

## DISABILITY RIGHTS AWARENESS MONTH

3 November – 3 December 2021

### MAIN THEME:

*“The Year of Charlotte Mannyha Maxeke – Create and Realise an Inclusive Society Upholding Rights of Persons with Disabilities”*

### PROPOSED SUB-THEMES

**Week 1 (06 – 10 Nov)** Sub-Theme: Accelerating human dignity and learning environments for persons with disabilities at all levels

**Week 2 (13 – 17 Nov)** Sub-Theme: Inclusive socio-economic empowerment of persons with disabilities

**Week 3 (20 – 24 Nov)** Sub-Theme: Improved COVID-19 services inclusive of persons with disabilities at all spheres of life

**Week 4 (27 – 31 Nov)** Sub-Theme: Realising and celebrating the importance of disability rights, women empowerment and gender equality and elimination of GBVF

### COMMUNICATIONS OBJECTIVES OF DRAM 2021

- To raise awareness to the Disability Rights Awareness Month campaign
- To begin a process of changing attitudes / behavioural change, especially within schools, campuses, places of work, places of worship, in areas like sport etc.
- To raise attention to the impact of COVID-19 on persons with disabilities
- To raise awareness to the weekly themes identified under the main theme.
- Celebrate the achievements of persons with disabilities in SA.
- To present work being done by government to benefit persons with disabilities.
- To promote a 365-Day approach to disability rights

Key Messages	Supporting Statements
<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/RES/61/106) 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 (WPRPD) 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 of the CRPD, in particular. The Committee commended South Africa for the following positive measures taken:</li> <li>• The Deaf Access facility, allowing for video calling the National Gender Based Violence Command Call Centre;</li> </ul>	

- 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.

**MAIN THEME: The Year of Charlotte Mannya Maxeke – Create and Realise an Inclusive Society Upholding Rights of Persons with Disabilities**

- To honour the legacy of Charlotte Mannya Maxeke we must ensure all communities are inclusive communities catering for the needs of all citizens
- As South Africans we must ensure safe and accommodating environments that do not exclude people.
- We must ensure that inclusive development includes persons with disabilities and it not just a theory.
- To create inclusive societies is to honour the legacy of Charlotte Mannya Maxeke.
- We can only realise an inclusive society for persons with disabilities if we address attitudes towards disability and debunk myths.
- COVID-19 has impacted persons with disabilities in several ways. We must ensure that persons with disabilities are considered when planning post-COVID-19 recovery plans.
- Upholding the rights of persons with disabilities is the right thing to do!
- Disability Rights Awareness Month aims to show all South Africans that a disability-inclusive society is possible.

**WEEK 1 THEME: Accelerating human dignity and learning environments for persons with disabilities at all levels**

- No person, including the State and private companies may unfairly discriminate directly or indirectly on one or more grounds against any person on one or more grounds including race, gender, colour, age or disability.
- Section 10 of the Constitution further provides that everyone has the right to have their dignity respected and protected.
- Historically, society has tended to isolate and segregate persons with disabilities. Discrimination persists in such critical areas as employment, housing, public accommodations, education, transportation, communication, recreation, institutionalisation, health services, voting and access to public services.

*Persons with disabilities experience a number of interrelated challenges in accessing their rights, which include the following:*

- Social barriers such as lack of awareness on the different types of disabilities amongst society, which results in lack of acceptance of persons with disabilities within communities; negative attitudes resulting from ignorance, misunderstanding and prejudice which keeps society from appreciating and experiencing the full potential persons with disabilities can achieve.
- Psychological barriers which are mainly informed by fears for their personal safety.
- Structural barriers such as accessibility to facilities and infrastructure, the lack of support services or technology, the lack of availability of information in accessible formats and the lack of reasonable accommodation in schools and work places.
- The continuing existence of discrimination and prejudice denies persons with disabilities the opportunity to compete on an equal basis with others, and to pursue opportunities such as those identified in the NDP. Costs to the country are high when one takes into account expenses related to dependency and non-productivity.
- There are nine health-related goals that are relevant to improving the lives of persons with disabilities aimed at transforming the health care system by: removing attitudinal, physical, communication and information barriers, skilling health personnel to provide equitable services to persons with disabilities, reducing the cost of medical care and strengthening access to disability-specific health services, will enable persons with disabilities to live longer, be healthier, live with dignity, and contribute better to the development of their communities and the economy.

