H U M A N R I G H T S W A T C H



# DISABILITY RIGHTS = HUMAN RIGHTS







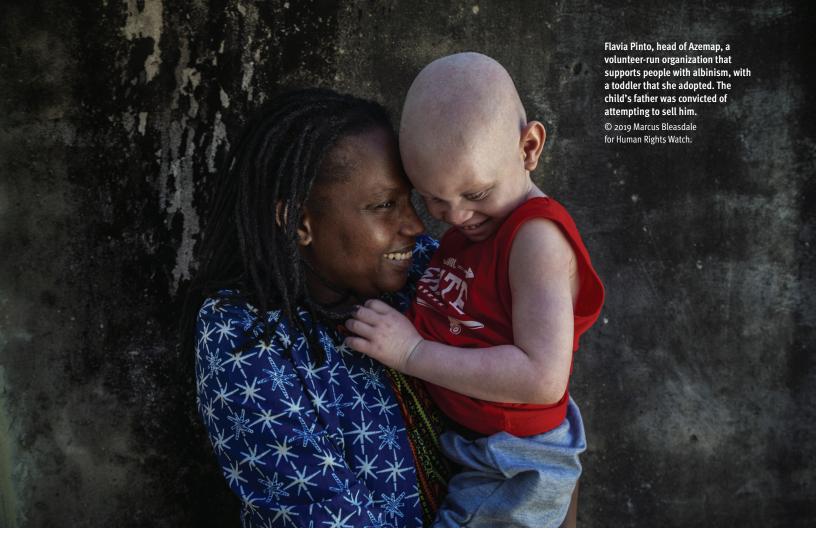
Using sign language, Monica, a deafblind woman, expresses her opinion on her right to political participation. She is a member of SENSE International Peru, an NGO working with deafblind people and their families.

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Worldwide, more than 1 billion individuals have a disability. In many countries, people with disabilities face countless abuses: they are denied the chance to go to school, languish for years in institutions, are subjected to horrific violence, or chained in their own homes — simply because they have a disability. This is often because of entrenched stigma, archaic laws and a lack of community-based services essential to ensuring their rights, as laid out in the United Nations Convention on the Rights of Persons with Disabilities.

In 2013, Human Rights Watch became the world's first international human rights organization to create a dedicated team to INVESTIGATE and EXPOSE these hidden abuses, and advocate for CHANGE to improve the lives of people with disabilities. We've expanded this work to include the rights of older people, given that millions of older people around the world experience ageism and abuses every day.

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## **OUR VISION**

A world where people with disabilities and older people are treated equally and included in their communities, fully enjoying their rights.

Fundamental to our work are our partnerships with people with disabilities, older people and their respective organizations across the globe, in line with the motto, "Nothing About Us, Without Us".

We have been led, inspired, and transformed by the experiences and stories of people with disabilities and older people we have met and collaborated with. We amplify their voices through research, advocacy, storytelling, and partnerships. By documenting and exposing abuses and showcasing solutions, we hold governments accountable and help shift mindsets and laws.

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# **OUR FOCUS**



Sodikin, a man with a psychosocial disability, at his workplace. Sodikin, who was shackled for more than eight years in a tiny shed outside the family home in Cianjur, West Java, works in a clothing factory stitching buttons onto boys' school uniforms.

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# LIVING INDEPENDENTLY IN THE COMMUNITY

Millions of people with disabilities and older people are neglected and isolated in institutions, nursing homes, psychiatric hospitals, and prisons around the world. They are often stripped of their right to make decisions and are subjected to forced medical treatment and physical and chemical restraints, in some cases amounting to torture. Our goal is to push governments to end abusive practices and instead invest in home- and communitybased supports that enable people with disabilities and older people to live independently. We do so by leveraging our strong body of evidence, engaging with mainstream partners, and highlighting innovative solutions that can be scaled to have a transformative shift in mindsets and laws.



Hamamatou, a 13-year-old girl who had polio, in front of a Catholic mission where she lived in 2015.

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### **INCLUSIVE CRISIS RESPONSE**

People with disabilities and older people are often particularly at-risk in humanitarian emergencies due to war, climate-related extreme weather events, and natural disasters, compounding the physical, communication, and attitudinal barriers they already experience. People with disabilities and older people face difficulties in accessing shelter, sanitation, food, medical assistance, and education. Our goal is to change this. With few global organizations looking at this intersection of rights, we collaborate with local partners in pushing for inclusive crisis response and meaningful participation of people with disabilities and older people in crisis planning and decision-making.

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### **INCLUSIVE DIGITAL WORLD**

Artificial intelligence and other technologies offer enormous opportunities for people with disabilities and older people to live independently. However, as governments increasingly digitize surveillance and critical public services, there are real concerns that these evolving technologies may perpetuate discrimination and deepen existing inequalities. To ensure that people with disabilities and older people are not further marginalized, we will push for greater transparency, accountability, and the safeguarding of human rights when governments use technology. This is an exciting new priority for our team, working closely with our Tech and Human Rights Division.



