

Forum: 3rd committee – Social, Humanitarian and Cultural

Issue: Violation of rights of people with disabilities

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Description of issue:

The Third Committee allocates items relating to a range of social, humanitarian affairs and human rights issues that affect people all over the world.

All persons with disabilities face discrimination and barriers that restrict them from participating in society on an equal basis with others every day. They are commonly denied their rights, including entry to the general school system and the workplace, living independently in the community, voting, or participating in sport and cultural activities. They are often held back from accessing social protection or justice, choosing medical treatment or entering freely into legal commitments.

Main countries involved: Mexico, Australia, Brazil, Germany, UK, USA

Background information:

As in previous sessions, an important part of the work of the Committee will focus on the examination of human rights questions, including reports of the special procedures of the Human Rights Council which was established in 2006. It adopts a broad categorization of persons with disabilities and reaffirms that all persons with all types of disabilities must enjoy all human rights and fundamental freedoms. It clarifies and qualifies how all categories of rights apply to persons with disabilities and identifies areas where adaptations have to be made for persons with disabilities to effectively exercise their rights and areas where their rights have been violated, and where protection of rights must be reinforced.

The Universal Declaration of Human Rights (1948) was the first legal document protecting universal human rights. It is generally agreed to be the foundation of international human rights law.

The four major types of disabilities include physical, developmental, behavioral or emotional, and sensory impaired disorders. While many disabilities fall under one of these four umbrellas, many can fall under two or more.

Persons with disabilities face barriers to gaining access to and exercising their right to work and employment in the open labor market, on an equal basis with others. Persons with disabilities face high unemployment rates, lower wages, instability, lower standards in hiring conditions, lack of accessibility of the work environment, and are also less likely than other persons to be appointed to managerial positions when they are formally employed, all of which are exacerbated for women with disabilities. Persons with disabilities are more likely to earn lower wages than persons without disabilities and are more likely to be in vulnerable employment, including being employed in the informal sector, being self - employed or engaging in part - time employment.

The World Health Survey—a face-to-face household survey conducted in 2002-2004 in 59 countries—estimated that about 650 million adults had a disability, with about 92 million of those adults experiencing very significant disabilities. The survey also demonstrated that the occurrence of disability is higher in low-income countries where about 18% of the population has a disability, in comparison to high income countries where about 11.8% of the population has a disability.

The Committee on the Rights of Persons with Disabilities recognizes that no State is able to realize the right to health immediately. For example, States may have to develop health care infrastructure, train health professionals, or implement health care legal reforms to begin realizing the right to health. The obligation for States to progressively realize the right to health requires them to make continuing efforts to implement the right, recognizing that it is a process achieved over time.

Physical accessibility is a critical component for ensuring equal access to health care for persons with disabilities. Physical barriers to accessing health care include both environmental and infrastructural barriers as well as geographical barriers, such as access to rural health centers. Accessibility also implies that medical services and underlying determinants of health, such as safe and potable water and adequate sanitation facilities, are within safe physical reach, including in rural areas. Accessibility further includes adequate access to buildings for persons with disabilities.

Affordable health insurance is an important measure for addressing barriers to financing and affordability. Measures can include targeting people with disabilities who have the greatest health care need, providing general income support, reducing or removing out of pocket payments to improve access, eliminating discriminatory provisions, and providing incentives to health providers to promote access.

The issues that need to be addressed are as follows:

Developing guidance on the rights of persons with disabilities and mainstreaming their rights across the United Nations system.

Facilitating and aligning policy dialogue on the rights of persons with disabilities among intergovernmental bodies and across humanitarian and development agendas.

Without equal access to health care, “people with disabilities are at serious risk of delayed diagnoses, secondary co-morbidities, persistent abuse, depleted social capital, and isolation.”

Key terms:

A barrier - anything that prevents a person with a disability from fully participating in all aspects of society because of his or her disability.

Non-discrimination – Equal Access to Health Care

Discrimination on the basis of disability - means any distinction, exclusion or restriction on the basis of disability which has the purpose or effect of impairing or nullifying the recognition, enjoyment or exercise, on an equal basis with others, of all human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field. It includes all forms of discrimination, including denial of reasonable accommodation.

Sources every delegate/ambassador should study:

<https://www.hhrguide.org/2014/03/21/disability-and-human-rights/>

<https://www.un.org/development/desa/disabilities/disability-laws-and-acts-by-country-area.html>

https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-15&chapter=4&clang=_en

[Disability Barriers](#)

https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Countries.aspx