FROM MARGINALIZATION TO INCLUSION: SALAMANCA AND THE UN CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES

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From the UN Fact Sheet on Disability

- Around 10 per cent of the world's population, or 650 million people, live with a disability. They are the world's largest minority.

- This figure is increasing through population growth, medical advances and the ageing process, says the World Health Organization (WHO).

- In countries with life expectancies over 70 years, individuals spend on average about 8 years, or 11.5 per cent of their life span, living with disabilities.
Eighty per cent of persons with disabilities live in developing countries, according to the UN Development Program (UNDP).

Disability rates are significantly higher among groups with lower educational attainment in the countries of the Organization for Economic Co-operation and Development (OECD), says the OECD Secretariat. On average, 19 per cent of less educated people have disabilities, compared to 11 per cent among the better educated.
In most OECD countries, women report higher incidents of disability than men.

The World Bank estimates that 20 per cent of the world's poorest people have some kind of disability, and tend to be regarded in their own communities as the most disadvantaged.

Women with disabilities are recognized to be multiply disadvantaged, experiencing exclusion on account of their gender and their disability.
- Women and girls with disabilities are particularly vulnerable to abuse. A small 2004 survey in Orissa, India, found that virtually all of the women and girls with disabilities were beaten at home, 25 per cent of women with intellectual disabilities had been raped and 6 per cent of women with disabilities had been forcibly sterilized.

- According to UNICEF, 30 per cent of street youths have some kind of disability.
Education

- Ninety per cent of children with disabilities in developing countries do not attend school, says UNESCO.
- The global literacy rate for adults with disabilities is as low as 3 per cent, and 1 per cent for women with disabilities, according to a 1998 UNDP study.
- In the OECD countries, students with disabilities in higher education remain under-represented, although their numbers are on the increase, says the OECD.
Violence

- For every child killed in warfare, three are injured and acquire a permanent form of disability.
- In some countries, up to a quarter of disabilities result from injuries and violence, says WHO.
- Persons with disabilities are more likely to be victims of violence or rape, according to a 2004 British study, and less likely to obtain police intervention, legal protection or preventive care.
- Research indicates that violence against children with disabilities occurs at annual rates at least 1.7 times greater than for their peers without disabilities.
Important Disability Texts

- The Salamanca Statement and Framework for Action on Special Needs Education
  - adopted by the World Conference on Special Needs Education: Access and quality, (Salamanca, Spain, 10 June 1994)
  - Inclusive education is a developmental approach to the learning needs of all children, youth and adults, especially those who are vulnerable to marginalization and exclusion.
Important Disability Texts

- The Salamanca Statement and Framework for Action on Special Needs Education
  - Inclusion means
    - Valuing all students and staff equally.
    - Increasing the participation of students in, and reducing their exclusion from, the cultures, curricula and communities of local schools.
    - Restructuring the cultures, policies and practices in schools so that they respond to the diversity of students in the locality.
Important Disability Texts

- Reducing barriers to learning and participation for all students, not only those with impairments or those who are categorized as 'having special educational needs'.
- Viewing the difference between students as resources to support learning, rather than as problems to be overcome.
- Acknowledging the right of students to an education in their locality.
Inclusion vs. Marginalization

- Inclusive education as an approach seeks to address the learning needs of all children, youth and adults with a specific focus on those who are vulnerable to marginalization and exclusion.

- The principle of inclusive education was adopted at the Salamanca World Conference on Special Needs Education (UNESCO, 1994).
Important Disability Texts

- UN Convention on the Rights of Persons with Disabilities
  - adopted on 13 December 2006 at the United Nations Headquarters in New York
A Paradigm Shift

- The Convention marks a ‘paradigm shift’ in attitudes and approaches to persons with disabilities.
- Persons with disabilities are not viewed as "objects" of charity, medical treatment and social protection; rather as "subjects" with rights, who are capable of claiming those rights and making decisions for their lives based on their free and informed consent as well as being active members of society.
- The Convention gives universal recognition to the dignity of persons with disabilities.
What is Disability?

- *Disability results from an interaction between a non-inclusive society and individuals:*
  - Person using a wheelchair might have difficulties gaining employment not because of the wheelchair, but because there are environmental barriers such as inaccessible buses or staircases which impede access.
  - Person with extreme near-sightedness who does not have access to corrective lenses may not be able to perform daily tasks. This same person with prescription eyeglasses would be able to perform all tasks without problems.
1. States Parties recognize the right of persons with disabilities to education. With a view to realizing this right without discrimination and on the basis of equal opportunity, States Parties shall ensure an inclusive education system at all levels and lifelong learning directed to:

a) The full development of human potential and sense of dignity and self-worth, and the strengthening of respect for human rights, fundamental freedoms and human diversity;

b) The development by persons with disabilities of their personality, talents and creativity, as well as their mental and physical abilities, to their fullest potential;

c) Enabling persons with disabilities to participate effectively in a free society.
1. In realizing this right, States Parties shall ensure that:

   a) Persons with disabilities are not excluded from the general education system on the basis of disability, and that children with disabilities are not excluded from free and compulsory primary education, or from secondary education, on the basis of disability;

   b) Persons with disabilities can access an inclusive, quality and free primary education and secondary education on an equal basis with others in the communities in which they live;

   c) Reasonable accommodation of the individual's requirements is provided;

   d) Persons with disabilities receive the support required, within the general education system, to facilitate their effective education;

   e) Effective individualized support measures are provided in environments that maximize academic and social development, consistent with the goal of full inclusion.
Inclusive education – a human rights issue

“Regular schools with inclusive orientation are the most effective means of combating discrimination, creating welcoming communities, building an inclusive society and achieving education for all.”

(Salamanca Statement, Art. 2)
Council for Exceptional Children
Division of International
Special Education and Services

In collaboration with

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