



PARLIAMENTARY ASSEMBLY OF THE BLACK SEA ECONOMIC COOPERATION

Doc. GA23/CC22/REC77/04

RECOMMENDATION 77/2004*
ON
IMPROVING SOCIAL, ECONOMIC AND CIVIL RIGHTS OF PEOPLE WITH
DISABILITIES

1. The Parliamentary Assembly of the Organisation of the Black Sea Economic Cooperation underlines that the disabled people, whatever the origin, nature and seriousness of their disabilities, have the same fundamental rights and obligations as their fellow-citizens, which implies first and foremost the right to enjoy a decent life as normal and full as possible.
2. The Parliamentary Assembly notes with grave concern that certain barriers which still exist in society and insufficient support provided to disabled people hinder their full and equal enjoyment of civil, political, social, economic and cultural rights. They often are excluded from the mainstream of the society and denied full and meaningful enjoyment of rights which other people take for granted: the right to education; the right to work; the right to private and family life; the right to protection of health and social security; the right to protection against poverty and social exclusion; the right to adequate housing, etc.
3. In this respect the Parliamentary Assembly reaffirms its full attachment to the principles proclaimed in the Universal Declaration of Human Rights, international covenants on human rights, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child, as well as the standards already set for social progress in conventions and recommendations of the International Labour Organisation, UNESCO, World Health Organisation and other organisations concerned. The Assembly reaffirms

* Rapporteur: Mr. Shaitdin Aliyev (Chairman of the Cultural, Educational and Social Affairs Committee, Azerbaijan).

The Assembly debate on 3 June 2004 (see Doc. GA23/CC22/ REP/04 – Report on “Improving Social, Economic and Civil Rights of People with Disabilities”, discussed by the Cultural, Educational and Social Affairs Committee at its Twenty Second Meeting in Yerevan on 24 March 2004; Rapporteur: Mr. Adam Tleuzh – Russian Federation).

Text adopted by the Twenty Third General Assembly in Sankt-Petersburg on 3 June 2004.

its attachment to the principles of the European Social Charter and other international documents in this field.

4. The Assembly is aware that in the transition countries the problem of disability is compounded by economic and financial crisis, which extremely limits services and facilities, and that these countries, at their present stage of development, can devote only limited financial means to this end.
5. Despite some progress in terms of legislation over the past decade violations of human rights of persons with disabilities have not been systematically addressed in society. Most disability legislation and policies are based on the assumption that persons with disabilities simply are not able to exercise the same rights as non-disabled persons. Consequently the situation of persons with disabilities often will be addressed in terms of rehabilitation and social services.
6. A need exists for more comprehensive legislation to ensure the rights of disabled persons in all aspects - political, civil, economic, social and cultural - on an equal basis with persons without disabilities. While the importance and increasing role of international law in promoting the rights of persons with disabilities is recognised by the international community, domestic legislation remains one of the most effective means of facilitating social change and improving the status of disabled persons.
7. **Therefore, the Parliamentary Assembly recommends** the Parliaments and Governments of the BSEC Member States:
 - i. ***to undertake*** necessary measures to eliminate any discriminatory practices with respect to disabled persons, outlawing discrimination, disabled people continue to face, with specific references in the national constitutions as well as through specific non-discrimination legislation. To improve the existing laws against discrimination, finding the barriers for disabled people to participate in society;
 - ii. ***to harmonise*** the national legislation relating to the disabled peoples' rights with international norms in this field for setting common standards for disability legislation. These standards also need to be appropriately reflected in policies and programs that reach persons with disabilities and can effect positive changes in their lives;
 - iii. ***to provide*** special support to disabled women, facing double discrimination: because they are women and because they are disabled. This situation excludes them from the society and efforts must be taken to include the disabled women in all activities in society;

- iv. **to give** attention to disabled people belonging to minorities, refugees and migrant workers who also face double discrimination;
- v. **to take** all the necessary measures to ensure the full and equal enjoyment of all human rights and fundamental freedoms by children with disabilities and to develop and enforce legislation against discrimination of children with disabilities;
- vi. **to help** the families to support disabled people in most inclusive way, since families are very important for the education and inclusion of the disabled people;
- vii. **to provide** access of the disabled people to the health services, providing them better medical rehabilitation. To provide the disabled persons with appliances and equipment needed by them, enhancing capacities for their local production;
- viii. **to adopt** policies which recognise the right of disabled persons – children, youth and adults - to equal educational opportunities with others. The right to education is universal and is enshrined in the Convention on the Rights of the Child (1989) and addressed in several significant, internationally approved declarations, including the World Declaration for Education for All (1990), the Standard Rules on the Equalization of Opportunities for Persons with Disability (1993), the UNESCO Salamanca Statement and Framework for Action (1994), and the Dakar Framework for Action (2000). The education of disabled persons should as far as possible take place in the general education system. Responsibility for their education should be placed upon the educational authorities and laws regarding compulsory education should include children with all ranges of disabilities;
- ix. **to provide** better access to work for the disabled people, since work of decent quality is the most effective means of escaping the vicious circle of marginalisation, poverty and social exclusion. Barriers which disabled people face in getting jobs and taking their place in society can and should be overcome through a variety of policy measures, regulations, programs, and services, which should include vocational guidance, vocational training, placement and follow-up. Employers must support disabled people giving them equal chances, for example for promotion or training;
- x. **to establish** a minimum recruitment quota for people with disability in companies employing more than fifty staff, with an obligation for firms which are certified as being unable to attain the quota to contribute to a specific fund for the benefit of all people with disabilities;
- xi. **to make** the physical environment accessible to persons with various types of disability. To adopt a policy of observing accessibility aspects in the planning

of human settlements, ensuring disabled persons access to all public buildings and facilities and public transport systems;

- xii. ***to make*** an effort to ensure access to cultural activities: museums, theatres, cinemas, parks, stadiums, congress centers, libraries etc.;
- xiii. ***to establish*** social services, social security systems, programs for assistance at the national and community levels;
- xiv. ***to disseminate*** information on television, radio and newspapers to improve the situation of disabled persons. All the public media should be sought to bring about presentations that will promote an understanding of the rights of disabled persons aimed at the public and the persons with disabilities themselves, and that will avoid reinforcing traditional stereotypes and prejudices. To inform disabled persons and their families of their rights, benefits and services available;
- xv. ***to come out*** against wars and acts of terrorism, leading to mass disability of people;
- xvi. ***to cooperate*** at international level accessing international agreements related to the improvement of the situation of the disabled people and fully participating in them;
- xvii. ***to play*** an active role in the United Nations initiative to draft proposals for a comprehensive international convention to promote and protect the rights and dignity of people with disabilities.

8. **The Parliamentary Assembly** invites the BSEC Council of Ministers of Foreign Affairs to consider this Recommendation.