



REPUBLIC OF BULGARIA
MINISTRY OF LABOUR AND SOCIAL POLICY



Bulgarian Chairmanship
Council of Europe
November 2015 – May 2016
Présidence de la Bulgarie
Conseil de l'Europe
Novembre 2015 – Mai 2016



INTERNATIONAL CONFERENCE FOR EXCHANGE ON BEST PRACTICES ON “EQUAL ENJOYMENT OF HUMAN RIGHTS AND FREEDOMS BY PWD: ACHIEVEMENTS AND CHALLENGES”

SESSION 1

PRESENTATION OF THE EVALUATION REPORT ON THE IMPLEMENTATION
OF THE COE DISABILITY ACTION PLAN AND RELATED GOOD PRACTICES

Alfredo FERRANTE
Sofia, Bulgaria
22 March 2016

WHERE WE START FROM

We have a long history behind us, but in 2006 two fundamental international acts on disability were finally adopted: the UN CRPD and the 2006/2015 CoE Action Plan. After many years of debate the international community finally converged on the so called «**paradigm shift**» from a historical, medical and merely rehabilitation model to a **human right based approach**.

The adoption of those international acts marked what we could call a **cognitive re-orientation on the issue of disability**, which in history has been seen as a punishment from deities and later God as a consequence for any kind of sin or, again, as something to hide and marginalize (e.g. the so-called exposition)



See the
Person
Not the
Disability

The image features a light green background with the text "See the Person Not the Disability" in a blue, sans-serif font. The word "Person" is significantly larger than "Disability". Four stylized human figures are placed around the text: a pink female figure above the 'P', a red male figure above the 'n', a purple male figure below the 'P', and a green female figure below the 'n'. Each figure has a faint, grey shadow cast to its right.

A NEW APPROACH

Some **common elements** of the shift are:

- Holistic approach to the person and his/her needs
- From patient to citizen into a community
- Same rights for equal members of societies
- Focus on social approach: an individual whose disability results from the interrelation with the environment
- Removing physical and social barriers
- Full and independent social and political participation
- Mainstreaming disability issue in all policies and levels in MSs



THE CoE DISABILITY ACTION PLAN

We know that the first DAP is **not** a mandatory piece of Legislation. Nevertheless, the Recommendation 2006/5 has had a very clear mission: **promoting the rights and full participation of PwD** in society and improving the quality of life of people with disabilities in Europe.

All Europe

The DAP is addressed to the governments of all 47 MSs to help reinforce anti-discriminatory and human rights measures to enhance equal opportunities and independence of PwD: **working for the same rights as equal members of society.**

The DAP has provided a valid, flexible framework for decision-makers so to produce a tailor-made approach for disability legislation, policies and practices and it is massive: 15 action lines on daily life of PwD, also drawing attention to the needs of women and children with disabilities as well as severely disabled people in need of a high level of support



DID WE GET RESULTS?

YESSIR, WE DID! AND TOGETHER WE CAN DO MORE

Going through the DAP evaluation report we can get a **honest picture of the situation in the European continent**: a lot has been done, a lot more needs to be done. We know there are residential institutions, segregation schools, barriers of all kind, an insufficient labour market for PwD, many significant needs of persons with mental and relational disabilities still to be met.

The report identifies for each Action Line

- **aims**
- **impacts**
- **good practices from all MSs** and
- **future challenges.**

Reading the report we do know that MS have done remarkable progresses: national legislation, policies, NAPs, national and international actions are moving towards the shared and common value of promoting and protecting the human rights of PwD.

Yet, cultural prejudices and barriers still exist in Europe

What's more, the recent global economic crisis did not help.

Fear of diversity and **stigma** are unfortunately still rooted in many parts of our societies and the guidance offered by the DAP as well as specific recommendations in recent years have been a fundamental help to overcome those cultural barriers.



6 STRONG PROS (IMHO)

- 1) **Co-operation** on a national and international level is crucial: no MS nor no regional or international organization can win this battle alone (back to that later)
- 2) As national experts, we did profit from **getting known and talking to each other**: approaches and solutions vary from different situations and an exchange among MSs produces mutual learning and progress
- 3) We know that **a multi-stakeholder approach is a win-win game**: the active involvement in the whole process of decision-making of civil society organizations representing PwD and service providers is the key to do things better. And – hopefully - to do it right
- 4) We need to understand – and make political actors and the general public understand – that **fighting discrimination for PwD is an ongoing and maybe neverending process**: there will always be the next step to make and we must be ready to make it together
- 5) MSs and key stakeholders did learn to operate into the CoE field of action: working in Europe's leading human rights organization gives us the chance to get **a unique perspective** of the disability issue in our continent
- 6) We have understood that out there the CoE DAP or other regional or international documents are not necessarily known by the general public and the media. **We need to learn to talk more and also differently to people**



HOW WE DID THE REPORT

The evaluation process built on and benefited from the knowledge and experience by **various stakeholders**: MSs national experts, civil society organizations as well as PwD themselves, service providers. The evaluation report comprises an analysis of treaty developments, national legislation, policies, action plans, as well as specific actions for protecting and promoting human rights of PwD.

In the report we listed a series **results** and **challenges** for future years and for the future CoE Strategy on disability. Each action line – i.e. each diverse aspect of daily life for PwD – includes the challenges to be faced.

