

UN PERMANENT FORUM ON INDIGENOUS ISSUES: 13TH SESSION

UN HEADQUARTERS, NEW YORK

12-23 MAY 2014

Putting Indigenous Persons with Disabilities on the Agenda and Recommendations of the UNPFII:

Practical Experience of the Indigenous Persons with Disabilities Global Network

1. Introduction:

Over 1 billion people, or approximately 15 percent of the world's population, have disabilities. While no global data exists regarding indigenous persons with disabilities, available statistics show that indigenous peoples are disproportionately likely to experience disability in comparison to the general population.¹ Indigenous persons with disabilities often experience multiple discrimination and often face barriers to the full enjoyment of their rights, based on their indigenous status and also on disability. Both the international indigenous rights and the international disability rights movements have achieved great advances in recent years. Notably, in 2007, following more than two decades of negotiation, the General Assembly adopted the UN Declaration on the Rights of Indigenous Peoples. In 2006, the General Assembly adopted the Convention on the Rights of Persons with Disabilities, which entered into force in 2008. While both movements have been active on the rights of sub-groups within their constituencies and although both the UNDRIP and the UNCRPD include protections for indigenous peoples with disabilities², the rights of indigenous persons with disabilities have not been addressed centrally by either movement.

2. Strategies Undertaken:

A small group of indigenous persons with disabilities participated in the UNPFII 11th Session in May 2012 and held a side event entitled "Overcoming Challenges to Achieving Rights and Inclusion In Development" with support from the Disability Rights Advocacy Fund (DRAF) and Government of Australia. The group also delivered a statement at this same UNPFII 11th Session and made the following recommendations:

1 For example, in 1991 over 20 percent of Canada's indigenous population aged between 25 and 34 reported a disability, the rate going even up to 30 percent concerning the people aged between 34 and 45 (*See* www.statcan.ca/english/studies/82-003/archive/1996/hrar1996008001s0a02.pdf). In the United States 20,7 percent of all Native Americans and/or Alaska Natives aged 16 to 64 reported a disability in 2007 (*See*: <http://www.ilr.cornell.edu/edi/disabilitystatistics/acs.cfm>), while in 2002 over one third of Australia's Aboriginal and Torres Strait Islander people aged 15 years or older reported a disability or long term health problem, spread relatively evenly over remote and non-remote areas. (*See* <http://www.healthinfonet.ecu.edu.au/health-facts/overviews/disability>).

2 The Declaration calls for specific attention to be paid to the rights and special needs of persons with disabilities, including in measures taken by States to ensure continuing improvement of economic and social conditions for indigenous peoples (UNDRIP, Article 21(2) and 22(1)). Non-discrimination is a core principle of the CRPD.

- Consultation and participation of persons with disabilities in the regional caucus to ensure that our voices are heard in the Forum's agenda in the years to come
- Drafting of a special report on the situation of Indigenous persons with disability
- Inclusion in the preparatory work for the 2014 World Conference on Indigenous Peoples Rights to ensure that the situation of Indigenous persons with disability are discussed at that high level meeting
- Inclusion in the agenda of the UN System, including the Human Rights Council's Expert Mechanism on the Rights of Indigenous People

As a result, the Permanent Forum recommended that a study be done by Forum members Ms. Myrna Cunningham and Mr. Paul Kanyinke Sena and presented to the twelfth Session in May 2013. An international expert meeting was held in November 2012 in Madrid, Spain to gather input to the report from indigenous persons with disabilities, as well as experts from the international disability and indigenous peoples communities.

A larger delegation of indigenous persons with disabilities attended the UNPFII 12th session in May 2013 ensuring some geographic, disability and gender balance in the group. They were supported by the International Disability Alliance (IDA) and DRAF.

3. Achievements:

The report on indigenous persons with disabilities was formally presented to the UNPFII plenary on 22 May 2013 jointly by Mr Sena and a representative of the Disability Caucus. Issues concerning indigenous persons with disabilities were well reflected in the report and referred to the two main legal frameworks to protect the rights of indigenous persons with disabilities, namely, the UNDRIP, and the UNCRPD. On the same day, a side event entitled "Indigenous Persons with Disabilities – Achieving Rights and Inclusion in Development" was held in the same room.

On Saturday, 18 May 2013, the group formed a disability caucus for the UNPFII, similar to the existing global indigenous caucus, the women's caucus, and the youth caucus. The group also participated at the global caucus meeting where the formation of the Disability Caucus was announced on Sunday, May 19 2013 and was warmly welcomed by the Global Caucus.

The Disability Caucus took the floor under numerous agenda items during the two weeks of the UNPFII plenary. The group also met with other stakeholders such as UNICEF, UNDP, the International Funders on Indigenous People, the Special Rapporteur on the rights of indigenous people and the Expert Mechanism on the rights of indigenous people (EMRIP).

A Disability Caucus representative also attended the 10-12 June 2013 Alta, Norway preparatory conference meeting for the World conference on Indigenous Peoples (WCIP) 2014, and achieved references to indigenous persons with disabilities in that outcome document. The Disability Caucus was also represented at the 5-6 February 2014 Chiang Mai, Thailand open ended meeting on side events to be held during the WCIP.

The Disability Caucus also operates as the Indigenous Persons with Disabilities Global Network, and currently managed by a steering committee with funding assistance from IDA and DRAF.