

**National Council on Disability  
Practical Discussions on Implementation in the U.S. and Other Countries**

Summary of panel discussion co-sponsored with Mental Disability Rights International held at  
the United Nations, August 22, 2006

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**I. Introduction and Looking Forward: Next Steps in the UN Convention Process**

On August 22, 2006, the U.S. National Council on Disability and Mental Disability Rights International co-hosted a panel discussion side event at the United Nations in New York, during the course of the Eighth Session of the Ad Hoc Committee. Because the Eighth Session was to be the final session of the Ad Hoc Committee and it is anticipated that the International Convention on the Rights of Persons with Disabilities will be finalized and adopted by the General Assembly at the end of 2006, the panel discussion focused upon issues of implementation of the Convention. Specifically, the panel sought to provide practical illustrations of current activities that support enjoyment of human rights by persons with disabilities, in the hopes that these activities could be useful for future implementation of the Convention.

The panel was moderated by Kathleen Martinez, and featured short presentations by the guest speakers (John Wodatch who discussed implementation of the ADA, Venus Ilagan who gave a disabled people's organization perspective, Charlotte McClain-Nhlapo who gave a national human rights institution perspective, and Eric Rosenthal who gave a monitoring perspective), followed by a question and answer period to provide audience members with an opportunity to comment on the presentations and follow-up on issues of particular interest. The event was well attended and there was a productive exchange of views and ideas among all participants.

This report provides a summary of the remarks provided by the panel presenters, as well as links to resources where readers may find more information of relevance to the anticipated implementation of the International Convention on the Rights of Persons with Disabilities.

In terms of next steps, the Eighth Session of the Ad Hoc Committee saw the adoption (in an annex to the report from that session) of a draft text marking the completion of substantive negotiations regarding the Convention. The draft text will next be proofread by a Drafting Group and final adjustments made before the final text is sent by the Ad Hoc Committee to the UN General Assembly. It is anticipated that the General Assembly will adopt the finalized text in December, and then open the Convention for signature, thus commencing the process by which States may become parties to this important treaty. In order to become parties to the Convention, States must first sign (making them a "signatory") and then ratify the Convention (or they may "accede," where both steps are effectively done at once). Ratification is an internal domestic process, and each State will have its own rules regarding who is authorized to ratify the Convention, e.g. the president, prime minister, parliament etc. Following that internal process,

States that have chosen to ratify the Convention will deposit an instrument of ratification/accession with the UN, thus making them full parties.

**Report of the Ad Hoc Committee from its Eighth Session is available here:**  
<http://www.un.org/esa/socdev/enable/rights/ahc8dreporte.htm>

**More information on the work of the Drafting Group is available at:**  
<http://www.un.org/esa/socdev/enable/drafting.htm>

**For more information on the ratification process (including what it means and how it works), please see the DPI (Disabled Peoples International) Ratification Toolkit available here:**  
<http://www.icrpd.net>

## **II. Summary of Panel Presentations**

### ***Implementing the Americans with Disabilities Act***

**Mr. Wodatch** provided some concrete examples of the incremental steps taken by his office during recent years to advance the implementation of the Americans with Disabilities Act (ADA). He noted that the cumulative effect of many small actions taken pursuant to the ADA is what is making American society more and more accessible. The goal is to make life in America more comprehensively accessible for people with disabilities, which is a step-by-step process: Every sign language interpreter we get for a police department, every curb ramp that gets put in, every door widened, every requirement in restrictive zoning that gets removed is another advance in bringing about equal opportunity for people with disabilities.

**Information and technical assistance on the ADA, including regulations and guidelines can be obtained at:** <http://www.ada.gov/>

On the subject of resources, he noted the misconception that accessibility always costs money. While there are costs, they are often overestimated. First, planning and thinking things through need not be resource intensive. One of the major requirements of the ADA is that all new construction has to be accessible. Designing a door 36 inches wide so that it allows a wheelchair to pass through when opened costs no more than a 28-inch door. If you apply that in the process of looking at the laws, you can disabuse people of the notion that it will always cost money. Estimates suggest that 1 percent or less of construction costs goes to accessible features. Many accessibility features do not entail any costs at all.

