



congreso europeo sobre las
personas con discapacidad

Madrid del 20 al 23 de Marzo de 2002

NON DISCRIMINATION + POSITIVE ACTION = INTEGRATION

european congress on
people with disabilities

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congrès européen sur les
personnes handicapées

THE MADRID DECLARATION

“NON DISCRIMINATION PLUS POSITIVE ACTION RESULTS IN SOCIAL INCLUSION”

We, over 600 participants in the European Congress on Disability, meeting in Madrid, warmly welcome the proclamation of 2003 as the European Year of People with Disabilities as an event, which must act to raise public awareness of the rights of more than 50 million Europeans with disabilities.

We set down in this Declaration our vision, which should provide a conceptual framework for action for the European Year at European community level, national, regional and local level.

PREAMBLE

1. DISABILITY IS A HUMAN RIGHTS ISSUE.

Disabled people are entitled to the same human rights as all other citizens. The first article of the Universal Declaration on Human Rights states: All human beings are free and equal in dignity and rights. In order to achieve this goal, all communities should celebrate the diversity within their communities and seek to ensure that disabled people can enjoy the full range of human rights: civil, political, social, economical and cultural as acknowledged by the different international Conventions, the EU Treaty and in the different national constitutions.

2. DISABLED PEOPLE WANT EQUAL OPPORTUNITIES AND NOT CHARITY.

As with many other regions in the world, the European Union has moved a long way during these last decades from the philosophy of paternalism towards disabled people to one of attempting to empower them to exercise control over their own lives. The old approaches based largely on pity and perceived helplessness of disabled people are now considered unacceptable. Action is shifting from an emphasis on rehabilitating the individual so they may 'fit in' to society towards a global philosophy of modifying society to include and accommodate the needs of all persons, including people with disabilities. Disabled people are demanding equal opportunities and access to all societal resources, i.e. inclusive education, new technologies, health and social services, sports and leisure activities, consumer goods and services.

3. BARRIERS IN SOCIETY LEAD TO DISCRIMINATION AND SOCIAL EXCLUSION.

The way our societies are organised often means disabled people are not able to fully enjoy their human rights and that they are socially excluded. The statistical data that is available shows that disabled people have unacceptable low levels of education and employment. This also results in greater numbers of disabled people living in situations of real poverty compared with non-disabled citizens.

4. DISABLED PEOPLE: THE INVISIBLE CITIZENS.

The discrimination disabled people face is sometimes based on prejudice against them, but more often it is caused by the fact that disabled people are largely forgotten and ignored and this results in the creation and reinforcement of environmental and attitudinal barriers which prevent disabled people from taking part in society.

5. DISABLED PEOPLE FORM A DIVERSE GROUP.

As with all spheres of society, disabled people form a very diverse group of people and only policies that respect this diversity will work. In particular, people with complex dependency needs and their families require particular action by societies, as they are often the most forgotten among disabled people. Also, women with disabilities and disabled people from ethnic minorities are often faced with double and even multiple discrimination, resulting from the interaction of the discrimination caused by their disability and the discrimination resulting from their gender or ethnic origin. For deaf people the recognition of sign language is a fundamental issue.

6. NON DISCRIMINATION + POSITIVE ACTION = SOCIAL INCLUSION.

The recently adopted EU Charter of Fundamental Rights acknowledges that to achieve equality for disabled people the right not to be discriminated against has to be complemented by the right to benefit from measures designed to ensure their independence, integration and participation in the life of the community. This synthesis approach has been the guiding principle of the Madrid congress that brought together more than 600 participants in March 2002.

OUR VISION

1. Our vision can best be described as a contrast between this new vision and the old vision it seeks to replace:
 - a) **Away from** *disabled people as objects of charity... and **Towards** disabled people as rights holders.*
 - b) **Away from** *people with disabilities as patients... and **Towards** people with disabilities as independent citizens and consumers.*
 - c) **Away from** *professionals taking decisions on behalf of disabled people ...and **Towards** independent decision making and taking*

responsibilities by disabled people and their organisations on issues which concern them.

- d) *Away from*** *a focus on merely individual impairments...and* ***Towards*** *removing barriers, revising social norms, policies, cultures and promoting a supportive and accessible environment.*
- e) *Away from*** *labelling people as dependants or unemployable... and* ***Towards*** *an emphasis on ability and the provision of active support measures.*
- f) *Away from*** *designing economic and social processes for the few... and* ***Towards*** *designing a flexible world for the many.*
- g) *Away from*** *unnecessary segregation in education, employment and other spheres of life ...and* ***Towards*** *integration of disabled people into the mainstream.*
- h) *Away from*** *disability policy as an issue that affects special ministries only....and* ***Towards*** *inclusion of disability policy as an overall government responsibility.*

2. INCLUSIVE SOCIETY FOR ALL.

Implementing our vision will benefit not only disabled people but also society as a whole. A society that shuts out a number of its members is an impoverished society. Actions to improve conditions for disabled people will lead to the design of a flexible world for all. "*What is done in the name of disability today will have meaning for all in the world's tomorrow*".

