

## DISABILITY RIGHTS AWARENESS MONTH 2020

### KEY MESSAGES

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<b>BACKGROUND</b>	
<ul style="list-style-type: none"><li>• Cabinet in 2013 approved that November 3 – December 3 be celebrated as National Disability Rights Awareness Month</li><li>• 3 December is celebrated as: National Day of Persons with Disabilities.</li><li>• The national disability sector in February 2019 called on government to expand the Disability Rights Awareness Month to a year round campaign, culminating the National Day of Persons with Disabilities on December 3.</li><li>• Disability Rights Awareness Month focuses in particular (i) as a platform of report back by government on measures taken/to be taken to equalise opportunities for persons with disabilities, and (ii) on celebrating the achievements and contributions persons with disabilities make to socio-economic development and nation-building.</li><li>• The Convention on the Rights of Persons with Disabilities (CRPD) and its Optional Protocol (OP) (<a href="#">A/RES/61/106</a>) was adopted on 13 December 2006 at the United Nations Headquarters in New York, and was opened for signature on 30 March 2007.</li><li>• South Africa became a signatory of both the CRPD and the OP on 30 March 2007, on the first day when the CRPD and OP was opened for signing, and ratified both the CRPD and OP without reservation/declaration on 30 November 2007.</li><li>• Cabinet approved the White Paper on the Rights of Persons with Disabilities (<a href="#">WPRPD</a>) in December 2015.</li><li>• The foundation for the WPRPD was laid by socio-political activists with disabilities, who, after an extensive community-based consultative process, adopted the Disability Rights Charter of South Africa in 1992.</li><li>• This Charter, founded on the principles enshrined in the 1955 Freedom Charter, informed, and continues to inform, the promotion and protection of the rights of persons with disabilities in South Africa.</li></ul>	
<b>UN Committee on the Rights of Persons with Disabilities Concluding Remarks</b>	
<ul style="list-style-type: none"><li>• South Africa's appearance before the UN Committee on the Rights of Persons with Disabilities (Committee) in August 2018 provided an opportunity to reflect as government as well as civil society on progress made in changing the lives of persons with disabilities over the past 25 years in general, and the past 10 years since ratification</li></ul>	

of the CRPD, in particular. The Committee commended South Africa for the following positive measures taken:

- The Deaf Access facility, allowing for video calling the National Gender Based Violence Command Call Centre;
- The prompt and comprehensive response to the Gauteng Mental Health Marathon Project case that had resulted in more than 140 deaths of persons with psycho-social disabilities, by starting investigations, and arbitration procedures, thus setting a good practice example for other countries facing such situations;
- The decision to undertake an audit of its laws and policies to bring them in line with the human rights model of disability, including the comprehensive White Paper on the Rights of Persons with Disabilities (WPRPD) of 2015, which aims to accelerate transformation and redress with regard to full inclusion, integration and equality for persons with disabilities; and
- Initiating the process to develop a suite of universal design standards across the travel chain to give interpretation to the requirements of the National Land Transport Act (No. 5) of 2009.

The issues highlighted by the UN Committee for corrective action included:

- Consistency in reasonable accommodation support measures across sectors
- The status of persons with intellectual and psychosocial disabilities, and in particular within the context of them as equal citizens before the law
- Gender equality, gender-based violence and inter-sectionality which detract from safety and protection of girls and women with disabilities
- Strengthening community-based support measures to enable persons with disabilities to choose where they live, and with whom they live
- State intervention aimed at strengthening the representative voice of organisations of persons with disabilities
- Access to justice, mental health, education, social protection and safety; and
- Generation of reliable statistical and administrative data on disability

#### UN Committee on the Rights of Persons with Disabilities Concluding Remarks

- Non-attendance in persons aged 5–24 years was more prevalent in persons with disabilities relative to those without disabilities, as can be expected. The results based on broad measure showed that the proportions not attending an educational institution among persons with disabilities increased by approximately three percentage points

(from 21,1% in 2011 to 24,4% in 2016). Based on the UN recommended measure, the proportion not attending increased by eight percentage points (from 20,4% in 2011 to 28% in 2016). The severe disability measure showed in the highest proportions of persons with disabilities not attending (20% in 2011 to 30% in 2016).

- There were distinct population group variations in persons with disabilities not attending an educational institution. The Coloured population group recorded the highest proportions (33,3% based on broad measure, 36,7% on UN disability index and 40,2% for the severe disability measure.
- All the three measures of disability showed that black African population group recorded the lowest proportion of persons with disabilities not attending school.
- President Ramaphosa committed the Sixth Administration to address the exclusion of children with disabilities of compulsory school-going age by ensuring that all children with disabilities of compulsory school-going age are enrolled in formal education programmes.

#### Spatial Integration, Human Settlements and Local Government

- Persons with disabilities must integrate into communities and live amongst the community.
- Separation of persons with disabilities from society is a human rights violation as isolation further enhances negative stereotypes about persons with disabilities.
- Reasonable accommodation must extend to persons with disabilities, including access to services and facilities in human settlements.

#### Economic Transformation & Job Creation

The **19<sup>th</sup> Annual Report from the Commission on Employment Equity** for the period 2018/19, which is based on reports received from designated employers:

- Only 1.3% are in top management positions and 1.2% hold senior management posts, with 45,5% and 40,1% of posts respectively being filled by white men with disabilities;
- 1.1% at professionally qualified level, 1.1% at skilled level and;
- 0.9% at semi-skilled level and 1.1% at unskilled level

In 2001, designated employers reported that 1% of their total employees were persons with disabilities across all occupational levels of their organisations compared to the 1. 3%, in 2018, which is an insignificant increase.