The Department of Justice (DOJ) dedicates a lot of time to making sure new buildings are built correctly, because once the structure is in place it can be difficult and more costly to retrofit, and the inaccessible features may be there for generations. For example, soon after the ADA was enacted, the Olympics were coming to Atlanta. There was a huge amount of building taking place in association with the preparation for the Olympics, and it was essential to make the sporting spaces accessible because the Paralympics are held in the same venues immediately following the Olympic Games. When you think about making a sports arena accessible, it is important to think of such issues as locker room accessibility and creating an accessible path

from the locker room to the field of play. At that point it seemed counterintuitive to people to talk about accessible baseball fields and tennis courts. However, it was an important awareness-raising opportunity to explain that people with disabilities would be using the same sporting spaces as both patrons and athletes.

The Atlanta games led to the development of the important concept of “line of sight” over standing spectators. When a stadium with wheelchair seating locations is being planned, it must be designed so that when spectators seated in front of accessible seating stand up, the spectator using a wheelchair can still see. In the past, during spectator sporting events, when the goal was scored or the homerun was hit, wheelchair users never saw these events because their view was typically obscured. Similarly, at rock concerts, people often stand up and obstruct views at peak performance periods. Allowing for line of sight over standing spectators is a simple design issue. The Olympics in Atlanta represented a major breakthrough in the design of spectator facilities and created the impetus for the development of standards to help design professionals understand how to design spaces, so that accessible seats have a line of sight over people when they stand.

Another area where the Department of Justice focuses much of its implementation attention is the issue of effective communication. The ADA requires that the whole range of entities covered by it (for example, police departments, town governments, and hotels), provide communication in a form that is effective for people with disabilities. Materials must be accessible and may include accessible formats such as Braille or large print, or communication assistance such as sign language interpretation or Computer Assisted Real Time (CART) services. The DOJ found, for example, that hospitals were not providing sign language interpreters for people who are deaf or hard of hearing. The first DOJ agreement with 32 hospitals in Connecticut required that each provide an interpreter within an hour (for cities) or two hours (for rural areas), should a person come into the emergency room and request one. They were a little nervous about this at first, but when the DOJ went back a year later the hospitals reported that they could meet the requirement in half an hour in the city and within an hour in the rural areas. They also said that they had not realized there were so many deaf people in need of healthcare services, and who had not previously received accessible services. Once the outreach was undertaken and people were provided with the necessary information about accessing health care services, it became a success story. The DOJ continues to focus on ensuring that hospitals have contracts with sign language interpreters, and that they reach out to their communities and train their staffs appropriately.

Employment is covered by the ADA. The Department of Justice had a case in which a woman who was blind was interviewed to be an elementary school teacher. During two interviews she had a cane and they offered her a job. During the final interview she informed them that she was getting a dog and that she would be using her dog at work as a service animal to assist her. The school withdrew the offer of employment. DOJ initiated a lawsuit and the plaintiff received \$55,000, got her job, and the rules were subsequently changed.

Mr. Wodatch provided a final example from his experience in implementing the ADA. The DOJ received a complaint involving a zoning issue in Royal Oak, Michigan, where an Easter Seals group wanted to open a day center for people with mental illness. The local community

complained that this would affect their land values and negatively impact their children. This kind of center already existed within 15 miles of where they wanted to put the new one, and the DOJ was forced to sue the local government and the council members. Eventually, with the help of the judge, the local government gave the approval for the day center to be introduced, and provided financial damages.

**The Judgment from the Royal Oak case can be obtained at:**  
**<http://www.usdoj.gov/crt/ada/michigan.htm>**

Mr. Wodatch concluded by emphasizing that many of these kinds of actions have been occurring everyday across the whole range of state and local governments, affecting restaurants, hotels, bars, and employers, and that day by day and interpreter by interpreter, barrier removal by barrier removal, we are trying to make our society open so that all of the riches this country has to offer are available to all of its citizens.

