

It's About Ability

An explanation of the Convention on
the Rights of Persons with Disabilities



ACKNOWLEDGEMENTS

The text for this booklet was prepared by Victor Santiago Pineda, founder of the Victor Pineda Foundation and youngest government delegate to the Ad Hoc Committee that drafted the Convention on the Rights of Persons with Disabilities.

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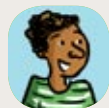
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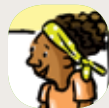
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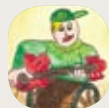
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The issue

*I have no legs,
But I still have feelings,
I cannot see,
But I think all the time,
Although I'm deaf,
I still want to communicate,
Why do people see me as useless, thoughtless, talkless,
When I am as capable as any,
For thoughts about our world.*

— Coralie Severs, 14, United Kingdom

This poem speaks for millions of children and adults, living everywhere in the world, who have disabilities. Many face discrimination every day. Their abilities are overlooked and their capacities underestimated. They don't get the education and health care they need, and they are excluded from activities in their community.

But children and adults with disabilities have the same rights as everyone else.



“Encourage me ... you can do it!” Bismark Benavides, 13, Nicaragua

Actions for change

That is why the Convention on the Rights of Persons with Disabilities was created. This international agreement requires that governments around the world uphold the rights of children and adults with disabilities.

UNICEF and its partners are working to encourage all countries to ratify the Convention. This will protect children with disabilities from discrimination and promote their inclusion in society. We all have a role to play. Read on to find out how to get involved in making sure everyone is treated in the way they should be.

Understanding disability

Have you ever felt left out? Children and adults who find it difficult to see, learn, walk or hear often feel excluded. There are many barriers that can prevent them from participating in the same way as others, and most of these barriers are imposed by society. A child in a wheelchair, for example, wants to go to school, too. But he or she may not be able to do so because the school has no ramp and the principal or teachers are not supportive. For everyone to be included, we need to change existing rules, attitudes and even buildings.



About this book

This book was created for and with the participation of children to explain the Convention on the Rights of Persons with Disabilities, why it was created and how it can help people with disabilities realize their rights. We hope you can use the book to help spread the word so that children with disabilities have an equal chance at achieving their goals.

You may have a disability, or you may know someone who does. People with disabilities may have difficulty seeing, hearing, walking or remembering. But they also have dreams, hopes and ideas they want to share – as in the drawings and poems published here.

We encourage you to share this information with your parents, your teachers, your friends and anyone else you think would be interested.

In this book you will find a summary of the Convention on the Rights of Persons with Disabilities and the reasons it was created. You can learn about everyone's rights and responsibilities, and about the steps and actions governments must take to help children with disabilities realize their rights. And you can learn what actions you can take to make a difference.

At the end of the book is a list of words and what they mean. The list, or glossary, will help you understand words that may be new to you.



What is a convention

A convention is an agreement between countries to obey the same law about a specific issue. When a country signs and ratifies (approves) a convention, it becomes a legal promise and guides the actions of the government. It often leads the government to adapt and change its own laws to support the goals of the convention.

What are human rights

Everyone in the world is protected by laws that defend their rights and inherent dignity (the dignity all people are born with). No one is excluded. For example, every human being has a right to life and freedom from slavery. These rights are affirmed in the Universal Declaration of Human Rights, adopted by all member states of the United Nations in 1948. All children have the right to food and health care, the right to go to school and the right to be protected from violence and abuse. Children also have the right to say what they think should happen when adults are making decisions that affect them, and to have their opinions taken into account. The rights of children are stated in the Convention on the Rights of the Child.



The message is ABILITY

by Victor Santiago Pineda, president of the Victor Pineda Foundation

When I was five years old, I stopped walking. As I grew older, my muscles became too weak even to help me breathe. I thought nobody liked me because I was different. My parents did not know what to do. But they always made me feel loved. They believed in me and let me take risks and try new things. I developed self-confidence.