WEEK 2 THEME: Inclusive Socio-Economic Empowerment of persons with disabilities

The majority of persons with disabilities in South Africa have been excluded from the mainstream of society and have thus been prevented from accessing fundamental social, political and economic rights. The exclusion experienced by persons with disabilities and their families is the result of a range of factors, for example:

- ✦ the political and economic inequalities of the apartheid system;
- ✦ social attitudes which have perpetuated stereotypes of disabled people as dependent and in need of care; and
- ✦ a discriminatory and weak legislative framework which has sanctioned and reinforced exclusionary barriers.

The key forms of exclusion responsible for the cumulative disadvantage of people with disabilities are poverty, unemployment and social isolation.

Very little Over the 20 years of employment equity reporting, the representation of Persons with Disabilities, as a designated group has remained extremely low. The 20th commission for Employment Equity Annual report 2019 - 2020 revealed the following trends for employment of disabled people in South Africa: 2016 = 0.8%; 2017 = 1%; 2018 = 1%; 2019 = below 1%

The interpretation of the trend analysis in this report indicates a relatively slow pace towards achieving equity in the South African workplaces over the years, in particular, at the Senior and Executive Management levels.

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.

WEEK 3 THEME: Improved COVID-19 Services Inclusive of Persons with Disabilities in all spheres of life

- Persons with disabilities must be accorded equitable social rights as all other people in society because the provision of these rights enables full participation in the life of society. It includes the right to education, healthcare, housing, transport, sport, recreation, culture, social development services, food security and family life.
- Since the arrival of COVID-19 pandemic, the restrictions on human interactions have become mandatory in certain countries with imposed social distancing requirements.
- Many public services have become highly limited, if not completely halted; leaving persons with disabilities abandoned in terms of getting access to essential healthcare and social services.
- The current corona virus pandemic has turned the world upside down along with the lives of entire populations at risk of contracting the highly contagious virus. The transmission methods of the virus do not discriminate based on a person's economic status, race, gender, origin, location, religious or sexual orientation. Vulnerable groups like people with disabilities are no exception to the various social, medical and economic fallouts from the threat of contagion from COVID-19.
- People with disabilities have been disproportionately impacted by the COVID-19 pandemic. As this particularly vulnerable segment of the population encompasses a variety of

conditions and impairments, those with disabilities have faced many barriers throughout the pandemic. For example, they may be at a potentially higher risk of contracting the virus due to underlying conditions, have difficulty engaging in preventative measures or experience disruptions to health services they normally rely on.

- As the pandemic progresses, it is critical for both individuals with disabilities, and those who are their caretakers, to take the necessary steps to protect their health and well-being.
- There are nine health-related goals that are relevant to improving the lives of persons with disabilities aimed at transforming the health care system by: removing attitudinal, physical, communication and information barriers, skilling health personnel to provide equitable services to persons with disabilities, reducing the cost of medical care and strengthening access to disability-specific health services, will enable persons with disabilities to live longer, be healthier, live with dignity, and contribute better to the development of their communities and the economy.

#### WEEK 4 THEME: Realising and celebrating the importance of disability rights and elimination of GBVF

- The continuing existence of discrimination and prejudice denies persons with disabilities the opportunity to compete on an equal basis with others, and to pursue opportunities such as those identified in the NDP. Costs to the country are high when one takes into account expenses related to dependency and non-productivity.
- The hostile, unsafe and inaccessible built and public transport environment remains one of the largest obstacles to persons with disabilities' ability to self-actualise.
- Disability-related health services (community based mental health care services; rehabilitation services) remain largely unavailable in impoverished and rural communities.
- Special needs schools do not receive adequate economic resources to ensuring the return to school for children with disabilities during COVID-19.
- Persons with disabilities often report that they do not feel and are not safe, predominantly due to the negative and harmful associations with disability, which push them to the fringes of society. COVID-19 pandemic brought a rise in cases of women and girls with disabilities experiencing gender-based violence as the lockdown regulations forced most victims to live in same environments as their perpetrators.
- Persons with disabilities do not also believe that they 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.

### 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.

### 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.