

# THE UNCRPD

## A NEW LOOK AT OUR HUMAN RIGHTS



The voice of blind and partially sighted people in Europe

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## **INTRODUCTION**

Welcome to this new look at our human rights! Did you ever feel that your rights as a person with disabilities were not taken sufficiently into account? Did you ever wish that you knew how best to defend your rights and what to expect from that fully inclusive society a lot of people talk about? Last but not least, have you heard of the United Nations Convention on the Rights of Persons with Disabilities and wondered if it could be of any use to you, in your everyday life?

With the help and funding of the European Union REC programme, the European Blind Union (EBU) created this publication to fully explain how you, as a blind or partially-sighted person or someone who regularly interacts with them, can benefit from the Convention. We will talk about the Convention, how it can help you and summarize the main human rights it specifically addresses to people with disabilities. This document, created by representatives from Portugal, Austria and Serbia, was purpose-built, taking into account the diverse realities we find throughout Europe, from North to South, East to West, from rich to poor countries, from rural areas to the most cosmopolitan European centres.

So, whatever your daily life resembles, prepare yourself to fully discover some new perspectives on your human rights, and how the United Nations Convention on the Rights of Persons with Disabilities can truly change your life and the society around you.

### **1. THE UNCRPD**

The aim of this section is to give a quick overview of the United Nations Convention on the Rights of Persons with Disabilities (which we will refer to as The Convention). This section will tell you what the Convention is, how it was built and its main characteristics. After reading this section, you will be able to better understand why the Convention is so important, not only for blind and partially-sighted people, but especially for society as a whole.

## **1.1. What is The Convention?**

For sure you've heard people talk about human rights, and mention the Universal Declaration of Human Rights, maybe the European Charter for Human Rights, or other international treaties regarding this matter. All of us, just by dint of being human, have a certain number of rights which nobody can deny and everyone should respect. We are talking about the right to live with dignity, to move and think freely, to be secure wherever we are, to freely participate in the society to which we belong. All of us, regardless of our nationality, should be treated the same way before the law, and should be able to exercise, to their fullest extent, our fundamental rights.

Within the framework of the Universal Declaration of Human Rights, a lot of other treaties and conventions have been established under the auspices of the United Nations. They do not create new human rights, but they tell us what should be guaranteed, so that everyone, everywhere, is able to have their human rights respected and effectively safeguarded. The aforementioned treaties address specific issues such as racial discrimination and discrimination against women or children, as well as civil, political, economic, social and cultural rights.

The newest member of this family of human rights treaties is the Convention on the Rights of Persons with Disabilities, which outlines specifically how our human rights should be achieved. It does not create any new human rights as such, but it ensures that, for persons facing any kind of disability, adequate provisions are taken to guarantee full access and full capacity to exercise all fundamental rights. The Convention thus recognizes a series of rights that promote equality and non-discrimination, essential to the fullest enjoyment of all human rights by everyone.

The Convention is accessible [here](#).

## **1.2. How was it created and why?**

The Convention was drafted in direct consultation with disabled people, including blind people, and non-government organizations representing them – i.e. civil society organizations, freely chosen by

disabled people themselves, where their words and thoughts are truly represented. For example, both the European Blind Union (EBU) and the World Blind Union, along with many organizations representing blind people from many countries, played an active role in setting out the Convention as we know it. By adopting this direct consultation procedure, the United Nations thus validated a principle that has been stated for some decades in the disability movement, which is “nothing about us without us”.

This idea came as an answer to the traditional way that society looked at disability. Disabled people were historically seen as individuals that, because of their disability, were unable to fully participate in their society. So, the focus was on finding the cure to any given disability. If no cure was possible, disabled people were not able to fully participate in society, and so they should remain in “their world”, with “their difficulties”. They were viewed as subjects of pity and charity. The most society could do was to care for them.

