapporteurs.

The Committee on Social Affairs and the Environment considered the draft report at its meetings of 5 October and 19 November 2011.

At the latter meeting, it adopted the accompanying draft motion for a resolution.

The following were present for the vote: Rivasi, Sithole (Mozambique), Kombo (Kenya), Bearder, Thompson (Barbados), Bauer, Motshome (Botswana), Sanou (Burkina Faso), Karerwa (Burundi), Hamatoukour (Cameroon), Christensen, Baldeh (Gambia), Noel (Grenada), Haug, Klass, Neuser, Tondy Younoussa (Niger), Ponga (for De Mita), Roithova (for Delvaux), Schnellhardt, Gamedze (Swaziland), Ndugai (Tanzania), Weidou (Tchad), Theocharus (for Coelho), Tosul (Vanuatu).

The resolution was tabled for adoption on 19 November 2011.

MOTION FOR A RESOLUTION

on the inclusion of persons with disabilities in developing countries

The ACP-EU Joint Parliamentary Assembly,

- meeting in Lomé (Togo) from 21 to 23 November 2011,
- having regard to Article 17(1) of its Rules of Procedure,
- having regard to the ACP-EC Partnership Agreement ('Cotonou Agreement') and in particular to Article 8(4) on non-discrimination,
- having regard to the United Nations Convention on the Rights of Persons with Disabilities (CRPD), adopted in 2006, and in particular to Article 32 thereof, which states that all parties must include disability and persons with disabilities in their international cooperation efforts,
- having regard to UN Human Rights Council resolutions 7/9 of 27 March 2008, 10/7 of 26 March 2009, 13/11 of 25 March 2010 and 16/15 of 24 March 2011 on the human rights of persons with disabilities,
- having regard to Article 19 of the TFEU, Article 6 of the Treaty on European Union and Article 14 of the Convention for the Protection of Human Rights and Fundamental Freedoms, which prohibits all forms of discrimination, as well as Articles 21 and 26 thereof, which set out the rights of people with disabilities,
- having regard to the resolutions of the ACP-EU Joint Parliamentary Assembly on the rights of disabled people and older people in ACP countries of 1 November 2001, and on health issues, young people, the elderly and people living with disabilities adopted at the Cape Town Assembly on 21 March 2002,
- having regard to the European Parliament resolution on disability and development adopted on 19 January 2006,
- having regard to the World Report on Disability published by the World Health Organization (WHO) and the World Bank in June 2011,
- having regard to the UN Millennium Development Goals (MDGs) and to the MDG 2010 Summit Outcome Document entitled 'Keeping the Promise: United to Achieve the Millennium Development Goals' (Res. 65/1),
- having regard to the Beijing Declaration on the Rights of People with Disabilities, which calls for a higher standard of living, equal participation and the elimination of discriminatory attitudes and practices,

- having regard to the United Nations Millennium Declaration of 8 September 2000, which sets out the Millennium Development Goals (MDGs) as criteria established jointly by the international community for the elimination of poverty,
 - having regard to United Nations General Assembly (UNGA) Resolutions 65/186 and 64/131 on 'Realising the Millennium Development Goals for Persons with Disabilities towards 2015 and beyond',
 - having regard to the EU Disability Strategy 2010-2020, 'A renewed commitment to a barrier-free Europe' (COM(2010) 636 final) and its initial implementation plan 2010-2015 (SEC(2010) 1324 final),
 - having regard to the EU Guidance Note on Disability and Development for EU Delegations and Services,
 - having regard to the International Labour Office report entitled 'The price of exclusion: the economic consequences of excluding people with disabilities from the world of work', published in 2009,
 - having regard to Article 18(4) of the African Charter on Human and Peoples' Rights (1981), which states that disabled persons have the right to special measures of protection, and to Article 16(1), which provides that every individual is to have the right to enjoy the best attainable state of physical and mental health,
 - having regard to the African Decade of Disabled Persons (2000-2009), the Asian and Pacific Decade of Disabled Persons (1993-2002), the New Asian Pacific Decade of Disabled Persons (2003-2012) and the European Year of People with Disabilities (2003),
 - having regard to the report of the Committee on Social Affairs and the Environment (ACP-EU/100.954/A/fin.),
- A. whereas more than one billion people in the world – 15 % of the population – live with some form of disability¹;
- B. whereas, according to the CRPD, 'persons with disabilities include those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others';
- C. whereas disability tends to disproportionately affect vulnerable populations, where the likelihood of disability increases with the incidence of poverty (WRD 2011); whereas disability is therefore a development issue;

¹ World Report on Disability (WRD), World Health Organisation and the World Bank, June 2011.

- D. whereas the CRPD aims to 'promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities, and to promote respect for their inherent dignity';
- E. whereas the EU, 19 of its Member States and 48 ACP States have ratified the UN Convention on the Rights of Persons with Disabilities (CRPD), and many more are signatories;
- F. whereas international legal commitments are only effective when they are backed up by national laws and policies;
- G. whereas the WHO and the World Bank list inadequate policies and standards, negative attitudes, lack of provision of services, inadequate funding, inaccessibility, lack of consultation and involvement, and lack of data and evidence as the causes of exclusion of persons with disabilities;
- H. whereas people with disabilities can experience exclusion from all aspects of life, including work, public services, transport, communication, education and information;
- I. whereas in countries where life expectancy is greater than 70 years people spend approximately 8 years of their lives coping with one or more disabilities;
- J. whereas many developing countries have made significant – though partial – progress on including people with disabilities in development projects;
- K. whereas it is estimated that, globally, employment rates of people with disabilities are half those of non-disabled people, and that the majority of disabled people in developing countries who are of working age are unemployed and live in poverty;
- L. whereas the exclusion of disabled people from work has significant economic consequences, which the ILO estimates as ranging from 3 % to 7 % of the GDP of African countries, and whereas the cost of inclusion is much lower than the cost of exclusion, since enabling people with disabilities to participate fully in society permits them to provide for themselves and others and to contribute to the economy;
- M. whereas associations for the disabled have a particular role to play in representing and communicating the specific interests of people with disabilities vis-à-vis politicians and the general public;
- N. whereas the exclusion of people with disabilities is the underlying factor in their inequality, whether in terms of discrimination in legislation, of physical and communication barriers or of social stigma or invisibility in policy processes and budgets, and whereas two of the greatest obstacles to the inclusion of disabled people in society are their invisibility and negative attitudes towards them;