### ***A Disabled People's Organization Perspective – DPI Philippines***

**Ms. Ilagan** focused her presentation on the experience of disabled people's organizations (DPOs) working with governments in developing countries. Her organization, Disabled Peoples' International (DPI) of the Philippines, has some ten years of experience working with the government on activities related to disability. In 1995, it was hard to find any programs that would particularly address the issue of disability. People with disabilities decided that something must be done in order to make the government realize that attention must be given to this sector of society. DPI realized the need for surveys and engagement with the government. They are now working closely with their government in terms of providing services to children with disabilities. For example, DPI Philippines, in close partnership with the government, runs a program that benefits some 13,000 children with disabilities, and most of these children are now attending school.

In 1995, DPI Philippines started providing services for children with disabilities. At the time there were no government programs to address the needs of children with disabilities, and it was very difficult to convince parents that something could be done about service provision and early childhood intervention. At the time, the few small projects being run were managed by non-disabled people, many of whom would speak on behalf of people with disabilities. When people with disabilities themselves became engaged on the issue, it was very easy to convince parents that indeed there was something to be done to build better lives for their children. It was very powerful and effective to have people with disabilities themselves speaking on behalf of the children, and it was more easily accepted by society that indeed something can be done. This was the genesis of the national project which is owned/directed by people with disabilities. Now, the government provides 60 percent of the budget and 40 percent of the funding is from other sources.

Another program has been developed where people with disabilities partner with a land transportation commission in the Philippines. Through this program, people with disabilities are involved in the training and orientation of taxi drivers applying for a franchise or operators license for taxis. The training provides a half day orientation on how to provide effective and appropriate assistance to customers with disabilities. Stickers are provided to drivers that tell

customers that the taxi is ready to provide service to people with disabilities. Where taxi drivers do not provide assistance, they may be reported to the authorities and held responsible.

Ms. Ilagan highlighted a program involving job fairs for people with disabilities. In a country like the Philippines where some 13 million people are not employed, or are underemployed, including graduates from universities and colleges, one can imagine how difficult it is to find employment opportunities for people with disabilities. DPI Philippines has emphasized to the government that they must provide people with disabilities with the same opportunities as others. Now the government has initiated a program where disabled people who are unemployed can apply for jobs and submit their profiles. Many people are very surprised that there are people with disabilities who have become employed and are doing very well. This has helped to break down the myth that people with disabilities would find it difficult to find jobs and prove their worth as employees.

Ms Ilagan noted that the Philippines has an anti-discrimination national law, referred to as the “Magna Carta for Disabled Persons.” It is very good on paper and was patterned after the Americans with Disabilities Act. Although implementation is still lacking, the government programs that have been initiated thus far have successfully shown that there are a range of practical things that we can do to further advance the rights that will be reflected in the International Convention on the Rights of Persons with Disabilities.

#### ***A National Human Rights Institution Perspective – the experience of South Africa***

**Ms. Charlotte McClain-Nhalpo**, from the South African Human Rights Commission (currently on leave and working at the World Bank in Washington, D.C.), began her remarks by stating that she would focus on the roles that national human rights institutions can play in implementing what is contained in the International Convention on the Rights of Persons with Disabilities. She noted that South Africa is a young democracy; only twelve years old. One of the successes of the young democracy is the South African Constitution. The Constitution contains an equality clause and within that equality clause disability is expressly included as a prohibited ground for discrimination. This came about because disabled South Africans insisted that language pertaining to their issues be contained in the Constitution. The Constitution has also given birth to a whole range of institutions that support democracy, including the South African Human Rights Commission, which has now been in place approximately ten years.

Ms. McClain-Nhalpo added that the disability movement emerged during the 1980s and was very strong. At that time, the disability community was calling for a separate commission on disability. She explained that she was one of the few people who did not think this was the right approach, because much of the work that was needed on disability rights was precisely within the human rights community, and many of her colleagues who understood human rights were then unaware of disability issues. She was concerned that a disability commission would be well funded initially, but that funding would trail off over time and that disability rights would not become an integral part of the human rights framework in South Africa. However, disability has become very well integrated as a part of the work of the Human Rights Commission.

