



East Asia Disability Studies Forum 2019



Keynote Session: Comment

## Inclusion in Society from the CRPD Perspective

Nagase Osamu 長瀬修  
Institute of Ars Vivendi 生存学研究所  
Ritsumeikan University 立命館大学

12 October 2019 9 : 15—10 : 15

Wuhan, China

# Outline

- CRPD
  - General Principle: Inclusion in Society
  - Article 19: Living independently and being included in the community
  - General Comment on Article 19
  - General Comment on Article 24: Inclusive Education
- Statement of Unity of Inclusion International

# CRPD General Principles

- (a) Respect for inherent dignity, individual autonomy including the freedom to make one's own choices, and independence of persons;
- (b) Non-discrimination;
- (c) Full and effective participation and inclusion in society;
- (d) Respect for difference and acceptance of persons with disabilities as part of human diversity and humanity;

# CRPD General Principles

- (e) Equality of opportunity;
- (f) Accessibility;
- (g) Equality between men and women;
- (h) Respect for the evolving capacities of children with disabilities and respect for the right of children with disabilities to preserve their identities.

# Article 19 - Living independently and being included in the community

- States Parties to this Convention recognize the equal right of all persons with disabilities to live in the community, with choices equal to others, and shall take effective and appropriate measures to facilitate full enjoyment by persons with disabilities of this right and their full inclusion and participation in the community, including by ensuring that:
  - (a) Persons with disabilities have the opportunity to choose their place of residence and where and with whom they live on an equal basis with others and are not obliged to live in a particular living arrangement;

# Article 19 - Living independently and being included in the community

- (b) Persons with disabilities have access to a range of in-home, residential and other community support services, including personal assistance necessary to support living and inclusion in the community, and to prevent isolation or segregation from the community;
- (c) Community services and facilities for the general population are available on an equal basis to persons with disabilities and are responsive to their needs.

# CRPD General comment No. 5 (2017) on living independently and being included in the community

- 14. ...In connection with article 19 of the Convention, Sustainable Development Goal target 10.2, empowerment and promotion of social, economic and political inclusion for all, and target 11.1, ensuring access to adequate, safe and affordable housing and affordable services for all, are of special importance.

# CRPD General comment No. 5 (2017) on living independently and being included in the community

- 16. In the present general comment the following definitions apply:
- (b) **Being included in the community.** The right to be included in the community relates to the principle of full and effective inclusion and participation in society as enshrined in, among others, article 3 (c) of the Convention. It includes living a full social life and having access to all services offered to the public and to support services offered to persons with disabilities to enable them to be fully included and participate in all spheres of social life... The right also includes having access to all measures and events of political and cultural life in the community, among others, public meetings, sports events, cultural and religious festivals and any other activity in which the person with disability wishes to participate;



# CRPD General comment No. 5 (2017) on living independently and being included in the community

- 80. **Equal recognition before the law (art. 12)** ensures that all persons with disabilities have the right to exercise their full legal capacity and therefore have the equal right to exercise **choice and control** over their own lives by choosing where, with whom and how they want to live and to receive support in accordance with their will and preferences...To achieve this, they have to be a part of the community.

# CRPD General comment No. 5 (2017) on living independently and being included in the community

- 91. The existence of **individualized support services, including personal assistance, often is a precondition for effective enjoyment of the right to work and employment** (art. 27). Furthermore, persons with disabilities should also become employers, managers or trainers in disability-specific support services. Implementing article 19 will thus help to phase out sheltered employment.

# CRPD General Comment No.4 on the Right to Inclusive Education (2016)

- 13. The Committee highlights the importance of recognizing the differences between exclusion, segregation, integration and inclusion.
- **Exclusion** occurs when students are directly or indirectly prevented from or denied access to education in any form.
- **Segregation** occurs when the education of students with disabilities is provided in separate environments designed or used to respond to a particular impairment or to various impairments, in isolation from students without disabilities.
- **Integration** is the process of placing persons with disabilities in existing mainstream educational institutions with the understanding that they can adjust to the standardized requirements of such institutions.

# CRPD General Comment No.4 on the Right to Inclusive Education (2016)

- **Inclusion involves a process of systemic reform embodying changes and modifications** in content, teaching methods, approaches, structures and strategies in education to overcome barriers with a vision serving to provide all students of the relevant age range with an equitable and participatory learning experience and the environment that best corresponds to their requirements and preferences. **Placing students with disabilities within mainstream classes without accompanying structural changes to, for example, organization, curriculum and teaching and learning strategies, does not constitute inclusion.** Furthermore, integration does not automatically guarantee the transition from segregation to inclusion.

# “Inclusion” from the Statement of Unity of Inclusion International

- **Inclusion** supports people with intellectual disabilities to have **control** over their lives and to make **choices and decisions** in their lives.
- **Inclusion** requires that people with intellectual disabilities be accepted as full and equal members of their family and community.
- **Inclusion** requires the removal of social, cultural, economic and political barriers that prevent people with intellectual disabilities from full and equal participation in all aspects of community life.
- **Inclusion** is about full and equal participation in using mainstream services and is NOT consistent with segregation or segregated facilities.
- **Inclusion** celebrates diversity and equality, as the key to building stronger and better communities.

# CRPD General Principles

- (a) Respect for inherent dignity, individual autonomy including the freedom to make one's own choices, and independence of persons;
- (b) Non-discrimination;
- (c) Full and effective participation and inclusion in society;
- (d) Respect for difference and acceptance of persons with disabilities as part of human diversity and humanity;



謝謝

감사합니다.

多謝

ありがとうございます。