Friday 26th February 2021

Module 2- Seminar A

RICHARD: Hello everybody welcome to the online seminar for module 2, and it's very good that you're all here and being persistent, after all, after this one there's only 12 more. So I hope you have the staying power to do most of those. I would like tell you that today it's myself Richard Rieser, General Secretary, Prasanna Kuruppu from Sri Lanka on Executive, Sarah Kamau our acting Chair, Thandiwe Mufulo our Vice‑Chair, one of our two Vice‑Chairs and this afternoon Emile, but he's not able to join us this morning so I will be doing his bit. What we're looking at today is the UN Convention on the Rights of Persons with Disabilities, the Sustainable Development Goals, and the impact on disabled people's lives. Really this is an opportunity to reinforce what you should have seen in looking at the presentation that's been up for a week, and looking at this course book which you should also be reading, not just the presentation because in the course book are the modules, are the follow up activities in purple and italics. So if you're not seeing colour you can still see they are in italics and headed Follow‑up Activities, numbered 1 through to 7 I think in this one. Hopefully, if you have not completed those, this will give you a chance to get more information, or if you have, questions you want to ask. We'll have several times when we stop in the chat and ask questions, but if there are other things that you don't have answers to, you can ask questions in the chat at those points too. But we'll have a general, towards the end we'll have a general any questions that people have got to put into the chat. Occasionally if someone says something interesting Gemma will come to you and ask you to put on your speaker, otherwise we would like you to just use the chat for this. Ok. So without further ado, I would like to ask Sarah Kamau to do the introduction to this seminar. Sarah.

SARAH: Hello everybody from whatever part of the countries you are. I want to thank you so much for being resilient and still hanging on and holding on to the course. My role here is to make the introduction of this seminar and I will start by a quote by Walt Whitman who was a poet who said, "The earth does not argue, it's not pathetic, it has no arrangements, does not scream, haste, persuade, threaten, promise, makes no discriminations, has no conceivable failures, closes nothing, refuses nothing, shuts no‑one out." In this quote we can see that issues of persons with disabilities should not be very difficult to be entrenched in the policies and the implementation of the rights for persons with disabilities. Because like in the principle we have full and effective participation, everybody needs to be included. Disability rights are human rights, and therefore these rights are supposed to be entrenched also and implemented without us having to really fight for it. These are human rights and fundamentally we as disabled people are supposed to be respected and our differences and acceptance in society, not to be an issue but to be part and parcel and what is happening in society. So this quote brings a lot of relevance to what we are trying to advocate for so that the CRPD and the Sustainable Development Goals are fully implemented and we as disabled people are able to fight and to put our governments to account for what we need done and make sure that it's been done, on education on accessibility, on transportation, on information, we are not supposed to be shut out. And like we say nothing about us without us, and even in fulfilling the CRPD, that we leave no‑one behind. So we don't want to be left behind in as much as implementation of these policies and our rights are concerned in all sectors and spheres of life, and to include all our different types of disabilities as we move along. Next. Next slide. I could even say that when it comes to discrimination here we are fighting against that discrimination, especially for women and girls with disabilities who are also double discriminated because first they are women who are generally are left and secondly they are disabled, so they have double discrimination. Now on the second point, I would like to talk about the ‑ the screen Richard, I am not able to see.

RICHARD: [inaudible] human rights is the title.

SARAH: So these rights we're talking about have a history. They started from a long time with the UN, Universal Declaration On Human Rights in 1948 then we had the International Convention On Social Culture and Rights in 1964. Again we came to another Convention in 1979 on the Convention on the Elimination of All Forms of Discrimination Against Women. This was where I was saying, women are double discriminated because first of all women are generally left behind, and now that we have women who have also different types of disability, they have double discrimination when it comes to implementation of some of the rights. In 1981 again there was the UN Year of the Disabled where this journey went along to bring about specific issues on disability that needed to be brought on board and I know sometimes we ask why single out them, because some of them are very minute, but they make a whole lot of difference for persons with disabilities to be able to enjoy full inclusion and respect and dignity within a society. In 196‑, 1989 the United Nations on the Convention on the Rights of the Child was also enacted. This time we can see the issues of children are being brought on board more clearly so that children with disabilities are not left behind. Issues of children with disabilities are brought on the table for discussion so that as they grow along with the society, they are part and parcel of it, they are not excluded, they are not discriminated because of their special needs that they have and the rights that need to be put in place for them to be able to fully enjoy being part of the society. Society rights. So after that in 1988 the UN Standard Rules on Equalisation of Opportunities for Persons with Disabilities came about and this brought about clear standards and equality and equalisation of persons with disabilities even in society when it comes to employment, work, opportunities that come up, that persons with disabilities are not left behind and they are standards that are clearly set out to include them during that time. In 2006 then we had the UN Convention on the Rights of Persons with Disabilities, which we are going to talk about today which brings on board a lot of details, a lot of specific issues that the different impairments that disabled people have were considered and were clearly streamlined and mainstreamed into the main developmental agendas of all countries that were able to ratify and sign the Convention and the Treaty. Then in 2015 we have the Sustainable Development Goals, which also clearly have aspects of persons with disabilities inclusion in the way they are being implemented. Countries are striving currently to achieve the targets they have set for Sustainable Development Goals and persons with disabilities are part and parcel of the implementation of the Sustainable Development Goals, and putting governments to account and to hold them to make sure that they are not left behind, but their issues, their rights are included in the achievement of the goals that have been set, and that persons with disabilities are not left behind at all. So as we continue to look into this module we will understand more about this in the course thank you.

RICHARD: Thank you Sarah. Now we're going over to Prasanna who is going to tell us more about the Universal Declaration on Human Rights. Over to you Prasanna on human rights.

