



**THE UNITED NATIONS AND DISABILITY:
70 YEARS OF THE WORK TOWARDS A
MORE INCLUSIVE WORLD**

70 YEARS OF THE WORK TOWARDS A MORE INCLUSIVE WORLD

DIVISION FOR SOCIAL POLICY AND DEVELOPMENT
UNITED NATIONS DEPARTMENT OF ECONOMIC AND SOCIAL AFFAIRS
January 2018, New York



The United Nations and Disability: 70 years of the work towards a more inclusive world

Contents

Contents.....	1
Introduction.....	2
Background.....	3
Defining disability	3
Part 1: 1945 – 1982	5
Context	5
A gradual shift in perspective	6
Part 2: 1983 - 1993	8
Building momentum.....	8
Part 3: 1994 – 2000	11
UN development conferences and disability	11
Part 4: 2000 - 2008	13
Working towards a convention on disability.....	13
The adoption of the United Nations Convention on the Rights of Persons with Disabilities.....	14
Part 5: 2009 - 2014	17
Key meetings, events and conferences after the adoption of the Convention	17
UN High Level Meeting on Disability and Development and the progress toward disability-inclusive 2015 global agenda for sustainable development.....	18
Part 6: 2015 - Present	19
The Sustainable Development Goals	19
Mainstreaming Disabilities in Other International Development Frameworks.....	21
Conclusion : Actions towards equality and advancement of persons with disabilities in society and development	23
About the author Secretariat for the Convention on the Rights of Persons with Disabilities	25

Introduction

When one thinks of the work of the United Nations for persons with disabilities, the Convention on the Rights of Persons with Disabilities (CRPD) and its Optional Protocol usually come to mind. Adopted on 13 December 2006 and entered into force on 3 May 2008, the CRPD is the first comprehensive human rights treaty of the 21st century and intended as a human rights instrument with an explicit, social development dimension. It follows decades of work by the United Nations to change attitudes and approaches to persons with disabilities, and takes to a new height the movement of disability rights and further ensures that persons with disabilities become agents of change throughout the world. As of today, there are a total of 175 States parties and 160 signatories to the Convention.¹ With the adoption of the 2030 Agenda for Sustainable Development in 2015 and series of other globally agreed development frameworks, the United Nations will continue to mainstream disability issues, and advance the rights, perspectives and leaderships of persons with disabilities in all aspects of sustainable development.

Since its inception, the United Nations has been a champion for advancing human rights for all, with “universal respect for and observance of human rights” enshrined in the Charter of the United Nations. The 1948 Universal Declaration of Human Rights was among the first steps towards inclusive societies for all, as it included an equalitarian approach that would speak to disability activists, leading them to organize and demand a new perspective on the issue. Nevertheless, at the time, persons with disabilities were still considered as “objects” of charity, medical treatment and social welfare, far from the “subjects” who can claim their rights and be active members of society.

This publication aims to provide an overview of the work of the United Nations, in particular the Secretariat, for persons with disabilities from the commencement of the organization in 1945, to the present, highlighting the major meetings, human rights treaties and milestones that the UN has achieved in its promotion for the rights of persons with disabilities. Retracing how the CRPD came to be, it also showcases the UN’s work towards a more inclusive world throughout the past 70 years and identifies the challenges and opportunities ahead.

¹ See https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-15&chapter=4&clang=en (accessed 28 August 2017)

Background

“Persons with disabilities as beneficiaries and agents of change in society and development” - the central message of the work of the United Nations in the field of disability² is increasingly taking concrete forms in global, regional and national development agenda. Persons with disabilities are advocating for their rights to actively participate in and building new communities of stakeholders for disability-inclusive society and development. An historical reflection on the situation of persons with disabilities demonstrates that this is the result of the gradual increase of political will and a betterment of understanding of disability issues on the parts of both Governments and the disability community. Recent advancements of the rights of persons with disabilities in society and development are signified through the adoption, progression and promotion of the international norms and standards relating to disability.

An increasing international focus on the situation of persons with disabilities in development has also led to successful inclusion and mainstreaming of the rights and perspectives of persons with disabilities in global development processes and their resulting frameworks, including the 2030 Agenda for Sustainable Development. Over the past decade in particular, the General Assembly³ has reiterated its commitment to include the disability perspective in the global development agenda, calling for urgent action toward inclusive, accessible and sustainable society and development. The brief historic overview will retrace the UN’s work in the advancement of the rights and perspectives of persons with disabilities, highlight the international legal and policy framework concerning persons with disabilities, and illustrate the achievements of the international community in this regard.

Box 1. Defining disability

Disability is complex, dynamic, multidimensional, and contested. The disability experience resulting from the interaction of health conditions, personal factors, and environmental factors varies greatly, generalizations about “disability” or “persons with

² As stated in the United Nations World Programme of Action concerning Disabled Persons (1982) since 1980s and following the United Nations Decade of Persons with Disabilities (1982-1993).

³ including General Assembly/RES/63/150, A/RES/64/131, A/RES/65/185, A/RE.S/66/124, A/RES/67/140, A/RES/68/3 and A/RES/69/142)

disabilities” can be misleading.⁴ Moreover, persons with disabilities have diverse personal factors with differences in gender, age, socioeconomic status, sexuality, ethnicity, or cultural heritage. Hence disability should be viewed through a balanced approach with appropriate weight to the different aspects of disability.

The *International Classification of Functioning, Disability and Health* (ICF) describes disability as a limitation in a functional domain that arises from the interaction between a person’s health conditions, and contextual factors, both personal and environmental.⁵ In ICF terms, this is a person’s performance in a domain, taking in account the impact of his or her environmental and personal factors. Disability is therefore part of the human condition: almost everyone will be temporarily or permanently impaired over the course of their lives, when environmental obstacles arise or their personal conditions change.