My family knew that I would have to fight to make my own way. Throughout my childhood, I had to change people's ideas of what I could do and how I could do it. Eventually, I found out that there are laws that protect me. Because of these laws, I received the help that I needed and was able to become a great student.

I grew up wondering what my life would have been like had I lived in some place that did not protect the rights of children like me. I discovered that people like me from all over the world were meeting at the United Nations to work on these issues, and I worked hard to join them.

I was the youngest delegate to the special United Nations committee that drafted the Convention on the Rights of Persons with Disabilities. I made many friends and shared my ideas, and together with governments, we created the Convention.

Every person in the world looks different and has different ideas, experiences, traditions and abilities. I learned that these differences create new possibilities, new hopes, new dreams and new friendships.

This book is a call for action, for children with and without disabilities to stand side by side and fight for what's right. The differences among the people of our world are a treasure for all to appreciate and share. Each child is part of the world family and contributes their unique abilities. Every child is included.

Victor Santiago Pineda is an educator and filmmaker who works with young people who have disabilities to inform them of their rights. He developed the A World Enabled initiative with his Foundation to educate the public about the abilities and potential of young people with disabilities. Mr. Pineda has worked with the United Nations, the World Bank and government leaders to promote respect, equal opportunities and dignity for everyone. He has muscular dystrophy and uses a wheelchair to get around.

Having a disability is not a bad thing. It can even be something to be proud of. We are all different and all have different **ABILITIES**. Every child can be an ambassador of ability to our families, schools and communities. We each have ideas, experiences and skills that can serve everybody else. This book calls on all people from all nations to honour and respect us just the way we are.

– Victor Santiago Pineda

*I am happy when...
I am happy with small things
I am happy when...
People understand what I am trying to say
When I talk with other people on the same level
I am happy because I am proud of myself
I am happy when I study
By studying I can learn new information
I get to understand the news from all over the world
I can calculate how much to pay when I am eating
I can say what I think is right or wrong
I am happy because I get to do so many things by myself
I am happy because I have a favorite thing to do
I am happy when I am cheering for soccer players
Because their passion is so great
I feel as if I am one of them
And I also get very passionate
I am happy because I have a dream
It may seem small but
Planning and living faithfully every day
Makes me feel so happy*

—Kim Yoona, 15, Republic of Korea



“Right to play,” Javlon Rakmonberdiev, 12, Uzbekistan

About the Convention

The Convention on the Rights of Persons with Disabilities is an agreement by countries around the world to make sure that people with disabilities and people without disabilities are treated equally. Conventions, sometimes called treaties, covenants, international agreements or legal instruments, tell your government what to do to make sure you can enjoy your rights. All adults and children with disabilities, girls and boys alike, are included.

The Convention on the Rights of Persons with Disabilities was adopted on 13 December 2006. By 2 April 2008, 20 countries had ratified the Convention, which means that it will enter into force on 3 May 2008 (see the rules of the Convention at <www.un.org/disabilities>).

Although the Convention is for all persons with disabilities, regardless of age, this book looks at what the rights mean in the lives of children, because you are important!

Why care about the Convention?

If you, your parents or others in your family have a disability, this Convention offers useful information and encouragement. It guides you and your family—and friends who want to help you—in exercising your rights. It also defines the actions governments must take to help all people with disabilities realize their rights.

People with different disabilities from many different countries worked together with their governments to develop this Convention. They got ideas by looking at good actions and laws that were helping people with disabilities go to school, get a job, have fun and live happily in their communities.

Many existing rules, attitudes and even buildings need to be changed to make sure a child with a disability can go to school, play and take part in things every child wants to do. If your government ratified the Convention, it agreed to make these changes happen.

It is important to remember that the rights in this Convention are not new rights. They are the same human rights recognized in the Universal Declaration of Human Rights, the Convention on the Rights of the Child and other international human rights treaties. The Convention on the Rights of Persons with Disabilities guarantees that these rights are respected for people with disabilities.