- O. whereas women and girls with disabilities are particularly vulnerable and are three times as likely to experience gender-based violence as women without disabilities; recalling the dangerous trend whereby this violence is likely to go unreported¹;
1. Urges all the ACP States and EU Member States who have yet to sign and ratify the CRPD and the Optional Protocol thereto to do so without reservations and to establish domestic mechanisms for their implementation and monitoring;
 2. Encourages parliamentarians to work together to ensure that national disability laws and plans are passed by their parliaments, including through scrutiny of budgets and the use of private members' bills;
 3. Welcomes the fact that at the 2010 MDG High-Level Summit the rights of people with disabilities were recognised as crucial to achieving the MDGs; calls upon the international community, therefore, to design MDG initiatives in such a way that people with disabilities are among the main target groups;
 4. Recognises that special measures to achieve equality of people with disabilities, including quotas for elections where appropriate in the local context, have had positive impacts on the image of people with disabilities at national level, and urges the ACP and EU States to consider where positive discrimination can be used to further the rights of people with disabilities;
 5. Stresses that the media should play a more active role in challenging stereotypes and promoting inclusion; calls upon international, national and local decision-makers to ensure and promote awareness-raising via the media, educational policies and public campaigns;
 6. Stresses emphatically the key role of associations for the disabled in promoting awareness of the inclusion problems of people with disabilities; calls on all the ACP and EU States to support the development of a movement for the disabled in the ACP and EU States;
 7. Stresses the need for accessible environments and learning materials in order to facilitate participation in educational activities by all children and adults with disabilities; points to the need to encourage and support the development of a teaching culture sensitive and reactive to the needs of young people with disabilities, notably through specialised training for support teachers; stresses the vital role of the donor community in supporting accessible educational infrastructure and ensuring that the EU includes disability commitments in its educational sector dialogues;
 8. Emphasises that 98 % of children with disabilities in developing countries are not entitled to universal free primary education; stresses that this will prevent the full achievement of the second Millennium Development Goal;

¹ Amnesty International Annual Report for 2011.

9. Stresses the need to improve educational facilities further and to encourage the growth of a teaching culture geared to effectively meeting the needs of young people with disabilities;
10. Requests that national and local governments include all aspects of accessibility in all new legislation and adapt existing legislation to meet accessibility requirements; calls upon the donor community to include all aspects of accessibility in its planning and implementation of development policy and in its contractual relations with others;
11. Calls for an exchange of good practices among both developing and developed countries; asks the European Commission to develop a forum for exchange with other international donors on disability inclusion practices and calls upon it to fulfil better its commitments under Article 32 of the CRPD;
12. Stresses the importance of data collection for effective implementation of the CRPD, and calls on the EU and ACP governments to work closely together with national statistics services to ensure that disaggregated data collection is improved and prioritised and that the latest and most comprehensive data form the basis of their work and policy implementation;
13. Urges the ACP States to mainstream the inclusion of people with disabilities in their national development agendas, to adopt mechanisms for enhancing their representation at all levels of decision making, to provide specific and adequate budgetary allocations for people with disabilities and to ensure increased education for all on illnesses that give rise to disabilities;
14. Urges the ACP States to promote inclusive attitudes towards and perceptions of disability and to promote dialogue between people with disabilities and government at all levels;
15. Supports the ACP States in increasing access to education, micro-credit schemes and other income-generating opportunities;
16. Asks the EU and ACP States to increase HIV/AIDS education for all, including people with disabilities, who are often excluded from HIV/AIDS prevention and care services;
17. Calls for the opportunities for disability inclusion to be audited when appropriate EU and joint projects are implemented;
18. Calls for EU-funded infrastructure projects to be vetted in order to ensure that they are accessible to people with disabilities and for EU delegations in third countries to be built or refurbished to accommodate the needs of people with disabilities;

19. Calls on the EU to include the needs of people with disabilities and disabled people's organisations (DPOs) in its projects, including those which promote access to justice; requests that Country Strategy Papers take into account the needs of people with disabilities;
20. Stresses that the EU and ACP should promote inclusion policies in all relevant UN and international fora, as the issue of disability is currently absent from many high-level international discussions (Rio+20, OECD agenda) and must be placed high on the political agenda;
21. Stresses that the causes of disability are many and varied and must be met with a broad range of policy measures; calls upon the ACP States, therefore, to take road safety measures, combat malnutrition as a risk factor for the development of disabilities, improve access to clean drinking water, address the disability-related impacts of conflict, and ensure access to public health services and decent work by mainstreaming disability inclusion in their national development plans; calls on the EU to give priority to these considerations throughout its development cooperation with ACP States;
22. Calls on the ACP-EU Joint Parliamentary Assembly to report on, review and highlight good practices and progress on inclusion in ACP countries on a two-yearly basis;
23. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council of Ministers, the European Parliament, the European Commission, the Presidency of the Council of the European Union, the African Union, the Pan-African Parliament and the UN Human Rights Council.