



OSCE Human Dimension Implementation Meeting

Warsaw, 23 September – 4 October 2013

Working session 3: Tolerance and non-discrimination II

Contribution of the Council of Europe

Protecting and promoting the rights of people with disabilities

The Council of Europe work in the disability field lies within the anti-discrimination and human rights framework and seeks to enhance independence, freedom of choice and the quality of life of people with disabilities and to raise awareness of disability as a part of human diversity.

In 2012-2013 the Council of Europe disability-related activities focused, inter alia on two issues covered by the Council of Europe Disability Action Plan 2006-2015, namely the rights of children and young people with disabilities and participation of people with disabilities in cultural life, including leisure, tourism and sports.

Two working groups were established composed of the members of the Committee of Experts on the Rights of People with Disabilities (CS-RPD), representatives of European Disability NGOs and service providers as well as academic experts to develop policy recommendations in the given areas.

The situation of children and young people with disabilities is dealt with in the Action Plan's Cross-cutting aspect 4.4., as groups of people with disabilities who face specific barriers and experience two-fold discrimination.

As a result of the activities of the corresponding working group a draft Recommendation CM/Rec(2013)... of the Committee of Ministers to member States on ensuring full inclusion of children and young people with disabilities into society was produced, which is planned to be considered by the Committee of Ministers in the fourth quarter of 2013. The Recommendation would be accompanied by the Report on the "Social inclusion of children and young people with disabilities" drafted by a Council of Europe Consultant, Mr Helmut HEINEN (Belgium).

The above-mentioned documents cover such vital areas as promoting full belonging to society; participation, choice and decision making; support to empower children and young people with disabilities; inclusive education facilitating full citizenship.

The 2nd working group has prepared a draft Recommendation on ensuring full, equal and effective participation of persons with disabilities in culture, sports, tourism and leisure activities.

Mr Damjan TATIC (Serbia), Council of Europe Consultant, who is also a member of the UN Committee on the Rights of Persons with Disabilities, has prepared a draft study on access

for persons with disabilities to culture, tourism, sports and leisure activities: towards meaningful and enriching participation.

The Disability Action Plan Key action line No. 2 “Participation in cultural life” was set as a priority for the CS-RPD work in 2013.

In order to promote and facilitate enjoyment of human rights by people with disabilities in these areas of life on the same level as all other citizens complex actions should be taken at national and local levels and the draft Recommendation and draft Study would serve as useful tools in the process of elaborating policy and measures.

Apart from the work on development of legal instruments and publications the Council of Europe promotes the rights of people with disabilities by carrying out assistance activities in its members States based on the principles of the Disability Action Plan and the UN Convention on the Rights of Persons with Disabilities (CRPD) with a view to raise awareness of the national stakeholders of the human rights-based approach to disability and to increase their capacity to implement international legal documents.

Women and girls with disabilities

Within the frame of the Council of Europe programme “Promoting Human Rights – Equality and Diversity” and following on the findings of the 2010 Mid-term review report on the national implementation of the Council of Europe Disability Action Plan 2006-2015 , the Council of Europe has recently worked in more detail on the Plan’s cross-cutting aspect concerning women and girls with disabilities.

Despite the fact that in most European countries the principles of equality of all citizens before the law and non-discrimination on the grounds of gender and/or disability in all aspects of life are clearly stated in national constitutions, women and girls with disabilities still remain at considerably higher risk of multiple discrimination or disadvantage than men with disabilities or non-disabled women or girls. They can and often face multiple obstacles to participation in society due to twofold discrimination, namely on combined grounds of both gender and disability.

Consequently, the Council of Europe set up a committee, consisting of experts from 11 Council of Europe member states and representatives of European disabled people’s organisations (DPOs), tasked with the elaboration of recommendations that would address this issue.

On 13 June 2012, the Council of Europe Committee of Ministers adopted its Recommendation to member states on the protection and promotion of the rights of women and girls with disabilities (Recommendation CM/Rec(2012)6).

The recommendation tackles the issue in the following 11 chapters:

- 1) Equality and non-discrimination legislation;
- 2) Research, data, statistics;
- 3) Participation in political and public life as well as decision-making;
- 4) Education and training;
- 5) Employment and economic situation;
- 6) Health care and rehabilitation;
- 7) Access to social protection and community-based social services;
- 8) Sexual and reproductive rights, motherhood, and family life;
- 9) Access to justice and protection from violence and abuse;
- 10) Participation in culture, sport, leisure and tourism;
- 11) Raising awareness and changing attitudes.

All member states should implement the provisions contained therein, taking account of the special situation and requirements of women and girls with disabilities, not only when

elaborating disability legislation and policies but also when generally promoting and fostering gender equality.

Awareness-raising activities will take place in some Council of Europe member states during the next 2 years.

A report that will accompany the Recommendation and further explain or illustrate its provisions is currently being prepared for publication.