

The following Declaration has been adopted by persons with disabilities and their representative organisations from national, sub-regional and regional levels of Latin America and the Caribbean on 24 October 2015 during the São Paulo conference 'Advancement of the UN CRPD through the 2030 Agenda: No-one left behind: Towards implementation in Latin America and the Caribbean', organized by the International Disability Alliance with support from the United Nations Partnership to Promote the Rights of Persons with Disabilities, UNICEF and the São Paulo State Secretariat on the Rights of Persons with Disabilities.

SÃO PAULO POLITICAL DECLARATION

ADVANCEMENT OF THE UN CRPD THROUGH THE 2030 AGENDA - NO ONE LEFT BEHIND: TOWARDS IMPLEMENTATION IN LATIN AMERICA AND THE CARIBBEAN¹

Preamble

WE, persons with disabilities from 16 countries in Latin America and the Caribbean, representative organisations of persons with disabilities and multi-stakeholder from Governments, United Nations (UN) agencies, donors and civil society organisations, gathered by the International Disability Alliance in São Paulo, Brazil, from 22 to 24 October 2015, at the conference 'Advancement of the UNCRPD through the 2030 Agenda: No-one left behind: Towards implementation in Latin America and the Caribbean':

- A. Determined to advance the rights of all persons with disabilities in Latin America and the Caribbean in the interest of all humanity, and to implement the 2030 Agenda for Sustainable Development (hereinafter 2030 Agenda),
- B. Guided by the UN Universal Declaration of Human Rights, the UN Convention on the Rights of Persons with Disabilities (hereinafter CRPD), the 2030 Agenda, the UN Declaration on the Rights of Indigenous Peoples, the Sendai Framework for Disaster Risk Reduction, the Beijing Declaration and Platform of Action and the Addis Ababa Action Agenda,

RECOGNISE

- C. The 2030 Agenda, its Goals and targets are universal, indivisible and interlinked, and aim to promote equality of opportunity for all,
- D. That full human potential and sustainable development cannot be achieved in the region when persons with disabilities are still denied full enjoyment of their human rights, and that grave situations of social, economic and environmental inequality persist,
- E. With appreciation, the explicit references to persons with disabilities enshrined in the 2030 Agenda and strong recall that more than 80% of persons with disabilities live in poverty,
- F. That the 2030 Agenda resolve to combat inequalities and to increase significantly the availability of data disaggregated by disability,
- G. That the follow-up and review processes of the 2030 Agenda's implementation must be guided by the principles of open, inclusive, participatory and transparent reporting for all people,

ENCOURAGED BY

- H. The work of the Special Envoy of the UN Secretary-General for Disability and Accessibility, the Committee on the Rights of Persons with Disabilities² as well as other relevant Treaty Bodies, and the work of the UN Human Rights Council, its Universal Periodic Review and Special Procedures, in particular the Special Rapporteur on the Rights of Persons with Disabilities³,
- I. The Inter-American Commission and Court of Human Rights, and relevant regional Conventions, including on the Elimination of All Forms of Discrimination Against Persons with Disabilities,

CONSIDERING THAT

- J. Of the 33 member States in the Latin American and Caribbean, 31 have ratified the CRPD; of which 24 have ratified both the CRPD and its Optional Protocol,⁴
- K. In Latin America and the Caribbean there are more than 90 million persons with disabilities⁵,

