Persons with disabilities: rights and dignity, United Nations legally binding instrument

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PURPOSE : to set out the Commission's position on the UN Ad-Hoc Committee to protect and promote the rights and dignity of persons with a disability CONTENT : UN Resolution 56/168 seeks to introduce a legally binding instrument to promote and protect the rights and dignity of persons with disabilities. This legally binding document should guarantee that disabled people (estimated at more than half a billion people world wide) enjoy the full range of internationally guaranteed rights and freedoms and that they do so without discrimination on the grounds of a disability. Such a policy is fully in line with the community policy to combat discrimination and complements the 2003 EU initiative for the "European Year of People with Disabilities". The purpose of this Communication is to set out the European Commission's position regarding a possible international and legally binding instrument. Shortly, the Commission will propose a recommendation to the Council seeking authorisation to negotiate in the context of the forthcoming session of the UN ad Hoc Committee and to conduct these negotiations on behalf of the European Community. The human rights legal framework already guarantees people with disabilities the same human rights as everyone else. In reality, however, disabled people face a lot of hidden as well as visible discrimination. In most cases it takes the form of unconscious discrimination such as the creation and maintenance of man-made barriers. Other forms of discrimination can be more insidious. People with intellectual disability in particular "can be incarcerated in inhumane institutions. They can be deprived of an education, refused ordinary social relationships, blocked from meaningful and gainful employment and reduced to irrevocable poverty...their civil and political rights are frequently abused, as are their physical persons." In light of the above, the Commission holds that it is vital the European Community confirm, at an international level, its commitment to protecting disabled people. It therefore intends to play an active role on behalf of the European Community during UN discussion on a legally binding instrument. Further, the Commission will seek to ensure consistency between national and international policies regarding disabled people.