

REPORT TO THE PRESIDENT

***PROGRESS IN ADVANCING THE STATUS OF PEOPLE
WITH DISABILITIES AROUND THE WORLD:***

***THE WORK OF THE UNITED STATES DELEGATION
TO THE THIRTY-THIRD SESSION OF THE COMMISSION
FOR SOCIAL DEVELOPMENT OF THE UNITED NATIONS***

**VIENNA
FEBRUARY 8-17, 1993**

Submitted by:

**John A. Gannon
Acting Chairperson
National Council on Disability**

March 29, 1993

March 29, 1993

**The President
The White House
Washington, DC 20500**

Dear Mr. President:

As your Acting Chairperson of the National Council on Disability, I am pleased to forward you *Progress in Advancing the Status of People with Disabilities Around the World: The Work of the United States Delegation to the Thirty-Third Session of the Commission for Social Development of the United Nations*. This report details the work I and Mr. Ed Burke conducted at last month's meeting of the Commission for Social Development of the United Nations in Vienna.

The most significant outcome of our work was that the Commission voted to approve what we believe to be the first ever United States sponsored resolution on disability policy. This resolution, entitled *The Positive and Full Inclusion of Persons with Disabilities in All Aspects of Society and the Leadership Role of the United Nations Therein*, embodies the spirit of the landmark Americans with Disabilities Act and sets a new and higher standard for the status of people with disabilities in societies all around the world.

Another important accomplishment was found in our success in amending the draft *Standard Rules on the Equalization of Opportunities for Disabled Persons* to promote the inclusion of children with disabilities in typical schools, opportunities for adults with disabilities to work, the development of home and community based services for people with disabilities, and the early treatment of disabilities in infants and young children. I know that you and Mrs. Clinton are very supportive of these issues and I am honored to report to you that the United States is now on record as a voice for positive change in these areas within the international community.

I do hope you find the enclosed report on our activities informative and useful. I thank you for this special opportunity to be of service to you and to people with disabilities. As always, Mr. President, I remain at your service.

**Sincerely,
John A. Gannon
Acting Chairperson**

INTRODUCTION

On Thursday, February 4, 1993, President William J. Clinton appointed John A. Gannon of Washington, DC, as Acting Chairperson of the National Council on Disability. The first task presented to Mr. Gannon as Acting Chairperson was to travel to Vienna, Austria with the United States Delegation to the Thirty-Third Session of the United Nations Commission for Social Development to represent the needs of people with disabilities before the Commission during its ten day session beginning February 8, 1993. Accordingly, Mr. Gannon travelled to Vienna accompanied by Edward P. Burke, Executive Assistant to the Chairperson of the National Council and Chief of Governmental Liaison, an expert on disability policy with significant intergovernmental and international experience. The mission involved intense negotiations with representatives of the 104 Member States and Organizations assembled for the biennial meeting of the Commission.

The Member States and Organizations were categorized as follows:

- * 32 were official Members of the Commission for Social Development (including the United States);**
- * 42 were official Observers from Member States of the United Nations;**
- * 2 were Observers from Non-Member States; and**
- * 28 were Observers from other Organizations, mostly Non-governmental Organizations.**

Overall, the substantive work of the Commission involved framing a draft agenda for the World Summit on Social Development which will be held in 1995, and conducting policy debates in the areas of aging, youth, and disability. As part of its work, the Commission considered four draft resolutions pertaining to individuals with disabilities:

- * Designation of an *International Day for Disabled Persons*;**
- * Adoption of the United Nations *Standard Rules on the Equalization of Opportunities for Disabled Persons*;**
- * Adoption of a *Long-Term Strategy to Implement the United Nations Standard Rules on the Equalization of Opportunities for Disabled Persons*; and**

*** Adoption of a draft resolution offered by the United States Delegation on *The Positive and Full Inclusion of Persons with Disabilities in All Aspects of Society and the Leadership Role of the United Nations Therein*.**

The United States Delegation was very active in discussions and negotiations on all four of these issues. We achieved considerable success in ensuring that all four resolutions reflected progressive United States policy in the area of disability, as embodied in the Americans with Disabilities Act of 1990 (ADA).

THE COMMISSION PROCESS

The work of the Commission was accomplished through four major vehicles: Plenary Sessions, Informal Working Groups (on Aging, Youth, and Disability), a Committee of the Whole on the 1995 Summit Agenda, and Drafting Groups.

All of these bodies operated by consensus (as opposed to using voting procedures), and therefore consultations and negotiations with all concerned countries and organizations were crucial to ensuring the acceptance of proposals from individual Member States. Messrs. Gannon and Burke actively participated in the Plenary Sessions, the Informal Working Groups, and the Drafting Groups, presenting the positions of the United States on disability issues and offering detailed explanations of the rationales behind these positions.

As evidence of the determination of the United States to ensure that the United Nations develops a more positive and proactive role in ensuring the rights and opportunities available to persons with disabilities throughout the world, the U.S. Delegation produced 13 separate drafts of the Draft Resolution on *The Positive and Full Inclusion of Persons with Disabilities in All Aspects of Society and the Leadership Role of the United Nations Therein* during the course of the ten days.

On the final day of the Commission's meeting (February 13, 1993), those items that had been successfully negotiated within the Informal Working Group process were offered to the entire Commission for its consideration and approval. Upon passage at the Commission level, resolutions were forwarded to the United Nations Economic and Social Council for its consideration and approval (scheduled for July, 1993) prior to the final deliberations of the General Assembly (scheduled for the Fall of 1993).

OUTCOMES OF THE U.S. DELEGATION'S EFFORTS

Three major outcomes were achieved by the U.S. Delegation to the United Nations Commission for Social Development in the area of disability policy. First, the Delegation was successful in ensuring the adoption of the Draft Resolution on *The Positive and Full Inclusion of Persons with Disabilities in All Aspects of Society and the Leadership Role of the United Nations Therein*. An unofficial copy of the final version of the Resolution that was approved by the entire Commission for Social Development may be found in Appendix A.¹ Formal statements by the U.S. Delegation in support of the Resolution are provided in Appendix C.

During negotiations regarding the various drafts of the Resolution, certain Member States and Observers requested amendments in the text. Major issues raised by these entities were as follows:

1. **China.** In the Resolution's preamble, the U.S. Delegation cited, among other precedents, the United Nations Charter and the Universal Declaration on Human Rights. China objected to the inclusion of these citations, claiming they were essentially irrelevant to the issues before the Commission. The U.S. Delegation stood strong on its position that these citations should be maintained to support not only the rights of persons with disabilities, but the human rights of all persons. China threatened a floor debate before the full Commission, but this never materialized.

2. **The United Kingdom.** The United Kingdom objected to the language of the Resolution requesting the Secretary General "to consider strengthening and upgrading the Disabled Persons Unit" within the United Nations system. The Disabled Persons Unit currently employs three people to represent the needs and interests of hundreds of millions of people with disabilities in over 150 countries. The United Kingdom's spokesperson issued an objection before the full Commission, stating that he believed that this wording was "too directive."

However, as a result of prior negotiations, and recognizing that the United Kingdom is not an official Member of the Commission, the United Kingdom ceded the point and stated that it would not object to the adoption of the Resolution, but only requested that their views be recorded in the Minutes of the Commission. As this item only "requested" the Secretary General to "consider" this point, the U.S. Delegation did not believe the objection raised by the United Kingdom was valid. We, therefore, went forward with the item, receiving the approval of the Commission through consensus.

¹The United Nations is still preparing final official versions of all resolutions approved at the Vienna meeting.

Neither of these areas of objection presented serious barriers to the eventual adoption of the positions of the United States Delegation by the Commission as a whole. In fact, the U.S. Delegation was able to enlist nine other nations as co-sponsors of the Resolution: Australia, Cameroon, Canada, Dominican Republic, Ghana, Guinea, Sudan, Sweden, and Zimbabwe. The Delegation was particularly pleased that this group of nations included a mix of "developed" and "developing" nations and reflected a very broad ethnic, cultural, and geographic base.