EXPRESS DEEP CONCERNS THAT

- L. In the region, persons with disabilities still experience different forms of poverty, including extreme poverty, and face enormous disparities of opportunity in participating and effectively being included in society,
- M. Persons with disabilities were absent from the Millennium Declaration and consequently remained absent in processes related to the Millennium Development Goals, resulting in pervasive exclusion,
- N. Despite considerable legislation present in several States of the region affirming the rights of persons with disabilities, the population continues to face multiple barriers regarding adequate participation in decision-making processes, access to inclusive quality education, health, rehabilitation, employment and justice, among other areas and rights,
- O. Persons with disabilities belonging to specific constituencies face multiple and intersectional discrimination, in particular: women and girls; youth and older; indigenous peoples, African descent or belonging to other ethnic groups; persons with intellectual or psychosocial disabilities, persons who are deafblind, hard of hearing, deaf, blind or partially sighted, autistic persons; persons of short stature, persons with albinism, persons with physical disabilities; lesbian, gay, bisexual, transgender, and intersex people (LGBTIs); and people in specific situations, such as those who require more intensive support, persons living with HIV/AIDS, leprosy or epilepsy, persons living in rural, remote, disaster-prone or conflict-affected areas, persons who are refugees, displaced or migrants, persons deprived of liberty, among others,
- P. Families – which play an active role in the structure of societies in the region – are often disproportionately disadvantaged due to the lack of services and support they should receive to contribute towards the full and equal enjoyment of the rights of their family members with disabilities,

CONVINCED THAT

- Q. The transformative nature of the 2030 Agenda, implemented in line with the CRPD, will enhance the promotion of the human rights and development of all persons with disabilities in the region,
- R. Regional challenges are interrelated and thus demand joint and inclusive measures - comprising legal, administrative and judicial measures - to promote a real paradigm shift in individual and social attitudes,
- S. A substantial change on social expectations regarding new and future generations of persons with disabilities is needed. This change in expectations and attitudes should be reflected in a culture of inclusion, meaningful participation and respect for diversity,

THEREFORE and in order to see the full implementation of the 2030 Agenda in line with the CRPD and ensure that indeed no one will be left behind and that the motto ‘Nothing about us without us’ is adhered to,

WE URGE Latin American and Caribbean States, including national, state, provincial and municipal governments, to take all necessary measures including mobilising adequate financial and human resources - with the involvement of regional integration organizations and UN agencies, persons with disabilities and their representative organisations, civil society organisations, donors, human rights institutions, trade unions and private actors, **to:**

I. ENSURE EQUALITY OF OPPORTUNITY AND ELIMINATE DISCRIMINATORY LAWS, CONSIDERING THAT

1. Legal and administrative barriers to social and political empowerment of all persons with disabilities should be removed, as a matter of priority, and aligned with the CRPD to ensure equality of opportunity,
2. Latin American and Caribbean States should take effective measures to recognise the right of all persons with disabilities to exercise their legal capacity on an equal basis with others, to abolish substitute decision-making processes⁶ and create regional exchange mechanisms of good practices of supported decision-making in line with the CRPD,
3. Legal frameworks should ensure the participation of all persons with disabilities, in particular children, youth, adolescents, women, indigenous persons and African descents, in the design and implementation of public policies that may affect their lives,
4. States of the region should ratify and implement the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled,

II. ERADICATE POVERTY AND REDUCE INEQUALITY, CONSIDERING THAT

5. Persons with disabilities are over represented among the poorest in the Latin American and Caribbean region,
6. States should promote their economic, social and political empowerment and ensure that they have equitable access to economic resources such as ownership and control over land and other forms of property, inheritance and financial services, including microfinance, as well as access to basic services, including disability-specific services,
7. As matter of priority, States should create or strengthen comprehensive and inclusive social protection schemes to support the economic empowerment, social participation and inclusion of persons with disabilities,⁷
8. While the region benefits from significant mobilization of resources from international cooperation, both donors and States should ensure that poverty reduction and development strategies are inclusive of persons with disabilities, in line with the CRPD,

III. PROMOTE PEACEFUL AND INCLUSIVE SOCIETIES THROUGH

9. Support of economic, political and social empowerment of persons with disabilities and their representative organisations, to ensure their participation and sustainability as qualified national and regional allies for the Global Partnership of the 2030 Agenda,
10. The establishment of urgent measures, including economic, informational and personal assistance, to ensure that persons with disabilities enjoy their right to live independently and be included in the community to prevent their segregation, as enshrined in the CRPD,⁸
11. Effective inclusion and consideration of persons with disabilities and their representative organisations in the design, implementation and monitoring of all programmes and policies that may impact their lives, in order to effectively implement the 2030 Agenda in line with the CRPD,
12. Establishment and implementation of national plans for inclusion and accessibility of all persons with disabilities in the region, with established timeframes and adequate human and material

resources⁹, and that assistive devices and other services required are available and affordable for all persons with disabilities,