Along similar lines, the United Nations Convention on the Rights of Persons with Disabilities recognizes “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.”⁶

The ICF defines functioning as occurring at three levels: body function and structures, activities and participation. For example, if an individual cannot move their legs, he/she experiences a limitation in functioning at the body function level. If an individual has difficulty waking, he/she experiences a limitation at the basic activity level, in other words, difficulty combining body functions to perform a particular task. If an individual cannot work, i.e. combine a group of activities in order to fulfil a social function or role, because of environmental barriers, then he/she is restricted at the participation level.

The overall experience of disability is diverse as it is the aggregate of limitations in functioning across multiple domains (e.g. walking, seeing), each on a continuum, from little or no disabilities to severe disabilities, either within a particular domain or across

⁴ WHO, World Disability Report, 2011.

⁵ <http://www.who.int/classifications/icf/en/>

⁶ United Nations, Convention on the Rights of Persons with Disabilities, Preamble.

multiple domains. For each domain, the level of functioning a person experiences depends both on the intrinsic capacity of the individual's body and the features of his or her environment that can either lower or raise the person's ability to participate in his/her environments and society. Since domains of functioning are on a continuum, in order to determine prevalence of disability, some threshold level of functioning needs to be established to distinguish between "persons with disabilities" and "persons without disabilities". Although there is no universal standard for this threshold, countries and international organizations have adapted practical thresholds for their own data collections on the basis of their policy needs.

Part 1: 1945 - 1982

Context

Prior to the establishment of the United Nations (UN), the League of Nations provided the nascent ideas for basic human rights and development, including promoting rights for minorities, religious freedoms, women and labour. Yet with the United Nations Charter, the international community definitively saw the beginning of the new era. The International Organization Conference, also known as "the San Francisco Conference", in 1945, establishing the UN, placed human rights as one of the core goals of the organization, committing to uphold the dignity and worth of all human beings. The commitment of the international community to promote the full and effective participation of persons with disabilities in all aspects of society and development is deeply rooted in the goals of the United Nations' Charter.⁷

In 1948, the UN General Assembly (GA) adopted the Universal Declaration of Human Rights (UDHR) which promoted the right to life, liberty and security of all persons in society, including the fostering of all such rights in the event of, among other circumstances, disability.⁸ Although it conceptualised disability as a condition, as opposed to a status or a result of a person's interaction with the way in which society is

⁷ United Nations, *Charter of the United Nations*, 24 October 1945, 1 UNTS XVI

⁸ United Nations, *Universal Declaration of Human Rights*. Available at <http://www.un.org/en/documents/udhr/index.shtml#atop>.

organised, the UDHR is widely recognised for establishing the core principle of equality for all.⁹

The reference to disability in the UDHR as early as 1948, though overdue, provided positive and progressive steps to the advancement and rights of persons with disabilities. Global recognition of persons with disabilities as equals has progressed significantly since then. In 1976, the UN adopted the International Covenant on Civil and Political Rights (ICCPR)¹⁰ and the International Covenant on Economic, Social and Cultural Rights (ICESCR)¹¹, which alongside the UDHR formed a triad of international human rights instruments, and what is sometimes called the International Bill of Human Rights.

A gradual shift in perspective

While during this period, there was significant progress made in international human rights norms, disability largely remained as a condition that was given consideration in the context of rehabilitation, social protection and welfare issue. The General Assembly, Economic and Social Council and its subsidiary organ, the Social Commission promoted well-being and welfare of persons with disabilities through technical cooperation, rehabilitation and vocational programmes. For example, the Social Commission during its sixth session in 1950 adopted the reports entitled “Social rehabilitation of the physically handicapped” and “Social rehabilitation of the blind”,¹² leading the Economic and Social Council (ECOSOC) to promote rehabilitation programmes for persons with physical disabilities and blindness respectively.

In 1950, United Nations entities, including the International Labour Organization (ILO), the World Health Organization (WHO) and the United Nations Children’s Fund (UNICEF), established international standards for education, treatment, training and placement of persons with disabilities. This laid the foundation for the shift in focus in the way disability was conceptualised, moving away from defining the role of persons with disabilities as recipients of welfare and services, to those who are entitled to exercise their

⁹ The Universal Declaration of Human Rights made reference to disability in Article 25 “Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family[...] and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.”

¹⁰ Available here: <http://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>

¹¹ <http://www.ohchr.org/EN/ProfessionalInterest/Pages/ICESCR.aspx>

¹² United Nations. UN Enable. *Chapter III: The early years.* available at <http://www.un.org/esa/socdev/enable/dis50y20.htm>.

basic human rights. In 1969, the General Assembly adopted a declaration, emphasising the need to protect the rights and welfare of persons with disabilities,¹³ thus calling for their full participation in society. The international recognition that it is society that creates barriers for participation of persons with disabilities emerged during the 1970s, leading to the adoption of the two international instruments on the rights of persons with disabilities.

The first was the Declaration on the Rights of Mentally Retarded Persons, adopted by the General Assembly in 1971,¹⁴ representing a significant step in raising awareness on the rights of persons with intellectual disabilities and the importance of the role of education for persons with intellectual disabilities to reach their full potential. At the time, this Declaration was an important tool to advance disability issues within the United Nations—particularly the issue of intellectual disabilities. The Declaration, however, still retained a “medical/social welfare model” approach to disability in some parts, referring to persons with disabilities as reliant on social security and welfare and requiring separate services and institutions.

A second declaration on disability followed in 1975 - the Declaration on the Rights of Disabled Persons¹⁵ that promoted social integration of persons with disabilities, on the basis of their inherent dignity and human rights, setting standards for equal treatment and accessibility to services. From the 1971 Declaration, developments reflected the transition from the ‘medical/social welfare model’ approach to disability to “social/human rights” model of promoting the equal rights and opportunities for persons with disabilities.

