

## **Overview of the new Convention on the Rights of Persons with Disabilities and its implications for ICTs**

Jean-Pierre Gonnot, Chief, Secretariat for the Convention on the Rights of Persons with Disabilities

On the 13<sup>th</sup> of December 2006, the United Nations General Assembly adopted the Convention on the Rights of Persons with Disability. This coming Friday, the Convention will be open for signature. This is the first step toward ratification of entry into force. Countries rushed to complete the domestic process that will allow them to sign the Convention on March 30 and express their support and commitment towards complying to this principle. Many more countries have indicated their interest to sign and ratify Convention on the coming month. The Convention on the Rights of Persons with Disabilities, as the Ambassador said, is the eighth Human Rights Treaty agreed upon by the international community for the adoption of the Unified Rights of Person with Disability in 1948. The adoption of such an instrument is therefore not business as usual and has true historical significance.

The new convention aims at insuring that persons with disabilities enjoy the same human rights as everyone else and are able to live their lives as fully-fledged citizens who can make valuable contributions to society if given the same opportunity as others. Despite being theoretically entitled to the whole range of civil, cultural, economical, political or social rights that pertain to every human being, persons with disability are still deprived from most of these rights and discriminated against pretty much everywhere in the world. They are still primarily being viewed as objects of welfare or medical treatment rather than owners of pride.

The living conditions of persons with disability are also a sad example of an overlooked developmental challenge. There are in the range of half a billion persons with disability who live in other countries and live among the poorest of the poor. Together with their family members, these are two billion people for whom disability is part of their daily lives. It is becoming increasingly clear that without addressing the reality of disability, it

will be impossible to achieve Goal 1, that is halving poverty and suffering from hunger at about 2015 for the next millennium, as well as Goal 2, achieving universal primary education.

The convention is the principle and acting response to this dual human rights and developmental challenge. It clarifies and qualifies how all categories apply to all persons with disability. It identifies areas where adaptation may be made with persons with disability to effectively exercise their rights and areas where their rights have been violated and where protection of rights must be reinforced.

The convention provides a set of eight fundamental principles, which served as the basis for any legislative or policy action. For the sake of others, let me focus on two principles that have great relevance to the initiative for inclusive information and communication technology - non-discrimination and accessibility. Non-discrimination is a fundamental principle for human rights law that recognizes that any human being should be able to enjoy benefits and exercise any basis for others to all human rights and fundamental freedom. As for discrimination on the basis of disability, the convention clearly states that civil society has the responsibility for insuring that appropriate modification and adjustment be made in order for an individual with disability to enjoy and exercise those rights. The failure to provide such accommodation within the realm of what can be considered reasonable constitutes discrimination on the part of the state or society. To this extent, the provision of disabled accommodation rests in assuring the access to building services, education, work and information. The Convention on the Rights of Persons with Disabilities is the first human rights treaty made relevant to accessibility.

According to Article 9, the state must insure that private entities that offer facilities and services to the public take into account the accessibility of those services. Perhaps, even more striking is the reference to the private sectors in Article 22 on freedom of expression and opinion, and I quote, “the state must urge private entities that provide services to the general public, including through the Internet, to provide information and services in accessible and usable formats for persons with disabilities.” The convention

clearly recognizes the role of the private sector in the field of information and communication technologies and points to its responsibility; however, it does not identify direct obligation on the private sector opening the door for socially responsible corporate initiatives. We believe this provides a unique opportunity for positive thinking and actions.