

The UN Convention: Can it Stimulate Innovation?



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What is the scope?

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- ❑ 10-12% of the world's population has moderate to severe disability (or about 700-800 million), affecting up to 20-25% of households
- ❑ Disability has a strong impact on developing countries
 - ❑ 80% of persons with disabilities live in developing countries
 - ❑ 80-90% of persons with disabilities of working age persons are unemployed
 - ❑ 1/3 of primary school aged children not in schools due to disabilities or are looking after family members with disabilities
- ❑ MDGs will not be achieved without inclusion of persons with disabilities
- ❑ Business opportunity or reputational risk



Why is accessible transport so important?

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- Individuals cannot pursue their personal goals without access to transportation.
- Lack of universal design of transport services limits access for people with disabilities, the elderly, and many other groups to economic, social, political and cultural life.
- Inaccessibility perpetuates exclusion.
- It imposes barriers to employment, education, training, health or social services that would be otherwise available.



The UN Convention on the Rights of Persons with Disabilities

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- Entered into force in May 2008 - international benchmark and binding Human Rights treaty.
- **144 Countries** have **signed** the Convention
- **76 Countries** have also **ratified** the Convention



Key Articles of the CRPD

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- **Art. 1** Definitions.
- **Art. 3** General Principles
- **Art. 4.** General Obligations
- **Art. 9** “Accessibility” is specifically addressed
- **Art. 32** “International Cooperation”
- **Art. 33** Monitoring



The CRPD frames Disability as

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- something inherent to a person but as a social construct that “results from the interaction between persons with impairments and attitudinal and environmental barriers that hinders their full and effective participation in society on an equal basis with others.”
- Art 1. provides a working definition .

Persons with disabilities include those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others.



The CRPD

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- Seeks to promote and safeguard the rights of persons with disabilities, and to ensure respect for the dignity, non-discrimination, inclusion and participation on an equal basis with all others in society.
 - Innovation.
 - Sharing of best practices and knowledge
 - Facilitating and supporting capacity –building.
 - Full inclusion of persons with disabilities.
 - Progressive realization.
 - International cooperation.



8 General Principles of the Convention

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- Respect for inherent dignity, individual autonomy including the freedom to make one's own choices, and independence of persons
- Non-discrimination
- Full and effective participation and inclusion in society
- Respect for difference and acceptance of persons with disabilities as part of human diversity and humanity



General principles...

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- Equality of opportunity
- **Accessibility**
- Equality between men and women
- Respect for the evolving capacities of children with disabilities and respect for the right of children with disabilities to preserve their identities



Accessibility a key element of the CRPD

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- Accessibility ensures access to and equal opportunities for the realization of other rights, including education, employment and recreation.
- Art. 9 requires States Parties take appropriate measures to ensure access to the physical environment, **to transportation**, to information and communications, including information and communications technologies and systems, and to other facilities and services open or provided to the public, both in urban and in rural areas.



Accessibility as a continuum

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- Accessibility is a process linking information, transportation, the public domain and built environment.
- Accessible format information and communications are the essential first step in obtaining details about any service or facility.
- Transportation and public domains need to provide seamless accessible paths of travel to enable equitable access to the built environment and services.



Universal Design

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- Is referenced in the definitions section and in Art 4.
 - requires that State parties undertake or promote research on universal designed goods.
- UD can be instrumental in removing physical barriers – one of the major barriers to social inclusion.
- For those who have limited capacities such as people with disabilities, elderly, etc., public facilities and services are often physically inaccessible.
- UD developed through the recognition that a large part of the world's population is not easily accommodated within the standard model upon which public spaces and buildings are based.
- It aims at accommodating diversity of people's capacities and needs, and thus improving people's access to opportunities and promoting their participation in society.



Reasonable accommodation

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- The CRPD recognizes reasonable accommodation as necessary and appropriate modification and adjustments not imposing a disproportionate or undue burden, where needed in a particular case, to ensure to persons with disabilities the enjoyment or exercise on an equal basis with others of all human rights and fundamental freedoms.
- Art 2. makes the denial of a reasonable accommodation is a form of discrimination.



The CRPD as a catalyst

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- A significant number of countries have a **domestic accessibility code/standard**.
- The most efficient and effective time to ensure accessibility is when major capital expenditures are being made.
- This is when accessibility can most cost-effectively be achieved.
- Regulations, with deadlines, prescribed standards and licensing, are the primary mechanism for ensuring long term progress towards full accessibility.



CRPD requires ...

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- Stakeholder participation
- Effective enforcement mechanisms are in place.
- The presence of enabling legislation and financial support.
- Innovation.
- Technical assistance



However the CRPD cannot operate in a vacuum .

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- Available accessible services are needed
- Enforcement of laws and policies for persons with disabilities
- Willingness by publicly funded service providers to acknowledge the need for accessible services and implement accessible service.
- Ability of User groups to assert their needs
- Political will



Recap

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- The CRPD provides a roadmap.
- The personal, social and economic costs of exclusion are too high to be ignored.
- Accessible urban transit is essential if people with disabilities are to be able to work, live and be educated in their communities.
- Innovation is central to its success.



In conclusion...

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- With a legally binding framework that recognizes innovation- I definitely think the CRPD can stimulate accessible transportation.
- What we need is a critical mass of technical people and policy makers to innovative and implement