In recent decades, an answer came from disabled people themselves: the problem lies not with their disability, but instead with the way society is organised. For example, the problems that blind people face, when getting around, learning new subjects in school, or simply reading, are not due specifically to their blindness, but instead derive from the way society relies so much on visual information, giving no alternatives to acquire and share information and knowledge. So, first of all, in order to build a fully inclusive society, disabled people should identify their needs, as they are the ones that really know how to overcome them. This is a key factor to allowing those people to fully participate in society, looking at them not as simple recipients of policies but as main actors. In the end, human rights can only be guaranteed if, in their conception and implementation, all human beings, with diverse beliefs, feelings and characteristics, are involved.

### **1.3. What are the main characteristics of the Convention?**

First of all, it is a human rights convention. This means that it stands alongside many other international relevant conventions, such as the International Convention on the Elimination of all forms of Racial

Discrimination, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of all forms of Discrimination Against Women, the Convention Against Torture or the Convention On the Rights of the Child, to name a few. It shares with them some common aspects: all of them relate to the enforcement of human rights, all of their dispositions apply not only to states themselves but to every person and entity, public or private, acting on any state that signed and ratified the document, and all of them have mechanisms in place to actively involve civil society in their monitoring.

Secondly, the rights specifically granted in this convention, and their extent as granted by the Convention, do not mean that any other rights, which are more favourable to disabled people or which are not specifically provided in this Convention, are no longer valid. Instead, the Convention can be viewed as a minimum rights' compendium. Nothing, in any state party's legislation, practice or custom, should subsist if it is against the rights and principles set out in the Convention, but legislation which does not contravene any disposition of the Convention it is still valid even if it goes further than what is set out in the Convention.

Being a human rights instrument, when signed and ratified by any country, this convention becomes mandatory not only to public bodies, but also to any individual or private entities. This means that, in any and every action, either acting on their own interest or on behalf of a certain country, state, province, region or town, everyone should abide by the rules and principles set out on the Convention, which will be looked at below (see sections 2.2 to 2.6).

As with many other human rights instruments, the Convention has an expert committee, responsible for monitoring progress of its implementation, and an optional protocol, which enables you to report if you feel your rights granted under this Convention are being violated or not sufficiently accounted for (see below, paragraph 2.1).

Besides being signed by most European countries, it was also signed and ratified by the European Union itself, which means that,

even when interpreting or creating European-wide legislation, directives or rules, the Convention, and its principles and rights should always be taken into account.

## **2. TAKING RIGHTS SERIOUSLY**

In this section, we will look further into the rights granted by the Convention, and how to exercise them. This will look at the main principles of the Convention, and will give an overview of the rights it grants. We will take a closer look at the rights granted in cases of double discrimination, and finally we'll talk a bit about the relationship between the Convention and the European Union institutions.

### **2.1. How can the Convention help enable blind people to obtain their rights?**

Being one of the human rights conventions, and being an instrument of international law, whenever any new law is written, or whenever any existing law is applied in practice, it should be interpreted in order to fully maximize the potential of the rights specifically granted in the Convention (see Article 4, number 1, paragraphs a to d). So, it is useful to know how the Convention defines your rights, as this is what should be taken into account whenever exercising your rights in your country.

The Convention also has in place a monitoring mechanism, consisting of a committee that includes people with diverse disabilities including blind people, from around the world. States have to report how they are complying with the Convention two years after its entry into force, and every four years afterwards (see Article 35). Civil society, especially disabled people and their representative organizations, also have an active role in the monitoring of the Convention (see article 33, number 3), and may submit what is called a shadow report. This means that, when analysing the implementation of the Convention in every country, the Committee will take into account not only the report of the state

itself, but also the shadow report written by civil society, especially by disabled people and their representative organizations.