The **2017/18 Employment Equity Report for the Public Sector** paints an equally bleak picture –

- As at 31 March 2018 there were 1 233 653 employees in the Public Service of which 11 068 (0.90%) were employees with disabilities. The representation of persons with disabilities increased by 260 (0.02%) between March 2017 and March 2018.

- Thirty two provincial departments and sixteen national departments achieved the 2% target of the representation of persons with disabilities which is an increase of six departments from March 2017 to March 2018.
- As at the end of March 2018, there were 11 068 persons with disabilities in the Public Service of which 8 967 (81.02%) were Africans, 283 (2.55%) Asians, 962 (8.69%) Coloured and 856 (7.73%) were Whites. Although, the total number of employees in the Public Service decreased from 1 240 284 to 1 233 653, that of persons with disabilities increased from 10 808 to 11 068 which is a difference of 260 (2.34%) compared to the end of the previous financial year.
- Sixteen National Departments have achieved or exceeded the 2% representation of persons with disabilities, namely, Arts and Culture, Economic Development, Environmental Affairs, Government Communication and Information System, Labour, National School of Government, Performance, Monitoring and Evaluation, Public Service and Administration, Rural Development and Land Reform, Science and Technology, Small Business Development, Telecommunication and Postal Services, The Presidency, Trade and Industry, Tourism and Women.

#### Social Cohesion and Safe Communities

- Persons with disabilities are often seen as 'soft targets' for crime so these persons must be protected from criminals.
- Children with Albinism are abducted and murdered for their body parts. These children must be offered extra protection, and myths around persons with albinism must be debunked.

#### A Capable, Ethical and Developmental State

- Persons with disabilities form a critical part of the economy and must be fully integrated into society to contribute to a country that is moving forward.
- Disability is not a welfare issue. The responsibility rests on the whole country to break down barriers that openly discriminate against persons with disabilities.

## **MESSAGES UNDER THEMES:**

### **Week 1 (03 – 07 Nov)**

#### **Sub-Theme: Accelerating inclusive learning environments for persons with disabilities at all levels**

- Education is key to persons with disabilities becoming active players in the economy
- Too many learners remain out of the schooling system due to inability to access education
- No learner with a disability should be out of school
- Primary, Secondary and Tertiary Education must ensure reasonable accommodation for persons with disabilities
- Break stigmas around persons with disabilities being dependents
- Put the person before the disability to see their full potential
- Do not stereotype about disabilities
- Learners with cognitive challenges may require a little more time to grasp concepts so learning spaces must be sensitive to this.
- Inclusive learning environments includes training of staff, teachers as well as sensitisation training for fellow learners and students, access to assistive devices

### **Week 2 (08 - 14 Nov)**

#### **Sub-Theme: Rebuilding responsive disaster management strategies that places persons with disabilities at the centre**

- Persons with disabilities are more severely impacted in times of national disaster
- Information in accessible formats is difficult to find
- Shelters and organisations caring for persons with disabilities are impacted by cuts in donations, funding support and volunteers, impacting the quality of lives of persons with disabilities
- COVID-19 has demonstrated that Care centres, testing centres, facilities open to the public were slow to adapt to persons with disabilities
- Ensuring persons with disabilities are at the centre of disaster management strategies will ensure that no one is left behind
- Access to information during times of national disaster is key
- COVID-19 has impacted on services and medical care that persons with disabilities require impacting on quality of life.

### **Week 3 (15 - 21 Nov)**

#### **Sub-Theme: Rebuilding an economy accessible to all persons with disabilities**

- National Priority 1: Economic Transformation and Job Creation: Access to economies for persons with disabilities is about training, skilling, representation in workforces, as well as in management, as well as enabling environments to allow persons with disabilities to work.
- This concept also applies to older persons, persons who require frail care, persons with mental health challenges, etc.

- Industries must ensure representation of persons with disabilities – 7% and beyond!
- Persons with disabilities are able to perform jobs abled bodies persons are able to
- Challenging stigmas is one of the biggest hurdles in ensuring persons with disabilities access the economy
- Persons with disabilities do not want to be dependents. They want to be tax payers!
- Mainstreaming disability is about strengthening the economy, not supporting the disability sector
- Reduce inequality of opportunities for persons with disabilities

#### **Week 4 (22 Nov – 28 Nov)**

##### **Sub-Theme: Creating an accessible justice system that seek to address the risk of compounded marginalisation and assisted decision-making legal framework**

- Persons with disabilities do not have access to justice, due to lack of consistent and predictable reasonable accommodation support measures in police stations and in courts, as well as the cost associated with accessing the higher courts.
- Persons with disabilities feel pushed to the fringes of society leading to others forms of marginalisation and access to services.
- SAPS approved its Disability Strategy as well as Disability Access Implementation Plan in 2019
- Persons with disabilities who are survivors of GBV lack trust in the justice system and sometimes are unable to access SAPS and services due to challenges associated with disabilities
- Disability is not grounds to distrust persons with disabilities reporting abuse or crime!
- Women with disabilities in rural areas do not have access to information on disability and services of government.

#### **Week 5 (29 Nov – 03 Dec)**

##### **Sub-Theme: Launch of 365 Disability Rights Awareness Campaign and outlining department's plans in promoting National Priorities**

- Overall empowerment of persons with disabilities and ensuring a South Africa inclusive of the rights of persons with disabilities
- The final week coincides with the 16 Days of Activism for Violence Against Women and Children Campaign
- Government continues to do work year round to support disability programmes – This must be communicated year round, with statements being released by all departments sharing information on work done to mainstream disability in achieving the country's 7 priorities.