



June 2014

United Nations Convention on the Rights of Persons with Disabilities

SUMMARY

- Support the U.S. ratification of the Convention on the Rights of Persons with Disabilities (CRPD).
- Individuals with disabilities have been discriminated against for centuries, live in poverty and are the most disadvantaged among all minorities, experiencing the most extreme lack of access to education, independent living, and employment.
- A broad coalition of more than 600 U.S. disability, civil rights, faith, business, and veteran organizations support the U.S. ratification of the CRPD, holding that American leadership in this arena is critical to the ultimate success of the treaty.
- Ratification is critical to maintaining our leadership role and to eliminating disability discrimination throughout the world and gives the U.S. legitimacy to export the model of the *Americans with Disabilities Act* (ADA) to other countries.
- The absence of U.S. leadership in the CRPD and its Committee of experts matters. Ratification provides the United States an opportunity to play an important and expansive role in the development of disability rights around the world without having to change any U.S. laws or add additional costs to its budget.

For the 650 million individuals with disabilities worldwide, the adoption of the UN CRPD in December 2006 is a landmark treaty. People with disabilities are the world's largest minority, with approximately 10% of the world's population having been identified as having a disability. This population has been discriminated against for centuries, with many living in poverty, and is the most disadvantaged among all minorities, experiencing the most extreme lack of access to education, independent living, and employment.

According to UNESCO, 90% of children with disabilities in developing countries have no access to school, and the International Labour Organization reports that in some countries, the unemployment rate is as high as 80%. Furthermore, it is unclear how many people with disabilities still live in institutions. But evidence demonstrates that hundreds of thousands continue to live in unacceptable sub-standard



Indeed, to engender the real hope the Convention embodies, the attitudes of both the general public and Government must change. People must stop perceiving persons with disabilities as objects of assistance and intervention and begin to view them as people with rights.

conditions. There is an absence of therapeutic and rehabilitative services, and instances of physical and sexual abuse and physical restraints. Many residents are held against their will with no hope for due process and living freely as contributing members of society.

In the face of this despair, the CRPD is a vital, new instrument for the advancement of rights and opportunities for people with disabilities. It represents the culmination of an unprecedented global exchange of ideas about the universal rights of people with disabilities and seeks to empower individuals with disabilities to achieve economic self-sufficiency, independent living and inclusion and integration into all

aspects of society. The CRPD serves to advance an ideal vision of disability policy and practice and is a beacon to people around the world, providing a positive image for them to emulate.

The Convention establishes international standards regarding the rights and freedoms of people with disabilities and a common basis for greater civic and political participation and self-sufficiency. It reflects core values and principles, such as dignity of the individual, access to justice, importance of family decision-making, and access to education, independent living and employment.

Currently, there are 158 signatures to the CRPD and 147 ratifications of the CRPD, including the European Union. While it is encouraging that so many states have signed the CRPD, less than half of all eligible states have ratified it. Importantly, this includes the United States, an international leader in disability policy and practice. States that ratify the CRPD must promulgate corresponding implementing legislation in order to meet its legal obligations. But, ultimately legislation will not be enough to ensure effective implementation of the CRPD.

ACTIONS TAKEN BY THE OBAMA ADMINISTRATION AND THE U.S. CONGRESS

On July 30, 2009, the United States signed the CRPD. On May 17, 2012, the Administration transmitted the treaty to the U.S. Senate for their advice and consent for ratification. U.S. ratification of the CRPD requires a "resolution of ratification" achieved by 2/3 support (67 supermajority votes) in the U.S. Senate. When passed the treaty must be signed by the President and it "enters into force" meaning that the treaty becomes law. The CRPD will require no change to laws or additional appropriations in the United States. Most provisions of the treaty are consistent with current U.S. legislation.

Chairman Kerry (D-Mass.) and Ranking Member Lugar (R-Ind.) held a hearing in the Foreign Relations Committee on July 12, 2012. The Foreign Relations Committee voted the treaty out of the Committee on July 26, 2012.

On Dec. 4, 2012, despite the support of 328 disability veterans organizations and passionate leadership and advocacy by Senators John Kerry (D-Mass.) and John McCain (R-Ariz.), the Senate voted 61-38 against ratification of the CRPD.

Since 2012, the Foreign Relations Committee has held two hearings on the CRPD and it is likely that the treaty will be brought to the full floor of the Senate in July 2014, coinciding with the anniversary of the Americans with Disabilities Act.

United Nations Convention on the Rights of Persons with Disabilities

- ✓ The CRPD promotes, protects, and ensures the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities, and to promote respect for their inherent dignity.
- ✓ The CRPD was developed and negotiated by civil society, a first in treaty history.
- ✓ Ratification of the CRPD exports U.S. leadership.
- ✓ CRPD ratification improves global accessibility.
- ✓ Ratification of the CRPD will NOT infringe upon U.S. sovereignty.
- ✓ Ratification of the CRPD does NOT establish new rights or required change to current U.S. policy.
- ✓ Ratification of the CRPD will NOT harm parental rights of parents with children with disabilities and will NOT impair the right to of parents to home school their children.