We, the participants in the European Congress on Disability, meeting in Madrid, share this vision and request all stakeholders to consider the European Year of People with Disabilities in 2003 as the start of a process that will make this vision a reality. 50 million European disabled people expect us to give an impulse to the process to make this happen.

OUR PROGRAM TO ACHIEVE THIS VISION

1. LEGAL MEASURES.

Comprehensive anti-discrimination legislation must be enacted without delay to remove existing barriers and avoid the establishment of new barriers that disabled people may encounter such as in education, employment and access to goods and services and which prevent disabled people from achieving their full potential for social participation and independence. The non-discrimination clause, Article 13 of the EC Treaty allows this to happen at Community level, thus contributing to a real barrier-free Europe for people with disabilities.

2. CHANGING ATTITUDES.

Anti-discrimination legislation has proven to be successful in bringing about changes in attitude towards people with disabilities. However, the law is not enough. Without a strong commitment from all society, including the active participation of disabled people and their organisations in securing their own rights, legislation remains an empty shell. Public education is therefore necessary to back up legislative measures and to increase understanding of the needs and rights of disabled people in society and to fight the prejudice and stigmatisation that still presently exists.

3. SERVICES THAT PROMOTE INDEPENDENT LIVING.

Achieving the goal of equal access and participation also requires that resources should be channelled in such a way as to enhance the disabled person's capacity for participation and their right to independent living. Many disabled people require support services in their daily lives. These services must be quality services based on the needs of disabled people and must be integrated in society and not be a source of segregation. Such support is in accordance with the European social model of solidarity – a model that acknowledges our collective responsibility towards one another and especially towards those who require assistance.

4. SUPPORT TO FAMILIES

The family of disabled people, in particular of disabled children and people with complex dependency needs unable to represent themselves, plays a vital role in their education and social inclusion. In view of this, adequate measures for families need to be established by public authorities, in order to allow families to organise their support for the disabled person in the most inclusive way.

5. SPECIAL ATTENTION TO DISABLED WOMEN

The European Year has to be seen as the opportunity to consider the situation of disabled women from a new perspective. The social exclusion faced by disabled women cannot only be explained by her disability but also the gender element needs to be considered. The multiple discrimination faced by disabled women has to be challenged through a combination of mainstreaming measures and positive action measures designed in consultation with disabled women.

6. MAINSTREAMING OF DISABILITY.

Disabled people should have access to the mainstream health, education, vocational and social services and all the opportunities, which are available to non-disabled persons. The implementation of an inclusive approach to disability and disabled people requires changes in current practice at several levels. First of all, it is necessary to ensure that services available to disabled people are co-ordinated within and across the different sectors. The accessibility needs of the different groups of disabled people need to be considered in the planning process of any activity and not as an afterthought when the planning has already been completed. The needs of disabled people and their families are varied and it is important to devise a comprehensive response, which takes into account both the whole person and the various aspects of his or her life.

7. EMPLOYMENT AS A KEY FOR SOCIAL INCLUSION.

Special efforts need to be made to promote the access of disabled people to employment, preferably in the mainstream labour market. This is one of the important ways to fight against the social exclusion of disabled people and to promote their independent living and dignity. This requires, not only the active mobilisation of the social partners, but also of the public authorities, which need to continue to strengthen the measures already in place.

8. NOTHING ABOUT DISABLED PEOPLE WITHOUT DISABLED PEOPLE.

The Year must be an opportunity to grant disabled people, their families, their advocates and their associations a new and expanded political and social scope, at all levels of society, in order to engage governments in dialogue, decision-making and progress around the goals for equality and inclusion.

All actions should be undertaken in dialogue and co-operation with the relevant representative disability organisations. Such participation should not only be limited to receiving information or endorsing decisions. Rather, at all levels of decision-making, governments must put in place or strengthen regular mechanisms for consultation and dialogue enabling disabled people through their disability organisations to contribute to the planning, implementation, monitoring and evaluation of all the actions.

A strong alliance between Governments and disability organisations is the basic requisite to progress most effectively the equal opportunities and social participation of disabled people.

In order to facilitate this process, the capacity of disability organisations should be enhanced through greater resource allocation to allow them to improve their management and campaigning capacities. This also implies the responsibility on part of the disability organisations to continuously improve their levels of governance and representativeness.