PRASANNA: Thank you Richard. Hello to all, I hope you are taking part to learn from this online training session with great interest and enthusiasm. I am going to recall some of the points that we made on the film. I hope most of you have gone through the film before you joined today. In the human rights section, in the human rights chapter we learn that every human being is born free to the world. Human rights are basic rights and freedoms, which belong to every person in the world from birth until death. Although they can sometimes be restricted for example, if the person breaks the law or in the interests of national security. These basic rights are based on shared values like dignity, fairness, equality, respect and independence. These values are defined and protected by law and international treaties. The human rights we're brought together by United Nations in light of the Second World War. The United Nations system was created to work together for world peace and to guarantee the rights of every individual everywhere. We also spoke about the characteristics of human rights. Human rights are universal and they apply equally and without discrimination to each and every person. The only requirement for having human rights is to be a human. Human rights are inherent, all human beings are born free and equal in individual rights. Human rights are a natural part who you are. Human rights are inalienable, human rights automatically belongs to each human being. Next slide please. Ok. The Universal Declaration of Human Rights, we call it UDHR, in 1948. UDHR is the documents that were taken up at the first session of General Assembly in 1947, adapted by the General Assembly on 10th December 1948. The rights identified in the UDHR comprises of several political, economic social and cultural rights, in all of them are interconnected, and bind together. As we're going to discuss how to do the activity mentioned in the course book, I will just go through these articles just to recapture the articles in the UDHR. Article 1 right to equality, 2 freedom from discrimination, 3 right to life, liberty and personal security. 4, freedom from slavery. Freedom from slavery. 5, freedom from torture and degrading treatment. 6, right to recognition as a person before the law. Right to equality for the law, right to remedy by competent tribunal. Freedom from arbitrary arrest and exile, Article 9. Article 10, right to a fair public hearing. Article 11, right to be considered innocent until proven guilty. Article 12, freedom from interference with privacy, family, home and correspondence. 13, the movement in and out of the country. 14, to asylum in other countries from persecution. Article 15, nationality and the freedom to change it. 16, marriage and family. 17 own property, right to own property. 18, freedom of belief and region, 19 freedom of opinion and information, 20 right for peaceful assembly and association. 21 right to participate in Government and in free elections. 22 Social Security, 23 desirable work and join trade unions. 24 rest and leisure. 25, adequate standard of living, 26, right to education 27 right to participate in cultural life of the community. 28 right to a social order that articulated this document. So 29 and 30 is basically about community duties essential to free and full development about this rights, and also freedom from state or personal interference in the above rights. So basically we have many rights defined in very detail in the document, these are the basic summary. Now, let's look at how to complete the Follow‑up Activity 1 mentioned in the course book. There's a big circle in the centre, we have to write a human right from the UDHR in the centre of the big circle. Then there are three circles in the middle marked as effects. Just ask if this right is denied, what are the possible effects. Write any three effects mentioned in circle that extend with arrows from the central circle. Then take each of these mentioned effects and ask what human rights could be denied by the effect. Write each right in the circle that extend with arrow from the effect. So this is the follow up activity. I hope you can understand how to do this activity, so let's try it out.

RICHARD: You can't really submit this example because we're doing it for you so you need to choose another right, we're choosing the right to education.

PRASANNA: Yeah for this I will take education. Right to education, in the big circle. When you attempt the follow up activities please do not take right to education, I repeat, do not take right to education for your follow up activity submission. You have to find another right from the UDHR. We have to find three affects for right to education what are the possible effects when someone does not have access for education. There can be many effects, for example unemployment, literacy, poverty and many more effects. Let's take poverty and unemployment as three possible effects. Now write it in the circle in the middle. Now take each of these three mentioned effects and ask what human rights would be denied by this effect. Write each right in the circle that extend with arrows from the effect. Ok now go back and show UDHR articles. Richard, can we go back and show the articles. Now mentioned earlier we have 30 Articles of the UDHR, here we have to find denied rights because of poverty. The effect is poverty. What are the denied rights? You can see there are many rights but we can pick Article 24, right to rest and leisure. Article 12, freedom from interference with privacy, family, home and correspondence. We can write these two rights in that case. Richard can we go to the diagram now.

RICHARD: Yeah.

PRASANNA: Ok now, we can go ahead right ok. Now you see you have put, yeah, no wait, poverty, under poverty we have two articles, Article 24 and Article 12. Can we go back?

RICHARD: Back again yeah.

PRASANNA: To the, yes. Ok now got it now I have the similarly the next effect is illiteracy. Here we have two denied rights because of illiteracy the effect is what are the rights denied? So from these article, 30 articles, you can find many rights, but let's take Article 19 freedom of opinion and information, and Article 10, right to a fair public hearing. Let's go to the live one, now you can see under that we can put Article 19 and Article 10. Similarly, we can put under unemployment the effect is basically unemployment, and what are the rights denied because of unemployment, we can take Article 25 right to a good standard of living and also Article 17, right to own property. So these are the kind of effects and also the denied rights. So I think I hope you may understand how to complete this activity now. As I mentioned earlier, do not attempt to use right to education. Remember all the rights are interconnected and they bind together so if you really look at if you can find effects and rights denied easy. I think I have come to the end of my presentation. In this film we talk about making international laws convention, signing of convention, ratification, accession, reservation and core human rights convention, the International Bill of Rights. Also we spoke about who is responsible for human rights. The state responsible their real obligation to respect, protect and fulfil human rights. The moral code of the conduct designated to promote understanding, tolerance, fairness and many other features essential to just and peaceful societies. Over to you Richard.