The Declaration on the Rights of the Disabled Person, adopted by the General Assembly in 1975, defined an individual with disability as:

¹³ Declaration on Social Progress and Development, G.A. res. 2542 (XXIV), 24 U.N. GAOR Supp. (No. 30) at 49, U.N. Doc. A/7630 (1969), available at <http://daccess-dds-ny.un.org/doc/RESOLUTION/GEN/NR0/256/76/IMG/NR025676.pdf?OpenElement>.

¹⁴ Declaration on the Rights of Mentally Retarded Persons, G.A. Res. 2856 (XXVI), at 93, U.N. GAOR, Supp. No. 29, U.N. Doc. A/8429 (Dec. 20, 1971) [hereinafter 1971 Declaration], art. 1; prmb. 5.

¹⁵ See: <http://www.ohchr.org/EN/ProfessionalInterest/Pages/RightsOfDisabledPersons.aspx>

“any person unable to ensure by himself or herself, wholly or partly, the necessities of a normal individual and/or social life, as a result of a deficiency, either congenital or not, in his or her physical or mental capabilities”.

The Declaration stated that “disabled persons” have rights to medical, psychology and functional treatment in order to “enable them to develop their capabilities and skills to the maximum”, with the goal of “social integration”. This demonstrates that the United Nations General Assembly was cognizant of the rights of persons with disabilities as early as the 1970’s, which created a catalyst for the establishment of the World Programme of Action Concerning Disabled Persons in the 1980’s. The World Programme of Action was therefore informed by the 1975 Declaration of the General Assembly.

Part 2: 1983 - 1993

Building momentum

By 1980s the United Nations has garnered support from the Member States to take further steps for the full participation of persons with disabilities in society and development, which resulted in the designation of 1981 as the International Year of Disabled Persons (IYDP).¹⁶ The IYDP promoted the full integration of persons with disabilities into society, increasing awareness and encouraging the formation of disability organizations to give an active voice to persons with disabilities worldwide. During the year, many conferences, symposiums and events at global, regional and national levels were held to commemorate the progress made in inclusion of persons with disabilities in society and to strengthen the policy innovation. The IYDP was therefore a pivotal year for the advancement of the rights of persons with disabilities in society and development.

In 1982, the General Assembly adopted the World Programme of Action Concerning Disabled Persons (WPA),¹⁷ to achieve the goal of the full and effective participation of persons with disabilities, rehabilitation, and the equalization of opportunities. The central theme of the WPA was the equalization of opportunities for persons with disabilities, and the effective measures for the prevention of disability and rehabilitation.

¹⁶ United Nations. UN Enable. *The International Year of Disabled Persons 1981*.

<http://www.un.org/disabilities/default.asp?id=126#star>.

¹⁷ Available here: <http://www.un.org/documents/ga/res/37/a37r052.htm>

The WPA was thus an important and pivotal shift towards a rights-based approach to disability as a global issue. It focussed on how the societal and other barriers - be they environmental or attitudinal - should be removed so that persons with disabilities can participate in society as agents of change and beneficiaries of development gains.

To advance the goal of the WPA, the UN General Assembly designated the decade for Disabled Persons, spanning from 1983 to 1992,¹⁸ which spurred a number of activities designed to improve the situation and status of persons with disabilities, including improving education and employment opportunities, and increasing their participation in communities and countries. During the Decade, a number of conferences and related activities took place, including an expert group meeting in 1987 and the adoption of the “Tallinn Guidelines for action on Human Resources Development in the Field of Disability” in 1989.¹⁹

The Decade resulted in the establishment of the International Day of Disabled Persons by the UN General Assembly, to be observed on 3 December. It also resulted in the establishment of the first global network of representative organizations of persons with disabilities, Disabled People’s International, and subsequent formation of many national and local organizations of persons with disabilities. The message of “nothing about us without us” and “persons with disabilities as agents and beneficiaries of development” thus started to take concrete forms in the international normative framework on disability and development as well as in global, national and regional policy frameworks and global networks of persons with disabilities to define their own rights, well-being and perspectives in society.

“The Standard Rules on Equalization of Opportunities for Persons with Disabilities” was one of the main results of the UN Decade of Persons with Disabilities, bringing the importance of equalisation of opportunities to the forefront of a global development agenda. The Standard Rules were adopted in 1993 by the General Assembly to advance the central objective of the World Programme of Action concerning Disabled Persons as a set of rules for action by the Governments and other stakeholders.²⁰ The monitoring

¹⁸ United Nations Enable. *Chapter VII: United Nations Decade of Disabled Persons*. United Nations and Disabled Persons – The First Fifty Years. <http://www.un.org/esa/socdev/enable/dis50y60.htm>.

¹⁹ Expert Group Meeting in Stockholm, Sweden (1987) to review the implementation of the world programme of action concerning disabled persons.

²⁰ General Assembly resolution A/RES/48/96, Annex.

mechanism of the Standard Rules included the appointment of a Special Rapporteur on Disability to report to the Commission for Social Development on the implementation of the Standard Rules.²¹

Box 2. Key world conferences in the 1990s

In order to emphasise the need for a "society for all", and advocate the participation of all citizens - including persons with disabilities - in every sphere of society, the UN hosted five key world conferences in the 1990s.