The second major accomplishment of the U.S. Delegation at the U.N. Commission for Social Development was the successful amendment of the United Nations *Standard Rules on the Equalization of Opportunities for Disabled Persons*. The Draft *Standard Rules*, which had been circulated in advance of the Commission meeting, contained many positive guidelines for the development of policies and programs for persons with disabilities in countries all around the world. Through careful analysis, however, the U.S. Delegation discovered several draft standards that appeared to contradict the overall purpose of the document: to equalize opportunities and to promote the integration of people with disabilities in society. For example, as drafted, some of the rules allowed for the continued segregation of people with disabilities from society. On the first night of the Commission meeting, Messrs. Gannon and Burke provided the Informal Working Group on Disability with a copy of a side-by-side text they had prepared, comparing the draft text with an alternate text the U.S. Delegation believed would strengthen the document. (Please refer to Appendix B for a copy of the side-by-side text and Appendix C for a summary of the arguments advanced for amending various standards.)

It should be noted that the United States entered this debate very late in the process. In fact, the Informal Working Group on Standard Rules had been meeting for nearly two years before this meeting of the full Commission. While some efforts had been exerted by the United States to suggest changes in the draft standards, participation by the United States had been somewhat sporadic until this point. Messrs. Gannon and Burke acknowledged this fact in their negotiations, but reminded other Members States that the overall purpose of the group's work was to propose the best possible *Standard Rules* to the full Commission. With this as a basis for negotiation, the U.S. Delegation was able to gain the concurrence of the Informal Working Group on several proposed amendments. Major changes successfully negotiated by the U.S. Delegation included the following:

1. The *Standard Rules* were amended to encourage more integrated approaches to providing people with disabilities access and support in local communities, rather than in segregated "facilities" far apart from typical community life.
2. The *Standard Rules* were amended to encourage the full inclusion of children with disabilities in public school education.

3. The *Standard Rules* were also amended to encourage the employment of people with disabilities in the open job market and to encourage the participation of people with the most severe disabilities in employment.

4. The *Standard Rules* were further amended to ensure that particular attention would be paid to the provision of medical services to infants and children with disabilities, thus preventing the onset of avoidable secondary disabilities that would result if these children did not receive treatment.

Overall, efforts of the United States to promote dignified, inclusionary approaches to serving people with disabilities in their local communities were quite successful. This was particularly noteworthy, given our late entry into the negotiations.

In advancing the United States position on these issues, the U.S. Delegation met with some concerns from other Member States and Organizations. These generally took the form of defensiveness on the part of some Member States regarding their present service systems, which are highly segregatory in nature. For example, China and the United Kingdom (through the statements of one of its Non-Governmental Organizations) objected to our proposed deletion of "sheltered workshops" as acceptable "employment" options for people with disabilities. China claimed that it had over 750,00 people in sheltered workshops and the United Kingdom stated that such workshops are acceptable as a "interim" measure.

The position of the United States on this issue was to describe our considerable experience indicating that sheltered workshops serve to perpetuate the segregation of persons with disabilities from society, seldom lead to the placement of clients in mainstream employment (in fact, many retain their "most capable" clients in order to meet work quotas), pay extremely low (if any) wages, are very often full of "down time" due to lack of work, and, finally, are often in violation of basic labor standards set by governments and through collective bargaining arrangements. While the U.S. position did not ultimately prevail on this particular rule, we were able to apply these arguments in strengthening other employment-related provisions in the *Standard Rules*.

Japan actually flew in an "expert" in special education from Tokyo to speak against a proposed United States amendment that would have deleted "special facilities" as acceptable special education placements. The U.S. Delegation based its arguments for integrated education on our nation's experience in implementing the Individuals with Disabilities Education Act (which, for over 15 years, has required that students with disabilities be placed in the "least restrictive environment"). The results of dozens of studies and demonstration projects in the United States have concluded that, with appropriate planning and on-going support, students with even the most severe disabilities

can receive very high quality education and related services within typical neighborhood schools among their non-disabled peers.

In addition, Mr. Burke was able to successfully address the "expert" status of the Japanese representative by virtue of his own extensive training and experience in the area of inclusionary education. Thus, in the final wording of the rule, the reference to "special facilities" was removed, and "special education" was substituted in its place.

The overall position of the United States Delegation in advancing the *Standard Rules* amendments (and the U.S. Resolution as well) was that these documents were aimed at setting ambitious, yet attainable goals, not the glorification of current practice. Our delegation admitted that the situation is not perfect in the United States either. This forward-looking and honest approach was well received by all Member States during negotiations.

In this regard, the third major outcome achieved by the U.S. Delegation in the advancement of positive policies and practices in supporting people with disabilities to be valued and productive members of their local communities was found in the many expressions of support, encouragement, and respect offered by other Member States regarding the positive and proactive approach being offered by the United States Delegation. Delegates from many Member States and Organizations made a point to express their satisfaction with the positions of the Delegation on issues concern people with disabilities, indicating they were pleased that "a fresh wind" appeared to be coming from the United States on these issues. This improvement of the image of the United States on matters pertaining to international social development was an important outcome of the work of the United States Delegation in Vienna and should serve the United States well as preparations are made for the World Summit on Social Development scheduled for 1995.

CONCLUSION

Significant progress was achieved by the United States Delegation to the Thirty-Third Session of the United Nations Commission for Social Development in advancing more responsive and effective policies and programs for persons with disabilities throughout the world.

Through successful negotiations by Messrs. Gannon and Burke, the U.S. Delegation was able to gain passage of what the Delegation believes to be the first-ever United States Resolution on disability issues before the United Nations. It further amended the draft United Nations *Standard Rules on the Equalization of Opportunities for Disabled Persons* to

create further opportunities for people with disabilities to become valued and contributing members of their local communities, and created a much more positive image of the United States on matters pertaining to international social development.

The U.S. Delegation is grateful to the President for the opportunity to be of service to our country in this important area and is eager to continue to represent the Administration in creating opportunities for persons with disabilities to achieve integration, productivity, and independence both here and abroad.

APPENDIX A

Resolution of the United States of America:

***The Positive and Full Inclusion of Persons with Disabilities
in All Aspects of Society and the Leadership Role of
the United Nations Therein***

FINAL VERSION: ADOPTED 17 FEBRUARY 1993 10:30 AM
(Unofficial Copy)

UNITED NATIONS ECONOMIC AND SOCIAL COUNCIL

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COMMISSION FOR SOCIAL DEVELOPMENT

Thirty-third session
Vienna, 8-17 February 1993
Agenda item 4

**MONITORING OF INTERNATIONAL PLANS AND PROGRAMMES OF
ACTION**

UNITED STATES OF AMERICA: DRAFT RESOLUTION

**CO-SPONSORS: AUSTRALIA, CAMEROON, CANADA,
DOMINICAN REPUBLIC, GHANA, GUINEA,
SUDAN, SWEDEN, ZIMBABWE**

The Commission for Social Development recommends to the Economic and Social Council to transmit the following draft resolution to the General Assembly for adoption at its forty-eighth session:

"The positive and full inclusion of persons with disabilities in all aspects of society and the leadership role of the United Nations therein

"The General Assembly,

"Mindful of the pledge made by States, under the Charter of the United Nations, to take action jointly and separately, in cooperation with the United Nations, in order to

promote higher standards of living, full employment, and conditions of economic and social progress and development,

"Reaffirming the commitment to human rights and fundamental freedoms, social justice and the dignity and worth of the human person proclaimed in the Charter;

"Recalling in particular the international standards of human rights laid down in the Universal Declaration of Human Rights, 1/

"Noting that the rights proclaimed in those instruments should be ensured equally to all individuals without discrimination,

"Recalling the provisions safeguarding the rights of women with disabilities in the Convention on the Elimination of All Forms of Discrimination against Women, 2/

"Having regard to the Declaration on the Rights of Disabled Persons, 3/ the Declaration on the Rights of Mentally Retarded Persons, 4/ the Declaration on Social Progress and Development, 5/ the Principles for the Protection of Persons with Mental Illness and for the Improvement of Mental Health Care 6/ and other relevant instruments adopted by the General Assembly,

"Also having regard to the relevant conventions and recommendations adopted by the International Labour Organization, with particular reference to participation in employment without discrimination for persons with disabilities,

"Mindful of the relevant recommendations and work of the United Nations Educational, Scientific and Cultural Organization, in particular the Declaration on Education for All, 7/ and of the work of the World Health Organization, the United Nations Children's Fund and other concerned organizations,

"Recognizing that the World Programme of Action Concerning Disabled Persons, adopted by the General Assembly in its resolution 37/52 of 3 December 1982, and the definition therein of "equalization of opportunities" reflect the determination of the international community to ensure that the various international instruments and

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- 1/ Resolution 217A (III) of 10 December 1948.
2/ Resolution 34/180 of 18 December 1979.
3/ Resolution 3447 (XXX) of 9 December 1975.
4/ Resolution 2856 (XXVI) of 20 December 1971.
5/ Resolution 2542 (XXIV) of 11 December 1969.