A significant part of the report lies on the MSs good practices in order to show what it has been done in single national environments and to make the public understand that different solutions, adapted to different national situations, can be found.

The diversity and quality of solutions developed showed a **high level of adaptability and creativity in MSs**.

We listed a wide range of unique examples that can be – and can be - applied nationally as well as locally or regionally. It's a **vademecum** MSs can consider as a rich tool to implement initiatives not to be left on the shelves.



WHY IT IS A NOT-SO-BAD REPORT

Challenges, General Recommendations and cross-cutting aspects – as well as the list of the national good practices - provide a **solid and coherent basis for the future steps** in the field of disability by the Coe and its MSs

General Recommendations

- social model of disability
- the Universal Design principle
- the funding issue
- co-operation among stakeholders and involvement of DPOs
- human rights based training for professionals
- multiple discrimination risks

Cross-cutting aspects

- Women and girls WD
- PwD in need of a high level of support
- Children and young people WD
- Ageing
- Minorities and migrants



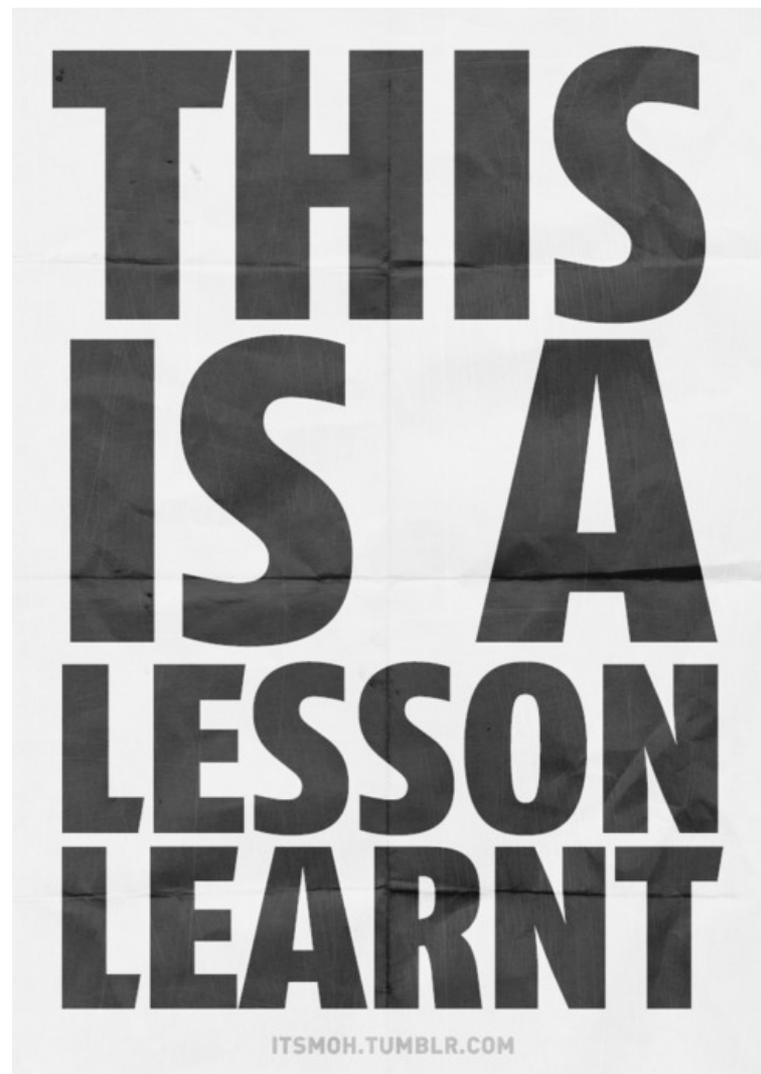
A LESSON FROM THE REPORT

The report shows that along with the legislative, physical and other types of barriers, **stereotypes** and **psychological barriers** are still deeply-rooted in our societies.

The evaluation report provides an opportunity for the CoE and its MSs to define priorities for future action, based on the results achieved, experience and lessons to ensure effective implementation of both national and international standards, and in so doing remove barriers and discrimination that prevent PwD from full enjoyment of their human rights in the communities they live in.

Such challenges cannot be eliminated overnight but over time. They call for the continued commitment of governments, the full involvement of organizations of and for PwD, and other relevant stakeholders, sharing of know-how and exchanging of good practices

So, it's up to us: now and here



WHAT NEXT? A PLACE FOR EVERYONE...

So many different actors operate at a national level in the field of disability: the UN and its specialized agencies; the EU; other international organizations on some specific axis (e.g. the OSCE). Let's keep in mind to **do "our thing" on disability in the framework of what the Council of Europe does best**: promoting democracy, protecting human rights and supporting the rule of law in Europe

The unique point of view of the CoE is still valid and complementary to what other international actors do. **It's useless to do what other already do or do it better.** The right way is to get a clear vision of what we can do and do it working together with others. And this is true back home and on the international level.

In the new strategy we focus on fewer objectives but fundamental by a close synergy with the UN and EU arenas in the first place, each one following its own mission: this way we can save money, time and energy and hope to get better results for the inclusion of PwD in Europe



... AND A GLOBAL CHALLENGE AHEAD



HOPING YOU' STILL THERE...

Thank you very much!
много ви благодаря!