- i) In 1992, the Rio de Janeiro Conference on Environment and Development encouraged Governments to give more attention to *"demographic trends and factors ... that have a critical influence on consumption patterns, production, lifestyles and long-term sustainability."* The Rio document mirrored this trend and dedicated an entire section of the final report to "strengthening the role of major groups."
- ii) The World Conference on Human Rights, held in Vienna in 1993, reconsidered universally recognized human rights instruments in the light of contemporary issues and produced a Programme of Action to guide human rights efforts forward in light of today's realities. The Conference recognized that "all human rights and fundamental freedoms are universal and thus unreservedly include persons with disabilities."²² It recognized that any discrimination, intentional or unintentional, against persons with disabilities is per se a violation of human rights.
- iii) The International Conference on Population and Development, held in Cairo in 1994, recognized the importance of the equalization of opportunities for people with disabilities. The objectives endorsed by the Conference included "ensuring realization of rights...and participation in all aspects of social, economic, and cultural life ...to create, improve, and develop necessary conditions...[to] ensure

²¹ The mandate of the Special Rapporteur on Disability of the Commission for Social Development was established by the General Assembly in 1994. Mr. Bengt Lindqvist (Sweden) was appointed and served as the first Special Rapporteur from 1994 to 2002, Mrs. Sheikha Hissa bin Ahmed Al Thani (Qatar) the second Special Rapporteur from 2003 to 30 June 2009 and Mr. Shybe Chalklen (South Africa) as the 3rd Special Rapporteur from 2009 to 2014 whose term came to an end in December 2014. More information at www.un.org/disabilities/aboutus

²² Section 6, paragraph 63. <http://www.ohchr.org/EN/ProfessionalInterest/Pages/Vienna.aspx>

equal opportunities ...and dignity [while] promot[ing] self-reliance"²³ of persons with disabilities.

- iv) In March 1995, the United Nations held the World Summit for Social Development in Copenhagen, Denmark. The Summit adopted the Copenhagen Declaration on Social Development and the Programme of Action of the World Summit for Social Development. The Declaration attempts to respond to the material and spiritual needs of individuals, their families and communities. It stipulates that economic development, social development and environmental protection are interdependent and mutually reinforcing components of sustainable development, and it cites disadvantaged groups such as disabled persons as deserving special attention.²⁴ --Copenhagen Declaration
- v) In September 1995, the Platform for Action, was adopted by the Fourth World Conference on Women in Beijing, China. It stipulates areas of special concern and recognizes that barriers to full equality for women can include factors such as their disability. Concerns relating to disability are also raised in the Beijing Declaration when the parties to the Conference commit to "intensifying efforts to ensure equal enjoyment of all human rights and fundamental freedoms for all women and girls who face multiple barriers to their empowerment and advancement because of factors such as...disability"²⁵

Part 3: 1994 - 2000

UN development conferences and disability

As well as key milestones reached by the UN in advancing disability rights and development, international and world conferences, held during the 1990's following the UN Decade for Disabled Persons, emphasised the need for a "society for all", thus providing scope to advocate participation of persons with disabilities in all spheres of society. The Conferences advocated initiatives to improve health care, education,

²³ Section 6.29 (c) <http://www.un.org/popin/icpd/conference/offeng/poa.html>

²⁴ *Copenhagen Declaration on Social Development*. World Summit for Social Development U.N. Doc. A/CONF.166/9. Copenhagen Denmark (Mar. 14, 1995) annex I, no. 5, available at <http://www.un-documents.net/cope-dec.htm>.

²⁵ Paragraph 32: <http://www.un.org/womenwatch/daw/beijing/platform/declar.htm>

elimination or reduction of violence and the lessening of the poverty rate for persons with disabilities, thus realising their rights in all aspects of social, economic and cultural life. The World Conference on Human Rights in 1993 saw the generation of the Vienna Declaration and Programme of Action²⁶, adopted by the General Assembly to advance the human rights in line with the changing scope of society. It recognised that the human rights and freedoms granted to all members in society unreservedly include persons with disabilities²⁷, and for this reason, discrimination against them is a violation of human rights.

Additionally, the World Summit for Social Development in 1995 adopted the Copenhagen Declaration on Social Development,²⁸ which stipulates that developments in economics, social and environmental are mutually reinforcing components of sustainable development. The Declaration also noted that development cannot be accomplished in the absence of all human rights and without participation from all groups and representations in society. Though core human rights treaties were certainly universal in their coverage, they did not address the specific barriers, needs and concerns that persons with disabilities faced.

The United Nations, including the Special Rapporteur on Disability of the Commission for Social Development, in collaboration with Member States, organizations of persons with disabilities and academic institutions were exploring further how the Standard Rules on Equalization of Opportunities for Persons with Disabilities and the existing international normative framework on disability – consisting of international instruments on human rights and development – could advance the rights and status of persons with disabilities. For this objective, a number of technical meetings were organized throughout the late 1990s to early 2000. A pivotal meeting was the UN Consultative Expert Group Meeting on International Norms and Standards relating to disability (1998), which explored specific ways to utilize the existing norms and standards for advancement of the rights of persons with disabilities, including specific recommendations for mainstreaming disability in the

²⁶ *Vienna Declaration and Programme of Action* (adopted by the World Conference on Human Rights), (June 25, 1992), available at <http://www.ohchr.org/en/professionalinterest/pages/vienna.aspx>.

²⁷ *Ibid.* at para. 63.

²⁸ *Copenhagen Declaration on Social Development*. World Summit for Social Development U.N. Doc. A/CONF.166/9. Copenhagen Denmark (Mar. 14, 1995) annex I, no. 5, available at <http://www.un-documents.net/cope-dec.htm>.

UN development and human rights agenda, mechanisms, processes and resulting documents.

The following year, an UN inter-regional conference on international norms and standards relating to disability was organised by UNDESA in collaboration with the Equal Opportunities Commission of Hong Kong Special Administrative Region, China, which brought together global, regional and national leaders and experts in the field of disability, development and human rights. The Conference adopted a set of recommendations for advancement of the rights of persons with disabilities at global, regional and national levels, including a possibility for promoting an international convention on persons with disabilities.²⁹

Part 4: 2000 - 2008

Working towards an international convention on disability

At the 56th session of the General Assembly in 2001, the Government of Mexico at its highest level proposed an international convention on disability to be considered by the General Assembly. The consultations on this proposal involved many new and traditional stakeholders in the field of disability, gaining a momentum for a new era of the “disability movement” within and outside the United Nations.