*Optimism is our motto in life
Listen my friend, my friends
Let your motto be love and faith
Life is a gift from our merciful Lord
To all creatures in heaven as on earth
If you have friends with disability
Stay close to them to help them feel secure
Urge them to be optimistic and to love life
Tell them that despair is cowardice
And that perseverance and determination are signs
of courage
Hope is our aim in life
A gentle smile brings us together
There is no despair in life and no life in despair*

—Jwan Jihad Medhat, 13, Iraq

The Convention on the Rights of Persons with Disabilities in brief

The Convention makes many promises. Its 50 articles clearly explain what these promises are. Where we say 'government' in the following pages, we mean the governments that have ratified the Convention (also called 'States parties').



What are laws

Laws are rules that everyone has to follow so that people respect each other and live together safely.

What does it mean to ratify

Governments that ratify a Convention agree to do their best to enforce its articles. Check to see if your country has ratified the Convention. If it has, then you can remind your government representatives of their responsibilities. The United Nations publishes a list of States parties that have signed and agreed to the Convention. To see online if your country has ratified the Convention, look at the United Nations website: <www.un.org/disabilities>.



Article 1: Purpose

This article summarizes the Convention's main objective, which is to promote, protect and ensure the full and equal enjoyment of all human rights and freedoms by all people with disabilities, including children.

Article 2: Definitions

This article lists words that have a particular definition in this Convention. For example, "language" includes spoken words and also signed or other non-spoken languages. "Communication" includes languages, text displays, Braille (which uses raised dots for letters and numbers), communication through touch, large print and accessible multimedia (such as websites or audio).

Article 3: General principles

The principles (main beliefs) of this Convention are:

- (a) Respect for everyone's inherent dignity, freedom to make their own choices and independence.
- (b) Non-discrimination (treating everyone fairly).
- (c) Full participation and inclusion in society (being included in your community).
- (d) Respect for differences and accepting people with disabilities as part of human diversity.
- (e) Equal opportunity.
- (f) Accessibility (having access to transportation, places and information, and not being refused access because you have a disability).
- (g) Equality between men and women (having the same opportunities whether you are a girl or a boy).
- (h) Respect for the evolving capacity of children with disabilities and their right to preserve their identity (being respected for your abilities and proud of who you are).

Article 4: General obligations

There should be no laws that discriminate against people with disabilities. If necessary, governments should create new laws to protect the rights of persons with disabilities and put these laws into action. If old laws or traditions discriminate against people with disabilities, governments should find ways to change them.



If there are laws or practices that prevent children with disabilities from doing the same things as other children, they must be changed. Your government should consult with organizations of children with disabilities as it changes such laws and policies.

To develop new laws and policies, governments should seek advice from people with disabilities, including children.

Article 5: Equality and non-discrimination

Governments recognize that all people have the right to be protected by the law, and that the laws of a country apply to everyone who lives there.

Article 6: Women with disabilities

Governments know that women and girls with disabilities face many different types of discrimination. They agree to protect their human rights and freedoms.

Article 7: Children with disabilities

Governments agree to take every possible action so that children with disabilities can enjoy all human rights and freedoms equally with other children. They also agree to make sure that children with disabilities can express their views freely on all things that affect them. What is best for each child should always be considered first.

Boys and girls with disabilities have the same rights as all children. For example, every child has the right to go to school, to play and be protected from violence, and to be involved in decisions that affect him or her. Governments must provide the information and support necessary for children with disabilities to realize this right.

Article 8: Awareness raising

Governments should educate everyone about the rights and dignity of persons with disabilities and their achievements and skills. They agree to combat stereotypes, prejudice and activities that might harm people with disabilities. Your school, for example, should promote an attitude of respect towards people with disabilities, even among very young children.

The media should report on unfairness towards children and adults with disabilities.



Lisa Lavioie

Article 9: Accessibility

Governments agree to make it possible for people with disabilities to live independently and participate in their communities. Any place that is open to the public, including buildings, roads, schools and hospitals, must be accessible by persons with disabilities, including children. If you are in a public building and need help, a guide, reader or professional sign language interpreter should be there to assist you.