**The South African Human Rights Commission can be found on the web at:**  
**<http://www.sahrc.org.za/>**

Ms. McClain-Nhalpo explained that the South African Human Rights Commission has very far-reaching functions. One of the challenges associated with commissions is that they are essentially “neither fish nor fowl.” NGOs never think commissions do enough, and governments think they do too much. The Commission has far-reaching powers, including the power of search and seizure, the power to subpoena, and the ability to litigate on a person’s behalf or on behalf of a group of people. The Constitution requires the Commission to monitor the progressive realization of the economic and social rights contained in the Constitution. The Commission has developed the protocols on this and the government “fears” the protocols. The protocols are five or six pages or longer, and seek information from government departments on every issue. For example, in the case of the right to education, the protocol is sent out to the national government and provincial governments requesting information on implemented policies as well as relevant legislation. The protocol also includes questions concerning budget allocations, programs that have been put in place, and staff allocations, making it a very comprehensive set of information. Information is also requested on people with disabilities. Thus, in every single protocol, the Commission is able to obtain information on how government is progressing with respect to the rights of people with disabilities. The information received is then analyzed. This system is similar to the kind of reporting mechanism that the UN has adopted. Information is analyzed and supplemented with any other studies or information that the Commission has available. The reports are then presented to Parliament, and Parliament in turn reports to the President. The protocols have been used in courts of law, and as benchmarks by the government. The protocol process, from the perspective of the commissions, has been laborious, but useful.

Another function of the Commission is to hold public inquiries. It has held public inquiries with respect to sexual offenses against children and, in particular, has looked at the vulnerability of children with disabilities. In every public inquiry the Commission always addresses the issue of people with disabilities. Another very important function the Commission has is advising the government on policy and legislation. The Commission was responsible for facilitating the development of the South African Promotion of Equality and Prevention of Unfair Discrimination Act. This is the non-discrimination Act in South Africa. The Act was facilitated by the South African Human Rights Commission and included a great amount of consultation with disabled people’s organizations. Discrimination is defined on the basis of disability. The very first case brought was based on discrimination based on disability. The Commission acted on behalf of the complainant, who was an attorney who uses a wheelchair and was unable to access one of the courts outside of Johannesburg and go before the court, because the courthouse was inaccessible to her as a wheelchair user. The equality courts (which were separate, basic courts established to support this piece of legislation), found against the Department of Justice and the Department of Public Works. They then required all courts in South African to become accessible within five years. This was seen as a major victory for people with disabilities in South Africa.

In closing, Ms. McClain-Nhalpo noted that the work of national human rights institutions in implementing human rights is exceptionally important. The independence of these institutions is critical in allowing it to perform a watchdog function and should be a critical part of the implementation of the UN Convention on the Rights of Persons with Disabilities.

### ***A Monitoring Perspective – the work of MDRI***

**Mr. Eric Rosenthal**, Executive Director of Mental Disability Rights International (MDRI), reviewed some of the work of his organization during the past thirteen years to implement the rights of people with mental disabilities. He noted that MDRI has worked to hold governments accountable to existing international human rights law. He further indicated his expectation that the International Convention on the Rights of Persons with Disabilities would strengthen international disability advocacy work. One of the primary activities of MDRI is to investigate and document human rights abuses that occur in psychiatric institutions, other facilities for people with developmental disabilities, and orphanages, and bring these abuses to public attention in order to shame governments into action.

He noted that although there is important disability rights legislation in the United States, there are still serious international human rights abuses against people with disabilities. He noted that the United States, in ratifying the International Covenant on Civil and Political Rights, allows the government to be subjected to the review of the UN Human Rights Committee which monitors compliance with the Covenant. MDRI found that practices for subjecting people to experimentation in pharmaceutical research in the state of New York violated the Covenant's rights to free and voluntary consent in the context of research. However, in New York there were no regulations to protect it and, in fact, state law permitted such research. MDRI pursued a complaint with the UN Human Rights Committee at the same time a lawsuit was being pursued regarding the same issue in the New York State courts. MDRI's complaint reached the Committee first, and provided a clear statement by the Committee of the violation. The pleadings in the New York case were amended to reflect this statement. This is therefore an example of how international law can be used in US courts and, more generally, discloses a helpful advocacy strategy for how disability rights advocates can use international law in domestic law cases, as well as how issues may be brought to the public.