- 6/ Resolution 46/119, annex, of 17 December 1991.**
- 7/ Final Report of the World Conference on Education for All: Meeting Basic Learning Needs, Jomtien, Thailand, 5-9 March 1990, Inter-Agency Commission (UNDP, UNESCO, UNICEF, World Bank) for the World Conference on Education for All, New York, 1990, appendix 1.**

recommendations will be put to practical, concrete and effective use in improving the quality of life of people with disabilities and their families and communities,

"Acknowledging that the objective of the United Nations Decade of Disabled Persons 1983-1992 as a means to implement the World Programme of Action is still valid and requires urgent and continued action,

"Recalling that the World Programme of Action is based on concepts which are equally valid in developed and developing countries,

"Convinced that intensified efforts are needed to achieve the full and equal enjoyment of human rights and full participation and inclusion in society of persons with disabilities,

"Recognizing that persons with disabilities, their families and representatives, and organizations concerned with the needs of persons with disabilities must be active partners with States in the planning and implementation of all measures affecting their civil, political, economic, social and cultural rights,

"Recalling Economic and Social Council resolution 1990/26 of 24 May 1990 and reaffirming the detailed enumeration in the World Programme of Action of specific measures required for the attainment of full equality by persons with disabilities,

"Reaffirming the commitment of the Commission for Social Development to the provisions and rules set out in the on-going process of elaborating standard rules on the equalization of opportunities for persons with disabilities,

"Recognizing the essential role of the United Nations and the Commission for Social Development in providing leadership and positive guidance to encourage world-wide change by equalizing opportunities, promoting independence, and ensuring the full inclusion and participation in society of all persons with disabilities,

"Seeking to ensure effective implementation of action to promote the positive and full inclusion of persons with disabilities in all aspects of society and to affirm the

leadership role of the United Nations therein, the United Nations Commission on Social Development,

"1. Calls upon the Secretary General to maintain the integrity and the identity of programmes relating to disabled persons, including the United Nations Voluntary Fund on Disability, in order to promote the equalization of opportunities and full societal inclusion of people with disabilities;

"2. Urges the Secretary-General to strengthen, through re-deployment of resources, the programme on disabled persons in order to enable it:

(a) To represent the needs of persons with disabilities and their families and communities throughout the UN system;

(b) To ensure effective coordination and streamlining of efforts to respond to the needs of persons with disabilities (through policy formulation, advocacy and liaison) among all bodies within the United Nations system, particularly the International Labour Organization, the World Health Organization, the United Nations Educational, Scientific and Cultural Organization, the United Nations Development Programme and the United Nations Children's Fund;

(c) To promote equal opportunities and full participation of people with disabilities and their families and representatives within the United Nations system itself;

(d) In cooperation with Member States, bodies within the United Nations system, non-governmental organizations and other appropriate agencies, to extend technical assistance and disseminate information in order to enhance the capacity of Member States to develop, implement and evaluate their efforts to equalize opportunities and provide for the full societal inclusion of persons with disabilities;

"3. Requests the Secretary-General to report biennially to the General Assembly on the progress of efforts to ensure the equalization of opportunities and full inclusion of people with disabilities within the various bodies of the United Nations system;

"4. Requests the Secretary-General to consider, in view of the importance of ensuring that the needs of people with disabilities and their families and communities are represented in an equitable manner, strengthening and upgrading the status of the Disabled Persons Unit through re-deployment of resources;

"5. Reaffirms that the issues of equalization of opportunities and full societal inclusion for persons with disabilities will be an important part of the preparatory process and final agenda of the World Summit for Social Development to be held in 1995;

"6. Reaffirms the commitment of the Commission on Social Development to ensuring that the needs of persons with disabilities and their families, and communities continue to be addressed in all of its work."

APPENDIX B

***UN Standard Rules on the Equalization of Opportunities
For Disabled Persons***

**Amendments Proposed by the Delegation of
the United States of America**

UN Commission for Social Development

Vienna

8 - 17 February, 1993

Current Text

Amended Text as Proposed by the
Delegation of the U.S.A.

[] = delete

bold = add

I. PRECONDITIONS FOR EQUAL
PARTICIPATION

1. AWARENESS RAISING

States should take action to raise awareness in society about persons with disabilities, their rights, their needs, their potential, and their contribution.

45. States should ensure that responsible authorities distribute up-to-date information about available programmes and services to persons with disabilities, their families, professionals in this field and the general public. Information to persons with disabilities should be presented in accessible forms.

46. States should initiate and support information campaigns concerning persons with disabilities and disability policies, conveying the message that persons with disabilities are citizens with the same rights and obligations as others, thus justifying measures to remove all obstacles to full participation.

47. States should encourage the portrayal of persons with disabilities by the mass media in a positive way; organizations of persons with disabilities should be consulted on this matter.

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47. States should encourage the portrayal of persons with disabilities by the mass media in a positive way; organizations of persons with disabilities should be consulted on this matter.

48. States should ensure that public education programmes reflect in all their aspects the principle of full participation and equality.

49. Persons with disabilities and their families and organizations should be invited to participate in public education programmes concerning disability matters.

50. States should encourage enterprises in the private sector to include disability issues in all aspects of their activity.

51. States should initiate and promote programmes aimed at raising the level of awareness of persons with disabilities concerning their rights and potential. Increased self-reliance and empowerment will assist persons with disabilities to take advantage of the opportunities available to them.

52. Awareness-raising should be an important part of the education of children with disabilities and in rehabilitation programmes. Persons with disabilities could also assist each other in awareness-raising through the activities of their own organizations.

53. Awareness-raising should be part of the education of all children and should be a component of teacher training courses and training of all professionals.

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2. MEDICAL CARE

States should ensure the provision of effective medical care to persons with disabilities.

54. States should work towards the provision of programmes run by multi-disciplinary teams of professionals for early detection, assessment and treatment of impairment. This could prevent, reduce or eliminate disabling effects. Such programmes should ensure full participation of persons with disabilities and their families at the individual level, and of organization of persons with disabilities at the planning and evaluation level.

55. Local community workers should be trained to participate in areas such as early detection of impairments, the provision of primary assistance, and referral to appropriate facilities.

56. States should ensure that persons with disabilities are provided with the same level of medical care within the same system as other members of society.

57. States should ensure that all medical and paramedical personnel are adequately trained and equipped to give medical care to persons with disabilities and that they have access to relevant treatment methods and technology.

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57. States should ensure that all medical and paramedical personnel are adequately trained and equipped to give medical care to persons with disabilities and that they have access to relevant treatment methods and technology.

58. States should ensure that medical, paramedical and related personnel are adequately trained so that they do not give inappropriate advice to parents, thus restricting options for their children. This training should be an ongoing process, and should be based on the latest information available.

59. States should ensure that persons with disabilities are provided with the regular treatment and medicines they may need to preserve or improve their level of functioning.

3. REHABILITATION *

States should ensure the provision of rehabilitation services to persons with disabilities in order for them to reach and sustain their optimum level of independence and functioning.

60. States should develop national rehabilitation programmes for all groups of persons with disabilities. Such programmes should be based on the actual individual needs of persons with disabilities and on the principles of full participation and equality.