"Peace for every child," Ani Verdyan, 8, Armenia



What about technology

Telephones, computers and other technology should be easy to use for people with different abilities. For example, websites can be designed so that people who have difficulty using keyboards, seeing or hearing can enjoy the information in a different format. A computer can have a Braille keyboard, or it can use a speech synthesizer to speak words that appear on the screen.

Article 10: Right to life

Every human being is born with the right to life. Governments guarantee that this is equally true for people with and without disabilities.

Article 11: Situations of risk and emergencies

People with disabilities have the same right as everyone else to be protected and safe during a war, an emergency or a natural disaster, such as a storm. You cannot legally be excluded from a shelter or left alone while others are rescued because you have a disability.

Article 12: Equal recognition before the law

People with disabilities have the right to enjoy 'legal capacity' in the same way as other people. This means that, when you grow up, whether or not you have a disability, you can do things like get a loan to study or sign a lease to rent your own apartment. And you can own or inherit property.

Article 13: Access to justice

If you are harmed by a crime, have seen others harmed or are accused of doing something wrong, you have the right to be treated fairly when your case is being investigated and dealt with. You must be given help to express yourself in all legal processes.

Article 14: Liberty and security of the person

Governments should make sure that people with disabilities have their freedom protected by law, the same as all other people.

Article 15: Freedom from torture or cruel, inhuman or degrading treatment or punishment

No one should be tortured or humiliated or treated cruelly. And everyone has the right to refuse medical or scientific experiments.

Article 16: Freedom from violence and abuse

Children with disabilities should be protected from violence and abuse. They should not be mistreated or harmed in their home or outside. If you have faced violence or maltreatment, you have the right to get help to stop the abuse and recover.

Article 17: Protecting the person

No one can treat you as less of a person because of your physical and mental abilities. You have the right to be respected by others just as you are!

You have the right to life. It is your gift, and no one, by law, can take it from you.



Lisa Lavore

Article 18: Liberty of movement and nationality

Every child has the right to a legally registered name, a nationality and, as far as possible, the right to know and be cared for by his or her parents. And people cannot be stopped from entering or leaving a country because they have disabilities.

Article 19: Living independently and being included in the community

People have the right to make choices about where they live, whether or not they have a disability. When you grow up, you will have the right to live independently if you prefer and to be included in your community. You must also have access to support services if you need help to live in the community, such as care in your home and personal assistance.

Article 20: Personal mobility

Children with disabilities have the right to move about and be independent. Governments must help them do so.

Article 21: Freedom of expression and opinion, and access to information

People have the right to express their opinions, to seek, receive and share information and to receive information in forms that they can understand and use.

Article 22: Respect for privacy

Nobody can interfere in people's private affairs, whether they have disabilities or not. People who know information about others, such as their health status, should keep this information private.

Article 23: Respect for home and the family

People have the right to live with their families. If you have a disability, your government should support your family with disability-related expenses, information and services. You should not be separated from your parents because you have a disability! If you cannot live with your immediate family, the government should help provide care within the wider family or community. Young people with disabilities have the same rights as other young people to reproductive health information and the same rights as others to marry and start a family.



Children with disabilities have the right to move about and be independent.



“Daily life in my community,” Pedro José Rivera, 14, Nicaragua

Article 24: Education

People have the right to go to school. If you have a disability, you cannot be excluded from education because of it. You should not be educated in segregated schools. You have the right to the same education and curriculum as other children, and your government must give you the help you need to make this happen. For example, it must provide suitable ways for you to communicate so that your teachers understand how to respond to your needs.

Articles 25 and 26: Health and rehabilitation

People with disabilities have the right to the same range and quality of free or affordable health care as provided to other people. If you have a disability, you also have the right to health and rehabilitation services.

Article 27: Work and employment

People with disabilities have an equal right to work at a freely chosen job without discrimination.