RICHARD: I think a lot of those points will be made in this animated little film which was a TED Education talk which you can find on the web, but we have put in here for you to have a look. [*video playing* ‑ subtitled]

RICHARD: So now is your chance to interact with us, answer in the chat please, your views on these three questions. Are human rights useful? So that's a yes or no. How are they useful to you? And give one example of how human rights have improved your life. So we'll give you a couple of minutes to get your thinking caps on and to for some of us it's quite early in morning, others it's later on, so open up the chat and start typing what you think about human rights. Are they useful, how are they useful to you as a disabled person and give one example of how they have improved your life. Have we got some things coming into the chat Gemma?

GEMMA: Lots of yeses. They are definitely ‑

RICHARD: So we agreed on human rights are a useful thing, that short film showed us that. There is an argument about bias into the west as it was called, which is Europe and North America, but let's remember at the original founding of that Convention, there were representatives from Egypt, representatives from South Africa, representatives from Australia, New Zealand, representatives from India. So it wasn't entirely just a western thing that was going on. So how are they useful. Have we got any views of how they are useful?

GEMMA: I have got, "When we're working with society it's very essential. Because of human rights even the weaker groups have come up to raise their voice", I am sorry somebody has chosen to do some building work today. "Human rights are useful, right to equality, without any discrimination I can avail all facilities and employment from state. Affirmative support can be given to disabilities."

RICHARD: The person who said it helps minorities, can we go to ask them to give us an example maybe from their experience?

GEMMA: Just one moment. Ok that was Josephine in Uganda, Josephine I am going to ask you to unmute. You need to unmute yourself Josephine if you're happy to speak.

RICHARD: Hi Josephine.

>>: Hi.

RICHARD: Which sort of minority groups do you think human rights laws and values help?

>>: Basically I have to point out the group where we belong for persons with disabilities we have been able to use human rights to front our views, to raise issues that affect us, and human rights being enforceable and legal it helps especially the countries that have ratified them to ensure that they pay attention to the rights and issues that affect persons with disabilities in various parts of the world.

RICHARD: Thank you very much Josephine. Have we got some other views there Gemma?

GEMMA: Somebody has said "They are useful when implemented, they empower communities to develop, not just structurally but mental and economic development."

RICHARD: Who is that from?

GEMMA: Somebody called, I apologise I am not going to pronounce it right, Ni Oluchi Iwuoha.

RICHARD: Do we know where they are from?

GEMMA: They can tell us if I ask them to.

RICHARD: Let's ask them to elaborate on that a little bit if they can.

GEMMA: Ok I am going to ask you to unmute the person that did that, if you have got a little message saying the host asking you to unmute please could you do that. Here we go Richard.

RICHARD: Hello.

>>: Hi, my name is Ni Oluchi Iwuoha speaking from Nigeria. So what I meant by that for example I belong to the albino foundation here in Nigeria, we did implement a project called Albinism Awareness Programme. We took it to the grass roots, basically what we did was to speak to teachers and parents of children with albinism, and to enlighten their minds about how to educate a child with albinism. So it's really help, specially the parents who were already writing off these children with albinism as going to be useless in society. Because of that programme their minds were enlightened, they saw the reason why they should educate their child in albinism and also the community now has a different, the communities where we promoted this programme they have a positive outlook towards persons with albinism, so you know implementing human rights and making sure that people have access to good education. In this instance the programme we implemented has enlightened the community to understand better on how to treat persons with albinism within the communities.

RICHARD: Thank you very much that's really good, it connects back to Module 1 where we talked about traditional views and how we had to challenge them. That's a really good example of using human rights to challenge prejudice and discrimination. Thank you for that. Ok I think that we're going to need to press on. We have quite a lot more to cover today. So I am going to say a little bit about we seem to blend there in that discussion between universal human rights and then of course the Convention which we are now using, and I am going to talk a bit more about the UNCRPD remembering the principles that's it based on, of respect for our inherent dignity, individual autonomy including the freedom to make one's own choices and independence of persons. That all comes from the Universal Declaration of Human Rights as does non‑discrimination, full and effective participation, respect for difference and the acceptance of persons with disabilities as part of human diversity and humanity. That is new, it was felt as we explained it was necessary to do that and that long road that Sarah talked about throughout most of that, disability was not actually specifically mentioned. Which was why we had to have this particular Convention, the UNCRPD. Equality of opportunity was a principle from 1948, accessibility is a new one, it is, although it was mentioned in minor clauses this is the first major treaty that actually puts accessibility as a principle that's really important. Equality between men and women has been there too, I think we needed CEDAW to actually emphasise that because largely it was men talking for women. Now luckily as we as part of Commonwealth Disabled People's Forum have more and more organisations of disabled women, and sections of disabled women. We think that's really important, and respect for the evolving capacity of children with disabilities. This comes from the Convention On the Right of the Child. Before we didn't have children on the scene very much at all, and this is really important for children with various impairments, that rather than say as I was on a meeting yesterday, well statutory assessments of children in the UK say they didn't have a view. Whenever I see that on the tribunals I sit, that's ridiculous, you can get a view with every child. They can show with their eyes one way or another yes or no. You can point to different directions in the sand with a stick. Every child, every person can have a view and it's this universal legal capacity that we will be coming on to next week, particularly Article 12 which is really important here. But these are the principles. This the structure which I think is important, and it mirrors in many ways the Universal Declaration of Human Rights, but it brings in the different articles, specific things that are related to us in terms of awareness raising, which is not there in other articles, other Conventions. Awareness raising because disability is such prejudice and mis‑understanding of disability. The right to life was there, but it's particularly the case where many disabled lives we just heard from the albino community, are threatened because of wrong views. In situations of risk, Article 11 protects disabled people in those things although we have seen very often in the pandemic, that we were the bottom of the pile. Equal recognition before the law, access to justice, liberty, freedom from torture, cruel degrading treatment, 12, 15 particularly important for people with mental health issues. Freedom from exploitation and violence. Modern day slavery is still very much something where people with the learning difficulty or disabilities, are being exploited by not being paid a decent wage or being kept in slavery. This is a bigger issue. Protecting the integrity of the person even in the domestic situation, people being exploited in their homes because they have a learning difficulty. Liberty of movement and nationality, and then living independently is not somewhere, anywhere else in the Convention because this a particular issue for disabled people who have been institutionalised. Personal mobility, this is very specific to us, doesn't appear in other Treaties, because it's about us, means we need to get \*\* the freedom of expression access to information in terms of the way we need in Braille, in sign language, in Easy Read. These things don't appear in other conventions. Privacy yes is there, respect to home and family, but again so often disabled people have been denied the right to marry, denied the right to have children, had their children taken away, their sexuality denied, their fertility truncated by sterilisation, often without their permission, again a breach of their human rights. Education is a very universal one but very specific because we still find in many countries up to 90% of disabled children are not part of the school system. Particularly in rural areas and we'll be coming on to a whole module on that later on in the course. Health habilitation and rehabilitation doesn't appear in other conventions, it's a specific issue for disabled people. Work is there, how we adjust work is important. Adequate standard of living for everyone, what it means for disabled people, that's a different issue. Participation in political and public life is a universal right, but how we do it, how the adjustments are made so all can do it and the same on leisure, is important. Then the 31, 32 and 33 are really about gathering information, international co‑operation, national implementation and Article 33 which I think Prasanna will talk about a lot more in his case study, is about us being consulted and the DPOs being part of the mechanisms of monitoring that goes on. The others are more technical. Ok. We're going to now see a little film from Scotland which I think is really good at demonstrating this, it's made by the Equality and Human Rights Commission. [*video playing*]