Ray Ekins, enjoying time with his sister Brenda (left), and his daughter, Susan Ryan, in 2018 after he was no longer being given antipsychotic drugs.

© 2018 Private

### **DIGNITY IN OLDER AGE**

There is a magnified urgency to protect the rights of older people as more and more people live into old age. Millions of older people around the globe experience human rights violations every year. Most of these abuses go undocumented and those responsible are not held to account. Responses to Covid-19 exposed the harms of institutionalized care for older people, the inadequacy of social protection systems, as well as the deep-seated ageism in society. As the first mainstream human rights organization to develop a sustained body of work on the rights of older people, with deep partnerships with key global actors working on older people's rights, we have a unique opportunity for impact: to promote and ensure better protections for the rights of older people so older people can live independently, enjoy economic security and benefit from new technologies.

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## **OUR IMPACT**

Working with strong allies in the disability rights community, particularly advocates with lived experience, our efforts have led to concrete change:

#### **CANADA**

Our 2021 recommendations on disability-inclusive responses to climate change influenced Canada's National Adaptation Plan. The provincial government's report on the impact of the heat wave featured our research and several testimonies of our partners. We also successfully advocated for the British Columbian government to consult with people with disabilities and older people as they developed their provincial Heat Response Framework. In 2021, we also launched the #WelcomeToCanada campaign with advocates across Canada to stop the use of provincial jails for immigration detention. Since then, 8 out of 10 of Canada's provinces have terminated their immigration detention contract with the federal government, a vital step to ensure Canada better protects the rights of migrants and asylum seekers, particularly those with disabilities.

#### **MEXICO**

Following sustained local advocacy building on our 2020 report on family violence against people with disabilities in Mexico, the national statistics office (INEGI) began gathering data on this previously invisible topic. They found that violence against women with disabilities is even higher than for those without. In May 2023, the Mexican government adopted reforms to the freedom from violence act, specifically on accessibility in shelters, procedural accommodations, and new rules for protection measures.

#### **JUS**

Following from our 2018 and 2021 reports on how nursing homes across the United States routinely give antipsychotic drugs to residents with dementia to control their behavior, and thanks to mounting pressure from partner organizations in the US, in 2021, US regulators reversed a damaging rule that reduced fines for nursing homes found in violation of federal laws and regulations.

#### **BRAZIL**

Our May 2018 report on people with disabilities who live in residential institutions in Brazil was the catalyst for investigations by Brazil's Attorney General and National Council of Prosecutors, and State Prosecutors from Sao Paulo and Rio de Janeiro. The Council in Rio went further, issuing new guidelines to monitor shelters, including those in which Human Rights Watch found the most egregious human rights violations.

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#### **EUROPEAN UNION**

In December 2017, the European Union announced that all funding for humanitarian responses worldwide must include people with disabilities, as a result of collective advocacy led by the European Disability Forum, in partnership with the Norwegian Refugee Council and Nujeen Mustafa, a young Syrian disability and refugee activist.

#### **ARMENIA**

Following our 2017 report on children in closed institutions in Armenia and sustained advocacy with local partners, in April 2019 the government issued a moratorium on children with disabilities entering orphanages and has committed to supporting family-based care rather than institutions.

#### **GHANA**

With mounting pressure from Human Rights Watch and our local partners, in June 2017, the government of Ghana freed 16 people who were chained at a spiritual healing center and committed to enforcing a ban on shackling people with psychosocial disabilities (mental health conditions).

#### **INDIA**

The government of West Bengal demolished all isolation cells in the state mental hospitals, just days after we met with them together with local partners to present the findings of our December 2014 report on abuses against women and girls with disabilities in institutions in India.

#### **INDONESIA**

Within a year of our report on the shackling of people with psychosocial disabilities in Indonesia, the government rolled out a community outreach program in which community workers went door to door to collect data, raise awareness, and provide services, including basic mental health support. As of September 2020, the program had reached 48 million roughly 70 percent - of Indonesian households effectively turning the tide on shackling.

#### **AUSTRALIA**

Together with our partners from the disability, Indigenous, and prisoners' rights sectors, we have been advocating for an end to solitary confinement, as documented in our 2018 report on prisons in Australia. In response to our push for quality support services for prisoners with disabilities, in 2018-19, the Queensland government allocated an additional AUD \$2.9 million in annual funding to improve support and mental health services for prisoners with disabilities. It also developed new tools to screen prisoners for cognitive disabilities upon entry into prison. In 2020, the New South Wales and Western Australian Inspectors of Custodial Services' revised monitoring guidelines to meaningfully include people with disabilities and prohibit prolonged solitary confinement. In 2022, Human Rights Watch was invited to provide expert testimony to the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability.

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