

4. Session plan: Human rights and a rights-based approach to disability

<i>Volunteer</i>	
Learning objectives	
<p>By the end of the session participants shall be able to:</p> <ul style="list-style-type: none"> • Explain human rights and a rights-based approach • Give examples of human rights. • List the main legal and policy instruments of disability. • Explain the purpose of key national instruments relating to disability in the country. 	
Time allocated	
<ul style="list-style-type: none"> • 180 minutes. 	
Resources needed	
<ul style="list-style-type: none"> • Whiteboard or flipchart • Flipchart paper and markers • A1 poster of the SDGs • A4 graphics of the 5 CBR Matrix component areas • UN article strips 	
Preparation	
<p>Research:</p> <ul style="list-style-type: none"> • National instruments (Constitution, laws, policies, acts, that include references to disability or persons with disabilities) Note: if you or a colleague has already prepared for or delivered the National / Regional / District Level training this may already be available to adapt for this session. <p>Expand:</p> <ul style="list-style-type: none"> • The session plan content and produce a Handout to include specific information on the country's national instruments related to disability. <p>Familiarise with:</p> <ul style="list-style-type: none"> • Human rights session plan and Participant Manual content. <p>Write:</p> <ul style="list-style-type: none"> • Flipcharts of the text within each of the boxes headed Write on BOARD in advance of the session to help the flow. 	

Print:

- copy of your prepared Handout for each participant (see above)
- A4 copy of each of the 5 CBR Matrix components for activity. Print from session resources folder or from end of session plan. Laminate if you want to reuse.
- copy of the UN CRPD articles from session resources folder or the end of the session plan, cut into strips.

Pin up:

- A1 poster of the Sustainable Development Goals.

Trainer's notes:

In this session we emphasize the importance of looking at all aspects of disability from a human-rights perspective. Some people attending the training may still look at disability from the perspective (or lens) of an out of date view (or model) and they will certainly encounter it from others regularly. Our aim is to ensure that they not only understand what a 'rights-based' view is, but also to encourage them to promote it to everyone they interact with in their role. The session highlights how legal and policy instruments can support a rights-based approach, so it is important that you research your local context to gather information on the relevant instruments in your country and can share information and discuss them within this session. It is also important to be aware of if the UN CRPD has been domesticated in your country, or if there are plans to do this.

4.1 Introduction (5 minutes)

Volunteer

Introduce the session.

Write on BOARD:

Human rights learning objectives:

- Explain human rights
- Give examples of human rights
- List the main legal and policy instruments of disability
- Explain the purpose of key national instruments relating to disability in the country

Explain:

- The human rights-based model of disability is the foundation of this training. We need to keep it in mind in all aspects of our work. This session gives a definition and examples of human rights and how the laws and policies of the country protect those rights for persons with disabilities. The human rights model provides direction for mainstreaming of disability towards realization of inclusive development.
- In this session we are going to look at some examples of human rights and how they are provided in our laws and Constitution.

Read out the learning objectives from the board.

4.2 Human rights and a rights-based approach (20 minutes)

Volunteer

Ask: What you understand by the term Human Rights?

Acknowledge responses.

Explain:

- Human rights are entitlements that apply to every individual globally regardless of their race, sex, ethnic or social origin, religion, language, nationality, age, disability or any other status.
- These rights are laid out in the Universal Declaration of Human Rights (UDHR). They include:

Write on BOARD:

Included in the Universal Declaration of Human Rights (UDHR):

- All human beings are born free and equal
- Freedom from discrimination
- Right to life
- Access to justice
- Adequate standard of living
- No slavery or torture
- The right to education
- The right to work
- The right to leisure and rest
- The right to privacy

Read out the list from the board and explain some of them in more detail by giving examples.

