

# **NATIONAL COUNCIL ON DISABILITY**

## ***Summary of International Watch Recommendations for NCD Consideration and Action***

**April 6 & 7, 2000 Meeting  
Washington, DC**

# INTERNATIONAL WATCH RECOMMENDATIONS TO THE NATIONAL COUNCIL ON DISABILITY:

## *Setting an International Policy Agenda*

### **Background**

On April 6 and 7, 2000, the National Council on Disability's Foreign Policy Team (FPT) and International Watch (IW) met to discuss policy-related issues that NCD should address as it sets for itself an international agenda to promote the full inclusion of children and adults with disabilities around the world.

On the first day, officials from federal agencies having international programs and overseas operations were invited to share their agencies' policies and initiatives to include people with disabilities at every level of their operations. IW and FPT members, as well as official observers with disability expertise from various backgrounds, had the opportunity to ask questions and offer observations to the federal agency representatives regarding the inclusion of people with disabilities in U.S. programs and facilities. This dialogue was followed by discussion among IW members relating to furthering international recognition of the human rights of persons with disabilities. On the second day, IW and FPT members deliberated on the input from the federal agencies and the policy areas discussed by IW members to develop a list of suggested actions for advancing the human rights of people with disabilities in the international arena.

What follows is an identification of the five areas in which NCD's International Watch recommended actions that might be taken over the next several years to promote inclusion abroad. Discussions that occurred during both days of the meeting were captured primarily in these five categories. The Foreign Policy Team and International Watch recognize that NCD itself may not be the appropriate primary actor or leader in each of these areas, but NCD is being asked to 1) recognize these areas as having import, and 2) when appropriate, identify leaders other than itself (or partners with which it can work) to address these issues.

### **International Policy-Related Issues Recommended for NCD Review and Action**

#### **1. Work with the State Department to Strengthen its Policies and Improve its Practices Related to Persons with Disabilities**

Intensify efforts to bring perceptions among IW members about the State Department's disability-related practices to the attention of the Department's leaders. Do this so as both to strengthen the State Department's inclusion activities and to put its power within the U.S. government (i.e., Congress and other U.S. agencies), as well as its international influence, to good use.

## **2. Urge the U.S. Congress to Pass a Disabilities Version of the Percy Amendment**

Use the Percy Amendment as a model for legislation to promote the integration of persons with disabilities (PWDs) into the mainstream economic lives of countries.

## **3. Enforce Existing Disability-Related International Laws, Conventions, and Standards**

Promote the use of existing international laws, conventions, and standards as tools for advancing, monitoring, and assuring the rights of persons with disabilities.

## **4. Promote Holding an International Convention on the Human Rights of Persons with Disabilities**

Support within the U.S. and abroad the idea of an international convention on the human rights of persons with disabilities, as well as activities related to planning and convening it.

## **5. Urge U.S. Government Agencies and NGOs to Articulate, Advance, and Coordinate Inclusion Activities**

Promote inclusion-related activities in U.S. government agencies (and NGOs), such as: 1) encouraging each agency to articulate its disability policy and identify measures for achieving inclusion in its work nationally and internationally; 2) putting agency expertise in the field of inclusion (i.e., NIDRR research) to work overseas; and 3) improving the connection among agencies of disability experts and disability-related activities.

Activities in each of these five categories are described in greater detail in the pages that follow.

### **Assumptions Behind International Watch Recommendations to NCD**

- IW is especially concerned about the many persons with disabilities wrongly confined in institutions, including persons with psychiatric disabilities. NCD will continue to work to make sure that they and other disenfranchised constituencies are at the table with other PWDs as planning and action are undertaken to address this issue.
- Disabilities should be overtly included in all U.S. government language and activities related to *diversity*.
- If programs that focus on *prevention* of disabilities are supported, every effort should be made to ensure that these programs do not discriminate against women and girls with disabilities in their reproductive capacities.

- It is important to track demographic and statistical information so that progress or the lack thereof toward full inclusion of people with disabilities can be measured and used as a base for expanding inclusion programs.
- Involuntary institutionalization of children and adults because of their disabilities violates their human rights and dignity. The U.S. should actively encourage other nations to implement alternatives such as group homes and community-based services that integrate people with disabilities into mainstream society.
- PWDs must be part of the policy-making process at all levels.
- Throughout, disability rights, including the right to accessibility, should be addressed as human rights issues.