* Rehabilitation is a fundamental concept in disability policy and is

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61. Such programmes should include a wide range of activities, such as basic skills training to improve or compensate for an affected function, counselling of persons with disabilities and their families, programmes to develop self-reliance, and occasional services such as assessment and guidance.

62. All persons with disabilities, including persons with severe and/or multiple disabilities who require rehabilitation, should have access to it.

63. Persons with disabilities and their families should be able to participate in the design and organization of rehabilitation services concerning themselves.

64. Rehabilitation services should, as far as possible, be available in the local community, where the person with disabilities lives. For some special training purposes, time limited rehabilitation courses may be organized in residential forms, if that is considered to be more favourable in order to attain a certain training objective.

65. Persons with disabilities and their families should be encouraged to involve themselves in rehabilitation, for instance as trained teachers, instructors or counsellors.

66. States should draw upon

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4. SUPPORT SERVICES

States should ensure the development and supply of support services including assistive devices to persons with disabilities to assist them to increase their level of independence in their daily living and to exercise their rights.

67. States should ensure the provision of assistive devices and equipment, personal assistance and interpreter services according to the needs of persons with disabilities, as important measures to achieve the equalization of opportunities.

68. States should support the development, production, distribution and servicing of assistive devices and equipment and the dissemination of knowledge about them.

69. To achieve this, generally available technical know-how should be utilized. In States where high technology industry is available, it should be fully utilized to improve the standard and effectiveness of assistive devices and equipment. It is important to stimulate the development and production of simple and inexpensive devices, when possible using local material and local production facilities. Persons with disabilities themselves could

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70. States should recognize that all persons with disabilities who need assistive devices should have access to them as appropriate, including financial accessibility. This may mean that assistive devices and equipment should be provided free of charge or at such a low price that persons with disabilities or their families can afford to buy them.

71. In rehabilitation programmes for the provision of assistive devices and equipment States should consider the special requirements of girls and boys with disabilities concerning the design, durability and age-appropriateness of assistive devices and equipment.

72. States should support the development and provision of personal assistance programmes and interpretation services especially for persons with severe and/or multiple disabilities. Such programmes would increase the level of participation of persons with disabilities in everyday life, at home, at work, in school and during leisure time activities.

73. Personal assistance programmes should be designed in such a way that the persons with disabilities using the programmes have a decisive influence on the way in which the programmes are delivered.

II. TARGET AREAS FOR EQUAL

disabilities themselves could be involved in the production of these devices.

70. States should recognize that all persons with disabilities who need assistive devices should have access to them as appropriate, including financial accessibility. This may mean that assistive devices and equipment should be provided free of charge or at such a low price that persons with disabilities or their families can afford to buy them.

71. In rehabilitation programmes for the provision of assistive devices and equipment States should consider the special requirements of girls and boys with disabilities concerning the design, durability and age-appropriateness of assistive devices and equipment.

72. States should support the development and provision of personal assistance programmes and interpretation services especially for persons with severe and/or multiple disabilities. Such programmes would increase the level of participation of persons with disabilities in everyday life, at home, at work, in school and during leisure time activities.

73. Personal assistance programmes should be designed in such a way that the persons with disabilities using the programmes have a decisive influence on the way in which the programmes are delivered.

PARTICIPATION

5. ACCESSIBILITY

States should recognize the overall importance of accessibility in the process of equalization of opportunities in all spheres of society.

(a) ACCESS TO THE PHYSICAL ENVIRONMENT

States should introduce programmes of action to make the physical environment accessible for persons with disabilities of any kind.

74. States should initiate measures to remove the obstacles to participation in the physical environment. Such measures could be to develop standards and norms for accessibility to various areas in society, for instance concerning buildings, means of transportation, streets and other outdoor environments.

75. States should consider enacting legislation to ensure accessibility in different areas of society, such as housing, public buildings and public transport services.

76. States should ensure that architects, construction engineers and others who are professionally involved in the design and construction of the physical environment, have access to adequate information on disability policy measures to achieve accessibility.

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physical environment from the beginning of the designing process.

78. Organizations of persons with disabilities should be consulted when developing standards and norms for accessibility. They should also be involved locally from the initial planning stage when public construction projects are being designed, thus ensuring maximum accessibility.

(b) ACCESS TO INFORMATION AND COMMUNICATION

States should undertake measures to provide access to information communication for people with disabilities.

79. Persons with disabilities and, where appropriate, their families and advocates should have access to full information on diagnosis, rights and available services and programmes, at all stages. Such information should be presented in forms accessible to people with disabilities.

80. States should develop strategies to make information services and documentation accessible for different groups of people with disabilities. Braille, tape services, large print and other appropriate technologies should be used to provide access to written information and documentation for persons with visual impairments. Similarly, appropriate technologies should be used to provide access to spoken information for persons with auditory impairments or

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comprehension difficulties.

81. Consideration should be given to the use of sign language in the first instance in the education of deaf children, in their families and communities. Sign language interpretation services should also be provided to facilitate the communication between deaf persons and others.

82. Consideration should also be given to the needs of people with other communication disabilities.

83. States should encourage media, especially television, radio and newspapers, to make their services accessible.

84. States should ensure that new computerized information and service systems offered to the general public are either made initially accessible or are adapted to be made accessible to persons with disabilities.

85. Organizations of persons with disabilities should be consulted when developing measures to make information services accessible.

6. EDUCATION

States should recognize the principle of equal primary, secondary and tertiary educational opportunities for children, youth and adults with disabilities, in integrated settings. They should ensure that the education of persons with disabilities is an integral part of the

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86. General educational authorities are responsible for the education of persons with disabilities in integrated settings. Education for persons with disabilities should form an integral part of national educational planning, curriculum development and school organization.

87. Education in mainstream schools pre-supposes the provision of interpreter and other appropriate support services. Adequate accessibility and support services, designed to meet the needs of persons with different disabilities, should be provided.

88. Parent groups and organizations of persons with disabilities should be involved in the education process at all levels.

89. In States where education is compulsory it should be provided to girls and boys with all kinds and all levels of disabilities, including the most severe.

90. Special attention should be given to the following areas:

- very young children with disabilities;
- pre-school children with disabilities;
- adults with disabilities, particularly women.

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- have a clearly stated policy, understood and accepted at the school level and by the wider community;
- allow for curriculum flexibility, addition and adaptation;
- provide for quality materials, ongoing teacher training and support teachers.

92. Integrated education and community-based programmes should be seen as complementary approaches in providing cost-effective education and training for persons with disabilities. National community-based programmes should encourage communities to use and develop their resources to provide local education to persons with disabilities.

93. If, for some reason, the facilities of the general school system are inadequate for those with severe or multiple disabilities, schooling for such persons should then be provided for an appropriate period of time in special facilities. The quality of these special facilities should be equal to those of the general school system and closely linked to it.

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93. [] In situations where no, or very limited, educational services exist tailored to the needs of students with disabilities, local education officials should enlist the assistance of parents and (when appropriate) students themselves in developing solutions that result in the development of services within the context of the general school system. At a minimum, students with disabilities should be afforded the same portion of local educational resources as their non-disabled peers. In situations where students with disabilities have traditionally been placed outside of their local school

districts, planning should take place which involves the eventual transfer of resources back to the local community. Resources should be diverted from the support of separate facilities to the hiring and retention of qualified staff (including itinerant specialists) in order to support students in the general school system.

94. Special schools should have an outward looking approach. They should provide resource support to other schools, parents and community programmes, and take on advisory, training and information dissemination roles.

95. Due to the particular communication needs of deaf and deaf/blind persons, their education may be more suitably provided in schools for such persons or special classes and units in mainstream schools.

[Paragraphs 94 & 95 deleted]

7. EMPLOYMENT

States should recognize the principle that persons with disabilities must be empowered to exercise their human rights particularly in the field of employment. Both in rural and urban areas they must have equal opportunities for productive and gainful employment in the labour market.

96. Laws and regulations in the employment field must not discriminate against persons with disabilities and must not raise obstacles to their employment.

