

Intervention  
HRC 26 of March  
Special Event Convention on the Rights of Persons with Disabilities  
UNFPA (United Nations Population Fund)

Mr Chairman,

The Convention on the Rights of Persons with Disabilities is the first global human rights treaty to elaborate the rights of disabled persons and to specifically mention the right to sexual and reproductive health. According to Article 25 of the landmark Convention, States Parties should, "Provide persons with disabilities with the same range, quality and standard of free or affordable health care and programmes as provided to other persons, including in the area of sexual and reproductive health and population-based public health programmes<sup>1</sup>."

Historically, disabled persons have been marginalized, stigmatized and deprived of opportunities and freedoms. They have endured forced sterilization and forced abortion. Studies show that persons with disabilities are up to three times more likely to be victims of physical and sexual abuse, and are at increased risk of HIV/AIDS. Many persons with disabilities have been denied the fundamental right to bear children as women with disabilities are often counseled by their doctors, and subsequently deterred, from having children. Because persons with disabilities are often considered asexual or incapable of becoming parents, they are often denied sex education, information on contraception and information about safe sexual practices. If they do become pregnant, many have great difficulty accessing proper pre- and post-natal care, as in most countries there is a lack of programmes and services for women with disabilities and their children. Information on sexual and reproductive health is often inaccessible to people who are blind, deaf, or have intellectual or cognitive impairments; and sexual and reproductive health services are often not accessible to them because of lack of physical access, lack of disability-related technical and human supports, as well as stigma and discrimination<sup>2</sup>.

### **ICPD and the Human Rights Based Approach**

Mr. Chairman

---

<sup>1</sup> Press Release *UNFPA Welcomes Adoption of Convention on the Rights of Persons with Disabilities*, Dec. 2006.

<sup>2</sup> Report from *Expert Meeting on Sexual and Reproductive Health of Persons with Disabilities*, UNFPA, Nov. 2006.

Before 1997, most UN development agencies pursued a 'basic needs' approach: They identified basic requirements of beneficiaries and either supported initiatives to improve service delivery or advocated for their fulfillment. However, since the paradigm shift in the 1990's, the UN and its partners have been working to fulfill the rights of people, rather than the needs of beneficiaries. There is a critical distinction: A *need* not fulfilled leads to dissatisfaction. In contrast, a *right* that is not respected leads to a violation, and its redress or reparation can be legally and legitimately claimed.

Guided by the International Conference on Population and Development Cairo, UNFPA places a strong emphasis on the rights of individual women and men. This emphasis on human rights at the ICPD moved population policy and programmes from a focus on numbers to a focus on individual human lives. The Cairo Programme of Action reaffirmed the application of universally recognized human rights standards to all aspects of population and development programmes, and called for a common ground, with full respect for the various religious and ethical values as well as cultural backgrounds. This reiteration of the human rights-based approach focuses on those who are most excluded and marginalized or discriminated against<sup>3</sup>. Cairo makes an explicit reference that calls for states to consider the needs of persons with disabilities and ensure that sufficient efforts are being put forth to eliminate specific forms of discrimination that persons with disabilities may face with regard to reproductive rights, including family planning and sexual health, HIV/AIDS, information, education and communication<sup>4</sup>.

### **UNFPA's Support**

Mr. Chairman

The Convention on the Rights of Persons with Disabilities gives hope that barriers, which have hindered persons living disabilities from enjoying their full and effective participation in society on an equal basis with others, will finally be lifted. UNFPA welcomes this unprecedented measure which strives to enable persons living with disabilities - estimated to be 10 per cent of the world's population of which 80 per cent live in developing countries - to be afforded the same rights as everyone else. The international goal to achieve universal access to reproductive health cannot be achieved unless persons with disabilities are no longer marginalized and included in policies and programmes to improve sexual and reproductive health<sup>5</sup>.

---

<sup>3</sup> UNFPA website [ <http://www.unfpa.org/rights/approaches.htm> ], March 2006.

<sup>4</sup> Draft *Fact Sheet on Sexual and Reproductive Health of Persons living with Disabilities*, UNFPA, Jan. 2006.

<sup>5</sup> Ibid.

UNFPA has developed a strategy in addressing the sexual and reproductive health needs of persons with disabilities, which includes two principal focal points:

1. Advocating for the fulfillment of the right to sexual and reproductive health, including working to strengthen accountability mechanisms
2. Building institutional capacity to improve access and delivery of sexual and reproductive health services<sup>6</sup>

UNFPA is part of the inter-agency group on the Convention on the Rights of Persons with Disabilities, which provides a unique opportunity for designing joint activities and to mainstream the Convention throughout UNFPA's policies and programmes. The Convention is a powerful tool that UNFPA will use to advocate for Governments to incorporate the right to sexual and reproductive health of persons with disabilities in policies, law reform, and to ensure their full participation in health planning. UNFPA also pledges to support and commit to all other efforts and activities – including forging strong partnerships with persons with disabilities - that strive for their full inclusion in society and enjoyment of their human rights.

---

<sup>6</sup> Knowledge Asset, UNFPA Jamaica Country Office, Oct. 2006.