Article 28: Adequate standard of living and social protection

People with disabilities have a right to food, clean water, clothing and access to housing, without discrimination. The government should help children with disabilities who live in poverty.

Article 29: Participation in political and public life

People with disabilities have the right to take part in politics and public life. Once you reach the age set by the laws of your country, you have the right to form a group, serve the public, access voting booths, vote and be elected to a government position, whether you have a disability or not.

Article 30: Participation in cultural life, recreation, leisure and sport

People with disabilities have the same right as others to participate in and enjoy the arts, sports, games, films and other fun activities. So, theatres, museums, playgrounds and libraries should be accessible by everyone, including children with disabilities.

Article 31: Statistics and data collection

Countries must collect data about disabilities to develop better programmes and services. Persons with disabilities who contribute to research on disability have the right to be treated in a respectful and humane way. Any private information they share must be kept confidential. The statistics collected must be made accessible to persons with disabilities and others.

Article 32: International cooperation

Countries should help each other fulfil the articles of this convention. This includes countries with more resources (such as scientific information, useful technology) sharing with other countries, so that more people in the world can enjoy the rights of the convention.

Articles 33 to 50: Rules on cooperation, monitoring and implementation of the Convention

The Convention on the Rights of Persons with Disabilities has 50 articles in all. Articles 33 to 50 are about how adults, especially people with disabilities and their organizations, and governments should work together to make sure all persons with disabilities get all their rights. See the text of these articles at www.un.org/disabilities.





"We are playing," Tatev Danielyan, 15, Armenia

*Two Worlds...
Torn between the ears of
Sounds and Silent,
Uncertain, unable to join...
Tears flow...
Unknowingly both push away,
Rejected, made to feel
Unbelonging...
Tears flow...
'Cept certain hands,
Pulls, pushes, encourages,
Is Relentless...
Tears flow, a smile growing...
Still stuck between,
But Loved...*

**—Sarah Leslie, 16,
United States of America**

How rights become real

The rights of children with disabilities are the same as those of all children. It is up to you to let the world know about the Convention. People must speak out and take action if they want their societies to include everyone.

If you have a disability, this Convention gives you, your government and your family tools for achieving your rights and your dreams. You should have an equal chance to go to school and join in other activities. The adults in your life should help you move around, communicate and play with other children, no matter what kind of disability you may have.

You are a citizen, a member of your family and community, and you have a great contribution to make.

What you can do

It's important to change attitudes and rules so that children who have disabilities can go to school, play and take part in activities that every child wants to do. Does your school include children with disabilities in classes and all other activities? Are your teachers listening and responding to those among you who have special needs? Is there a ramp, a sign language interpreter or other assistive technologies? Good! Then your school treats children with disabilities fairly by giving them an equal chance to learn. Your school follows the Convention.

Unfortunately, many people don't treat children with disabilities fairly. You have a role in making your community more inclusive. You can start in your own home and school to change the minds of your parents and teachers.

There are many things you can do to teach others about the Convention on the Rights of Persons with Disabilities and the potential of young people with disabilities. For example, you can:

- Get involved with an organization or a campaign. There is strength in numbers. To join forces with others, you can support or join a local chapter of a national or international organization. They may have specific programmes or campaigns for young people.
- Create your own project. Start an awareness campaign, hold a fund-raiser, conduct a survey (Has somebody you know been treated unfairly? Does your school have only stairs and no ramps?), write a petition to remove barriers you have encountered.
- Organize a club to promote the Convention. Bring children with different abilities together, hold social events with all your friends and invite new people to join. Have movie parties or make dinner together. Just have fun and enjoy each other's unique gifts and abilities.