There are other ways in which international standards and mechanisms may be used to advance disability rights claims. Mr. Rosenthal noted that while confidential processes such as the communications procedures or procedures of inquiry familiar to the UN human rights system are helpful, public shaming can bring about results much more quickly, as MDRI's recent experience in Turkey shows. In 1997, the European Committee for the Prevention of Torture conducted an on-site visit to psychiatric facilities in Turkey where they found a serious and widespread practice of unmodified electroshock to the brain without any anesthesia or muscle relaxants. The Committee found that this practice was a violation of both the European Convention on Human Rights and the Convention against Torture. That decision, though eventually published, was confidential. The government of Turkey responded that they would end the practice immediately. MDRI conducted an investigation last year and found that this practice persisted and, in fact, was widespread. MDRI found that 20-30 percent of people admitted to Turkey's psychiatric hospitals were subjected to this practice of unmodified electroshock, almost ten years after it was found to violate international law. MDRI's report received worldwide attention. Interestingly, the argument of psychiatrists in Turkey was: "We don't have the resources, we can't comply, we can't hire anesthesiologists, they are too expensive, we are overwhelmed." However, within ten days of public international shaming, they ended the practice.

The human rights machinery is extremely important, but ultimately it is the obligation of the government to implement the UN Convention, including the obligations to implement the principles of living independently and inclusion in the community. In Romania there is a long history of placement in institutions. The orphanage situation in the 1990s is well known. During the last ten years, the amount of international resources and funding that has gone to fund the orphanage system in Romania is tremendous. Many resources have gone into the system. The numbers of children in orphanages has plummeted from 100,000 to an official count of 30,000. However, MDRI found an enormous amount of discrimination in the use of funding, which is of great concern. Children without disabilities were moved into the community, but this was not the case for children with disabilities. Romania never created a community-based service system, and instead moved children with disabilities from large institutions to smaller, cleaner, newer institutions. According to UNICEF, during the last three years, Romania built 200 new institutions, which represents the expenditure of a lot of money. Romania talks about a reform process, but for children with disabilities this merely entails going from big institutions to smaller ones, and these children are likely to be there for a long time. What MDRI also found is that while attention has gone to addressing the situation of children in institutions, there remains a large number of adults in institutions who are in terrible conditions. MDRI found the most horrendous conditions in the adult facilities, and in some cases children were moved into adult facilities. The MDRI report documents cases of children being left in cribs, tied to beds, covered in their own urine and feces, and near death. The Government of Romania has denied this and says it was a problem of the past. The EU has not held Romania accountable for this. The EU response to the MDRI report was to say that every country in Europe puts children with disabilities in institutions.

In conclusion, Mr. Rosenthal noted that the provision in the draft UN Convention pertaining to the right of people with disabilities to live independently and in the community is extremely important. It applies not only to the governments providing those services, but also to the donors who are funding the services. The examples provided from the work of MDRI suggest that while we have been able to use existing international human rights law to advance disability rights, having a legally binding International Convention on the Rights of Persons with Disabilities will greatly strengthen the work of MDRI and other ngos.

### **III. Highlights of Participant Discussions**

During the question and answer session, discussion centered mainly around how the new UN International Convention on the Rights of Persons with Disabilities could be used as a tool to implement disability rights around the globe. Participants referred to a full range of measures which could further the application and implementation of the Convention.

The following provides a highlight of topics covered in the discussion period:

#### *Progressive Realization of Rights*

Several participants expressed concern over the concept of the progressive realization of rights as it relates to the implementation of disability rights. The concept of progressive realization is often referenced in the context of implementing economic, social, and cultural rights, and refers



to the notion that some rights will take time to be fully realized, particularly in countries where resources are limited. The UN Committee on Economic, Social and Cultural Rights has emphasized that even in the case of rights that are said to be subject to progressive realization – that is, realization over a period of time – there are aspects of those rights that can and must be put into immediate effect. States must move proactively and expeditiously towards the realization of all rights, notwithstanding limitations to fully realizing all rights.