Finally, the Convention has an optional protocol, which a lot of European countries have signed and ratified, that enables disabled people, individually or in groups, to report directly to the Committee if they feel their rights under the Convention are not being guaranteed in any specific situation. Please note, however, that you cannot report directly to the Committee if your country has not ratified the optional protocol, and before reporting to the Committee you should first exhaust your possibilities under national law, unless it will take too long to have any effect or if it is unlikely to bring effective relief (see Article 2 of the Optional Protocol). The Committee can submit urgent recommendations to any state after receiving a complaint, in order to adopt interim measures to avoid permanent damage to the victims of the alleged violation of the Convention (article 4), and can formulate suggestions and recommendations to any member state if it feels the rights granted by the Convention are not being fully observed or implemented.

## **2.2. What are the main principles of the Convention?**

The Convention starts by defining disabled people as those who have long-term physical, mental, intellectual or sensory impairments which, in interaction with various barriers, may restrict their full and effective participation in society on an equal basis (article 1). This includes, of course, blind and partially-sighted people, being relevant to its definition the conjunction of a sensory impairment and an existing barrier – physical or social -, which results in any limitation of your capability to be a full and effective citizen, however and whenever you choose.

The Convention outlines a series of principles which will guide us when interpreting not only the rights specifically granted by it, but also their application to any legislation, practice or custom not specifically aimed at disabled people. These are outlined in article 3, and include respect for individual dignity, autonomy and independence, for difference and acceptance of every disability as part of human diversity, non-discrimination, and equality before the

law, equality of opportunities and accessibility. Some other principles will also be looked at in more detail in section 2.4 of this publication.

It also promotes universal design, meaning that every effort should be made to provide products and services readily accessible for everyone, regardless of their disability (see article 4, number 1, paragraphs f and g), along with the development and information about all technological solutions to minimize the negative outcomes of disability in social participation (see article 4, number 1, paragraphs h and i). Whenever designing new laws, administrative procedures or any other solutions, disabled people and their representative organizations should be actively and closely involved (article 4, number 3), and every effort should be made, including through international cooperation (i.e. shared solutions, European-funded projects, etc.) to maximize every available resource to contribute to the fullest enjoyment of all the rights set out in the Convention (see article 4, number 2).

### **2.3. Can you tell me more about my rights under the Convention?**

We'll be looking in more detail at some rights, especially those that are mostly related to you as a blind or partially sighted person. However, here is a quick overview of all the rights granted by the Convention.

As you are probably not familiar with the Convention, and you are not a legal expert, it's good to know that states should make every effort to raise awareness about disability, in terms of respect for individual dignity, even at family level, combating stereotypes and promoting a positive perception, based on the abilities and capacities of disabled people (see article 8). So, everyone should be aware that now, with this Convention, as a blind or partially sighted person you are not the one left in the dark, but instead the one that can see the light through the darkest of society's stereotypes.

Should any emergency situation or humanitarian catastrophe occur, particular care shall be given to your disability-related needs, including not only when effectively responding to any disaster

situation but also when planning what to do in any risky situation (article 11). Disability is not an admissible excuse or reason to restrict your liberty, so no one should be confined due to his or her disability (article 14), nor subject to any cruel or degrading treatment, including any medical or scientific experiments taking place without your explicit and informed consent (article 15). Your mental and physical dignity and individuality as a human being should not be affected by disability (article 17), and therefore no abuse or exploitation based on disability is allowed, even during your habilitation or rehabilitation process (article 16).