Stand up for your rights and others will stand by your side. All children **CAN** go to school, **CAN** play and **CAN** take part in everything. It's not about I can't, it's about **I CAN!**

— Victor Santiago Pineda

- Hold presentations in your school and in surrounding schools about the rights of people with disabilities. Be creative. Make posters and put on plays to help your fellow students understand the rights included in the Convention. Ask a parent or teacher to help organize the presentation, and plan where and when you will be able to teach. Invite your school principal to attend your presentations.
- Make art with a group of your friends about the rights of people with disabilities. These can be drawings, paintings or sculptures – whatever you want to make to help share the news. See if you can display your artwork in your school, local libraries, galleries or restaurants – anywhere people will be able to enjoy your art. You can move your exhibition to different locations over time and share the Convention with many people.
- Share your experiences and the lessons you’ve learned with others. UNICEF’s Voices of Youth <www.unicef.org/voy> is a popular online discussion forum for young people.

These are just a few ideas of things you can do – the sky is the limit. Ask a trusted adult to help you organize your activity, and have fun!



“Rock band of children with disabilities,” Valeria D’Avola, 13, Italy

For a set of teaching materials, see the forthcoming companion to this booklet titled *It’s About Ability: Activities for learning and taking action on the Convention on the Rights of Persons with Disabilities*.

Test your knowledge

(1) Fill in the missing word.

- a. One of the principles of the Convention on the Rights of Persons with Disabilities is full participation and _____ in society.
- b. Many existing rules, attitudes and buildings need to be _____ to make sure a child with a disability can go to school, play and take part in things every child wants to do.
- c. Every person has _____ rights.
- d. Laws should not _____ against people with disabilities.
- e. _____ comes in many forms; it can be written, spoken or signed.

(2) Unscramble the words and form a sentence with them.

ew _____ rea _____ lal _____
dan _____ entffdeir _____ lla _____
vhea _____ biiialtes _____ deeifrnft _____
adn _____ aehv _____ lla _____
ew _____ het _____ igthrs _____
easm _____

(3) What do these children have in common?



Answers:
(1) a. inclusion; b. changed; c. equal; d. discriminate; e. Language
(2) We are all different and all have different abilities, and we all have the same rights.
(3) They all have equal rights.

GLOSSARY

Adopt: Formally approve or accept (for example, a convention or a declaration).

Articles: A paragraph or a section in a legal document that is numbered; these numbers make it easy to find information, and to write and talk about it.

Assistive technologies: Tools that help you do things you otherwise could not do, for example, a wheelchair to help you get around or larger print on a computer screen to help you see.

Committee: A group of people who are chosen to work together and help a larger group of people.

Communication: Sharing information. It also means a way to read, speak or understand information using multimedia, large print, Braille, sign language or having someone read out loud.

Community: A group of people who live in the same area. It also means people with the same interests or concerns.

Convention: A treaty or agreement by a group of countries to develop and follow the same laws.

The Convention on the Rights of the Child is an agreement to ensure that all children can enjoy their rights as members of society and have the special care and protection they need as children. It is the most widely accepted human rights treaty in history.

The Convention on the Rights of Persons with Disabilities is an agreement to ensure that all people, including children with disabilities, can enjoy their rights.

Dignity: Your inherent worthiness and respectability as a human being. Your own self-respect. To be treated with dignity means to be treated with respect by other people.

Discrimination: Unfair treatment of a person or group for any reason: race, religion, gender or different abilities.

Implementation: To put something into effect. Implementing the articles of the Convention means making its promises a reality.

Inherent dignity: The dignity all people are born with.

Legal: Relating to, based on or required by the law.

Muscular dystrophy: A medical condition that causes the muscles to get weaker over time.

Ratification (ratify): When a signed convention or agreement is officially approved by a country and becomes the law in that country.

States parties: Countries that signed and agreed to the Convention.

UNICEF: The United Nations Children's Fund. It is the agency of the United Nations system that works for children's rights, their survival, development and protection, in order to make the world a better, safer and friendlier place for children – and for all of us.

United Nations: An organization of virtually every country in the world. Governments meet at the United Nations in New York and work together for peace and a better world.

Universal Declaration of Human Rights: Signed on 10 December 1948 by all the member countries of the United Nations, this agreement lists the rights of all people.

For every child
Health, Education, Equality, Protection
ADVANCE HUMANITY

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