    Are you a disabled person you want to know more about your rights? Human rights are the basic rights we're all entitled to. Disabled people campaigned for decades for human rights convention of their own. The UN Convention on the Rights of Persons with Disabilities was written by and is for, disabled people. It's for people with long‑term physical, mental, intellectual and sensory impairments and barriers to be included in society. It was signed by UK Government in 2007 and ratified in 2009. That means the Government including the Scottish Government must take action to make sure that disabled people enjoy their human rights. When using the Human Rights Act or the Equality Act, we can refer to the Disability Convention. There are different steps you can take to get involved in the Convention. You can shape decisions ask questions, share experiences, challenge barriers and influence change. The Disability Convention sets out the full range of your rights, such as the right to choose your own support for independent living. The right to work, the right to equal access and participation in education, the right to be free from violence and harassment, the right to make your own decisions and have your voice heard. The right to take part in and have the same access to sport, culture and leisure activities. The right to decide where to live, who to be in a relationship with, who to live with, the right to information in a way you can understand. It's your convention, your rights.

RICHARD: A nice short little film which I hope many of you will use in your campaigning role to spread the idea of what the this is about. Now we're going to try a little activity, on barriers, solutions, and which articles we'll use. So lack of access, be ready with the chat on this one, lack of accessible public transport, and buildings. Ok that's a common thing we find. What's the solution? Transport plan and infrastructure investment that is based on access and universal design. So what parts of the UNCRPD, can you write in the chat ‑ you will find these in your course book listed but you should be beginning to know which ones they are by now. So any suggestions in the chat of what I should put in this last box please. Gemma?

GEMMA: Someone has come in already with Article 9.

RICHARD: Yes they would be right on that, also the definition of universal design. Let's try another one, you have got the idea, we have got three more of these. Living in an institution with no privacy or control over what happens to you. Common situation for many disabled people around the world. What we want the solution is support for living in the community, with our own accommodations, and funding to pay for basic needs and a right to make decisions about your life. That's a good solution. Does the Convention help us on that and in which articles will we look to help us on that please? Some suggestions.

GEMMA: I think people might need to be looking for the information but I am still getting ‑

RICHARD: Ok I will go back. Have a look at these, so which ones do you think will affect us there on that one? Just to refresh your memory, and that one. Ok. So hopefully go back again so you can just put the number in if you like you don't have to write all of the title of it. So let's see what you have come up with in the chat for Number 2.

GEMMA: I have got 19 and 23.

RICHARD: 19 and 23, I would also say 22, respect for privacy and adequate standard of living, which is 28, and also people who have been incarcerated in institutions, the liberty of the person may welcome in there as an argument as well so it's, remember these are interacting with each other then, they are not exclusive these articles. So just as when we did that activity at the beginning of this session, they are indivisible here. But these are the ones that are mainly impacted. Let's try another one. Not being allowed to decide whether you are treated with an invasive drug or ECT, electrocathode treatment, when you have mental health issues. Being supported to know the impacts of different treatments on you and being allowed to choose. Which article might we use with this one? I would urge people to learn these so that you do know which ones to use because they are really important in implementing our rights as we have heard already. Any suggestions?

GEMMA: Somebody said, "Number 12, also if one talks decision." Somebody else says 25 and 10. Then we have 10, 25 again. 24.

RICHARD: I would suggest freedom from torture, 15. But there's no wrong answer, 25 is certainly right, and 10 would come in there as well.

GEMMA: And 24 as a well.

RICHARD: 24 is education so less relevant to this.

GEMMA: I am getting quite a lot of 25.