Your privacy is also an important concern for the Convention, along with your right to start, or to be part of, a family you call your own. Disability shall not be an excuse for interfering with your correspondence, communications, or your own home, and rehabilitation or health information should be kept private, just like anybody else's information (article 22). Just like anybody else, if you have the right age you must be able to engage in a relationship, to choose freely whenever to start a family and when to have a child, and how many children you have, having access to the same family planning materials and facilities as anybody else in your country. By being blind or partially-sighted, you must have all the same rights as any other parent, and disability – of the child or of either of the parents – is not valid excuse to remove a child from a family, unless the judicial authorities decide, after a hearing process, that it is in the best interest of the child. Your health, including all the disability related or other treatment you may need, should also be safeguarded, should be accessible and you should have all the information you need, in a format you can use and refer to, so that you can make informed decisions regarding all aspects of your health, with no discrimination or imposed experiments or treatments (article 25). You should also be able to choose freely when and how to participate in all aspects of political, social and cultural life, be able to freely and independently vote and be elected (article 29), and be able to access all cultural materials, including exhibitions in museums, books in libraries, cinema and television, with the adequate adaptations (i.e. audio-description, audio guides, Braille explanations, etc.), in an accessible environment (article 30).

Of course there are many more very important rights you deserve, as a blind or partially-sighted person. The Convention has not forgotten them. We'll look at them in more detail below, in Section 3. But for now, let's find out how the Convention can help you if you are a woman, a child or an elderly person and are faced with a disability.

#### **2.4. Are there any specific provisions for women or children?**

Yes. The Convention starts by recognizing that disabled girls and women are subject to multiple discrimination, and so stipulates that everybody should do their best so that they can fully enjoy their human rights and fundamental freedoms. This implies that every effort should be made for the full development, advancement and empowerment of women (article 6).

Children are also a key part of the Convention. Being guided by the safeguard of the best interests of every child, and stipulating that every child has the right to express themselves according to their age and maturity, the Convention outlines that disabled children should enjoy the same human rights and fundamental freedoms in the same way as all other children (article 7). This includes the right to have, and to be part of, a family, by providing early and comprehensive information, services and support for disabled children and their families (article 23, number 3), and also includes the right of every child, disabled or not, not to be separated from his parents against their will, unless determined by competent authorities, who should be subject to judicial review (article 23, number 4). When growing up, children with disabilities should also have the same opportunities to play, and participate in any other recreational or sport activities, including those at school (article 30, number 4, paragraph b).

Pursuing this same principles, the Convention specifically outlines that, when taking all appropriate measures to prevent all forms of exploitation, violence and abuse, states should provide age- and gender-specific assistance, thus recognizing that such situations affect more those who are in a fragile position (i.e. women, children and the elderly). That is also why protection services, aimed at the

full recovery of those who have been victims of exploitation, abuse or violence, should foster the health, welfare, self-respect and dignity and autonomy of every single person, and thus should also be age-, gender- and disability-sensitive (article 16, numbers 2 and 4).

Recognizing that the enjoyment of the best possible health is one of our fundamental human rights, health services, including health rehabilitation services and facilities, should be gender-sensitive (article 25). Disability prevention, including early identification and intervention, should also be designed to take into account the special needs of younger and elderly persons (article 25, paragraph b).

There are also more detailed rights regarding education (article 24), which we'll look at in more detail below (see section 3).

## **2.5. What about organizations?**

Representative organizations (i.e. those in which disabled people themselves decide what's best for them, how and why) have a central role in the design, implementation and monitoring of all policies that, directly or indirectly, play a part in disabled peoples' lives. That's the main lesson we learn from reading article 4, number 3, which specifies that states should design and implement policies in direct consultation with disabled people, including children, through their representative organizations. This is reinforced in the monitoring process of the implementation of the Convention, in article 33, especially number 3. From our point of view, this implies that states should also give the necessary support, where needed, so that disabled peoples' organizations have not only the opportunity, but also the means, to interact with people themselves, to have full knowledge of all data and have the necessary tools to play an active part in the design, implementation and monitoring of all policies, legislation and instructions that could, or should, pertain to them. This means that people should not hesitate to take an active role in every aspect of their lives where disability could be a factor, and also that direct cooperation is needed with disabled

peoples' organizations, freely designed and chosen by disabled people themselves.