#### *Reaching Particularly Disadvantaged Groups of Disabled People, including the Rural Poor*

In response to one comment about reaching people with disabilities in rural areas, Ms. Charlotte McClain-Nhlapo responded that in South Africa it has been a policy decision by the government to prioritize outreach to the poor. There have been many projects and policies developed within government departments, and it has been an issue that the South African Human Rights Commission has constantly raised with the government. While policies are in place to reach the poor, this does not mean that the poorest and the people in the rural areas are necessarily accessing services. They remain under-served and this remains a major concern. Ms. Venus Ilagan stressed that disabled people in the Philippines decided to be involved in the provision of services and that the rural disabled have very limited access to any kind of services. Moreover, in rural areas, most of the services provided to people with disabilities are implemented through nongovernmental organizations, and civil society groups, rather than by the government. However, the government has adopted a strategy to partner with NGOs, to provide accreditation for NGOs to provide services in the areas where there are no services. Services have been brought closer to those who cannot come to the centers to take advantage or benefit from the services provided.

#### *Progress in Implementing Disability Rights under the ADA*

In response to a question by one participant regarding whether there has been systemic improvement in realizing disability rights in the United States, post ADA, Mr. Wodatch provided a number of examples to support his proposition that much change has occurred over time, though there is still a long way to go. For example, transportation systems in this country are much more accessible than they used to be. One of the things the ADA required in 1990 was that every new public bus purchased was to be accessible. The life of a bus is approximately 25 years. Some 90 to 95 percent of the buses in American cities are now accessible. But this did not happen without pressure-- the Department of Justice had to sue the City of Detroit because it had buses with lifts, but they failed to maintain them so wheelchair users in Detroit stopped using the public buses. Since the lawsuit, Detroit has been maintaining the buses.

There have been huge gains in terms of building construction, facilitating the participation of people with disabilities in local governments by ensuring that town halls and government buildings are accessible.

Many of the major institutions are slowly being closed down. The goal of having people with disabilities live with their families and communities is still a long way off from where we want it to be. Part of the problem is that there are other federal laws that provide funding for institutions. This institutional bias is difficult to change, but it is happening slowly.

Following passage of the ADA, there was hope there would be a greater increase in the number of people with disabilities becoming employed, but there are a couple of issues involved. One is health insurance. In the United States, health insurance is provided mostly by employers, though not all employers provide such insurance. Many people with disabilities who get public benefits also get their health insurance taken care of by the federal government. If they get a job and lose their federal benefit of coverage, they typically also lose their health insurance, and the private insurance they get will probably not be as good. So there is a disincentive for people to leave public benefits and get a job, especially because most entry-level jobs do not pay well. However, it was also noted that American society since 1990 is, in many ways, better for people with disabilities. Since 1970, more children with disabilities have been successfully integrated in the US education system. This is slowly breaking down attitudinal barriers. Children are getting to be familiar with playing and living with children with disabilities. We still have a long way to go, however. There are many systemic changes that are occurring in society, but segregation and lack of services is a product of generations and generations of activity, and is not going to be fixed in one generation.

### *Model Program in Australia*

One participant spoke of an innovative program in Australia, where a person with a disability who needs a personal attendant for a variety of functions can bring that person with them at no charge - to a cultural activity, or sporting event, or other place where purchase of a ticket is otherwise required. A key concern is often whether the person with the disability must purchase two tickets in order to go to an event just because they need a personal care attendant, and is that fair? In the Australian program, the person with a disability applies and obtains a card through a group, and the card requires the event's organizer to provide two tickets, so the person with the disability can attend without having to purchase an additional ticket for their personal care attendant. The Australian model addresses concerns about the possible "passing off" of an individual as a personal attendant in order to obtain free entry to an event for that person - an issue often confronted by those providing public accommodations and concerned about fraud. Having a process in place takes away that issue and provides some certainty in the process.

### *Publicity of Disability Laws*

One participant spoke about the problem of Convention awareness raising. Ms. Ilagan referred to the national disability law for the Philippines that was written in English. Local government officials may speak a regional language rather than English. The Philippines is an archipelago of 7,000 or so islands; and more during low tide, perhaps. There are more than 300 languages spoken in the country. There is now an effort to ensure that the disability law is written in the language understood by people across the group of islands.