Explain:

- There are 30 of them in total (listed in the Participant Manual). They cannot be taken away or given up.
- It doesn't matter if you are rich or poor, what age or colour you are, whether you are a person with a disability or not, you must not be discriminated against.
- The laws are there to protect everyone. For example, without a law to say everyone has the right to school, a head teacher could decide who he or she would allow.

Write on BOARD:

- A rights-based approach to disability

A rights-based approach to disability promotes the view that people are disabled by different barriers in society, rather than by their impairment or difference, because society is not organised to consider their needs. Their rights under the UDHR and other instruments are therefore not being met and need to be demanded.

Ask: What kind of barriers to persons with disabilities face? (allow a few examples)

Acknowledge responses.

Such barriers might be physical, or they can be caused by people's attitudes or rules. The impact of a person's impairment is recognised in a rights-based approach, but disability is seen as being created by society's failure to accommodate persons with disabilities.

When we look at disability from this perspective – which puts the responsibility of disability onto society rather than with the individual person, we look at people with disabilities as people who have rights to inclusion in all areas of life – rather than as people who are problems or who don't 'fit'.

This change in perspective marks a major shift, and helps us to look at all aspects of life from the perspective of promoting disability inclusive development – advocating for, and finding solutions to the inclusion of people with **all** types of disabilities in **all** aspects of life. This is a human rights-based approach.

4.3 Rights of persons with disabilities (40 minutes)

	<i>Volunteer</i>	
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Explain:

- As well as having the basic human rights that apply to all people as outlined in the UDHR, the rights of persons with disabilities in this country are protected through a wide range of other International and National laws and conventions.

Ask: Why do you think it is necessary for the rights of persons with disabilities to be specifically protected?

Acknowledge that persons with disabilities are regularly discriminated against and marginalized in society.

Explain: We are going to highlight just a few of the relevant laws and conventions – firstly at International level.

Write on BOARD:

UN Convention on Rights of Persons with Disabilities (UN CRPD) – Came into force in 2006
Over 160 countries signed

Ask: Why is it important for you to know something about the international and local human rights laws and conventions that exist to protect persons with disabilities?

Acknowledge responses.

Explain:

- Knowledge that these instruments exist is power.
- It provides the power to defend the rights of persons with disabilities in all aspects of life and know that there is legislation to back up what you are saying.

Explain:

- We are now going to do an activity to help us become more familiar with the range of Articles in the UN CRPD.

Activity:	
Groups	Individually.
Instructions	<p>Hand out the UN CRPD Article title cards for Activity 1 printed from the end of the session plan and give one to each participant.</p> <p>Note: <i>There are 27 Article cards: If you have more than 27 participants you can ask some people to work in pairs and give them one card between them. If you have less than 27 participants give one to each, and hold onto the remaining cards.</i></p> <p>Explain that each of the cards you have given out has one of the Articles of the UN CRPD written on it.</p> <p>Ask participants to read their card to themselves (allow enough time).</p> <p>Ask participants to stand up and to swap their card with someone who is the opposite sex to them and to read their new card (allow time).</p> <p>Ask participants to swap their cards again – this time with someone who is wearing something of the same colour as them – and to read their new card (allow time).</p> <p>Note: <i>you can choose any categories to suit your group. This is just to make the activity more fun. For example, if you have a very uneven number of men and women, you can ask them to choose someone taller than them, or younger than them, or someone they've never met before, or just the person to the right or left of them. By getting people to move around, the activity doubles as an energiser. Remember to consider persons with disabilities and for example, do not use the colour of clothing method if you have persons with visual impairments in the group.</i></p> <p>Ask people to return to their seats with their latest card.</p> <p>Ask people to mention, without looking at their current card, what topics are covered in the articles, and ask your co-trainer to write them on a flipchart.</p> <p>Allow about five minutes for participants to mention the topics.</p> <p>If you have any additional cards, hand one each to participants at random to read out and add these to the flipchart list as they are mentioned.</p> <p>Note: <i>you can use the table below as a quick reference to see if they have missed any. Don't worry if a few are missed – the aim is to show it is wide-ranging.</i></p> <p>Ask for comments on the range of topics covered by the UN CRPD.</p>
Monitor	Check that participants are swopping their cards. The instructions of who to swap with are not important and you can change the categories, or tell people to swap with anyone if they are struggling to find someone in the right category.
Time	Allow approximately 10 minutes for the card swap stage, and approximately 15 minutes to make the flipchart list and for comments. (Total time: 25 minutes)
Feedback	Use the points below to reinforce the activity.