## **2.6. Are there any particularities if I live in the EU or not?**

First of all, this was the first human rights treaty to be signed by the EU itself. Although the European Union has its own charter of human rights and its own Convention of Human Rights, both instruments reflect, and relate to, the rights consecrated in the Universal Declaration of Human Rights. The European Union has taken a step further in signing both the Convention and its Optional Protocol, specifically recognizing the importance of the rights of people with disabilities as human rights themselves.

So, when interpreting union-based norms or directives, or when designing policy instruments and policies itself, the European Union has to abide by the principles and norms included in the Convention.

Also, both the European Court of Justice and the European Court of Human Rights, when judging matters brought before them, have to apply the dispositions set out in the Convention.

Of course, when interpreting national legislation or European regulations, national courts also have to take the Convention into account. Even if your country has not signed the Convention, if you question the validity or interpretation of any European regulation before a national court, your national court should also interpret it with the Convention in mind, because the EU itself is part of the Convention. If you question the validity or interpretation made from any national legislation derived from a European directive or recommendation, the Convention can also be evoked, as it should be taken into account when designing and implementing those policies.

## **3. YOUR HUMAN RIGHTS IN PRACTICE**

Now that we have had an overview of the Convention, and how it can help you in your daily life, let's look a bit further at some of the rights that most specifically can help you, as a blind or partially-

sighted person, to fully participate in an inclusive society. First, we'll be starting by looking at the very first of your fundamental rights – the right to non-discrimination, full legal capacity and access to justice. This is essential to effectively use your rights. Then, we'll look at your right to full habilitation or rehabilitation, key to your ability to fully participate in any aspect of life you choose to. Afterwards, it will be essential to have all the tools you need for that full participation, and your right to an accessible environment and to accessibility itself is a key factor. Last but not least, two of your fundamental rights are specified in more detail – your right to education, and your right to employment, as they are considered as the keys to an empowered participation in society.

### **3.1. Non-Discrimination and equal recognition before the law**

All persons, regardless of ability or disability, are equal before and under the law, and benefit equally from the law and from its protection. That is the main principle in article 5, number 1 of the Convention. This implies that, first of all and regardless of ability or disability, everyone is an equal person on the eyes of the law (article 12, number 1), and everyone can benefit equally from legal capacity, i.e. the capacity to fully attain and exercise the same rights as everyone else (article 12, number 2).

But being equal does not necessarily mean being treated in exactly the same way. If your needs or requirements are different, they should be treated differently. That's how we achieve true equality before the law. That's why the Convention stipulates that specific measures to accelerate or achieve de facto equality before the law for disabled persons are not considered discrimination, as long as they are necessary to accelerate or achieve that real equality (article 5, number 4).

Having defined non-discrimination, there are still many discriminatory elements in our society. For example, if any public or private person or entity requires that you follow different procedures just because of your disability, you may want to know why those procedures are different and how do they really accelerate or achieve effective equality for you, as a blind or partially-sighted

person. That's because treating everyone with a disability the same way is also itself discrimination. As a result states should guarantee that equality is pursued effectively for everyone, taking into account the needs derived from their concrete physical, mental or sensory conditions (article 5, number 3). For example, there is no use in providing you a sign language interpreter if you don't use sign language, or providing for a steps-free environment if you can manage stairs, if they fail to provide information in large print, Braille or in a digital format you can access.

As long as the specific procedure you have to follow or the rules that specifically apply to you are not able to accelerate or create de facto equality, considering your concrete physical, mental, intellectual or sensory impairments, and the barriers posed to you by the interaction of these impairment with the surrounding environment (physical and human environment, that is), you may be subject to a discrimination on the basis of disability. The law must protect you from such discrimination and such discriminatory actions, both prohibiting discrimination itself and by giving you the effective possibility to react under the law when you are discriminated against (article 5, number 2).