SUGGESTIONS FOR ACTION

The European Year of People with Disabilities 2003 should mean an advancement of the disability agenda and this requires the active support of all relevant stakeholders in a wide partnership approach. Therefore concrete suggestions for action are proposed for all relevant stakeholders. These actions are to be established in the European Year and continued beyond the European Year; progress should be evaluated over time.

1. EU AUTHORITIES AND NATIONAL AUTHORITIES IN EU AND ACCESSION COUNTRIES

Public authorities should lead by example and therefore are the first but not only actor in this process. They should:-

- review the current scope of Community and national legal frameworks aiming at combating discriminatory practices in the fields of education, employment and access to good and services;
- initiate investigations into those restrictions and discriminatory barriers that limit the freedom of disabled people to fully participate in society, and to take whatever measures are necessary to remedy the situation.
 - review the services and benefits system to ensure that these policies assist and encourage disabled people to remain and/or become an integral part of the society wherein they live.
- undertake investigations on violence and abuse committed against disabled people, with particular attention to those disabled people living in large institutions.
- strengthen legislation on accessibility to ensure that disabled people have the same right of access to all public and social facilities as other people.
- contribute to the promotion of the human rights of disabled people at world wide level by participating actively in the work to prepare a UN Convention on the rights of disabled people.
- contribute to the situation of disabled people in developing countries by including the social inclusion of disabled people as an objective of the national and EU development co-operation policies

2. LOCAL AUTHORITIES.

The European Year must really occur firstly at the local level, where issues are real to citizens and where associations of and for people with disabilities are doing most of their work. Every effort must be made to focus the promotion, resources, and activities at the local level.

Local actors should be invited to integrate the needs of people with disabilities in urban and community policy, including education, employment, housing, transport, health and social services, bearing in mind the diversity of disabled people, including, among others, older people, women and immigrants.

Local governments should draft local plans of action on disability in co-operation with representatives of disabled people and set up their own local committees to spearhead the activities of the Year.

3. DISABILITY ORGANISATIONS

Disability organisations, as representatives of disabled people, have a major responsibility to ensure the success of the European Year. They have to consider themselves as the ambassadors of the European Year and proactively approach all relevant stakeholders proposing concrete measures and seeking to establish long lasting partnerships when these not yet exist.

4. EMPLOYERS.

Employers should increase their efforts to include, retain and promote disabled people in their workforce and to design their products and services in a way that these are accessible to disabled people. Employers should review their internal policies to ensure that none of these prevents disabled people from enjoying equal opportunities. Employer organisations can contribute to these efforts by collecting the many examples of good practice that already exist.

5. TRADE UNIONS.

Trade unions should increase their involvement to improve the access to and maintenance in employment of disabled people and ensure that

disabled people benefit from equal access to the training and promotion measures, when negotiating the agreements in the companies and professional sectors. Also increased attention should be paid to promote the participation and representation of disabled workers, both within their own decision making structures and those existing in the companies or professional sectors.

6. MEDIA.

The Media should create and strengthen partnerships with associations of people with disabilities, in order to improve the portrayal of disabled people in mass media. More information on disabled people should be included in the media in recognition of the existence of human diversity. When referring to disability issues, the media should avoid any patronising or humiliating approaches but focus instead on the barriers disabled people face and the positive contribution to society disabled people can make once these barriers have been overcome.

7. EDUCATION SYSTEM.

Schools should take a leading role in spreading the message of understanding and acceptance of disabled people's rights, helping to dispel fears, myths and misconceptions and supporting the efforts of the whole community. Educational resources to help pupils to develop a sense of individuality with regard to disability in themselves and others, and to help them recognise differences more positively should be developed and widely disseminated.

It is necessary to achieve education for all based on the principles of full participation and equality. Education plays a key role in defining the future for everybody, both from a personal point of view, as well as a social and professional one. The education system has, therefore, to be the key place to ensure personal development and social inclusion, which will allow children and youngsters with disabilities to be as independent as possible. The education system is the first step towards an inclusive society.

Schools, colleges, universities should, in co-operation with disability activists, initiate lectures and workshops aimed at raising awareness of disability issues among journalists, advertisers, architects, employers, social and health care-givers, family care-givers, volunteers, and members of local government.

8. A COMMON EFFORT TO WHICH ALL CAN AND SHOULD CONTRIBUTE

Disabled people seek to be present in all spheres of life and that requires that all organisations review their practices to ensure that they are designed in a way that disabled people can contribute to them and benefit from them. Examples of such organisations include: consumer organisations, youth organisations, religious organisations, cultural organisations, other social organisations that represent specific groups of citizens. It is also important to involve places such as museums, theatres, cinemas, parks, stadiums, congress centres, shopping malls and post offices.