

Ad Hoc Committee

Daily Summary

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17
2Morning Session

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Recessed: 10:31 AM

Reconvened: 10:41 AM

Adjourned: 1:01 PM

21: 20:25 - 21:25

Following audio difficulties, the remaining Article 17 NGO interventions were made on the topic of education and disability. Delegates then discussed Article 18, Participation in political and public life, exploring a range of political activities and spheres. The Committee began its discussion of Article 19, Accessibility, with some delegations supporting very specific requirements while others pushed for a broader articulation of principles.

ARTICLE 17: EDUCATION (Contd)

World Federation of the Deaf (WFD) expressed support for some portions of the EU proposal, with reservations regarding incorporating 17.3 and 17.4 together. Combining communication modes is a good idea, but sign language should be left out since it is a language rather than a communication method. Most WG members supported mentioning sign language in this Article. If it is not included, the Convention will be weaker than the Standard Rules (SR) and open to the interpretation that sign language should be excluded. Since the Convention's purpose is to "liberate us from oppression," the linguistic rights of Deaf people should be an essential part of it. As a result of the misperception that Deaf people are unable to learn multiple languages, Deaf children are sometimes forced to stop signing.

Inclusion International (II) urged that, in order to meet the Millennium Development Goals, the Convention should guarantee students with intellectual disabilities "the right to free and compulsory primary education without qualifiers." In some developing countries only two to five percent of children with intellectual disabilities are in school, and in other countries their school attendance is disproportionately low. Children with intellectual disabilities should be assured equal access, and the choice of inclusion, at all levels. II supported Canada's position that this Article requires a substantial rewrite. The members of the International Disability Alliance believe that inclusion should be the norm. Inclusive education is not only a basic right, it is good public policy. "Inclusive education is better education for all."

People with Disabilities Australia (PWDA), also speaking for the **National Association of Community Legal Centres of Australia**, expressed disappointment that some delegations, including Australia, have proposed amending language regarding States' obligations to ensure an inclusive education to PWD. These obligations should not be diluted by adding qualifying phrases. "Education is essential to the realization of human rights." States who have made an early commitment to equality should not abrogate responsibility for PWD inclusion by reducing State obligations to "mere options." Specialized education in disability-

specific languages and skills have value, but should be provided inclusively within the mainstream educational system. Children with disabilities (CWD) should have opportunities to interact with non-disabled people in order to develop social skills and be part of an inclusive society. PWDA recommended amending 17.1 to recognize the rights of all PWD to an inclusive education in a school of their choice in their local community. It also suggested deletion of 17.3, which would justify the continuing discrimination against, and segregation of, PWD. Finally, it supported the International Labor Organization's recommendations concerning school-to-work transitional education and other vocational rehabilitation training.

Save the Children (STC) emphasized the right of children and adults with disabilities to education and training, and States' obligations in that regard. Inclusive education is essential to both academic and social development. It proposed the following revisions of 17.2(b): "The provision of adequate support for change of the education system, positive attitudes for stakeholders, appropriate training and mentoring of teachers and educational support staff, student centered curriculum, flexible teaching methods, appropriate teaching aids and equipment, alternative and augmentative communication modes, an inclusive physical and learning environment, parent and community involvement to ensure the full participation of students with disabilities." In 17.4, it encouraged amending the wording to read: "States' Parties shall ensure that students with communication disabilities have the right to education in alternative language and/or the alternative communications systems, to become bilingual and to learn the communication, learning and mobility skills for inclusive education, and full participation within the class or school environment. States' Parties shall take appropriate legislative, administrative and other measures for full inclusive education of all students with disabilities by ensuring appropriately skilled teachers and basic additional resources." "Communication disabilities" include blindness, deafness, autism, severe spasticity, learning and intellectual impairments. The text of these proposed amendments is available online at www.savethechildren.org.uk. STC also supported Kenya, Australia, South Africa, and on some issues, the European Union, World Blind Union, the ILO, World Deaf Federation and Inclusion International. It also recognized the Salamanca Statement, Dakar Framework and SR on education. The goal is to "avoid pre-selected training on the basis of perceived disability instead of the potential of the child." Special education and training should be available for persons who cannot fully develop their potential in inclusive settings because of specific learning needs, but this special education should be provided in the community and, wherever possible, within existing schools structures.