## **ACTION AREA 1 -- Work with the State Department to Strengthen its Policies and Improve its Practices Related to Persons with Disabilities**

Intensify efforts to bring perceptions among IW members about the State Department's disability-related practices to the attention of the Department's leaders. Do this so as both to strengthen the State Department's inclusion activities and to put its power within the U.S. government (i.e., Congress and other U.S. agencies), as well as its international influence, to good use.

### **Actions:**

- Ask for a meeting with Secretary of State Madeleine Albright ASAP to present International Watch priorities.
- Urge the State Department to establish an Office of Disabilities that reports to the Secretary. Offer NCD as an advisory group during the period of time it is being set up, AND as an internal advisory group to that office once it is established.
- Urge the State Department to officially establish and fully implement its disability policy (with enforcement mechanisms).
- Urge the State Department's Bureau for International Organizations (IO) routinely to ask NCD for comments on the documents it develops or reviews.
- Ask the State Department to urge Congress to ratify the Convention on the Rights of the Child and the Convention on the Elimination of Discrimination Against Women with Disabilities.
- Urge the State Department to actively support the idea of holding an international convention on the human rights of PWDs.
- Help the State Department's Human Rights office do a better job of reporting on the human rights issues of PWDs internationally.
- Have the State Department offer disability sensitivity training to all staff, including consular employees, with special emphasis on human rights officers.
- Recommend to the State Department that any agency or entity funded by the U.S. government that operates overseas must follow written guidelines related to inclusion. (This includes contractors and NGOs.)
- Urge the State Department to fund training abroad, particularly for grassroots disability advocates and NGOs, on disability issues and advocacy tools such as international conventions and tribunals addressing human rights.
- Urge the State Department to support the Office of the UN Special Rapporteur, with conditions.
- Urge the State Department to have the Secretary or Assistant Secretaries, as a matter of course when they travel overseas, talk first with disability NGOs for current information related to inclusion and ways in which the State Department might further promote inclusion.

- Ask the State Department to use discretionary funds to train PWDs about advocacy for human rights.
- Urge the State Department to give priority to having PWDs plan and attend international summits.
- Urge the State Department to make its foreign and domestic facilities accessible and to come up immediately with a transition plan to accomplish exactly this.
- Ask the State Department to use its leverage to strongly urge the UN to improve the accessibility of its facility in New York City.
- Ask the State Department to issue a report on the situation of PWDs within refugee camps emphasize in the appropriate national and international arenas the need for global action to address the critical needs of refugee PWDs.
- Urge the State Department to uphold the applicability of Section 504 of the Rehabilitation Act in federal facilities and programs overseas.
- Invite local NGOs engaged in disability advocacy within their countries to visit U.S. embassies abroad.
- Follow up with Assistant Secretary of State, Harold Koh, on his recent initiatives on behalf of people with disabilities.
- Train NGOs in strategies for obtaining and accounting for the use of public and private grant money. (USAID as well).
- Give the Department of State a list of domestic and international NGOs involved in disability issues and encourage their interaction with these NGOs.
- Encourage more people with disabilities to take foreign and civil service exams.

## **ACTION AREA 2 – Urge Congress to Pass a Disabilities Version of the Percy Amendment**

Use the Percy Amendment as model for legislation promoting the integration of PWDs into the mainstream economic lives of countries.

### **Actions:**

- Develop disability rights legislation that follows the framework of the Percy Amendment using disability language.

**Sections 103 through 107 of this act shall be administered so as to give particular attention to those programs, projects, and activities which tend to integrate people with disabilities into the national economies of foreign countries, thus improving their status and assisting the total development.**

*Note: There was a “rump” group at the April 6 & 7, 2000 meeting that addressed this issue and discussed practical and strategic ways to promote a disability-oriented variation on the Percy amendment.*

### **ACTION AREA 3 -- Enforce Existing Disability-Related International Laws, Conventions, and Standards**

Promote the use of existing international laws, conventions, standards and norms as tools to advance, monitor, and assure the rights of persons with disabilities.