### **Acknowledgements**

The National Council on Disability expresses its appreciation to Katherine N. Guernsey and Janet E. Lord who coordinated the panel discussion and drafted this Summary. We are also grateful for the contributions of the panel presenters for their contributions:

- Mr. John Wodatch, Member, U.S. delegation and Chief, Disability Rights Section, US Department of Justice Civil Rights Division
- Ms. Venus Ilagan, Chair, Disabled Peoples' International
- Ms. Charlotte McClain-Nhlapo, Commissioner, South African Human Rights Commission
- Mr. Eric Rosenthal, Founder & Executive Director, Mental Disability Rights International

- **ANNEX 1 – Side Event Flier**

Tuesday, August 22: 1:15 - 2:45

Conference Room C

The U.S. National Council on Disability

and

Mental Disability Rights International

## Practical Discussions on Implementation in the U.S. and Other Countries

Moderated by U.S. National Council on Disability Member, Kathy Martinez

*and*

Featuring a distinguished panel of speakers:

Mr. John Wodatch, Member, U.S. delegation and Chief, Disability Rights Section, US  
Department of Justice Civil Rights Division

Mr. Tjieuza Tjombumbi, Namibian Delegation and Disability Advisor, Office of the Prime  
Minister, Namibia

Ms. Venus Ilagan, Chair, Disabled Peoples' International

Ms. Charlotte McClain-Nhlapo, Commissioner, South African Human Rights Commission

Mr. Eric Rosenthal, Founder & Executive Director, Mental Disability Rights International

**\*\*\*Boxed Lunches will be provided\*\*\***

For more information, contact Kathy Guernsey: [k\\_guernsey@yahoo.com](mailto:k_guernsey@yahoo.com)

## ANNEX 2 -Useful Resources

The following links were provided to the participants, and are included here for those who may similarly find them useful:

Official website of the UN Ad Hoc Committee:

<http://www.un.org/esa/socdev/enable/>

Link to Chair's Text (latest draft text for the convention – this has since been superseded by the text reflected in an annex to the report of the Ad Hoc Committee from its Eighth Session, as well as the revised version of the text produced by the Drafting Committee):

<http://www.un.org/esa/socdev/enable/documents/chairtext.doc>

Link to Covering Letter for Chair's Text:

<http://www.un.org/esa/socdev/enable/documents/coveringletter.doc>

Study by Gerard Quinn and Theresia Degener, Commissioned by the Office of the High Commissioner for Human Rights: *"Human Rights and Disability: The Current Use and Future Potential of United Nations Human Rights Instruments in the Context of Disability"*

<http://www.unhchr.ch/disability/study.htm>

National Human Rights Institutions draft text on monitoring submitted to the sixth session of the Ad Hoc Committee:

<http://www.un.org/esa/socdev/enable/rights/ahc6nhri25.doc>

Office of the High Commissioner for Human Rights homepage on treaty body reform process:

<http://www.ohchr.org/english/bodies/treaty/reform.htm>

Israel draft text on monitoring submitted to the sixth session of the Ad Hoc Committee (at bottom of page):

<http://www.un.org/esa/socdev/enable/rights/ahc6israel.htm>

Mexican draft treaty proposal submitted to the first session of the Ad Hoc Committee (latter articles address monitoring):

<http://www.un.org/esa/socdev/enable/rights/adhocmeetaac265w1e.htm>

National Council on Disability homepage:

<http://www.ncd.gov>

Mental Disability Rights International homepage:

<http://www.mdri.org>

## **ANNEX 3 - Organizational Bios**

### **Co-Sponsoring Organizations**

#### **National Council on Disability**

The National Council on Disability is an independent federal agency with 15 members appointed by the President of the United States and confirmed by the U.S. Senate. The overall purpose of NCD is to promote policies, programs, practices, and procedures that guarantee equal opportunity for all individuals with disabilities regardless of the nature or significance of the disability and to empower individuals with disabilities to achieve economic self-sufficiency, independent living, and inclusion and integration into all aspects of society. Over the past few years, the National Council on Disability has released several documents and reports related to the development of a UN convention on the rights of people with disabilities. They can be found at [www.ncd.gov](http://www.ncd.gov) in the publications section or at the following links:

[http://www.ncd.gov/newsroom/publications/2002/unwhitepaper\\_05-23-02.htm](http://www.ncd.gov/newsroom/publications/2002/unwhitepaper_05-23-02.htm)

(Understanding the Role of an International Convention on the Human Rights of People with Disabilities)

[http://www.ncd.gov/newsroom/publications/2002/understanding\\_7-30-02.htm](http://www.ncd.gov/newsroom/publications/2002/understanding_7-30-02.htm)

