

Declaration on the Rights of Disabled Persons

Adoption: The **Declaration on the Rights of Disabled Persons** was adopted on December 9, 1975 by the United Nations General Assembly resolution A/RES3447 (XXX).

Summary information

The [Declaration on the Rights of Disabled Persons](#) built on the provisions of the 1948 [Universal Declaration of Human Rights](#), the 1969 [Declaration on Social Progress and Development](#) and the 1971 [Declaration on the Rights of Mentally Retarded Persons](#). It was the first international document to formally recognize that persons with disabilities are entitled to the same rights as others.

As a resolution of the United Nations General Assembly, it was not binding on member states, but it established a framework that was drawn upon later for the development of international and domestic law, notably the 2006 [Convention on the Rights of Disabled Persons](#). Many of the provisions of the Convention on the Rights of Persons with Disabilities follow closely similarly worded articles in the Declaration on the Rights of Disabled Persons.

The Declaration consists of a lengthy preamble, and thirteen articles that broadly promote the rights of those with disabilities.

The Declaration recognizes first and foremost the inherent right to respect of disabled persons' human dignity, which implies the right to enjoy a decent life, as normal and full as possible. It establishes that all persons with disabilities have access to the rights granted by the declaration *"without distinction or discrimination on the basis of race, colour, sex, language, religion, political or other opinions, national or social origin, state of wealth, birth or any other situation applying either to the disabled person himself or herself or to his or her family."*

History

The Declaration on the Rights of Disabled Persons builds upon other international legal documents that contributed to the protection of disabled persons.

The 1948 Universal Declaration of Human Rights, was the first document to proclaim that all humans are equal and must be protected from discrimination. However, it remained silent on the rights of disabled persons.

During the UN's early years the United Nations Secretariat and the Economic and Social Council (ECOSOC) were the principal United Nations bodies concerned with disability issues. According to a [chronology](#) on the UN and persons with disabilities,

they focused on promoting the rights of persons with physical disabilities as well as projects on disability prevention and rehabilitation. From 1946-1975 the various UN Agencies played a significant role in the creation of the notion of disability rights and later on the Declaration on the rights of Disabled Persons.

In 1950, persons with disabilities and rehabilitation were discussed at the Geneva Conference, attended by the United Nations Secretariat, the International Labour Organization (ILO), the World Health Organization (WHO), the United Nations Educational, Scientific and Cultural Organization (UNESCO), the International Refugee Organization, (IRO) and the United Nations International Children Emergency Fund (UNICEF, later renamed the United Nations Children's Fund). The Social Commission (a subsidiary body to ECOSOC) agreed on the need to establish international standards for the education, treatment, training and placement of persons with disabilities, with particular attention to be given to blind persons in underdeveloped areas. The Economic and Social Council also recommended that States consider measures to help persons with disabilities.

At its eighth session in 1952, the Social Commission discussed international rehabilitation for persons with physical disabilities. Programmes approved by a number of UN agencies were organized into ten categories: a new approach to disability, the education of public opinion, a complete rehabilitation programme, developing rehabilitation services, training rehabilitation personnel, organizing and financing rehabilitation services, the contribution of the United Nations and the specialized agencies, the contribution of non-governmental organizations, and methods of coordination.

In 1956 the International Social Service Review was founded to raise awareness of disability issues and to emphasize rehabilitation programmes throughout the world.

In the 1960's the Social Commission began to develop monitoring mechanisms for the various United Nations rehabilitation programmes, specialized agencies, governmental and non-governmental organizations.

In 1969 the General Assembly adopted the Declaration on Social Progress and Development. Article 19 addressed the provision of health, social security, and social welfare services for all persons, aiming at the rehabilitation of persons with intellectual and physical disabilities to facilitate their integration into society.

The 1970s marked a new approach to disability. The concept of human rights for persons with disabilities began to be accepted internationally. From 26 - 28 November 1973, the ad hoc Inter-Agency Meeting on Rehabilitation of the Disabled was held in Geneva, attended by representatives of the United Nations, UNDP, the Office of the United Nations High Commissioner for Refugees (UNHCR), UNICEF, ILO, UNESCO, WHO, the Council of World Organizations Interested in the Handicapped, and the International Social Security Association. A strengthening of coordination and planning in the field of rehabilitation of persons with disabilities was proposed. It was also

suggested that the United Nations increase recruitment of persons with disabilities within the Organization.

On December 20, 1971 the United Nations General Assembly adopted resolution 2856 (XXVI): the Declaration on the Rights of Mentally Retarded Persons. The resolution was introduced by Canada and France and upheld that (where feasible) persons labeled mentally handicapped had the same rights as others.

In 1975, at its twenty-fourth session the Commission for Social Development recommended elimination of physical and architectural barriers that prevent the full social integration of persons with disabilities.

Later that year, on December 9, 1975 the General Assembly adopted the Declaration on the Rights of Disabled Persons. This covered a broad range of disabilities and stipulated that these rights are provided to all persons.

Key Provisions

The Declaration defines the term "disabled person" as "any person unable to ensure by himself or herself, wholly or partly, the necessities of a normal individual and/or social life, as a result of deficiency, either congenital or not, in his or her physical or mental capabilities."

