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IAPB Briefing Paper

Visual Impairment: international legal and political conventions



International Agency for the
Prevention of Blindness



The purpose of IAPB Briefing Papers is to inform IAPB members and others about important and emerging issues affecting VISION 2020: The Right to Sight.



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The UN Convention on Rights of Persons with Disabilities signals a profound shift in international responsibilities towards people with visual impairment

The UN Convention on Rights of Persons with Disabilities entered into force as international law in May 2008. So far, 146 States Parties have signed; 88 have also ratified the instrument. The convention:

- Seeks to “promote, protect, and ensure the full and equal enjoyment of all human rights, and fundamental freedoms by all persons with disabilities”.
- Does not confer any new rights. Rather it reaffirms that all persons with all types of disability must enjoy all human rights and fundamental freedoms on an equal basis with others. It imposes new obligations on signatories to ensure that the disabled are given equal opportunities such as access to education, health, employment, etc.
- Identifies areas where adaptations have to be made for persons with disabilities to effectively exercise their rights.
- Requires State Parties to monitor, and periodically report on their implementation of the Convention. Civic society has the right to participate in the monitoring process. Oversight will be provided by an elected, independent, UN Committee on the Rights of Persons with Disabilities.

In addition, the Convention’s Optional Protocol (89 signatories; 54 ratifications):

- Binds State Party signatories to recognise the competence of the UN Committee on the Rights of Persons with Disabilities, and allow their citizens to petition the Committee if they consider their rights under the Convention have not been fully respected.



- While not having the force of international law, the United Nations General Assembly has adopted a number of resolutions over the years to promote the rights, and needs, of the disabled. Perhaps the most significant, recent, Resolution is No. 64/131 adopted in February 2009 on “Realising the Millennium Development Goals for persons with disabilities”. This:
- Urges the UN system to integrate disability issues into its work across the board;
- Encourages donors to ensure that their development cooperation programmes are inclusive of, and accessible to, persons with disabilities;
- Emphasises the importance of the participation of persons with disabilities at all levels of policy making;
- Calls on governments to build up knowledge databases about the situation of persons with disabilities to facilitate policy planning and evaluation.

The **United Nations Human Rights Council** has also taken an increasing interest in the needs, and rights, of persons with disabilities. Since its inception in 2006, the HRC has:

- Adopted an annual resolution providing for an annual interactive debate on
- Encourages the independent Human Rights Raporteurs to recognise the importance of persons with disabilities in their work:
- Emphasised the need to address the needs of persons with disabilities in Universal Periodic Reviews: regular (4 year) reviews of the human rights performance of all UN Member States.

A number of other international, and regional, human rights conventions protect the rights of persons with disabilities specifically, or have provisions concerning persons with disabilities. Details can be found at the UN’s Enable website – www.un.org/esa/socdev/enable/disovlf.htm

International human rights treaties are binding on States Parties that have ratified the instrument. Some universal instruments, such as the Universal Declaration of Human Rights, and some specific provisions, such as the principle of non-discrimination, have become part of customary international law and are considered binding on all States, including those that have not ratified a human rights treaty that embodies norms of customary law.

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