#### **Actions:**

- Public and private sector agencies promoting disability rights should fund training for national and international consumer groups and advocacy organizations about the how existing international human rights laws, conventions, standards and norms can be used as tools in promoting accessibility and inclusion around the world.
- Put these laws, conventions, and standards to work internationally and within those specific regions to which some of them apply (such as the OAS). This means monitoring them, enforcing them, making the public aware of their provisions, and maintaining pressure on countries to ensure their domestic laws and practices conform to the legal standards and principles they have ratified.
- Where those laws exist but enforcement bodies or mechanisms lack the resources needed to monitor and implement them, help the responsible oversight entities get the resources they need for the job. Also help them build up the infrastructure needed to sustain public attention on these issues.
- Promote international exchanges of 1) advocates and grassroots organizations to share their achievements and work together as a united front, and 2) lawyers, advocates and grassroots organizations to share and compare their respective strategies for implementing and enforcing domestic and international laws and standards upholding the rights of people with disabilities.
- Encourage disability experts with knowledge of how existing international laws and conventions apply to the human rights of PWDs to serve as advisors throughout the Copenhagen +5 Conference.

### **ACTION AREA 4 -- Promote Proposal for an International Convention on the Human Rights of Persons with Disabilities**

Support the idea of an international convention on the human rights of persons with disabilities, as well as the activities related to planning and convening it, within the U.S. and abroad.

#### **Actions:**

- Support the function of the UN's Special Rapporteur, with specific conditions that strengthen his monitoring activities.

- Work to get the UN's Standard Rules revised in order to include specific issues related to women, children, and housing.
- Build on the base of the four provisions identified in the Beijing Declaration.
- Make sure that the language of a new human rights convention would carry the same weight as existing international conventions such as the Convention on the Elimination of Discrimination Against Women (CEDAW) and the Convention on the Rights of the Child (CRC).
- Ensure that the new convention includes an enforcement mechanism.
- Identify strategies and develop specific language that will be persuasive to both the State Department and Congress on the issue of disability rights as human rights.
- Educate consumer groups about the need for a convention and enlist them to help promote it.
- Call an international meeting to develop this convention.

**ACTION AREA 5 -- Urge U.S. Government Agencies and NGOs to Articulate, Advance, and Coordinate Inclusion Activities**

Promote inclusion-related activities in U.S. government agencies (and NGOs), including: 1) requiring each agency to articulate a written disability policy and to identify measures for achieving inclusion in its work nationally and internationally; 2) putting agency expertise in the field of inclusion (i.e., NIDRR research) to work overseas; and 3) improving the effectiveness of collaborative efforts by different federal agencies to promote the inclusion of people with disabilities.

**Actions:**

- Establish mechanisms and strategies for the disability offices of different federal agencies to coordinate and collaborate in developing programs and activities that effectively promote the inclusion of people with disabilities both nationally and internationally.
- Establish a federal interagency council or committee that focuses on disability primarily from an international perspective.
- Strongly urge ALL U.S. government agencies to articulate their disability policy and to include monitoring mechanisms that will ensure its full implementation.
- Urge all agencies to include PWDs in their policy-making bodies
- Urge agencies to advertise their job openings with disability advocacy groups and more actively to recruit PWDs into their agency and contractor workforces both nationally and overseas.
- Strongly urge U.S. government agencies to be proactive (rather than reactive) vis-à-vis disabilities.

- Stipulate that requests for proposal (RFP)s and other contractor agreements include language requiring PWDs to be part of every element of agency programs – planning, administering, receiving services, evaluating, etc..
- Monitor countries receiving funds through foreign aid programs to ensure implementation of inclusive practices.
- Make sure agencies have line items in their budgets that provide resources for accommodation expenses.
- Ensure that the team of peer reviewers for RFPs responses includes experts with disabilities.
- Compensate PWD reviewers for their professional work on review boards and advisory councils.
- Give more U.S. agency offices specific international authority (such as OSERS).
- Urge agencies to specifically include disabilities as part of their language and activities related to *diversity*.
- Support families that have children with disabilities as employees in offices and programs abroad.
- Require U.S. agencies that operate around the world to apply U.S. disability policy on inclusion as they construct and remodel buildings, employ people, and run programs.
- Reallocate funding that focuses on specific categories of disabilities to provide whatever accommodations are needed, regardless of disability type, across all government programs.
- Insist that the UN address abuses against people with disabilities in their human rights reports processes.