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97. States should actively support the integration of persons with disabilities into open employment. This active support could occur through a variety of measures, such as vocational training, incentive-oriented quota schemes, reserved or designated employment, loans or grants for small business, exclusive contracts or priority production rights, tax concessions, contract compliance or other technical or financial assistance to enterprises employing workers with disabilities. States should encourage employers to make reasonable adjustments to accommodate persons with disabilities.

98. States' action programmes should include:

- Measures to design and adapt work places and work premises in such a way that they become accessible for persons with different disabilities;
- Support for the use of new technologies and the development and production of assistive devices, tools and equipment and measures to facilitate access to such devices and equipment for persons with disabilities, to enable them to gain and maintain

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employment; and

- Provision of appropriate training and placement and ongoing support such as personal assistance and interpreter services.

99. States should support public awareness raising campaigns designed to overcome negative attitudes and prejudices concerning workers with disabilities.

100. In their capacity as employers States should create favourable conditions for the employment of persons with disabilities in the public sector.

101. States, workers' organizations and employers should cooperate to ensure equitable recruitment and promotion policies, employment conditions, rates of pay, measures to improve the work environment in order to prevent injuries and impairments, and measures for the rehabilitation of employees who have sustained employment related injuries.

102. States should make sheltered employment available for persons with disabilities, whose needs cannot yet be met in open employment. However, the aim should always be for persons with disabilities to obtain employment in the open labour market.

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102. States should [] recognize that meaningful employment is central to a person's identity (and often, survival) as an adult. As such, the needs of persons with disabilities who are not employed should be defined primarily as employment needs and not necessarily as needs for more training. In situations where adults with

disabilities need employment but lack appropriate supports, creativity should be exercised in the use of volunteers, potential co-workers, etc. in order to assist the person at work.

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103. Measures should be taken to include persons with disabilities in training and employment programmes in the private and informal sectors.

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8. INCOME MAINTENANCE AND SOCIAL SECURITY

States are responsible for the provision of social security and income maintenance for persons with disabilities.

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States are responsible for the provision of social security and income maintenance for persons with disabilities.

105. States should ensure the provision of adequate income support to persons with disabilities who, due to disability or disability-related factors, have temporarily lost or received a reduction in their income, have been denied employment opportunities or have such a severe level of disability that they have no or limited income earning ability. States should ensure that the provision of support takes into account the costs frequently incurred by persons with disabilities and

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their families as a result of the disability.

106. In countries where social security, social insurance or other social welfare schemes exist or are being developed for the general population, States should ensure that such systems do not exclude or discriminate against persons with disabilities.

107. States should also ensure the provision of income support to individuals who undertake the care of a person with a disability.

108. Social security systems should include incentives to restore the income earning capacity of persons with disabilities. Such systems should provide or contribute to the organization, development and financing of vocational training. They should also assist with placement services.

109. Social security programmes should also provide incentives for persons with disabilities to seek employment in order to establish or re-establish their income earning capacity.

110. Income support should be maintained as long as the disabling conditions remain in such a manner which does not discourage persons with disabilities to seek employment. They should only be reduced or terminated when persons with disabilities achieve adequate and secure income.

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extent is provided through the private sector, should encourage local communities, welfare organizations and families to develop self-help measures and incentives for employment or employment-related activities for persons with disabilities.

9. FAMILY LIFE AND PERSONAL INTEGRITY

States should promote the full participation of persons with disabilities in family life. They will promote their right to personal integrity, and ensure that laws do not discriminate against persons with disabilities with respect to sexual relationships, marriage and parenthood.

112. Persons with disabilities should be enabled to live with their families. States should encourage the inclusion in family counselling of appropriate modules regarding disability and its effects on family life. Respite care and attendant care services should be made available to families which include a person with disabilities. States should remove all unnecessary obstacles to persons who want to foster or adopt a child or adult with disabilities.

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114. States should promote measures to change negative attitudes about marriage, sexuality and parenthood of people with disabilities, especially of girls and women with disabilities, which still prevail in society. The media should be encouraged to play an important role in removing such negative attitudes.

115. Persons with disabilities and their families need to be fully informed on taking precautions against sexual and other forms of abuse. Persons with disabilities are particularly vulnerable to abuse in the family, community or in institutions and need to be educated in how to avoid the occurrence of abuse, recognize when abuse has occurred and report on such acts.

10. CULTURE

States will ensure that persons with disabilities are integrated into and can participate on an equal basis in cultural activities.

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117. States should promote the accessibility and availability by persons with disabilities of places for cultural performances and services, such as theatres, museums, cinemas and libraries.

118. States should initiate the development and use of special technical arrangements to make literature, films and theatre accessible to persons with disabilities.

11. RECREATION AND SPORTS

States will take measures to ensure that persons with disabilities have equal opportunities for recreation and sports.

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121. Sports organizations should be encouraged to develop opportunities for participation by persons with disabilities in sports activities. Sometimes, accessibility measures could be enough to open up opportunities for participation. In other cases special arrangements or special games are needed. States should support the participation of persons with disabilities in national and international events.

122. Persons with disabilities participating in sports activities should have access to instruction and training of the same quality as other participants.

123. Organizers of sports and recreation should consult with organizations of persons with disabilities when developing their services for persons with disabilities.

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States will encourage measures for equal participation by person with disabilities in the religious life of their communities.

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125. States should encourage information on disability matters to be distributed to religious institutions and organizations. States should also encourage religious authorities to include information on disability policies in the training for religious professions, as well as in religious education programmes.

126. They should also encourage the accessibility of religious literature to persons with sensory impairments.

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III. IMPLEMENTATION MEASURES

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States assume the ultimate responsibility for the collection and dissemination of information about the living conditions of persons with disabilities and promote comprehensive research on all

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III. IMPLEMENTATION MEASURES

13. INFORMATION AND RESEARCH

States assume the ultimate responsibility for the collection and dissemination of

aspects including obstacles which effect the lives of persons with disabilities.

128. States should, at regular intervals, collect gender specific statistics and other information concerning the living conditions of persons with disabilities. Such data collection could be conducted in conjunction with national censuses and household surveys and could be undertaken in close collaboration, inter alia, with universities, research institutes and organizations of persons with disabilities. The data collections should include questions on programmes and services and their use.

129. States should consider establishing a databank on disability, which includes statistics on available services and programmes as well as on the different groups of persons with disabilities. They should bear in mind the need to protect individual privacy and personal integrity.

130. States should initiate and support programmes of research on social, economic and participation issues that affect the lives of persons with disabilities and their families. Such research should include studies on the causes, types and frequencies of disabilities, the availability and efficacy of existing programmes and the need for development and evaluation of services and support measures.

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14. POLICY-MAKING AND PLANNING

States will ensure that disability aspects are included in all relevant policy-making and national planning.

135. States should initiate and plan adequate policies for persons with disabilities at the national level, and stimulate and support action at regional and local levels.

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States have responsibility to create the legal bases for measures to achieve the objectives of full participation and equality for persons with disabilities.

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142. Special legislation for persons with disabilities may be established in several ways:

- by enacting separate legislation, exclusively dealing with disability matters;
- by including disability matters within legislation on particular topics; and
- by mentioning persons with disabilities specifically in the texts that serve to interpret

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A combination of these different approaches might be desirable. Affirmative action provisions may also be considered.

143. States may consider establishing formal statutory complaints mechanisms in order to protect the interests of persons with disabilities.

16. ECONOMIC POLICIES

States have the financial responsibility for national programmes and measures to create equal opportunities for persons with disabilities.

144. States should include disability matters in the regular budgets of all national, regional and local government bodies.

145. States, non-governmental organizations and other interested bodies should interact to determine the most effective ways to support projects and measures relevant to persons with disabilities.

146. States should consider the use of economic measures (loans, tax exemptions, earmarked grants, special funds, etc.) to stimulate and support equal participation by persons with disabilities in society.

147. In many states it may be advisable to establish a disability development fund, which could support various pilot projects and self-help programmes at grass-roots

- by mentioning persons with disabilities specifically in the texts that serve to interpret existing legislation.