Around that time, a number of similar initiatives and proposals were also raised at different international meetings. Notably, for instance, in March 2000, six major international disability representative organizations and a dozen of leaders from about 20 national and regional disability organizations met at the World NGO Summit on Disability in Beijing China which adopted the Beijing Declaration on the Rights of Persons with Disabilities in the New Century, clearly calling on the initiation of the UN process for considering and drafting a legally binding treaty on the question of persons with disabilities.³⁰

²⁹ Including an analysis by Quinn & Degener, 2002. Available here: <http://www.ohchr.org/Documents/Publications/HRDisabilityen.pdf>

³⁰ A/54/861-E/2004/47

In response to these proposals, the General Assembly established an Ad Hoc committee³¹ in 2001, which was initially created for “considering proposals for an international convention to uphold the dignity and rights of persons with disabilities.” The Working Group, consisting of 27 States and a group of representatives from major international Disabled Persons’ Organizations (DPOs) and a national human rights institution, was set up by the Ad Hoc Committee in 2003. The Working Group took into account all contributions from regional and national consultations, expert meetings, United Nations bodies, regional commissions and intergovernmental organizations, as well as by non-governmental organizations (NGOs), disability and human rights institutions. As the outcome of the Working Group, a draft text, presented to the Ad Hoc Committee at its third session, which served as a basis for negotiations, rather comprehensive in scope. In its 25 articles and Preamble, it covered equality and non-discrimination, the right to work, equal recognition before the law with a disability focus, and the full scope of civil, social, political, economic and cultural rights. It also addressed disability-specific issues and concerns, such as accessibility, legal capacity, independent living, education, social security, and issues of inclusion.

During its fourth session in 2004, the Ad Hoc Committee concluded a first reading of the draft text, considering the title, the structure, part of the preamble, definitions and monitoring. It addressed such issues as promotion of positive attitudes toward persons with disabilities, statistics and data collection, equality and non-discrimination, right to life and other substantive rights. Concluding the final negotiations on the draft text and its Optional Protocol, the Convention and its Optional Protocol were both adopted by the General Assembly in December 2006.³²

The adoption of the United Nations Convention on the Rights of Persons with Disabilities

The Convention on the Rights of Persons with Disabilities (CRPD) was envisaged from the very beginning as the instrument for advancement of the universal human rights of persons with disabilities, as well as for inclusive development. It entered into force in May

³¹ Title: Ad Hoc Committee on a Comprehensive and Integral International Convention on the Protection and Promotion of the Rights and Dignity of Persons with Disabilities

³² *History of United Nations and Persons with Disabilities- The first millennium decade. supra n. 99.*

2008 and established two international mechanisms: i) the Committee on the Rights of Persons with Disabilities and ii) the Conference of States Parties. While the Committee is part of the UN human rights treaty monitoring system, the Conference of States Parties to the CRPD (COSP) is a unique mechanism which has a broad mandate to consider any matters concerning implementation of the Convention which is no parallel to other human rights conventions. The Conference has now become a unique forum to exchange views and ideas, good practices and lesson learnt for the implementation of the Convention, and to improve policies and programmes, with a focus on practical solutions to the obstacles encountered by persons with disabilities on the ground. The COSP, convening annually since its inception in 2009, reflects on existing policies and procedures, in order to form a structure which actively puts the CRPD into force. The Conference of States Parties therefore provides an opportunity where States Parties and other stakeholders can work together to further advance the rights and developmental agenda for persons with disabilities.

This Convention is a benchmark document which ensures the equal enjoyment of human rights and fundamental freedoms by persons with disabilities. Together with other international human rights and development instruments, it provides a comprehensive framework and effective tools for strengthening legislation, policymaking and inclusive planning for persons with disabilities in society and development. At the international level, these instruments shall be utilized to support disability-inclusive policies and practices. At the national level, they shall be used to support harmonization of national legislation, policies and programmes. The World Programme of Action and the Standard Rules with their focus on planning and strategic implementation, monitoring and evaluation, adopt a different but supplementary approach to the monitoring of the Convention. Meanwhile, the Convention greatly adds the strength of a human rights-based approach from the disability perspective to the existing international normative frameworks. Indeed, the Convention codifies universal human rights norms that are applicable to protection and promotion of the rights of persons with disabilities.

Implementation of the Convention calls for the formulation of strategic options for policies, programmes and evaluation measures that promote the full and equal participation of persons with disabilities in society and development.

A significant activity during this time period for the United Nations was the adoption of the Millennium Development Goals (MDG's) in 2000. Following major UN conferences and summits on poverty eradication and development, world leaders adopted the MDGs, committing to new global partnerships, with a deadline of 2015. Since the MDGs were approved years before the process for drafting and negotiating the CRPD, the goals did not explicitly reference persons with disabilities, despite the overarching goal of poverty and addressing the most marginalised.

At the international and national levels, a discrepancy remained between the agendas for development and the advancement of the rights of persons with disabilities. In a report submitted to the 58th Session of the General Assembly³³, the Secretary General highlighted that one of the major obstacles to the implementation of existing human rights standards for persons with mental disabilities is the lack of concrete actions to implement the agreed international commitments and specific guidelines. The report also reviewed some outstanding issues, such as the one observed in his analyses of the Principles for the Protection of Persons with Mental Illness and for the Improvement of Mental Health Care³⁴, noting that the protection afforded by the Principles needed to be strengthened while some of the language used by the said Principles were outdated.