This implies that that everyone, without discrimination is equal before the law, and should be able to exercise autonomously whatever rights they have. For example, a blind or partially sighted person should be able to manage their own money, assets and property, inherit, spend, invest or donate whatever they want, in the same way as any other citizen, and can have the full legal capacity to participate in contracts or any other legal or financial instruments. To enable this to be an autonomous decision blind or partially-sighted persons should have the necessary adaptations, or whenever that is not possible, access to adequate support mechanisms, to let them exercise their full legal capacity autonomously (article 12, number 3). Those support mechanisms should, first of all, respect the rights, will and preferences of the person, be free from any undue influence and from any conflict of interest, proportional and tailored to one's personal circumstances, and apply for the shortest time possible, and should also be

reviewed regularly by a judicial body, as those support mechanisms are viewed as a last resort (article 12, number 4). In the case of blind and partially-sighted people, normally there will be no need for a support mechanism, as long as the person can complete a successful rehabilitation process.

It goes without saying that, being able to have and exercise all our rights, blind and partially-sighted people have the same rights to intervene in any judicial or court proceedings, either initiated by them, instigated against them or as a participant – for example, as witness (article 13, number 1). There is no reason why a partially-sighted person may not be considered as an eyewitness – his or her eyes might have seen something. A totally blind person can, of course, testify on what he/she heard, smelt or felt. The justice system will make the necessary adjustments to let that person participate, and said adjustments should be proportional only to compensate for the concrete disability. Access to justice is so important that state parties to the Convention should train people who work on the administration of justice, including judges, court officials, police and prison staff, to have the means to afford a disabled person full and effective access to justice (article 13, number 2).

### **3.2. Habilitation and rehabilitation**

In order to promote full citizenship, everyone must be able to enjoy their own capabilities to their fullest possibilities. That's why the Convention reserves a central role to the habilitation or rehabilitation process. Reversing the usual way of seeing disability as something that undermines or limits your possibilities, habilitation and rehabilitation play a key part in getting you the tools you need to fully exercise all your rights. But how should habilitation or rehabilitation proceedings be organized? Should you be forced to go through a specific rehabilitation process, in a specific setting, just because of your concrete disability?

According to Number 1 of Article 26 of the Convention, all countries should organize, strengthen and extend habilitation and rehabilitation services and programmes, in such a way as to begin at

the earliest possible stage of life and/or disability, be based and accessible in everyone's own community, have a multidisciplinary approach to the assessment of your needs and strengths (i. e. focusing on the multiple dimensions in which disability may interfere with your inclusion and participation possibilities). These services and programmes should be designed so as to let anyone attain and maintain full physical, mental, social and vocational ability, giving you independent control over all aspects of your life, in order to let you be fully independent and included in your community and society. This, of course, will imply that rehabilitation services and programmes work with anyone with a disability, but also with everyone in the community and society where that person chooses to live and participate.

Habilitation and rehabilitation services and programmes should particularly be readily available in the health, employment, education and social services sectors, should be voluntary and not mandatory, should take into account the needs, expectations and views of disabled people, and should be oriented towards the fullest inclusion and participation of their beneficiaries. Anyone involved in the design or execution of such services and programmes should have adequate initial and ongoing training (number 2), and, as part of the habilitation or rehabilitation process, adequate availability, knowledge and use of assistive technologies is viewed as essential to a full habilitation or rehabilitation process (number 3).

Although Article 26 does not explicitly mention it, it should be stressed that designing and implementing habilitation or rehabilitation services, programmes and facilities should take into account two key factors: one is that everyone's needs and expectations are different, so one individual's concrete habilitation or rehabilitation process should obviously differ from that most adequate to another individual. Even if two persons lost their sight under similar circumstances, the rehabilitation process will differ from one person to another. The other key factor we should never forget is that rehabilitation services, programmes and facilities should promote and take full advantage of universal design, instead of focusing on specific adaptations to a specific disability. For

example, when readily available solutions that respect universal design and that can be used independently by people with or without any given disability are available they should be preferred over solutions that are specific to a disability and that no one else will be able to assist with, unless they have the same disability.