RICHARD: That's the health system and we have equality in access to health. It's the right about decision to what happens to us, 12 is the really important one here that I would suggest. The last one we're going to do, not being allowed by parents to marry someone because they are disabled. You are an adult, you have a right to marry the person of your choice, so which one would we be using here, we would be looking for something about a right to family, that sort of thing. Can anybody come up with what that might be? I will click back, and if we were to look I think around respect for home and family, is the big one here, 23. So that what you choose for your family, who you choose, how many children you choose to have, who you choose to have them with is down to the person, it's not down to their parents. Despite many cultures that say that, those cultures are in breach of human rights. So this is you know, something which is really important. The person has to have consent to what is being done in their name. They also have to be informed about what else they might want to have as an option. So respect for home and family, equal recognition before the law would be one saw this an activity you can do, the barriers solutions we did last week, but you can use it here as a way of illustrating which articles to use. So couple of questions for the chat then, what has your country done well to publicise your rights as a disabled person? And what areas of your life could be improved by full enforcement of United Nations in your country. I will leave that up. I will bring Sarah and Thandwie in, what does has it done to help you in Kenya and South Africa. Have you got some answers for us there while people are thinking and putting their answers in the chat. Sarah do you want to unmute yourself? Thandiwe?

SARAH: Yes, I think in Kenya, we have put policies and institutions in place that are facilitating the implementation of the conventions, that is the Council for Persons with Disabilities which gives them facilities and support to be able to access assistive devices for example, education, health. There is a way that the Government is helping persons with disabilities to access some of these rights, and the policies are in place but not fully implemented, but part of them are in the implementation process. So they are [inaudible] [*over talk*]

RICHARD: Thandiwe do you have anything to add from South Africa without going into the detail you will tell us about in a minute? Yes go ahead. Thandiwe?

THANDIWE: Hello Richard can you hear me?

RICHARD: Yes can you see this questions, what has your country done well to publicise your right as a disabled person. And what ‑

THANDIWE: What our country has done well in terms of issues of disability is disability is to be put into [inaudible] of country which means we have got [inaudible] but what will be [inaudible] is make sure the *[distorted audio]* that will basically be *[distorted audio]*. Thank you so much.

RICHARD: You're very inaudible, you're going to do a presentation bit in a minute, I don't know if you could improve your reception somehow it would help. I will say now about the Optional Protocol. The Optional Protocol is an extra bit of the Convention which allows the rights that are denied to be taken up, not just by State Parties, and organisations as we'll hear who monitor it.

THANDIWE: I cannot hear Richard, you are cutting off.

RICHARD: I'm cutting off am I? If you mute yourself it might help. Can people hear me generally Gemma?

GEMMA: Yes we can hear you fine, Thandiwe I think it's your connection unfortunately. RICHARD: Sorry, we may if you can't get a better connection, I am not sure we can get you reading these things out. But we'll see if you can get a better connection in the next 5 minutes please Thandiwe. Ok so the Optional Protocol is the right for Committee, the Committee is elected by the conference of State Parties and represents 20 people who represent the State Parties, and have direct experience of disability, it's a gender balance now, and all but a couple of people on it have lived experience of living with an impairment. They are reported to by countries as we'll hear and we heard on the presentation, and they can make comments. But it's a voluntaristic thing, they can't say you are breaking the law, that up to us to get it into statute in our countries and then have a judicial, a legal way of challenging breaches of this. The Convention doesn't do that, we have to do that in each country. But in addition to that, for those countries that sign the Optional Protocol, about half of the Commonwealth countries have now but half of them have not, it's something to campaign around, they will look at individual complaints from individual disabled people in their country. They will initiate enquiries into particular issues, and it has a separate instrument and ratification process. So even if your country has signed and ratified the main Convention, you need to still be pushing to get the Optional Protocol. As an example I was involved in from the UK, you will remember that we had a Government elected in 2010 in the wake of the 2008 banking crisis, they introduced a huge range of cuts on social care, on disabled people's benefits, and Reclaiming Our Futures Alliance, which is a member organisation of the Commonwealth Disabled People's Forum organisation, co‑ordinated a shadow report on this based on an individual complaint that was made by Disabled People Against the Cuts, and collected the live experiences of thousands of disabled people. What they said, disabled people in the UK since 2010 experienced continuous assault on their rights of living standards through a programme of austerity cuts. ROFA led members to report this serious grave situation from 2012 onwards. In 2014, they requested the UN carry out a formal investigation. The UN did come to the UK and it spoke to hundreds of people as witnesses, and the report documents on how the British Government dealt with this. Here you can see a question and answer session in Geneva with member of the Committee, I recognise Stig them from Denmark when he was on the Committee, and a number of people from 15 different DPOs co‑ordinated by ROFA giving evidence from the whole of the UK. What the Committee said, and it caused quite a stir in the media here, didn't cause the Government to change their policies but it's caused them to moderate there a little bit, was that we would, there were grave and systematic violations of disabled people's rights, changes to the benefits situation disproportionately affected disabled people. The UK was the first to be investigated under Optional Protocol. The Government said it strongly refuted the Committee's findings and it's offensive views on disability. Disabled people are regularly portrayed negatively as dependent on making a living out of benefit, this was on the front pages of the main newspaper, as a result of leaked reports from Government. Sanctions for some employment and support allowance claimants increasingly significantly disproportionately applied so they lost their benefit. This has led to what the Government agrees is over 600 disabled people committing suicide, so this is a major human rights abuse whether they like it or not. We think there are far more than that. So‑called 'bedroom tax' which was a tax on people who had an extra room in social housing, was an attack on disabled people who needed a room for their equipment and for a support assistant. Assessment did not take account of persons with disabilities' need to perform a job, or the complex nature of some impairments. And some work schemes had no visible impact so there were lots of money spent by the Government on companies that they were linked to in creating jobs for disabled people, they had no impact on creating jobs for disabled people so this was a very damning indictment and shows what can be done with the Optional Protocol. So question for you, many countries have not signed up to the Optional Protocol, can you campaign for this. What issues would you like to complain to the UNCRPD Committee about if you had the Optional Protocol? A moment to take that from people on the chat please. What issue would you like to complain to the UNCRPD committee about personal issues, issues that affect you if were signatories of the Optional Protocol. How we doing Gemma? Anybody coming in?