(Understanding the Potential Content and Structure of an International Convention on the Human Rights of People with Disabilities)

[http://www.ncd.gov/newsroom/publications/2002/outreach\\_tool.htm](http://www.ncd.gov/newsroom/publications/2002/outreach_tool.htm)

(An Education and Outreach Tool for the US Disability Community on the Convention)

[http://www.ncd.gov/newsroom/publications/2003/history\\_process.htm](http://www.ncd.gov/newsroom/publications/2003/history_process.htm)

(A History of the Process—UN Convention)

<http://www.ncd.gov/newsroom/publications/2004/unconvention.htm>

(Update on the 3<sup>rd</sup> Ad Hoc Committee Meeting)

<http://www.ncd.gov/newsroom/publications/2004/unadhoc.htm>

(Update on the 4<sup>th</sup> Ad Hoc Committee Meeting)

[http://www.ncd.gov/newsroom/publications/2005/fifth\\_session.htm](http://www.ncd.gov/newsroom/publications/2005/fifth_session.htm)

(Update on the 5<sup>th</sup> Ad Hoc Committee Meeting)

[http://www.ncd.gov/newsroom/publications/2005/convention\\_update.htm](http://www.ncd.gov/newsroom/publications/2005/convention_update.htm)

(Update on the 6<sup>th</sup> Ad Hoc Committee Meeting)

<http://www.ncd.gov/newsroom/publications/2005/alltheseries.htm>

A series of papers on the US disability law experience with respect to several articles on the agenda during the 6<sup>th</sup> Ad Hoc Committee Meeting. The above link goes to all the papers and provides links to the papers in both html and pdf formats, as well as in both full and abbreviated

versions. The full-length papers, themed as indicated below, also can be individually accessed in html format at the following links:

Health: <http://www.ncd.gov/newsroom/publications/2005/righttohealth.htm>

Transportation: <http://www.ncd.gov/newsroom/publications/2005/transportation.htm>

Independent living and living in the community:

<http://www.ncd.gov/newsroom/publications/2005/livingindependently.htm>

Employment: <http://www.ncd.gov/newsroom/publications/2005/overview.htm>

Education: <http://www.ncd.gov/newsroom/publications/2005/lessons.htm>

Political and public life: <http://www.ncd.gov/newsroom/publications/2005/enjoyment.htm>

Information technology: <http://www.ncd.gov/newsroom/publications/2005/innovation.htm>

## **Mental Disability Rights International**

Mental Disability Rights International (MDRI) is an advocacy organization dedicated to the human rights and full participation in society of people with mental disabilities worldwide. MDRI documents human rights abuses, supports the development of mental disability rights advocacy, and promotes international awareness and oversight of the rights of people with mental disabilities. MDRI advises governments and non-governmental organizations to plan strategies to bring about effective rights enforcement and service system reform. Drawing on the skills and experience of attorneys, mental health professionals, and people with disabilities and their families, MDRI challenges the discrimination and abuse faced by people with mental disabilities worldwide.

MDRI is based in Washington, DC with a European Regional office in London, United Kingdom. MDRI also has an office in Pristina, Kosovo. MDRI has investigated human rights conditions and assisted mental disability rights advocates in Argentina, Armenia, Azerbaijan, Bulgaria, the Czech Republic, Estonia, Hungary, Kosovo, Lithuania, Macedonia, Mexico, Paraguay, Poland, Peru, Romania, Russia, Serbia, Slovakia, Slovenia, Turkey, Ukraine, and Uruguay. MDRI has published the following reports: *Human Rights & Mental Health: Peru* (2004); *Not on the Agenda: Human Rights of People with Mental Disabilities in Kosovo* (2002); *Human Rights & Mental Health: Mexico* (2000); *Children in Russia's Institutions: Human Rights and Opportunities for Reform* (2000); *Human Rights & Mental Health: Hungary* (1997); *Human Rights & Mental Health: Uruguay* (1995). On behalf of the US National Council on Disability (NCD), MDRI Executive Director Eric Rosenthal co-authored the 2003 report *US Foreign Policy & Disability*. For access to these reports and other information about the work of MDRI, see <http://www.mdri.org>.