Explain:

- The UN Convention on Rights of Persons with Disabilities came into force in 2006 and has been very important in changing people's views of persons with disabilities from being objects of charity, medical treatment and social protection towards viewing them as full and equal members of society.
- The UN CRPD covers the rights of persons with disabilities in all areas of life. It makes clear that persons with disabilities are entitled to live independently in their communities, to make their own choices and to play an active role in society.
- People often make decisions on behalf of persons with disabilities. The CRPD gives persons with disabilities the right to make decisions for themselves.

Write on BOARD:

African Disability Protocol
Adopted in January 2018

- Another development is the adoption of the African Charter on Human and People’s Rights on the Rights of Persons with Disabilities in Africa –commonly known as the African Disability Protocol or ADP. This was adopted by the African Heads of State in January 2018 and builds on the rights in the UN CRPD but reflects a legal instrument from a specific African perspective. In common with the UN CRPD it includes more than 30 Articles across a wide range of topics.

4.4 2030 Agenda (15 minutes)

	<i>Volunteer</i>	
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Direct participants to the picture of the 17 Sustainable Development Goals in the Participant Manual and on the poster.

Explain:

- The 2030 Agenda for Sustainable Development is another important international initiative. It was launched in 2015 and is aimed at ending poverty in all its forms.

Ask a participant to read out the first line of goals.

Ask: Do these goals cover any of the same areas as the UN CRPD?

Acknowledge responses and confirm that they do. They are concerned with basic human rights and fundamental aspects of life, in the same way as the UN CRPD, such as addressing poverty, hunger, health and education.

Ask another participant to read out the second line of goals.

Ask: Do these goals cover any of the same areas as the UN CRPD?

Acknowledge responses and confirm that they do. The UN CRPD also emphasises the right to work and equality in all areas of life for example.

Ask another participant to read out the third line of goals. **Emphasize** that all the SDGs are relevant for **all** people – with and without disabilities – as all people are part of human diversity.

4.5 National Instruments (10 minutes)

	Volunteer	
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Trainer's notes:

In the section below, include information on a range of instruments that exist in your country relating to disability. For example, does the Constitution mention persons with disabilities specifically? Does it highlight that all citizens have rights? Does it talk about equal access?

Include information here about other relevant laws, policies and acts such as Disability Acts, Disability Policies, etc.

The more tailored you can make this section to your own context, the better.

As you present information, ask questions of the participants such as:

- *Are they aware of these instruments?*
- *Are these laws and policies being enforced?*
- *Are the instruments aligned with the rights outlined in the UN CRPD?*

Write on BOARD:

- National instruments of disability

Include a list of the relevant instruments in the Write on BOARD box above and expand on each one in this section and in the handout. Make sure you include information on the country's Constitution.

4.6 Rights activity (90 minutes)

	Volunteer	
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Explain:

- The rights of persons with disabilities are protected in many ways through national and international legal instruments. However, persons with disabilities are often unaware of their rights, and they are regularly denied their rights in all areas of their lives. Their rights are violated by people, systems and structures in many different ways and we are going to look at some of these in the following activity.