13. Accessible and effective access to justice for all persons with disabilities, including the provision of procedural and age-appropriate accommodations and effective legal remedies,
14. Effective measures that prevent, eliminate and respond to violence, abuse, exploitation and torture of persons with disabilities, with particular attention to people most subject to multiple discrimination,
15. The provision of legal identity for all persons with disabilities in the region, including birth registration, especially to children, youth, people living in rural and remote areas and indigenous persons, African descent or belonging to other ethnic groups, ¹⁰
16. The strengthening of national statistical institutes to increase collection and availability of timely, reliable and high-quality disaggregated data on persons with disabilities, the barriers they face for full and effective participation and inclusion in society as well as their specific requirements,

IV. ENSURE ACCESS TO INCLUSIVE AND QUALITY EDUCATION¹¹ AND EMPLOYMENT¹²

17. For all persons with disabilities in the region through inclusive, equitable and quality education at all levels, and access to life-long learning opportunities, including in rural and remote areas as well as with support measures and reasonable accommodation, in line with the CRPD,
18. By promoting, encouraging and investing in the employment of persons with disabilities, including through financial incentives, quotas and public procurement among other, both in public and private sectors as well as promoting self-employment through microcredit programs,

V. RECOGNISE SEXUAL AND REPRODUCTIVE RIGHTS AND PROHIBIT GENDER-BASED VIOLENCE¹³, BY:

19. Guaranteeing family planning and fertility retention of all persons with disabilities on an equal basis, in particular of women and girls and ensure inclusiveness and accessibility to public and private services and programmes, as well as to all means of accessible and age-appropriate communication and information,
20. Taking effective measures - including child-focused, gender-, and disability-specific measures, when appropriate - to effectively prohibit gender-based violence against persons with disabilities, in particular against women, girls, boys and LGBTI people,
21. Protecting persons with disabilities from gender-based violence, including financially or through accessible communication and information, and ensure that instances are documented and investigated and, where appropriate, prosecuted to combat impunity,

VI. CELEBRATE, GUARANTEE AND PROMOTE HUMAN DIVERSITY BY:

22. Celebrating and promoting the diversity of all persons with disabilities, their inherent dignity and individual autonomy - including the freedom to make one's own choices - by making every effort in line with the CRPD,
23. Developing strategies to raise awareness in mass media to foster a positive image of persons with disabilities and eliminate discrimination,
24. Promoting inclusive spaces for persons with and without disabilities, in particular children and young people, to learn to live together in equality and fully participate in society,
25. Implementing mechanisms that guarantee, respect and promote youth, deaf, deafblind and indigenous community cultures consistent with human rights, and recognise sign languages and native indigenous languages as part of linguistic diversity,

26. Recognising, promoting and facilitating the use of sign languages, Braille, augmentative and alternative communication and all other accessible means, modes and formats of communication of their choice by persons with disabilities and in line with the CRPD,

VII. TAKE APPROPRIATE MEASURES IN SITUATIONS OF RISK AND HUMANITARIAN EMERGENCIES

27. To reduce disproportionate exposure of persons with disabilities to disaster situations, including through the implementation of the Sendai Framework for Disaster Risk Reduction,¹⁴
28. By calling on States from the region to ensure that the World Humanitarian Summit results in strong political commitments to develop and endorse global guidelines that include and recognise persons with disabilities as assets in humanitarian response,

VIII. ESTABLISH EFFECTIVE, ACCOUNTABLE AND TRANSPARENT INSTITUTIONS, INCLUDING

29. National frameworks and advisory commissions charged with implementation of the CRPD should have high institutional rank, with adequate human and financial resources to effectively coordinate the implementation of the rights of persons with disabilities at all levels and in all sectors of government. Considering their role in the execution of public policies, in no case, should these commissions develop independent monitoring tasks,
30. The establishment or strengthening of focal points on disability in all relevant ministries and within government, in different sectors and at different levels, for matters relating to the implementation of the 2030 Agenda and the CRPD, and guarantee close consultation and adequate involvement of organisations of persons with disabilities to this end, in line with the CRPD,

