Influencing Global Discussions on Article 19

II Webinar on the CRPD Committee Day of General Discussion on Living and Being Included in the Community

www.inclusion-international.org
General Comment on Living and Being Included in the Community

• Inform and support members or groups to submit comments to the Committee;

• Seek feedback from II members on key areas to address in II’s submission; and,

• Highlight key messages II plans to share with the Convention on the Rights of Persons with Disabilities (CRPD) Committee.
Part 1

Understanding the Process of a General Comment

Part 2

Specifics about the General Comment on The Right to Live and Be Included in the Community Art 19
Part 1

Understanding the Process of a General Comment

• What is the committee?

• What is a General Comment?

• Understanding the Process.

Goals

1.

2.

3.
CRPD Committee

• The Committee is the body of **18** independent experts which monitors implementation of the Convention on the Rights of Persons with Disabilities.

• Experts elected by countries who have ratified the CRPD at the Conference of States Parties

• The members of the Committee serve in their individual capacity, not as government representatives.

• Committee reviews country reports, issues general comments, hosts discussions etc
General Comment

• General Comments are principled comments drafted by the CRPD Committee used to interpret provisions in the CRPD.

• The General Comment on Article 19 will be drafted based on the conclusions of the Day of General Discussion.
  – Once drafting is underway, there will be an opportunity to provide input on the General Comment
Process

1. Submissions to the Committee

• Interested stakeholders invited to make submissions to the committee in English, Spanish or French by 29 February, 2016.

• Submission should:
  – clearly identify the sub-paragraph of article 19 that they address
  – be no longer than 5 pages
  – include a one paragraph summary of the content of the submission.

• Submissions should be sent in word format directly to the Committee Secretariat, Jorge Araya, jaraya@ohchr.org

2. Day of General Discussion

• The Day of General Discussion(DGD) will be held at the UN, in Geneva, 19 April, 2016
Day of General Discussion (programme)

• Programme developed by the CRPD Committee

• Anticipate programme will be available in early March

• Time will be allocated for oral interventions from the floor. A speakers' list will open at 9:15 am with the Committee Secretariat for participants wishing to take the floor

• Preliminary topics that have been identified include:
  – autonomy, self-determination, control and choice;
  – support and inclusion -paragraphs 2 and 3 of art. 19,
  – deinstitutionalization and living in the community
Any Questions?
Poll

Do you or your organization plan on submitting to the CRPD Committee?

- YES
- NO
- MAYBE
Poll

Are you or someone from your organization planning to be in Geneva for the Day of General Discussion?

- YES
- NO
- MAYBE
Part 2

Specifics about the General Comment on The Right to Live and Be Included in the Community Art 19

• Issues identified by the CRPD Committee around Living in the Community

• Committee’s Position on Living in the Community

• II highlights for the content of its submission.

• Specific issues from participants
The UN Convention for people with a Disability
Article 19 – Living independently and being included in the community

• States Parties to the present Convention recognize the equal right of all persons with disabilities to live in the community, with choices equal to others, and shall take effective and appropriate measures to facilitate full enjoyment by persons with disabilities of this right and their full inclusion and participation in the community, including by ensuring that:
  
  • a) Persons with disabilities have the opportunity to choose their place of residence and where and with whom they live on an equal basis with others and are not obliged to live in a particular living arrangement;
  
  • b) Persons with disabilities have access to a range of in-home, residential and other community support services, including personal assistance necessary to support living and inclusion in the community, and to prevent isolation or segregation from the community;
  
  • c) Community services and facilities for the general population are available on an equal basis to persons with disabilities and are responsive to their needs.
Issues identified by the CRPD Committee around Living in the Community

The Committee has identified implementation gaps and, to a certain extent, misconceptions about:

- the right of persons with disabilities to choose their place of residence and where and with whom to live;

- the right of persons with disabilities to in-home, residential and community support services;

- the right to community services and facilities available on an equal basis with the general population and which are responsive to the needs of persons with disabilities.
Committee’s Position on Living in the Community

• An initial scan of the Committee’s Concluding Observations indicates the Committee has a progressive and positive approach in regards to supporting people to live and be included in their community that is consistent with many II positions.

• The Committee’s Concluding Observations have consistently called for the closure of institutions and the development of community-based support and services.

• The Committee has consistently recognized the intersectionality of rights – most recently demonstrated in the draft general comment on Inclusive Education (Article 24) that explicitly links inclusive education and the right to live and be included in the community.
### II’s Key Findings

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<th>Finding</th>
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<td>The majority of people with intellectual disabilities have no voice or control in the decisions about where and with whom they live.</td>
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<td>People with intellectual disabilities have limited choice and options for where and with whom they live.</td>
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<td>Institutions continue to be a major source of human rights violation and there is evidence in some regions that the admission of children is increasing and that new forms of institutions are being created.</td>
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<td>The vast majority of people with intellectual disabilities live at home with their families with little or no services or support to the individual</td>
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<td>The major source of support and care which people with intellectual disabilities receive is from their families yet families receive little or no support from communities or governments.</td>
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<td>Even when people with intellectual disabilities live in the community they are often isolated and excluded from the community</td>
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<td>Communities fail to organize systems to be inclusive (education, health, transportation, political processes, cultural and religious groups, employment etc.)</td>
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Our Key Messages

Living and Being Included in the Community Means:

• Having **CHOICE** about where and with whom you live and not being obliged to live in a particular living arrangement
  – This means having a voice and control in your own life.
  – Choice is about having options.

• Having **SUPPORTS**
  – i.e. personal assistance, financial support, help managing household responsibilities, respite support

• **INCLUSION** in communities
  – i.e. education systems, health systems, recreation, transportation, employment, etc. must organize themselves in inclusive ways
Making it Happen

To do this, we need to:

• **Transition** from segregated models (i.e. employment, housing, education) to **community based** models

• Build and support **self-advocacy** groups.

• Develop **family resource and training programmes** and assist families to build and sustain natural supports in the community.

• Secure **budget allocation** for disability supports and inclusion in **mainstream** budgets.

• Share stories and learn from success and obstacles.ie second order **deinstitutionalization**
**Steps to Inclusion: Strategies**

- Encourage and support children and adults who have an intellectual disability to speak for themselves and to express their hopes and dreams.

- Focus on planning with individuals so they can create futures around their interests and desires.

- Take advantage of services, programmes, jobs that are available in the community for all and provide support options there.

- Don’t build new large centres to house people with intellectual disabilities.

- Don’t invest in refurbishing existing large centres.

- Start planning for the people now living in large centres so that they can become included in their communities.

- Remove all incentives that give more support to children or adults if they move away from their families.

- Provide supports to families AND to individuals with disabilities. Support organizations of families as well as self-advocacy.

- Conduct public awareness about people with intellectual disabilities to reduce stigma and prejudice.

- Invest in making community programmes and services accessible and inclusive rather than in programmes exclusively for people with disabilities.
Any Questions?
Issues to Highlight

If you are making a submission what are some of the issues you will be highlighting?
Suggestions to II

Is there something specific you would like II to include in its submission?