### **3.3. Accessibility**

Accessibility is one of those words that is widely used, but with a multitude of different meanings. We can talk about accessible buildings and environments, accessible transportation, accessible technology and accessible information. That's why accessibility matters are covered mainly in three of the Conventions' articles, but that's also why you can find references to accessibility in most articles of the Convention. In this document, we will talk about accessibility under three different perspectives: living in a barrier-free environment, accessible mobility, and information and communication with no barriers.

The main article about accessibility on the Convention is Article 9. In Article 9 number 1 we see accessibility as a way of enabling disabled people to live and participate, fully and independently, in all aspects they choose. This includes the possibility to fully and independently enjoy, on an equal basis, access to buildings, homes, public spaces, transportation, technologies, information and communications, both in urban and rural areas. States should, therefore, eliminate all obstacles and barriers that could hinder that full enjoyment and participation to anyone because of his or her impairment. This implies that no barriers should refrain you from enjoying public spaces, indoor or outdoor, buildings, roads and pavements, schools, housing, medical facilities or workplaces. Nor should barriers refrain you from using information, communications, electronic or emergency services. This means that you, as a blind or partially sighted person, should be entitled to have tactile and high-contrast markings and guidelines on pavements that let you circulate safely, especially adapted crossing lights (i.e. with acoustic or audible signs) that let you safely know when to cross the street, or what street you're crossing, and many other special arrangements regarding accessible transport networks and vehicles as will be

indicated below. According to Article 9, Number 2, adequate standards of accessibility to anyone, with any kind of impairment, shall be developed, promulgated and monitored, and applied to any infrastructure or facility open to the public. Adequate signage (i.e. in Braille and large print) should be as available as it is to anyone without an impairment, and adequate live assistance (including guides or readers) should also be at hand to let anyone access any facility that is open to the public. Finally, adequate training should be made available to anyone that could play a role in creating or enjoying a barrier-free environment.

But no environment is truly accessible if you can't move around freely. That's why Article 20 of the Convention devotes special attention to barrier-free mobility, whenever, wherever and however disabled people choose to go. This includes the facilitation of quality mobility aids, solutions, live assistance or intermediaries at affordable cost, adequate training in mobility for disabled people, and also for specialist professionals working with them. Referring back to Article 9, don't forget that transportation systems should also be barrier-free, and transport staff should also have adequate training in dealing with disabled passengers, as is stated in paragraph a) of number 1 and paragraph c) of number 2. Of course this includes adequate signalling and/or assistance at terminals, stops and in vehicles, but, as we will see below, also includes adequate signalling, accessibility and/or assistance in dealing with all aspects of transportation, from choosing when, where and how to travel, to booking tickets, filling complaints, etc.

If disabled people should be able to live anywhere they choose, fully enjoy all spaces and infrastructures open to the public, move freely without barriers, then why do they face barriers to communication or to all necessary information? How can they be denied the right to freely benefit from all the possibilities opened up by information and communication technologies? Of course this crucial aspect is not ignored by the Convention. Article 21 addresses not only freedom of expression, but also the freedom to seek, retrieve and impart information, which shall be made accessible to anyone with any kind of disability as it is to the general public. This implies that every

disabled person should have access to any kind of information in the format they choose, including large print, Braille, audio or accessible digital formats. This information should be accessible in the chosen format without any extra cost, and special attention should be given to accessible official communications, so that blind or partially sighted people can receive information and communicate with public bodies in any format that best suits their needs and ability. The Internet and any digital platforms accessible to the public should also be provided with accessibility requirements in mind, and so any services offered by private or public entities should also meet accessibility requirements. A final word is dedicated by Article 21 to the mass media, which should provide their services in a way fully accessible to anyone, with or without a disability, benefiting from infrastructures such as the Internet or digital platforms. For blind and partially sighted persons, this specifically encourages the use of audiodescription, or the use of accessible program guides. Once again, a few aspects about information and communication technologies are also outlined on Article 9, particularly number 2, paragraphs f to h, that outline the need for a fully inclusive information and digital environment, built with accessibility in mind at the earliest stages so that accessibility is not an additional high cost.