A combination of these different approaches might be desirable. Affirmative action provisions may also be considered.

143. States may consider establishing formal statutory complaints mechanisms in order to protect the interests of persons with disabilities.

16. ECONOMIC POLICIES

States have the financial responsibility for national programmes and measures to create equal opportunities for persons with disabilities.

144. States should include disability matters in the regular budgets of all national, regional and local government bodies.

145. States, non-governmental organizations and other interested bodies should interact to determine the most effective ways to support projects and measures relevant to persons with disabilities.

146. States should consider the use of economic measures (loans, tax exemptions, earmarked grants, special funds, etc.) to stimulate and support equal participation by persons with disabilities in society.

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17. COORDINATION OF WORK

States are responsible for the establishment and strengthening of national coordinating committees, or similar bodies, to serve as a national focal point on disability matters.

148. The national coordinating committee or similar bodies should be permanent and based on legal as well as appropriate administrative regulation.

149. A combination of representatives of private and public sector organizations is most likely to achieve an inter-sectoral and multidisciplinary composition. Representatives could be drawn from concerned government ministries, organizations of persons with disabilities and non-governmental organizations.

150. Organizations of persons with disabilities should have considerable influence in the national coordinating committee in order to ensure proper feedback of their concerns.

151. The national coordinating committee should be provided with administrative powers and sufficient autonomy and resources to fulfill its responsibilities. It should report to the highest governmental level.

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persons with disabilities at national, regional and local levels. States should also recognize the advisory role of organizations of persons with disabilities in decision-making on disability matters.

152. States should encourage and support economically and in other ways the formation and strengthening of organizations of persons with disabilities, family members and/or advocates. States should recognize that these organizations have a role to play in the development of disability policy.

153. States should establish ongoing communication with organizations of persons with disabilities and ensure their participation in the development of government policies.

154. The role of organizations of persons with disabilities could be to identify needs and priorities, to participate in the planning, implementation and evaluation of services and measures concerning the lives of persons with disabilities, and to contribute to public awareness and to advocate change.

155. As instruments of self-help, organizations of persons with disabilities provide and promote opportunities for the development of skills in various fields, mutual support among members and information sharing.

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156. Organizations of persons with disabilities could perform their advisory role in many different ways such as having permanent representation on boards of government-funded agencies, serving on public commissions, and providing expert knowledge on different projects.

157. The advisory role of organizations of persons with disabilities should be ongoing in order to develop and deepen the exchange of views and information between the state and the organizations.

158. Organizations should be permanently represented on the national coordinating committee or similar bodies.

159. The role of local organizations of persons with disabilities should be developed and strengthened to ensure that they influence matters at the community level.

19. PERSONNEL TRAINING

States are responsible for ensuring the adequate training of personnel, at all levels, involved in the planning and provision of programmes and services concerning persons with disabilities.

160. States should ensure that all authorities providing services in the disability field give adequate training to their personnel.

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disability in general training programmes, the principle of full participation and equality should be appropriately reflected.

162. States should develop training programmes in consultation with organizations of persons with disabilities and persons with disabilities should be involved as teachers, instructors or advisers in staff training programmes.

163. The training of community workers is of great strategic importance particularly in developing countries. It should involve persons with disabilities and include the development of appropriate values, competency and technologies as well as skills which can be practised by persons with disabilities, their parents, families and members of the community.

20. NATIONAL MONITORING AND EVALUATION OF DISABILITY PROGRAMMES IN THE IMPLEMENTATION OF THE STANDARD RULES

States are responsible for the continuous monitoring and evaluation of the implementation of national programmes and services concerning the equalization of opportunities for persons with disabilities.

164. States should periodically and systematically evaluate national disability programmes and disseminate both the bases and the results of the evaluations.

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165. States should develop and adopt terminology and criteria for the evaluation of disability related programmes and services.

166. Such criteria and terminology should be developed in close cooperation with organizations of persons with disabilities from the earliest conceptual and planning stages.

167. States should participate in international cooperation in order to develop common standards for national evaluation in the disability field. States should encourage national coordinating committees to also participate.

168. The evaluation of various programmes in the disability field should be built in at the planning stage, so that the overall efficacy in fulfilling their policy objectives can be evaluated.

21. TECHNICAL AND ECONOMIC COOPERATION

States, both industrialized and developing, have responsibility to cooperate in and undertake measures for the improvement of the living conditions of persons with disabilities in developing countries.

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technical and economic cooperation, bilateral and multilateral, governmental and non-governmental. States should bring up disability issues in discussions on such cooperation with their counterparts.

171. When planning and reviewing programmes of technical and economic cooperation, special attention should be given to the effects of such programmes on the situation of persons with disabilities. It is of utmost importance that persons with disabilities and their organizations are consulted on any development projects designed for persons with disabilities. They should be directly involved in the development, implementation and evaluation of such projects.

172. Priority areas for technical and economic cooperation should include:

- the development of human resources through the development of skills, abilities and potentials of persons with disabilities and the initiation of employment-generating activities for and of persons with disabilities;
- the development and dissemination of appropriate disability related technologies and know-how.

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173. States should take measures to improve the knowledge of disability issues among staff involved at all levels in the administration of technical and economic cooperation programmes.

22. INTERNATIONAL COOPERATION

States will participate actively in international cooperation concerning policies for the equalization of opportunities for persons with disabilities.

174. Within the United Nations, its specialized agencies and other concerned inter-governmental organizations, States should participate in the development of disability policy.

175. Whenever appropriate, States should introduce disability aspects in general negotiations concerning standards, information exchange, development programmes, etc.

176. States should encourage and support the exchange of knowledge and experience between:

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- institutions and individual researchers involved in disability issues;
- representatives of field programmes and of professional groups in the disability field;
- organizations of persons with disabilities; and
- national coordinating committees.

177. States should ensure that the United Nations and its specialized agencies as well as all intergovernmental and interparliamentary bodies, at global and regional levels, include the global and regional organizations of persons with [end of text missing]

IV. MONITORING MECHANISM FOR THE STANDARD RULES

178. The purpose of the monitoring system is to assist each State to assess its level of implementation of the standard rules and to measure its progress. This should identify obstacles and their solutions. This will contribute to the successful implementation of the standard rules. The monitoring system will recognize the economic, social and cultural features existing in individual States.

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179. The standard rules on the equalization of opportunities for persons with disabilities shall be monitored within the framework of the sessions of the Commission for Social Development. A Special Rapporteur with relevant and extensive experience of disability issues and international organizations shall be appointed for 3 years to monitor the implementation of the standard rules.

180. International organizations of persons with disabilities having consultative status with ECOSOC should be invited by the Commission for Social Development to create among themselves a panel of experts, taking into account the different kinds of disabilities and necessary equitable geographical distribution, to be consulted by the Special Rapporteur and, when appropriate, the Secretariat.

181. The panel of experts will be encouraged by the Special Rapporteur to review, advise and provide feedback and suggestions on the promotion, implementation and monitoring of the standard rules.

182. The Special Rapporteur shall send a set of questions to States, entities within the United Nations system, and intergovernmental and non-governmental organizations, including organizations of persons with disabilities. The set of questions should address implementation plans for the standard rules in States. The questions should be selective

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183. The Special Rapporteur shall seek to establish a direct dialogue not only with States but also with local non-governmental organizations, seeking their views and comments on any information intended to be included in the reports. The special Rapporteur shall provide advisory services on the implementation and monitoring of the standard rules and assistance in the preparation of replies to the sets of questions.

184. UNOV/CSDHA, as the United Nations focal point on disability issues, and the United Nations Development Programmes (UNDP), as well as other entities within the United Nations system, such as the regional commissions, specialized agencies and inter-agency meetings, shall cooperate with the Special Rapporteur in the implementation and monitoring of the standard rules at the national level.

185. The Special Rapporteur shall, assisted by the Secretariat, prepare reports for submission to the thirty-fourth and thirty-fifth session of the Commission for Social Development. In preparing such reports the Rapporteur should consult with the panel of experts.