The 62nd Session of the General Assembly concluded that significant progress towards the goal of fully inclusive societies is attainable with strong political will and States' commitment, working in cooperation with the United Nations system and civil society. In view of addressing the existing gaps between international norms and development policy and practices on the ground, the report³⁵ suggested the *"growing body of experience from which to draw guidance on concrete measures to integrate disability into efforts to realize the Millennium Development Goals"*, recommending for the General Assembly to *"encourage Member States to make the integration of disability a fundamental principle of existing and future development assistance programmes"*.

³³ Progress of efforts to ensure the full recognition and enjoyment of the human rights of persons with disabilities - Report of the Secretary-General (A/58/181)

³⁴ World Network of Users and Survivors of Psychiatry, Position Paper on the Principles for the Protection of Persons with Mental Illness, Vancouver, July 2001.

³⁵ Implementation of the World Programme of Action concerning Disabled Persons: the Millennium Development Goals and synergies with other United Nations disability instruments (A/62/157)

Part 5: 2009 – 2014 Key meetings, events and conferences after the adoption of the Convention

Shortly after the adoption of the Convention on the Rights of Persons with Disabilities by the General Assembly, a number of meetings were convened to enhance the work of the UN and its Member States in advancing the rights and inclusive development for persons with disabilities.

In 2009, DESA through the Secretariat for the Convention on the Rights of Persons with Disabilities (SCRPD) convened an Expert Group Meeting on Mainstreaming Disability in MDG Policies, Processes and Mechanisms. After reviewing existing frameworks, tools and mechanisms for mainstreaming disability, participants provided policy recommendations for the inclusion of disability to internationally agreed development goals.

A Report by the Secretary General during the 66th Session of the General Assembly concluded that “There is a clearer recognition that disability is a cross-cutting issue ... However, persons with disabilities continue to experience adverse social and economic outcomes and remain disproportionately represented among the world’s poor”.³⁶ As such, the implementation of the MDGs omitted disability, and therefore national policies and programmes related to the MDGs rarely made references to disability.

The World Health Organization and the World Bank published a World Report on Disability (2011)³⁷ in which it was estimated that there were one billion persons living with some form of disability worldwide and articulated that disability is a critical developmental issue, and that the global development agenda must include persons with disabilities in all sectors of development.

In 2012, UN DESA and the UN Information Centre in Tokyo, and with close collaboration with the Nippon Foundation, hosted a three-day expert group meeting to discuss ways to

³⁶ Realization of the Millennium Development Goals and other internationally agreed development goals for persons with disabilities (A/66/128)

³⁷ See http://www.who.int/disabilities/world_report/2011/report.pdf

further disability-inclusive development, particularly in the context of disaster-risk reduction.

During the same year, a UN Conference on Sustainable Development addressed disability and sustainable development. A resolution was adopted as an outcome of the meeting, highlighting that sustainable development requires active participation of persons with disabilities. The resolution – entitled “The Future We Want” makes references to supporting inclusive social services, and a safe and healthy living environment for all, this pushing the rights of persons with disabilities to the forefront of development.

UN High Level Meeting on Disability and Development and the progress toward disability-inclusive 2015 global agenda for sustainable development

In 2013, as the international community were beginning dialogues to develop a post-MDG development framework, the UN General Assembly convened a High-Level meeting on Disability and Development at the level of Heads of States and Governments.³⁸ The meeting was held under the theme: “The Way Forward: A disability inclusive development agenda towards 2015 and beyond”. At this meeting, Member States adopted an outcome document,³⁹ stressing the importance of mainstreaming/including disability in global development and giving due consideration to it in the post-2015 development framework. The outcome document “*encourages the international community to seize every opportunity to include disability as a cross-cutting issue in the global development agenda*” and the need to translate these international commitments into concrete actions and results for persons with disabilities was also emphasised by Members States in the Meeting.

The international community, on the basis of the outcome of the High-Level Meeting on Disability and Development, specifically addressed the inter-linkages between disability

³⁸ See <https://www.un.org/development/desa/disabilities/resources/high-level-meeting-of-the-general-assembly-on-disability-and-development-23-september-2013.html>

³⁹ Outcome document of the high-level meeting of the General Assembly on the realization of the Millennium Development Goals and other internationally agreed development goals for persons with disabilities: the way forward, a disability-inclusive development agenda towards 2015 and beyond, A/RES/68/3, 23 September 2013.

and sustainable development in the course of the negotiation of the post-2015 agenda for sustainable development. It underscored the importance of a disability-inclusive global development agenda and included references to disability in the 2030 Agenda for Sustainable Development.

In 2013, the DESA released a publication entitled “Accessibility and Development: Mainstreaming disability in the post-2015 development agenda”, which reviews accessibility and its role in achieving inclusive development.⁴⁰ The report highlights that accessibility is not only a means on integration, but also an enabler for full and effective participation of all members of society, especially persons with disabilities.

In March 2015, the Third UN World Conference on Disaster Risk Reduction took place and was attended by over 6,500 participants including 2,800 Government representatives from 187 Governments. The Conference adopted the Sendai Framework for 2015-2030, setting out seven targets, four priorities and a set of guiding principles for a post-2015 framework for disaster risk reduction, based on the 2005 Hyogo Framework for Action.

The framework references disability by:

- Calling on governments to engage persons with disabilities in the design and implementation of policies, plans and standards.
- Gaining a disability perspective in all policies and practice.
- Developing disaster risk reduction (DRR) approaches which are inclusive of persons with disabilities based on disaggregated data.
- Empowering persons with disabilities to publicly lead and promote accessible response, recovery and reconstruction approaches.
- Recognizing that persons with disabilities and their organizations are critical in the assessment of DRR, and in developing and implementing plans specific to their requirements, including the principles of universal design.