GEMMA: We have got quite a lot of things from the other slide, so somebody said what issue would you like to complain to UNCRPD Committee, "right to employment". Somebody said I am not sure it's relating to this question or previous one, prevalence of medical model and denial syndrome is the main obstacle to make the right real. That might have been referring to the earlier slide.

RICHARD: Complain about it but ...

GEMMA: I think this is probably relating to this slide, Joanna in New Zealand said people been sectioned under the Mental Health Act with no way to appeal. Somebody else said the right to employment, and the right to public facilities. Somebody else said the right to free healthcare. Somebody else said the right to accessibility and public places.

RICHARD: I am not going to take the employment ones because we have got a module, I think module 5 is on employment, so we'll be coming back to that in a couple of weeks but it's a clearly a big issue, because if you put the right to employment and decent livelihood into that first activity at the top box you would see it would impact on a lot of the other right. So it’s a key right. Any others, else we'll move or ‑

GEMMA: Yeah, there somebody has said "The thing that the UN Committee does not have any power to sue any Government."

RICHARD: Yes, this is absolutely right. It's a name and shame process, it's not set up in terms of international law. It's really quite important for countries and groups of countries to try to set up international courts that actually hear these issues. We have the European Court of Human Rights, and that has found cases and they are binding, this is not about the European Union and Brexit, it's a much wider group which includes 56 countries including Russia and the Eastern Europe which were set up after the second world war. And that is an attempt to actually legally, as the film said, implement human rights. So we need structures like that but the main place is to check the laws that you have in your country, the Disability Discrimination Act, the Rights for Disabled Persons Act, whatever they are to check it's in line with the Convention and although many have been passed, they are not fully compliant. This is the key. The second thing is there is a mean of redress. We talked about in the presentation, that there's had to be a means of redress. By that we mean, and we saw in the Universal Declaration of Human Rights, there has to be a right to go to a tribunal to have your case heard. In other words, and this is one of the values of the Commonwealth, we wouldn't say this applies throughout the world, but throughout the Commonwealth the 54 countries say that they believe in a democratic and judicial system so everybody should have the right to be able to bring their case to law, and not have to pay for it, so there needs to be free support for people to do that, to actually challenge authority, challenge the private sector if they feel they are breaching the laws. So the first thing is to get the Convention into law, second thing make sure it covers everything, third thing to make sure that those laws are there only then if you have exhausted the laws in your country can you really take a complaint to the UNCRPD, because they would say what have you done in your country before you brought it to us. So that's where we are. So we're going to go on now to Prasanna I think who is going to give an example of compliance, and talk about that and then an example from Sri Lanka. Prasanna, can we have you back on please? Prasanna?

GEMMA: It might be, I have had message from Prasanna I think it's our Prasanna, he's got difficulty with unmuting. I am just going to try.

PRASANNA: Now it's ok.

GEMMA: It is you! I thought it was somebody else.

RICHARD: I have got the slide up, you start on this bit, UNCRPD monitoring reporting and complaints. Over to you.

PRASANNA: Thank you Richard. My video is out does that matter? Ok now in this session I am going to cover UNCRPD monitoring reporting and compliance which mentioned earlier about the purpose of this Convention. The Article 33 is the UNCRPD article about international implementation measures. Usually with article the Government has to create focal points within the Government institutions. Thereafter, they have to have a Government co‑ordination within the governments so basically they have experience in most of the countries like especially in the Asian part, the national co‑ordination is not very effective. I have a case they brought, I can just mention about how we experience in Sri Lanka. Many countries does not have this co‑ordination system in place therefore there's a huge multiplication of work, and the third part is having independent monitoring mechanism. Basically, this mechanism should be established under the Paris Principles. The Paris Principles is some guidelines that written by the United Nations in the conference in Paris, how to establish independent mechanism. They have set up they elaborate on the independence of Human Rights Commission and the national human rights commission.

GEMMA: Prasanna, please can you slow down a little.

PRASANNA: Right so basically the Human Rights Commission, national human rights commission are as ABC depending on the rate of independency, so the Article 33 suggests to have independent mechanism as per Paris Principles. So this mechanism, there is the opportunity for DPOs to get involved in this mechanism for the monitoring of the Convention implementation at national level. So Article 33 is very, very important, for Government officers and also for the activists like us because Article 33 with the Government are supposed to have their national implementation in place, they always have to refer to the Article 4 where it explains the responsibilities and obligations of the Government. So Article 34 is an article which established the UNCRPD committee UN Convention on the Rights of Persons with Disabilities. There are 18 persons, those 18 persons are elected by the, during the conference of State Parties in the United Nations every two years. The terms of the Committee members are four years but every two years they selecting nine people so therefore they can keep the momentum of the work of the Committee going on. Article 35, Article 35 is very important for us, why? When the country ratifies the Convention, every state is responsible to send their initial report to the Committee, the initial report should comprise of all the services and facilities by the Government, including their national laws like civil rights bill and whatever relation available in the Government, and the two year time period is for the governments to make sure that their domestic laws are in place for disabled people to enjoy their rights. So when it comes to my case study with Sri Lanka, I will explain a little bit about how and what happened to Sri Lanka. In this Shadow Report the Government, in this initial report that report has to be updated every four years after that. The initial report submitted by the state, the civil society and DPOs and also submitted a Shadow Report, similar to looking at state report or maybe you can explain more about what is happening in the country, the contextual level with the disability. Sometimes you know what we are seeing in the other part of the regions like Asian countries, the governments are very, state they want to show that they are doing a lot of work and they are doing the utmost for persons with disabilities, but at the ground level and the country level, the report says something but that the reality is not the same case. So that is why the Shadow Report is important. And I think earlier you have learnt from the UK experience how they have get the Shadow Report to work and how they have managed to interfere with the CRPD Committee. Next slide please, and what is important in the Article 33 and Article 34, and 35 and also Article 31 is this slide. You can see initially the focal points in the Government has to establish. Then Government should have this national co‑ordination mechanism. Inter-ministerial. For countries where they don't have the mechanism is very much advisable to have the highest level of political leadership and co‑ordination. Third, enforce minimum standards, this is actually the CRPD is a tool where we can talk about human rights and disabled rights on one side but also the other side, it's about the minimum standards looking the CRPD and taking the [inaudible] we can have the minimum standards set. So Article 35 mentions obligation to report to the Committee and Article 35 you can recall you report every four years the country situation, the Government the state is going to submit their state report and the DPOs can submit their Shadow Report. And the Committee under Article 34 is going to remove [inaudible] initially soon after the submission of the initial report is to take about two, three years.

