

# Concepts of accessibility for persons with disabilities under the UNCRPD: concepts, purpose, achieving accessibility, reasonable accommodation.

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# Outline of Presentation

- Paradigm Shift
  - Medical model – Social Model
- Reasonable Accommodation
  - Limits of non-discrimination
- Accessibility within the Convention
  - Several references to accessibility throughout:
  - Articles 3, 4 and 9



“Good news – I hear the paradigm is shifting.”



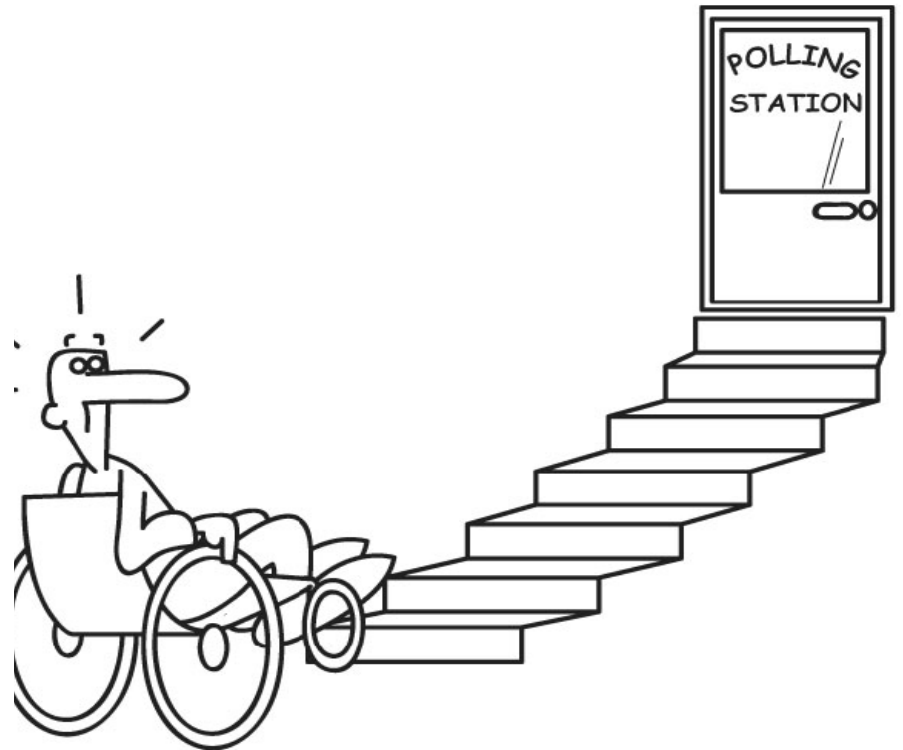
*Bennett*

*"Good news—I hear the paradigm is shifting."*



# Outline of Presentation

- What is the problem?



# Discrimination – Article 2

- means any distinction, exclusion or restriction on the basis of disability which has the purpose or effect of impairing or nullifying the recognition, enjoyment or exercise, on an equal basis with others, of all human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field. It includes all forms of discrimination, including denial of **reasonable accommodation**



# Reasonable Accommodation

- means necessary and appropriate modification and adjustments not imposing a disproportionate or undue burden, where needed in a particular case, to ensure to persons with disabilities the enjoyment or exercise on an equal basis with others of all human rights and fundamental freedoms;



# Issues

- Reasonable accommodation directly linked to the concept of both equality and non-discrimination
  - These concepts have limits
  - What happens when we reach the limit of these concepts?
    - Is accessibility the tool to step in at this point?



# Preamble paragraph v - accessibility

- *Recognizing* the importance of **accessibility** to the physical, social, economic and cultural environment, to health and education and to information and communication, in enabling persons with disabilities to fully enjoy all human rights and fundamental freedoms,





# Article 3 includes ...

- **Non-discrimination** (including reasonable accommodation);
- Full and effective participation and inclusion in society;
- Respect for difference and acceptance of persons with disabilities human diversity and humanity;
- Equality of opportunity
- **Accessibility**



# Article 4

- Promote research of universally designed goods ...
- Promote research and development of new technologies, including information and communications technologies, mobility aids, devices and assistive technologies
- Provide accessible information to persons with disabilities about mobility aids, devices and assistive technologies, including new technologies, as well as other forms of assistance, support services and facilities;



# Article 9 (1)

- To enable persons with disabilities to live independently and participate fully in all aspects of life, States Parties shall take appropriate measures to ensure to persons with disabilities **access**, on an equal basis with others, to the physical environment, to transportation, to information and communications, including information and communications technologies and systems, and to other facilities and services open or provided to the public, both in urban and in rural areas.



# Article 9(1) continued

- These measures, which shall include the identification and elimination of obstacles and barriers to accessibility, shall apply to
- (a) Buildings, roads, transportation and other indoor and outdoor facilities, including schools, housing, medical facilities and workplaces;
- (b) Information, communications and other services, including electronic services and emergency services.



# Article 9(2)

- States Parties shall also take appropriate measures:
- develop, promulgate and monitor the implementation of minimum standards and guidelines for the accessibility of facilities and services open or provided to the public;
- ensure that private entities that offer facilities and services which are open or provided to the public take into account all aspects of accessibility for persons with disabilities;
- provide training for stakeholders on accessibility...



# Article 9(2) continued

- provide in buildings and other facilities open to the public signage in Braille and in easy to read and understand forms;
- provide forms of live assistance and intermediaries ...,
- promote other appropriate forms of assistance and support ...
- promote access for persons with disabilities to new information and communications technologies and systems ...
- promote the design, development, production and distribution of accessible information and communications technologies ... so that these technologies and systems become accessible at minimum cost.



# Questions?





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