

Submission in follow-up to HRC resolution 15/25 “The Right to development”

Light for the World

The Consolidation Document notes that there is a lack of focus "on the poor and most marginalized" and remarks on the need to remedy discrimination of "vulnerable groups, especially disadvantaged regions and non-dominant ethnic groups as well as rural populations, women, children and the **disabled**."¹

This is the only mention made to the needs of **persons with disabilities**, who constitute at least 10% of the population in developing countries and are said to be twice as likely to live in poverty than other marginalized groups.

Thus, the section on "Strengths and weaknesses of the MDGs"² should also be expanded to incorporate persons with disabilities, also in line with General Assembly Resolution A/RES/64/131 - Realizing the Millennium Development Goals for Persons with Disabilities.

The MDG Outcome document notes the need to remedy the lack of focus on persons with disabilities: "policies and actions must focus on the poor and those living in the most vulnerable situations, including **persons with disabilities**, so that they benefit from progress towards achieving the Millennium Development Goals."³

The inclusion of and accessibility for persons with disabilities should thus be recognized in the criteria for the right to development. In addition to specifically including persons with disabilities in the set of indicators (e.g. for Education⁴, recognizing that one third of children without access to primary education are children with disabilities⁵), the criteria should also reflect the **principle of accessibility as well as inclusion**. Accessibility

¹ Para 25, A/HRC/15/WG.2/TF/2/Add.1.

² Ibid, III.A.

³ OP 28, Outcome Document, A/RES/64/299.

⁴ Annex, Attribute 1 – Comprehensive and human centred development policy, A/HRC/15/WG.2/TF/2/Add.2

⁵ UNESCO Global Monitoring Report 2008

should be understood in a multifaceted way and not be limited to physical access but also incorporate social, communications and intellectual aspects in line with the Convention on the Rights of Persons with Disabilities (CRPD).

The fact that the CRPD is recognized as **both a human rights treaty and a development tool**⁶ should be utilized in the context of the criteria of the right to development.

Equally the first **stand-alone provision on development in a human rights treaty**, namely Article 32 CRPD should be made use of.

The lack of data on persons with disabilities, obstacles to inclusion and barriers compounding exclusion, should also be taken into account. In particular, the indicators⁷ should add these factors. The report's explanation fails to refer to persons with disabilities and issues of access and inclusion: "Existence and accessibility of key socio-economic indicators disaggregated by population groups, such as region, ethnicity or linguistic affiliation, race, gender, rural and urban location. Source: national statistical data."⁸

⁶ Compare A/RES/64/131 Realizing the Millennium Development Goals for Persons with Disabilities.

⁷ Para 14, Right to development criteria and operational sub-criteria A/HRC/15/WG.2/TF/2/Add.2.

⁸ Ibid, Footnote 28.