Activity: Rights-based model of disability

Groups	<p>Divide participants into five groups.</p> <p>Allocate each group one of the CBR Matrix component strips (Health / Education / Livelihood / Social / Empowerment).</p> <p>Note: Print the CBR Matrix strips from the session resources folder and laminate if you want to reuse for future trainings. Or use the copy at the end of the session plan and cut into strips.</p>
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Instructions	<p>Explain that the CBR Matrix is covered in more detail in another session but here we are going to use the CBR Matrix as a framework to think about the rights of persons with disabilities.</p> <p>Ask each group to discuss how the rights of persons with disabilities to participate fully in the five elements of their CBR Matrix component are currently being denied in this community and to make a list of them. Think about which 'right' is being denied, particularly thinking about the rights we discussed are included in the UN CRPD. Then they should discuss ways to address this.</p> <p>Give an example from each Matrix area:</p> <p>Health: A person with a disability being turned away from an awareness meeting about HIV/AIDS.</p> <p>Education: A college not allowing a person with a disability to enrol.</p> <p>Livelihood: someone with a disability being refused for example an interview or business loan.</p> <p>Social: A committee refusing entry to a sports club by a person with a disability.</p> <p>Empowerment: A polling (voting) station not being accessible.</p> <p>Ask groups to nominate a spokesperson to report back to the group.</p>
Monitor	<p>Check to ensure each group has understood the activity and is working on the correct CBR Matrix area as allocated. Emphasize we are looking at the Human Rights that are being challenged.</p>
Time	<p>Allow 30 minutes for groups to discuss; 5 minutes for each group to present back to the rest of the group; 5 minutes for other groups to add comments. (Total time: 80 minutes).</p>
Feedback	<p>After each feedback, ask other group members if they have anything to add for that CBR Matrix component from their own experience. At the end of the activity emphasize that all of the five areas they have discussed are interlinked. When a right is compromised in one area it has an impact on other areas. For example, if a child does not have an assistive device (Health component) they may not be able to go to school (Education component) or get the education to be able to find a job (Livelihood component).</p>

Write on BOARD:

Our role as CBID stakeholders:

- Advocacy and awareness: help persons with disabilities understand and demand their rights
- Help families and community recognise and respect rights

Ask if anyone would like to summarise what we have learned in this session.

Take 2-3 comments, and add this summary comment:

Our role as CBID stakeholders is about advocacy and awareness raising. We can work together as a CBID Network of stakeholders to:

- Help to Identify children and adults in the community with a disability
- Support people with disabilities to become aware of their rights and demand them
- Support family and members of the community to recognize and respect those rights including family members of persons with disabilities

Close the session.

HEALTH

Promotion

Prevention

Medical care

Rehabilitation

Assistive
devices

EDUCATION

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graph TD; A[EDUCATION] --- B[Early childhood]; A --- C[Primary]; A --- D[Secondary and higher]; A --- E[Non-formal]; A --- F[Lifelong learning];
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Early childhood

Primary

Secondary and
higher

Non-formal

Lifelong
learning

LIVELIHOOD

Skills
development

Self-
employment

Wage
employment

Financial
services

Social
protection

SOCIAL

Personal
assistance

Relationships,
marriage and
family

Culture and arts

Recreation,
leisure and
sports

Justice

EMPOWERMENT

Advocacy and
communication

Community
mobilization

Political
participation

Self-help groups

Disabled
people's
organizations

UN CRPD article 5: Equality and non-discrimination

Everyone is entitled to the equal protection and benefit of the law without discrimination.

UN CRPD article 6: Women with disabilities

Countries must take all appropriate measures to ensure that women with disabilities are able to fully enjoy the rights and freedoms set out in the UN CRPD.

UN CRPD article 7: Children with disabilities

The best interests of the child must be a primary consideration in all actions concerning children with disabilities.

UN CRPD article 8: Awareness-raising

Countries must raise awareness of the rights, capabilities and contributions of persons with disabilities.

UN CRPD article 9: Accessibility

Persons with disabilities have the right to access all aspects of society on an equal basis with others including the physical environment, transportation, information and communications, and other facilities and services provided to the public.