Part 6: 2015 - Present

2030 Agenda for Sustainable Development

⁴⁰ United Nations, Department of Economic and Social Affairs publication (ST/ESA/350), 2013

During the 2012 United Nations Conference on Sustainable Development (Rio+20), Member States agreed to launch a process to develop a set of sustainable development goals (SDGs) to succeed the Millennium Development Goals (MDGs), whose achievement period concludes in 2015. The SDGs are to address all three dimensions of sustainable development (environmental, economic and social) and be coherent with and integrated into the United Nations global development agenda beyond 2015. The SDGs have a time horizon of 2015 to 2030.

Disability is referenced specifically in the SDGs and in particular in areas related to education, growth and employment, inequality, accessibility of human settlements, as well as data collection and monitoring of the SDGs, for instance:

- Goal 4 on inclusive and equitable quality education and promotion of life-long learning opportunities for all focuses on eliminating gender disparities in education and ensuring equal access to all levels of education and vocational training for the vulnerable, including persons with disabilities. In addition, the proposal calls for building and upgrading education facilities that are child, disability and gender sensitive and also provide safe, non-violent, inclusive and effective learning environments for all.
- In Goal 8 to promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all, the international community aims to achieve full and productive employment and decent work for all women and men, including for persons with disabilities, and equal pay for work of equal value.
- Closely linked is Goal 10, which strives to reduce inequality within and among countries by empowering and promoting the social, economic and political inclusion of all, including persons with disabilities.
- Goal 11 would work to make cities and human settlements inclusive, safe and sustainable. To realize this goal, Member States are called upon to provide access to safe, affordable, accessible and sustainable transport systems for all, improving road safety, notably by expanding public transport, with special attention to the

needs of those in vulnerable situations, such as persons with disabilities. In addition, the proposal calls for providing universal access to safe, inclusive and accessible, green and public spaces, particularly for persons with disabilities.

- Goal 17 stresses that in order to strengthen the means of implementation and revitalize the global partnership for sustainable development, the collection of data and monitoring and accountability of the SDGs are crucial. Member States are called upon to enhance capacity-building support to developing countries, including least developed countries (LDCs) and small island developing states (SIDS), which would significantly increase the availability of high-quality, timely and reliable data that is also disaggregated by disability.

Thanks to the advocacy of the disability community and their partners in Member States and the United Nations, together with their successful concerted efforts, the growing global awareness has contributed to a change that saw disability issues as a cross cutting issue in an increasing number of major intergovernmental conferences convened by the United Nations as well as their outcome documents.

The progress of the SDGs goals and targets will be measured by the indicators⁴¹ and adequate and high-quality data disaggregated by disability will help in monitoring and evaluating the implementation of the SDGs for persons with disabilities. The follow-up and review mechanism of the SDGs, the High-level Political Forum on Sustainable Development (HLPF) provides a platform for wide range of stakeholders to share best practices and lessons learnt on the implementation of the SDGs including the persons with disability. The Stakeholder Group of Persons with Disabilities coordinates and addresses concerns of persons with disabilities in the global and regional policy processes of the United Nations including the HLPF.⁴²

Mainstreaming Disabilities in Other International Processes and Frameworks

General Assembly meetings

⁴¹ See <https://unstats.un.org/sdgs/indicators/indicators-list/>

⁴² See <https://sustainabledevelopment.un.org/majorgroups/personswithdisabilities>

In June 2016, the President of the General Assembly hosted a panel discussion, prior to the opening of the 9th Session of the Conference of States Parties to the CRPD to review existing institutional frameworks to mainstream the rights based approach to disability and advance the rights, perspectives and well-being of persons with disabilities in development efforts at international, national and local levels. The panel also discussed the way forward for operationalization and implementation of the 2030 Agenda for Sustainable Development under the guidance of the Convention of the Rights of Persons with Disabilities.

In December 2016, the President of the General Assembly convened a high-level panel meeting to commemorate the tenth anniversary of the adoption of the Convention on the Rights of Persons with Disabilities, aimed at promoting its universalization. The panel discussion provided the opportunity for all stakeholders to review the positive impact of the CRPD's first ten years at the global, regional and national levels, the experience and lessons learnt over the past decade in translating international commitments into the practices on the ground and encouraged universal ratification of the CRPD.

Sendai Framework for Disaster Risk Reduction

At the UN Conference on Disaster Risk Reduction in Sendai Japan in March 2015, the issue concerning disability was well incorporated in both the official conference proceedings and the outcome Sendai Framework on disaster risk reduction and resilience building, recognising disability inclusion as an imperative to the success of disaster reduction frameworks and actions, while embracing persons with disabilities as agents, contributors and beneficiaries of disaster reduction strategies and efforts.

The World Humanitarian Summit

In April 2016, at the World Humanitarian Summit held in Istanbul Turkey, the necessity and importance of inclusion of persons with disabilities in humanitarian responses was underscored in the deliberations of the Summit as well as in the outcome charter of the summit. The Charter provides overarching principles representing a commitment to disability-inclusive humanitarian action.⁴³ The system-wide standards seek to support

⁴³ See <http://humanitarianabilitycharter.org/>

States' obligations set under the Convention on the Rights of Persons with Disabilities, and would facilitate the implementation of other inclusive frameworks, such as the Sendai Framework for Disaster Risk Reduction and the 2030 Agenda for Sustainable Development, recognising and addressing the capacities, rights and diversity of persons with disabilities affected by crisis and conflict.