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187. Should extra budgetary resources be identified, one or more positions of Inter-Regional Advisor on the Standard rules should be created to provide direct services to States, including on

- (a) The organization of national and regional training seminars on the content of the standard rules;
- (b) The development of guidelines to assist in strategies for implementation of the standard rules; and
- (c) Best practices concerning implementation of the standard rules.

188. At its thirty-fourth session, the Commission for Social Development shall establish an open-ended working group to examine the Special

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Rapporteur's report and make recommendations on how to improve the application of the standard rules. In examining the Special Rapporteur's report, the Commission for Social Development, by its open-ended working group, shall consult international organizations of persons with disabilities and specialized agencies, according to rules 71 and 76 of the Rules of Procedure of the Functional Commissions of the ECOSOC.

189. At its session following the end of the Special Rapporteur's mandate, the Commission shall examine the possibility of either renewing that mandate, appointing a new Rapporteur, or considering another monitoring mechanism, bearing in mind the contents of paragraph 177; and make appropriate recommendations to the Economic and Social Council.

190. States should be encouraged to contribute to the United Nations Voluntary Fund on Disability in order to further the implementation of the standard rules.

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APPENDIX C

FORMAL STATEMENTS BY THE UNITED STATES DELEGATION

***STATEMENT OF THE UNITED STATES DELEGATION
CONCERNING THE PROPOSED RESOLUTION ON THE***

***POSITIVE AND FULL INCLUSION OF PERSONS
WITH DISABILITIES IN ALL ASPECTS OF SOCIETY AND
THE LEADERSHIP ROLE OF THE UNITED NATIONS THEREIN
(E/CN.5/1993/L.7)***

**UNITED NATIONS COMMISSION ON SOCIAL DEVELOPMENT
VIENNA
15 FEBRUARY, 1993**

Thank you, Mr. Chairman. Over the course of the past week we have had the privilege to get to know many of the wonderful delegates assembled here to offer their expertise in framing solutions to the many problems faced by people all around the world. We have had the opportunity to work with many of you on many issues which, if properly addressed, will have a tremendous impact on the quality of life experienced by people with disabilities all around the globe.

We have now presented this body with a resolution which we believe will reaffirm the commitment of the United Nations towards persons with disabilities and strengthen the role of the United Nations in its international leadership role in this important area. We all know that these are changing times and that resources to attend to all of our important efforts are scarce. The resolution we have submitted for your consideration recognizes the needs of people with disabilities to have a strong voice, the need to advance equalization of opportunities, the need to ensure that the services and supports provided by our nations are of high quality, and the need for the United Nations to both listen to the needs of people with disabilities and respond in a effective manner.

In this resolution we call upon the leadership of the United Nations to maintain the integrity of the United Nations program for persons with disabilities. We also urge the leadership to strengthen this program in order to allow it to represent the needs and interests of persons with disabilities throughout the United Nations system, coordinate and streamline efforts across the United Nations system affecting persons with disabilities, promote equalization of opportunities for persons with disabilities within the United Nations system itself, and to provide technical assistance and information on promising policies and practices in working with people with disabilities to Member States. Furthermore, we request that the leadership issue a report on progress in accomplishing these important tasks, strengthen the status of the present Disabled Persons Unit, ensure that the needs of persons with disabilities are well represented at the World Summit for Social Development, and, finally, that this body here assembled reaffirm its commitment to addressing the needs of persons with disabilities in a positive fashion. It is our belief that this affirmation and strengthening of the role of the

United Nations program for persons with disabilities and our reaffirmation of commitment are of critical importance at this time.

Mr. Chairman, I am pleased to report that first of all, that we on the United States delegation have the full support of the White House and President Clinton on these issues. Over the past week we have been in direct contact with senior advisors to the President and they have expressed their support for our efforts here in Vienna. Secondly, I am pleased to report that we also have the support and co-sponsorship of many nations gathered here for this historic meeting, among them Australia, Canada, China, France, and Russia. Literally all around the world, people recognize the need to support people with disabilities through a strengthened United Nations role in leading international efforts to ensure equalization of opportunities and the full societal inclusion of persons with disabilities.

We therefore come before you today, with wide international consensus, in order to ask you to ensure that progress in serving people with disabilities will continue --as it should-- and that the United Nations continues to serve as a strong advocate in meeting the needs of people with disabilities as it has during the United Nations Decade of Disabled Persons. Let us all --unified-- make a real difference in the lives of people with disabilities. Let us do this together, let us do it because it is right, and let us do it now. Thank you.

**U.N. Standard Rules on the Equalization of Opportunities
for Disabled Persons**

*Discussion of Amendments Offered by the
Delegation of the United States of America*

**Vienna
8-17 February, 1993**

Introduction

On the whole, the proposed *Standard Rules on the Equalization of Opportunities for Persons with Disabilities* represent an ambitious and positive effort to improve the current situation persons with disabilities find themselves in all around the world. We commend the Working Group for its hard work and progressive guidance on so many issues. Our collective experience has taught us a tremendous amount about the struggles individual governments are having in many parts of the world to create even minimal services for people with disabilities. In many ways the Standard Rules document will assist and challenge those governments to avoid some of the "mistakes" governments in some of the more developed nations have made in creating huge and segregated bureaucracies that effectively keep people with disabilities out of the mainstream of community life.

Furthermore, the document gives a significant amount of attention to the important role that people with disabilities, their families and advocates should play in the design of services and policies. This "consumer friendly" approach will do much to help ensure that services and supports that are developed will be in keeping with the actual needs of the people who will be beneficiaries of these initiatives.

We do, however, believe that the document needs to be strengthened in order to ensure that people with disabilities, their families, and policy makers may receive the best possible guidance in designing, implementing, and evaluating service delivery mechanisms that truly embrace the overall vision of the Working Group for full equalization of opportunities. Our specific concerns center on the fact that while the present document purports to provide guidance in the creation of situations wherein people with disabilities experience equality and full inclusion in their communities, the implementation of some of the program models offered in the document would, in fact, lead to the opposite. We are also concerned that some of these models have been demonstrated to produce very unfavorable cost-benefit outcomes and would

lead to an inefficient use of what we know to be scarce resources, particularly for developing nations.

Discussion of Specific Amendments

1. In Section I.2, paragraph 55, the word "facilities" appearing on line three should be changed to "services", as "services" is much more global a term and recognizes the fact that many services do not need to be delivered in "facilities".

2. In Section I.2. paragraph 56, the phrase "--particularly infants and children--" should be inserted between the words "disabilities" and "are" in the first line. This would lend recognition to the vital importance of early intervention and treatment in ameliorating the effects of disabilities and preventing secondary disabilities from occurring.

3. In Section I.3, paragraph 64 should be rewritten as indicated. The present wording assumes that people with disabilities need to be removed from their local communities for "special training purposes". However, it must be recognized that experience in this area has indicated that (a) the most essential things that people in rehabilitation need to learn are how to take care of themselves within the context of their local homes and communities, and (b) how to access the local job market. As such, it makes little sense to remove people from their home communities in order to teach them how to live and work in it. In addition, experience has shown that beyond the acute, hospital-based initial treatment of disabling conditions, the most efficacious on-going response to disability is found in locally-based community supports such as those described in Section I.4 ("Support Services") later in the document. While we recognize that in some locations it is very difficult to develop services in local communities, we believe the language in the current paragraph subtly encourages the development of services outside of local communities by providing a rationale for such development.

4. In Section II.6 (Education) three paragraphs (93, 94, and 95) should be eliminated and replaced with the language we include in the amendment. The current wording of these paragraphs reflects a major conceptual contradiction to the positive guidance offered in paragraphs 86-92 which immediately precede them. Paragraphs 86-92 provide an elegant framework for the development of educational models that result in the full inclusion of children and youth with disabilities within the general education system within mainstream classrooms. This is consistent with best practices currently available on an international basis developed in response to the stated needs of persons with disabilities and their families.