RICHARD: I think we're need to go on to your case study because we'll run out of time. PRASANNA: The final one is international co‑operation where necessary, that's Article 32. I am going talk about, next slide please, the Sri Lanka Shadow Report is not something we have submitted to CRPD Committee but to the Human Rights Council in 2017. Sri Lanka had the third [inaudible] we have started our work way before and we have submitted a contextual report to the Human Rights Council for their review during state, for Sri Lanka review. You can see from slides that the kind of, the difficulties faced by persons with disabilities and then next slide please Richard. You can see these are the kind of interventions we have made. We have submitted thematic areas for review and one of the main concerns is the national human rights, in Sri Lanka in 2006 the Government has drafted a civil rights bill, compared to the time for the Convention, but in 2008 after Sri Lanka become a signature to the CRPD, 2006 draft was changed not to incorporate whatever mention in the UNCRPD but to dilute some of the rights. So since 2009 the activists in Sri Lanka has fighting with the Government in a very, very positive way, every time it's come to the National Council, the Council members, Sri Lanka has 11 Council members in their council, we were totally against somebody [inaudible] Parliament because all the right were diluted so this happened for the last 12 years. In 2017 we have mentioned this in the review Shadow Report, results we managed to get 7 recommendations during the interventions in the Government of Sri Lanka. In 2017, 2018 after that intervention, the Ministry of Foreign affairs came to take the lead in incorporating UNCRPD, norms so I must say we were so happy that more than 60% of the Article 33 themes were included in the draft report. However, here's one of the milestones in Sri Lanka because the Foreign Ministry leadership and taking other stakeholders together, and also the participation of disabled organisations, in fact the leading umbrella organisation in Sri Lanka has revalued the opportunity to effectively participate and incorporate many, many things into the draft. Unfortunately, the draft bill is still not enacted in the Parliament, still at discussion because some of you may be aware that Sri Lanka has gone through a Government change, we have new Government, more powerful National Council with more persons with disabilities on there, they are trying to get some more things incorporated into this draft, fully comprehensive rights. Number 2, the accessible regulation number 1 or 6 is a very important regulations. In 2003 the tsunami hit Sri Lanka the Government passed this legislation a very positive way [inaudible] also to give effect to accessible in Sri Lanka. However ‑

RICHARD: Prasanna, could I ask you to summarise because we're running out of time.

PRASANNA: A lot of our leaders has filed a case in the Supreme Court he wasn't case but unfortunately because we're not having that Convention up today we're not having the accessible information implemented in fully so that is how Sri Lanka has failed in that thing. We are also more full with Government [inaudible] this thing they will come to effect. We had so many things, and similarly we have so many interventions, and I request you do refer our article and thank you very much Richard.

RICHARD: Thank you, we wish you well with your ongoing struggle with your governments. I am not sure how we're doing Thandiwe, are you online or not, or shall I just summarise this for you?

THANDIWE: I am online Richard.

RICHARD: You will have to be quite brief, three minutes please on this. Off you go. Thandiwe?

THANDIWE: Thank you so much. We are going to talk, my name is Thandiwe Mufulo, from South Africa, we're going to talk about the Shadow Report that we had, that we had together with Women Enabled International, another organisation in our country, and we were talking about women and girls with disabilities in South Africa. They face intersectional discrimination on the basis of being women, secondly being disabled. Now, South African women with disabilities, they are also discriminated against and subjected to harmful stereotypes that undermines their dignity, and erect barriers to their full inclusion in the society. Particularly black women, women in rural areas, women with intellectual or psychosocial disability. They are the ones that are regularly discriminated against and they are denied access to justice or essential support services, accommodations necessary to uphold their rights and live independent lives free from discrimination and violence. That's what women are facing with disability. Furthermore, there's also a unique form of discrimination in the healthcare centre. Particularly when accessing sexual or reproductive health, information and services. You know you come to a hospital or you go to a clinic but you need to take maybe prevention tablet so to you cannot be pregnant, and most of the time they are not able. They will ask you oh, are you also sleeping with men, so there's a lot of discrimination around that.

RICHARD: The next slide.