The New Urban Agenda

More recently, in the processes leading to the 3rd UN Conference on Housing and Sustainable Urban Development (Habitat III) concluded in Quito, Ecuador in October 2016, UN-DESA, in partnership with Member States, other UN entities, international disability and urban planning community leaders and practitioners, organised and supported a series of informal consultations and expert group discussions in Nairobi, New York, Surabaya and Quito, focusing on inclusion of persons with disabilities and promotion of accessible urban development. UN-DESA also collected and published resource materials of good practices on accessible urban development, with a view to inform and support Member States and stakeholders in policy discourses. With the adoption of the New Urban Agenda at the Habitat III, urbanization that is accessible to and inclusive of persons with disabilities has gained a new momentum.⁴⁴

Conclusion: Actions towards equality and advancement of persons with disabilities in society and development

Moving forward, more concrete actions and measures shall and can be taken to further remove barriers, create accessible and enabling environments and conditions and to secure equal opportunities for participation by all persons with disabilities as agents of changes in achieving the 17 Sustainable Development Goals for the future we want for all.

Since its inception, the United Nations has worked for the rights and advancement of persons with disabilities in society and development, working closely with Member States, organizations of persons with disabilities and other civil society organizations,

⁴⁴ New Urban Agenda (A/RES/71/256).

academic communities and the private sector, at local, national and global levels. There has been remarkable progress and achievements over the past decades in this endeavour for the full and effective participation of persons with disabilities as agents of change and beneficiaries of development.

There are a number of landmarks, including the adoption of an international treaty, the disability-inclusion in the global development agenda, their processes, mechanisms, and monitoring and evaluation, including the 2030 Agenda for Sustainable Development.

It must be noted, however, persons with disabilities continue facing many challenges in their quest for equal and full participation in society and development. The United Nations, together with Member States, Disabled People's Organisations (DPOs), and other major stakeholders shall continue in its efforts to mainstream the rights, needs, and perspective of persons with disabilities in development frameworks at global, regional, national and local levels. Mainstreaming and disability-inclusion are increasingly recognised as an effective strategy and featured in international development frameworks and efforts, such as the 2030 Agenda for Sustainable Development, the Sendai Framework for Disaster Risk Reduction, the World Humanitarian Summit, and the New Urban Agenda, amongst others. In this connection, the international community has new opportunities to further translate the long-standing commitments to the rights and advancement of persons with disabilities into concrete actions for creating an inclusive, equitable, and sustainable world for all.

About the author Secretariat for the Convention on the Rights of Persons with Disabilities

Since the inception of the United Nations, the Department of Economic and Social Affairs (DESA) (and its preceding entities under different names) has served as the United Nations' focal point on disability, promoting the rights and advancement of persons with disabilities in the context of UN development frameworks and serving intergovernmental bodies.

During the 1980s and 1990s, the program on disability was at the institutional centre of the UN system working in the advancement of the rights of persons with disabilities through the World Programme of Action concerning Disabled Persons (1982) and the Standard Rules on Equalization of Opportunities for Persons with Disabilities (1994). From 2001-2006, the programme on disability, located within DESA, served as the substantive secretariat for the Ad Hoc Committee supporting the drafting and adoption of the Convention on the Rights of Persons with Disabilities (CRPD).

The Convention established two mechanisms: The Committee on the Rights of Persons with Disabilities (the "Committee") and the Conference of States Parties to the Convention (COSP). While the Committee is a human rights treaty body which consists of 18 independent experts to monitor the implementation of the CRPD by States parties, the COP was established according to the article 40 to promote the implementation of the Convention mainly through the exchange of information and experience, and to monitor the implementation in a broader development context.

In March 2006, the programme on disability was consolidated into the Secretariat for the Convention on the Rights of Persons with Disabilities, housed in UNDESA. This consolidation was intended to ensure that activities conducted under previous mandates (the World Programme of Action and the Standard Rules) would be carried forward in light with the Convention, including through seeking the mutual complementary and synergy between the Convention and the other instruments concerning development and human rights.

In April 2007, the Secretary-General approved the recommendation of the High Commissioner for Human Rights and the Under-Secretary-General of UN DESA regarding the des-

ignation of responsibilities for servicing the Convention. Accordingly, UN DESA was assigned one of the additional responsibilities as the secretariat supporting and servicing the Conference of States Parties to the Convention.

In addition to supporting inter-governmental bodies such as the General Assembly and the Economic and Social Council (ECOSOC) and servicing the COSP, the Secretariat for the Convention on the Rights of Persons with Disabilities (SCRPD) promotes the international normative frameworks concerning disability and their implementation at national, regional, and international levels, provide policy advice and technical support; as well as continue mainstreaming disability in the development agenda and efforts, including the Sustainable Development Goals (SDGs) and other internationally agreed development frameworks and relevant processes and actions.

Notably, the Secretariat for the Convention on the Rights of Persons with Disabilities, through a close collaboration and partnership with other UN entities and multi stakeholders in all regions in the world, regularly produce analytical reports and publications, and organizes UN DESA Forum on disability and development (since 2013), Expert Group Meetings, and events to advance the global policy discourse concerning disability issues. Some of the meetings organized include Achieving the MDGs for Persons with Disability (Geneva, 2008), Accessibility (Washington D.C, 2010), ICTs and Disability-Inclusive Disaster Reduction (Tokyo, 2012), Mental Health and wellbeing (Kuala Lumpur, 2013), Disability Inclusion in Humanitarian Actions (Istanbul, 2014), Accessible and Disability Inclusive Urban Agenda (Quito, 2016) and Statistic Data and the implementation of the SDGs for Persons with Disabilities (Geneva, 2017). In addition, in November 2016, SCRPD co-organized with the United Nations Economic Commission for Latin America and the Caribbean (UNECLAC) in Santiago, Chile, an Expert Group Meeting under the theme “Advancing the rights and perspectives of women and girls with disabilities in development and society”. The meeting identified strategic recommendations for the UN, Member States, the private sector, and civil society, to amplify the voices of women and girls with disabilities and address persistent barriers to their empowerment, including by building synergies between gender equality and disability inclusion, addressing the intersectionality of gender and disability, and mainstreaming gender equality and disability in the operationalization of the 2030 Agenda.