Paragraphs 93-95 allow for the segregation of children with disabilities from their typical aged

peers in the "general school system" based on the possible "inadequacy" of the general school system. The history of the struggle for equalization of opportunities is full of examples in which people with disabilities and their families have been denied services --or been given substandard services-- based on a "lack of resources". There has, however, been a revolution that has occurred over the past 15 years resulting in the entry of literally thousands upon thousands of children with disabilities into the general school systems. This has not occurred because somebody determined that the schools were suddenly "adequate", it has occurred because parents and other advocates have struggled to equalize opportunities for publicly supported education, often through the establishment of legislation and public policies mandating that schools serve children with disabilities within the general education system.

The statement that "Special schools should have an outward looking approach" (in current paragraph 94) borders on being self-contradictory. By their very nature, "special schools" are established and operate to provide a separate place from the mainstream. They only stay open if they focus on their further development. The so-called "outward looking approach" envisioned in this paragraph is nearly impossible to promote, as it threatens the very existence of these organizations.

We believe that the amended wording we have proposed would allow for the adoption of vastly more positive educational models and reflects heightened sensitivity to the needs of developing nations.

5. In Section II.7 we propose to eliminate current paragraph 102 as it is in contradiction to the strong case made for the development of integrated employment opportunities in paragraphs 96-101. We make this recommendation based on the experience of thousands of people with disabilities who have languished in sheltered workshop programs for many years, essentially forced to live in extreme poverty, while waiting for the "open labour market" to respond to their needs. The very existence of these programs serves as a disincentive for the development of more integrated approaches that allow people with disabilities an equitable and more independent standard of living.

6. In Section II.8, paragraph 105, the phrase "or have such a severe level of disability that they have no or limited income earning ability" should be deleted from the end of the first sentence. Once again, this would appear to open the doors to exclusionary rationales that might be used to limit opportunities for people with disabilities to gain employment. History has taught us well that people with disabilities and their families are constantly overcoming barriers placed before them due to the reality of the disability itself or (usually) the negative attitudes of others. Among the many lessons we have learned is that when given the opportunity and support, virtually anyone with a severe disability can perform some type of meaningful work. The current paragraph serves to limit the perception of potential so vital to the overall achievements of people with disabilities.

We believe that the adoption of the amendments discussed above will lead to a much more positive and helpful document to guide the development of programs that seek to ensure equalization of opportunities for persons with disabilities while promoting substantive achievements toward the full inclusion of people with disabilities in all aspects of society.

***STATEMENT OF THE UNITED STATES DELEGATION
CONCERNING THE DISCUSSION OF PROPOSED AMENDMENTS
TO THE STANDARD RULES***

**UNITED NATIONS COMMISSION ON SOCIAL DEVELOPMENT
VIENNA
9 FEBRUARY, 1993**

We are most pleased that the amendments we first proposed yesterday afternoon have led to such a constructive dialogue over the course of the past day. During this period, we have had the opportunity to consult with members of many delegations who are interested in the *Standard Rules* and their potential impact on the quality of life experienced by persons with disabilities in their own countries. Throughout our discussions we have gained greater insight into the current situation of people with disabilities in many countries and we have also had the opportunity to gain a more advanced understanding of the rationales that underlie the language used in many of the *Standard Rules*.

We are pleased that there appears to be a positive consensus on the amendments we have proposed for paragraphs 55 (replacing the word "facilities" with "services") and 56 (in which we propose heightened attention to the needs of infants and children).

Our concerns with paragraphs 64, 93, 94, 95, and 102 have been discussed at length with members of various delegations, and these discussions have led us to revisit the very purposes of the *Standard Rules*. In essence, concerns regarding these amendments bring us back to the following question: Is the purpose of the *Standard Rules* to present Member States with a set of goals --a vision of the possible-- for their citizens with disabilities or is the purpose to describe what is current practice in Member States and suggest that we make current services a little better?

We are painfully aware of the reality of segregation in the lives of people with disabilities in our own country and around the world. In listening to people with disabilities and their

families we have learned that their dreams center around equalization of opportunity and full inclusion in society. Simply put, they prefer opportunity and integration into society to the current reality of picking from a very limited number of services and being segregated from society in receiving services. They know --and we have now come to understand-- that the segregation of any group is a strong indication of the overall devaluation of that group by the larger culture. This is true whether we segregate people by race, by culture, by religious belief, or by disability. The involuntary segregation of a group is a wrong to be avoided at all cost. The fact that we develop rationales for such segregation (that "people are better off with their own kind", that "because they are different, they need to all be grouped together for services") is no excuse. For, if we have learned anything about people with disabilities over the past two decades it is that each person is an individual, with unique strengths, gifts, and, yes, needs. However, the major problem faced by people with disabilities --one that is artfully addressed earlier in the *Standard Rules*-- is that their entire lives are defined in terms of their needs, not their strengths, not their gifts, not their capacities, but their needs. Within this context, people are not seen as individuals, they are seen as a list of deficits, as something broken that needs to be fixed. And so we have constructed many of our educational and social service approaches as "repair shops" in which we put all the people we judge to be "broken" together. Increasingly, people with disabilities and their families are quite forcefully and articulately informing us that this approach is not what they want. What they do want is equality and inclusion, and that is why we have suggested that this group address this emerging understanding in a positive and visionary manner.

As regards paragraph 64, we understand that this group wishes to make the point that rehabilitation services should be time-limited. We concur. However, we do not believe that the current wording expresses this properly. We have proposed alternative language. Based on our discussions we have decided to modify this language somewhat to allow for certain time-limited rehabilitation programs that are seen as acute in nature. We would, therefore, amend the second sentence of paragraph 64 to read as follows: *Acute, time-limited rehabilitation programs may be organized in order to provide intensive, short-term rehabilitation services.*

As regards paragraphs 93 and 94, we recognize that at present, many countries have organized their educational programs for students with disabilities in a segregated fashion. However, based on an evolving body of research on best educational practices and the stated preferences of the majority of students with disabilities and their parents in our own country, we do not believe that segregated education is the best way to organize educational services in the future. If our job here is to provide guidance toward the establishment of optimal programs and services for persons with disabilities, instead of justifying the status quo, then the current wording of these paragraphs should be changed. We have proposed alternative language based on our profound belief in the power of integration to reduce and eliminate discrimination against persons with disabilities: something that this group has stated that it wishes to do. We know, however, that there are many here who object to our substitute

language. We would, therefore, propose that paragraphs 93 and 94 be deleted from the text. If these paragraphs remain as is, we truly believe that we will be giving bad advice to policymakers, wasting precious resources (particularly in developing nations), and in many ways perpetuating negative attitudes against persons with disabilities.

Paragraph 95 speaks to educational services for students who are deaf. We know that students who are deaf do have unique communication needs and recognize that these are not always met appropriately. However, as with any group of people who speak a different language and have a distinct culture, we do not believe that this group should be totally isolated from the rest of society. If services are to improve, and indeed if our communities are to be enriched, we all need to learn and work together. With this in mind, we would now suggest the following rewording of paragraph 95: *Due to the particular communication needs of deaf and deaf-blind persons, special attention needs to be focused on appropriate, culturally sensitive instruction that will result in effective communication skills and maximum independence.*

Finally, we will address paragraphs 102 and 105. Our concern with paragraph 102 is its promotion of "sheltered workshops" as a desirable program option for adults with disabilities. As we stated last evening we do not believe that sheltered workshops are, in fact, a model we think this group should be promoting. Our experience has shown that these facilities essentially serve as an excuse for keeping people with disabilities out of the workforce, pay their clientele very low wages, do not provide benefits, and, once again, represent the notion that all adults with disabilities are the same and should, therefore, be in the same place all day. Recognizing the current situation, however, we would suggest that the first sentence of paragraph 102 be changed to read as follows: *States should make supported employment or small work enclaves in industry available for persons with disabilities who need continuing support in the area of employment.*

As regards our suggested amendment to paragraph 105 (removing the language that implies some people are "too disabled" to be considered for employment), we believe we have heard general agreement on this issue and would appreciate your support of this amendment.

We hope this presentation has addressed the issues you have put before us regarding our proposed amendments and thank you all for your interest and obvious hard work.