THANDIWE: These services are most of time unavailable, if they are available they are unaffordable, they are inaccessible because the clinic will be far away, it will be in town and you in a [inaudible] or staying in the township so you can't access because maybe you need travel to go. Can you go to the next slide. Then Article 6 of the UN Convention on the Rights of Persons with Disabilities standardised test parties must recognise and take measures according to respect, protect and fulfil the rights of women with disabilities. The Committee on the rights of persons with disabilities, the CRPD Committee in general, they explained that State Parties must also ensure that third parties do not violate the rights of women with disabilities. The submission focuses on the rights violation that affect women with disabilities in South Africa as identified by the CRPD Committee. You know the list of issues in relation to the initial report of South Africa. They submission concludes with recommendations for the CRPD Committee to take into account during its review, to make sure that issues of women with disabilities are being catered for, and our organisation make, we made the following recommendation to the CRPD. One of them is to say they must be specific measures that address discrimination experienced by women and girls with disability. To be able to empower, to empower them especially black women with disabilities. Next. So these are some of the submissions that we put, also to improve access to justice for women and girls with disability because I am telling you that it does not work correctly. There's a need for amend of laws and policies and then there's a need for providing training ‑

RICHARD: Ok we have run out of time.

THANDIWE: To combat abuse and violence against women and girls by ensuring gender‑based violence services are accessible and available especially in the disadvantaged area. This should be done, that includes issues of disability especially for women, awareness raising of the programmes and then prevent violence based, present must have violent based programmes and then we also need to amend laws that compromise women with disabilities in South Africa, and then the right to make their own reproductive choice and legal to be able to take? What [inaudible] what to do.

RICHARD: You're breaking up a bit.

THANDIWE: The last thing that needs to happen. Oh I'm out of the system. RICHARD: Thank you for that. You have broken up so I am going to move on, but it's a really good example of how a sectional group can have this impact. We're now just at the last few minutes finish up on the SDGs, we'll come back to these at other times but I think the best thing I can do is show this film on the SGDs, which will help us to understand them. [*video playing*]

    In 2015 world leaders from 193 countries agreed the Sustainable Development Goals, or SDGs. The world's new action plan for the next 15 years to eradicate extreme poverty and hunger, fight inequality, tackle climate change and achieve sustainable development for all. The SDGs follow the millennium development goals or MDG, agreed in 2000 in a global co‑ordinated [*video stopped]*

RICHARD: Ooh sorry seems to ... [*video playing*]

>>: Tackle climate change and achieve sustainable development for all. The SDG follow the Millennium Development Goals or MDGs agreed in 2000 global co‑ordinated attempt to tackle development issues. As a result the number of people living in extreme poverty has declined by more than half, compared to 1990. More girls and boys go to primary school then ever more and far more people have access to water and essential medicines but progress of the MGDs has been mixed. Today over 800 million people still live in poverty, they are almost most vulnerable to the increasing impact om climate change and environmental degradation. Years of hard won progress fighting poverty could be easily wiped out by economic crisis or natural disasters. Also sub‑Saharan African and Southern Asia consistently achieve less progress than other regions. The MGDs measured success on national average, often missing what happen marginalised group like persons with disabilities, indigenous groups, rural communities and women. The international community recognised the new challenges and that human prosperity does go hand‑in‑hand with protecting the planet. After a 3 year participatory process, world leaders finally adopted 17 Sustainable Development Goals. What are these goals for? They are: End poverty for all. Freedom for hunger. Health and wellbeing. Quality of education gender equality. Clean water and sanitation. Sustainable energy for all. Decent work and economic development. Innovation and resilient infrastructure. Reducing inequalities. Sustainable cities and communities. Sustainable consumption and production. Action on climate change. Healthy oceans. Sustainable ecosystems. Peace and justice. Global partnerships. There are 4 and line principles that come with the SGDs that a transformational in the way we work on development in the future. Firstly, the SDGs are universal. They apply to every country, rich and poor, north and south, developed and developing. They recognise the global challenges like tackling climate change and changing models of development require global solutions. Domestic pollicises that look at these issues in one country, will have an impact on other part of the world so we need to co‑ordinate. Secondly the integrate all dimensions of sustainability. Economic development, social progress, and environmental protection. For example, they tell us to grow enough food for all without destroying the soil, or overusing water. To develop our economies without increasing inequality. Or to produce enough electricity for all without pumping more CO2 into the atmosphere. The SDGs tell us we should leave no‑one behind the Government have agreed no goal should be met unless it's met for everyone, including those in society most vulnerable and hardest to reach. So education must reach indigenous communities, jobs created for women and men, quality healthcare available for all rural communities and water and sanitation facilities accessible for people living with disabilities. Tackling exclusion is the key to tackling inequality, and finally, the SDG require the participation of all. The process to agree the SDG took years and included national dialogues, consultation with civil society groups, the private sector, and academia, and negotiation between all Government at the UN. There's a strong sense of ownership with these goals, the result is ambitious but it reflects what the world wants.

RICHARD: We have nearly run out of time, I will come on to my last slide. The SDGs are really important. They are reviewed at higher level political forum every July. If you're country has put itself forward for that, then it's important for the Disabled People's Organisations and disabled people to feed into that. The goals apply to, every goal applies to disabled people. There are specific references in Article 5, there are Articles 6 and 7, Article 9, level, and 13 and 32. But throughout the convention there are 169 targets and 7 of those are specifically for disabled people, and because it says leave no‑one behind they all apply to everyone. So this is a really good complement to the UNCRPD but let no‑one believe that doing work on SDG alone will help. We have to get full implementation for the UNCRPD, we have to get it into domestic law, we have to have a means of redress, and disabled people and their families and generally everyone in the population, understand what this means so we have a huge job on our hands and this training is to help you do that. Excuse me. So I hope you have enjoyed this seminar. Next week, we will be looking at health, the module for health will be up on the website tonight as will be the course book, we hope you do the work on that. I said last week, hang on to your work but if you want to send it into admin@commonwealthdpf.org we can put it in folders so we can start looking at it. You each have a folder in our protected area so we can gather your work and assess it. So please start sending it into admin@commonwealthdpf.org. So and you will, we'll circulate that address so you know where to send it. I wish you all well with your study this week and we'll see you again next week. Thank you very much.