### **3.4. Education**

One of the key human rights that has been associated with social development is education. The Convention, concentrating above all on human rights for all, has dedicated an extensive article to this matter. In Article 24, the Convention specifically requires the education system to be fully inclusive, both for the full development of the potential of disabled pupils, and for the benefit of awareness-raising in society (number 1).

Children with disabilities should not be excluded from the general education system, and should benefit from free compulsory primary education and secondary education without any discrimination and with all the required support to let them develop their skills to their fullest, in order to maximize social and academic development. The general education system should also provide the necessary accommodations to meet individual requirements (number 2). For

example, for children with visual impairments, the necessary lighting adjustments, Braille and/or tactile materials, and learning of orientation and mobility should be a part of the normal learning process (number 3). These adaptations also imply that adequate material and human resources, including specialized teachers, with or without disabilities, are at hand to support pupils with disabilities (number 4).

Finally, as the academic progress of any child or adult also includes tertiary education, vocational training, adult education and lifelong learning, reasonable accommodations must be made to let people with disabilities freely engage and succeed in any level of education or academics they choose to pursue (number 5). When we talk about reasonable accommodation, that includes any adaptation of materials or education techniques to take into account the specific needs of a person with any disability, including the ability to obtain information or communicate in Braille, alternative accessible formats, etc.

### **3.5. Work and employment**

One of the crucial dimensions of social participation, and citizenship, is often associated with labour activity. So it is no surprise that the Convention reserves a whole article specifically to address work and employment issues (article 27). This article aims to create an equal opportunity working environment, where everyone, with or without a disability, is able to choose or accept work in a free labour market. This includes not only the right to choose or accept work in an open, inclusive and accessible environment, but also the right to be free from harassment, discrimination and with the adequate support and protection should you suffer any work-related accidents.

Discrimination on the basis of disability forbidden whenever we talk about any aspect related to work or working conditions, including recruitment, employment, maintaining employment, career advancement and safe and healthy working conditions. General technical and vocational guidance programmes, placement services and vocational or continuing training should also be accessible to people with any disability. Adequate support must also be available

should anyone with a disability wish to start a business or cooperative work, and equal access shall be granted to assistance in finding, obtaining, maintaining a job, or returning to work. State parties to the Convention should employ people with disabilities in the public sector, but also establish policies that promote the effective employment of disabled people in the private sector, either through affirmative action programmes, incentives and/or measures. Adequate vocational and professional rehabilitation, job retention and return-to-work programmes should exist, and experience in the open labour market must not only be theoretically possible, but practically available. Finally, in order to fully develop that equal working environment, reasonable accommodation must be provided for any worker with a disability in the workplace, including reasonable adaptation of workplaces, or working procedures, to maximize the possibility of active involvement of people with any disability, for example, adopting information or communication technologies instead of printed documents in workflows, or enabling the acquisition, at lower costs, of special equipment needed on the basis of disability to gain full accessibility to a certain activity.

#### 4. CONCLUSIONS

Fortunately, for all of us, this was not a short document. Nowadays, both with the United Nations Convention on the Rights of Persons with Disabilities, and with all the instruments adopted either at a national level or at European Union level, we, as blind and partially-sighted persons, have a certain number of rights that we should be aware of. All those rights are no more than basic human rights, and no less than essential citizenship rights. The purpose of this document was to raise awareness about them, how to exercise them and to explain how those rights contribute to a fully inclusive society. This purpose will be best met if you put all those rights into action, in your family, your neighbourhood, your friends, your community, your country, or the world. After all, as a human being, you're also fully part of the diverse world we all live in. So now that the Convention has given you the framework to exercise your rights, the rest is up to you...



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