**Miscellaneous Issues and Strategies Suggested by IW but not Within the Above Five Categories:**

**Strategies Related to NGOs:**

- Train NGO community to understand the realities of foreign policy.
- Note: USAID and Peace Corps have overseas training programs for PWDs on how to use the agencies’ missions abroad for work opportunities. Promote this program by getting PWDs overseas in order to take advantage of the program.
- Help smaller NGOs that are inclusive in their practice to compete with larger NGOs for funds.
- Recognize that NGOs play a critical role in putting pressure on government.
- Establish a US branch of Disabled People International (DPI).
- Find a mechanism that requires U.S. NGOs operating abroad to use inclusive practices (e.g. Leon Sullivan building non-accessible schools).

- Develop training programs in advocacy for grassroots organizations based on the Swedish and Canadian models.

### **Strategies Related to Communication:**

- USIA's World Net is a vehicle for connecting people from around the world vis-à-vis disability issues. Recognize this and work to promote it.
- Make it easier to find disability-related staff and information within US agencies.
- Share information across agencies and NGOs on the status of refugees with disabilities, land mine victims and people with disabilities resulting from work-related injuries.

### **General Strategies:**

Work to create bridges and bring together domestic programs and policies with related international programs and policies. Make national disability policy our country's international policy as well.

- Strengthen the ties among presidential appointees with disabilities so that they can jointly advocate.
- Send people with disabilities to countries where domestic laws restrict PWDs from equal employment opportunities (i.e., since PWDs cannot be judges in Peru, send a judge with disabilities to Peru as a model)
- Urge Congress to use its influence with the State Department and USAID to get them to focus on programs that promote inclusion.
- Urge Congress to quiz agencies about what they are doing to promote inclusion.
- Urge Congress to require that children and adults confined in institutions overseas be de-institutionalized as a condition for the delivery of foreign aid.
- Write RFPs and evaluation programs to include requirements for requesting and reporting on issues that affect PWDs.
- Urge US government agencies to require peer reviews that include people with disabilities when making funding decisions on programs. (Learn best practices, e.g. peer review, from agencies that are doing it well.)
- Promote technology as a means to level the playing field for PWDs around the world.
- Persuade major donor organizations to only fund projects that are accessible.
- Urge more PWDs to sign onto the UN list of vendors.
- Encourage states to play advocacy roles for PWDs especially as states are increasingly getting involved in foreign investments/businesses.
- Identify PWDs to attend the Millennium Summit Fall 2000.

## **NCD Strategies:**

- Maintain the stance of promoting inquiry and dialogue.
- Urge people to start thinking right now about the next generation of NCD board members.
- Seek interagency money to support NCD's international work.

## **Offers and Suggestions:**

### **Ways NCD can make better use of International Watch:**

- Lucy Wong-Hernandez offered her knowledge of the UN, as well as information available to her through her UN-related activities, as resources to IW.
- Dave Henderson and Rami Rabby made similar offers.
- NCD should tie IW members more to Gladnet and should help members share more Internet resources with each other.
- Re: Telcons:
  - Send documents to be discussed on IW calls sooner before those calls take place.
  - Avoid using speaker phones when you are on the call.
- Have face-to-face meetings every now and then so that more substantive work can be tackled (like the April 6-7 meeting), even if such meetings occur only for IW sub-groups.
- Look for IW members when attending other meetings and attempt to caucus with them then.

### **Immediate "To Do's":**

- Request a meeting with the Secretary of State at her earliest opportunity.
- Get disability-related language to USAID for their RFPs.
- Get back to the representative from the Department of Commerce on Day 1 and respond to his request for input to their programs.
- Find a way to get women with disabilities to be part of the delegation at the Beijing +5 meeting in NY.
- Also get PWDs involved with the Copenhagen +5 meeting, and make sure that issues of importance to women are addressed there.