UN CRPD article 10: Right to life

Persons with disabilities have the right to life. Countries must take all necessary measures to ensure that persons with disabilities are able to effectively enjoy this right on an equal basis with others.

UN CRPD article 11: Situations of risk and humanitarian emergencies

Countries must take all necessary measures to ensure the protection and safety of all persons with disabilities in situations of risk, including armed conflict, humanitarian emergencies and natural disasters.

UN CRPD article 12: Equal recognition before the law

Persons with disabilities have the right to recognition as persons before the law. Persons with disabilities have legal capacity on an equal basis with others in all aspects of life. Countries must take appropriate measures to provide support to persons with disabilities so that they can effectively exercise their legal capacity.

UN CRPD article 13: Access to justice

Persons with disabilities have the right to effective access to justice on an equal basis with others, including through the provision of appropriate accommodations.

UN CRPD article 14: Liberty and security of person

Persons with disabilities have the right to liberty and security of person on an equal basis with others.

UN CRPD article 15: Freedom from torture or cruel, inhuman or degrading treatment or punishment

Persons with disabilities have the right to be free from torture and from cruel, inhuman or degrading treatment or punishment.

UN CRPD article 16: Freedom from exploitation, violence and abuse

Persons with disabilities have the right to be protected from all forms of exploitation, violence and abuse, including their gender-based aspects, within and outside the home.

UN CRPD article 17: Protecting the integrity of the person

Every person with disabilities has a right to respect for his or her physical and mental integrity on an equal basis with others.

UN CRPD article 18: Liberty of movement and nationality

Persons with disabilities have the right to a nationality and liberty of movement.

UN CRPD article 19: Living independently and being included in the community

Persons with disabilities have the right to live independently in the community.

UN CRPD article 20: Personal mobility

Countries must take effective and appropriate measures to ensure personal mobility for persons with disabilities in the manner and time of their choice, and at affordable cost.

UN CRPD article 21: Freedom of expression and opinion, and access to information

Persons with disabilities have the right to express themselves, including the freedom to give and receive information and ideas through all forms of communication.

UN CRPD article 22: Respect for privacy

Persons with disabilities have the right to privacy. Information about persons with disabilities, including personal information and information about their health should be protected.

UN CRPD article 23: Respect for home and the family

Persons with disabilities have the right to marry and to found a family. Countries must provide effective and appropriate support to persons with disabilities in bringing up children, and provide alternative care to children with disabilities where the immediate family is unable to care for them.

UN CRPD article 24: Education

Persons with disabilities have a right to education without discrimination. Countries must provide reasonable accommodation and individualised support to maximise academic and social development.

UN CRPD article 25: Health

Persons with disabilities have the right to the enjoyment of the highest attainable standard of health without discrimination.

UN CRPD article 26: Habilitation and rehabilitation

Countries must take effective and appropriate measures to enable persons with disabilities to develop, attain and maintain maximum ability, independence and participation through the provision of habilitation and rehabilitation services and programmes.

UN CRPD article 27: Work and employment

Persons with disabilities have the right to work, including the right to work in an environment that is open, inclusive and accessible.

UN CRPD article 28: Adequate standard of living and social protection

Persons with disabilities have the right to an adequate standard of living including food, water, clothing and housing, and to effective social protection including poverty reduction and public housing programmes.

UN CRPD article 29: Participation in political and public life

Persons with disabilities have the right to participate in politics and in public affairs, as well as to vote and to be elected.

UN CRPD article 30: Participation in cultural life, recreation, leisure and sport

Persons with disabilities have the right to take part in cultural life on an equal basis with others, including access to cultural materials, performances and services, and to recreational, leisure and sporting activities.

UN CRPD article 31: Statistics and data collection

Countries must collect information about persons with disabilities, with the active involvement of persons with disabilities, so that they can better understand the barriers they experience and make the Convention rights real.