It provides that these rights apply to all disabled persons "without any exception whatsoever and without distinction or discrimination on the basis of race, colour, sex, language, religion, political or other opinions, national or social origin, state of wealth, birth or any other situation applying either to the disabled person himself or herself or to his or her family."

It goes on to list the rights that must be accorded to disabled persons including:

- Right to respect for their inherent human dignity;
- Right to same civil and political rights as other human beings;
- Right to measures designed to enable self-reliance;
- Right to medical, psychological and functional treatment as necessary;
- Right to economic and social security, including the right to employment;
- Right to have consideration of special needs at all stages of economic and social planning;
- Right to live with their families or with foster parents and to participate in all social, creative or recreational activities;
- Right to protection against exploitation, discrimination, and abuse;
- Right to qualified legal aid;
- Organizations of disabled persons may be usefully consulted in matters regarding the rights of disabled persons.
- Right to be fully informed of the rights proclaimed in the Declaration.

The Declaration calls for national and international action to ensure that it will be used as a common basis and frame of reference for the protection of these rights.

Impacts

Although it was non-binding on member states, the Declaration on the Rights of Disabled Persons inspired an international movement to recognize, promote and protect the rights of persons with disabilities.

In 1976, [the General Assembly proclaimed 1981 as the International Year of Disabled Persons](#)(IYDP). The [resolution](#) establishing the international year called for plans of action at the national, regional and international levels with an emphasis on equalization of opportunities, rehabilitation and prevention of disabilities. It challenged the social stigma faced by individuals with disabilities that were a major barrier to their full participation and equality in society.

According to the [Canadian Disability Policy Alliance](#) the IYDP was successful as it gave “meaningful impetus to activities related to equalization of opportunities for disabled persons, as well as prevention and rehabilitation at [national, regional and international] levels.”

This represented a turning point in disability legislation. A major outcome of the International Year of Disabled Persons was the formulation of the [World Programme of Action \(WPA\) concerning Disabled Persons](#), adopted by the General Assembly on December 3, 1982. The WPA was “a global strategy to enhance disability prevention, rehabilitation and equalization of opportunities, which pertains to full participation of persons with disabilities in social life and national development.” The WPA also emphasized “the need to approach disability from a human rights perspective.”

In order to provide a time frame during which Governments and organizations could implement the activities recommended in the [WPA](#), the General Assembly established 1983-1992 the [United Nations Decade of Disabled Persons](#).

Following the end of the Decade of Disabled Persons, the UN proclaimed December 3 International Day of Persons with Disabilities. This day is still celebrated, with each year focusing on a different issue pertaining to persons with disabilities.

The UN has also designated several “Special Rapporteurs” regarding the rights of persons with disabilities. In 1984, Mr. Leandro Despouy was appointed the Special Rapporteur for Human Rights and Disability of the Sub-Commission on Prevention of Discrimination and Protection of Minorities. He published “[Human Rights and Disabled Persons](#)”, which proposed international mechanisms, such as an ombudsman, for the promotion and protection of the human rights of persons with disabilities.

In 1994, the UN named Mr. Bengt Lindqvist, a blind man from Sweden, as the first Special Rapporteur on Disability of the Commission for Social Development. The

Rapporteur's role is to monitor the implementation of the [Standard Rules on the Equalization of Opportunities for Persons with Disabilities](#) - a nonbinding instrument adopted in 1993 by the Commission on Social Development - which provides guidance to Governments on how to increase opportunities for people with disabilities.

The Convention on the Rights of Persons with Disabilities and its Optional Protocol were adopted by the General Assembly of the United Nations on December 13, 2006 and were opened for signature on 30 March 2007. The [Convention and its Optional Protocol entered into force on May 3, 2008](#) after the Convention received its twentieth ratification and the Optional Protocol ten ratifications. The Convention set out in a binding legal instrument many of the rights of disabled persons that had been codified in the 1975 Declaration on the Rights of Disabled Persons.

Most recently the UN Human Rights Council has created a [Special Rapporteur on the Rights of Persons with Disabilities](#). On December 1, 2014 Ms. Catalina Devandas Aguilar took office as the first Special Rapporteur on the Rights of Persons with Disabilities. The Rapporteur's Mandate includes continuing to strengthen efforts to recognize, promote, implement and monitor the rights of persons with disabilities from a human rights-based approach, in line with the Convention of the Rights of Persons with Disabilities and the broader human rights framework.

Canada's commitments and responsibilities

Canada's commitments under the non-binding Declaration on the Rights of Disabled Persons have been superseded by the ratification of the subsequent and more binding [Convention on the Rights of Persons with Disabilities](#).

For more information on the Convention on the Rights of Persons with Disabilities and Canada's commitments under the treaty, [see the treaty page on this site](#).

References

[Declaration on the Rights of Disabled Persons](#)

[Universal Declaration of Human Rights](#)

[Declaration on Social Progress and Development](#)

[Declaration on the Rights of Mentally Retarded Persons](#)

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Leandro Despouy Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities (Human Rights and Disabled Persons)

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