IX. ESTABLISH STRATEGIC PARTNERSHIPS FOR INCLUSIVE DEVELOPMENT BY

31. Strengthening interlinkages in implementation, monitoring and evaluation mechanisms between the 2030 Agenda and the CRPD in the region to ensure that national plans, development strategies and mechanisms are inclusive and respectful of persons with disabilities,
32. Urging States in the region to include the persons with disabilities in the implementation of the 2030 Agenda, including safeguarding their participation in the High Level Political Forum for Sustainable Development,
33. Promoting a participatory process through the UN Partnership to Promote the Rights of Persons with Disabilities through the design of actions and programmes, trainings, implementation, monitoring and evaluation, driven by civil society, governments and UN agencies working together as partners at all stages,
34. Taking advantage of this São Paulo conference, organisations of persons with disabilities from national, sub-regional, regional levels as well as the networks of self advocates, indigenous persons and youth with disabilities commit to join and coordinate actions to assist states and UN agencies to achieve the Goals and targets of the 2030 Agenda in line with the CRPD,
35. Taking advantage of international leadership of Latin American and Caribbean States to ensure that all development programmes and international cooperation, including regional and sub-regional, are inclusive of and closely involve persons with disabilities and their representative organisations, to make sure that the Goals and targets of the 2030 Agenda fully transform our world for the better by 2030 and that no single person with disabilities is left behind.

São Paulo, Brazil, 24 October 2015

ANNEXES

I. FOOTNOTES

- ¹ Comprehensive report will be available soon at the IDA's webpage at www.internationaldisabilityalliance.org/en
- ² Official page http://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/SessionsList.aspx?Treaty=CRPD
- ³ Official page www.ohchr.org/EN/Issues/Disability/SRDisabilities/Pages/SRDisabilitiesIndex.aspx
- ⁴ According to the UN page www.un.org/disabilities/countries.asp?navid=12&pid=166,
- ⁵ According to the World Report on Disability, published by the World Health Organization and World Bank, persons with disabilities represent 15% of the world population. Considering the Latin American and Caribbean population in 2015 represents more than 634 million people, more than 95 million may be persons with disabilities http://estadisticas.cepal.org/cepalstat/Perfil_Regional_Social.html?idioma=spanish
- ⁶ Following CRPD Committee's solid jurisprudence. See General Comment n1 of the CRPD Committee http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD/C/GC/1&Lang=en
- ⁷ Report of the Special Rapporteur on the rights of persons with disabilities focused on Social Protection, www.ohchr.org/EN/Issues/Disability/SRDisabilities/Pages/Reports.aspx
- ⁸ See also OHCHR Thematic study on the right of persons with disabilities to live independently and be included in the community http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/28/37 and HRC Resolution http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/RES/28/4
- ⁹ Further guidance at the General Comment n2 of the CRPD Committee http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD/C/GC/2&Lang=en
- ¹⁰ See HRC Resolution 28/13 on Birth registration and the right of everyone to recognition everywhere as a persons before the law at http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/RES/28/13
- ¹¹ For further reference, see IDA's Position Paper on the Right to Education of persons with disabilities at www.internationaldisabilityalliance.org/sites/disalliance.e-presentaciones.net/files/public/files/IDA%20Position%20on%20Inclusive%20Education.docx as well as IDA's submission on inclusive education, submitted for the CRPD Committee's day of general discussion on the right to education, April 2015, at www.ohchr.org/Documents/HRBodies/CRPD/DGD/2015/IDA.doc, the OHCHR Study on the same topic at http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/25/29 and the HRC Resolution 25/20 http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/RES/25/20
- ¹² OHCHR Study on the work and employment of persons with disabilities at http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/22/25 and HRC Resolution 22/3 http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/RES/22/3
- ¹³ See OHCHR Study on the issue of violence against women and girls and disability at http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/20/5
- ¹⁴ Download the Sendai Framework for disaster risk reduction in different languages at [\[AR\]](#) [\[CH\]](#) [\[EN\]](#) [\[FR\]](#) [\[RU\]](#) [\[SP\]](#)

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