ARTICLE 18: PARTICIPATION IN POLITICAL AND PUBLIC LIFE

The Chair appealed for simple and concrete interventions in order to make progress within the timetable.

Namibia proposed amending 18(a) by replacing "including" with "guaranteeing," and by replacing "citizens" with "persons." In 18(b)(ii), the word "local" should be moved before "national and regional levels." A new subparagraph, 18(b)(iii), should read: "represent their states at national, regional and international levels to participate in the work of international organizations." Another new subparagraph, 18(c)(i), should read "participate in the formulation, implementation and evaluation of plans and programmes for national and regional development."

Uganda proposed several amendments. In the chapeau, "ensure" should replace

"recognize." In 18(a)(iii), after "assistance," the words "of their choice" should be inserted. In 18(b)(ii), the word "international" should be inserted before "national."

Morocco proposed deleting from 18(a) the words "actively promote an environment in which persons with disabilities can effectively and fully participate," and replacing them with the following: "Allow persons with disabilities to participate effectively, fully and freely." The current text in 18(a)(iii) should be replaced by the following: "ensure that the necessary support is provided to citizens with disabilities to vote."

Japan proposed amending the 18(a) chapeau by changing the words "including the right and opportunity of citizens with disabilities" to "by providing citizens with disabilities with opportunities"; and by changing "ensuring that voting procedures and facilities" to "taking measures to establish and maintain voting procedures and facilities which"; and by either deleting or defining "public," a word whose meaning is unclear. Several changes were suggested for clarity: The final word in the 18(b) chapeau, "to," should be changed to "their." In 18(b)(i), "participate" should be changed to "participating." In 18(b)(ii), the words "form and join" should be changed to read, "establishment and adhering to."

Costa Rica expressed concern because Article 18 only addresses physical assistance in voting. Stating the importance of consistency with 18(a), Costa Rica was of the view that the Convention shouldn't limit it to discrimination. In the chapeau, the words "without discrimination" should be deleted and replaced by the words "on the basis of equal opportunity and to guarantee its effective enjoyment." In 18(a), the words "political processes" should be inserted before "voting procedures and facilities" in order to clarify that the whole political process, not just voting, should be accessible. In 18(a)(ii), after "citizens with disabilities," should be inserted the words "make a free and informed decision and." In 18(a)(iii), the words "the provision of assistance in voting to citizens with disabilities" should be replaced by "and at the citizen's request, the provision of the required support to exercise their vote." An omission was noted in the Spanish text, and the Secretariat was asked to consider correcting it.

Ireland, on behalf of the **European Union (EU)**, proposed moving the draft article towards the beginning of the Convention, before Article 8, to reflect its importance. Regarding 18(a), it agrees with Costa Rica and others that this should refer specifically to citizens with disabilities, because the language is drawn from Article 25 of the International Covenant on Civil and Political Rights which specifically refers to citizens as opposed to persons in general. In 18(b) "without discrimination" should be inserted following the phrase, "conduct of public administration" to reflect the difference between public administration, which refers to conduct of government, and public affairs. In 18(b)(i), "on a basis of equality" qualifies the right, and should be deleted. In 18(c), the EU pointed out its reference to issues such as decisionmaking. It proposed that "participate on an equal basis to others" be replaced by "can participate without discrimination and on an equal basis to other citizens", given that it is frequently citizens, rather than non-citizens, who participate in decisionmaking.

China proposed to differentiate the content of 18(a) and 18(b) clearly with several amendments. In 18(a), "and public" should be deleted, and the word "persons" should be replaced with "citizens," since in most countries only citizens enjoy political rights. In 18(a), the words "right and opportunity of citizens with disabilities" should be replaced by "exercise the right"; the word "to" should be inserted before "be elected," which should then be followed

by the insertion of "in accordance with election laws." In 18(b), the words "and shall encourage, as appropriate, their participation in public affairs" should be deleted. In 18(c) the word "concerning" should be deleted for the sake of conciseness.

Chile suggested use of more tangible terms regarding the right to vote, language such as "guarantee the effective enjoyment of that right," and "providing necessary assistance and support the disabled citizen required." Two paragraphs already address this, but it should be clearer that assisted voting does not have to be an obstacle to the secrecy of the ballot. PWD should be assured of a secret ballot as well as the assistance of their choice. Also, the article should refer to the participation of PWD decisionmaking in all areas of public interest, including but not confined to disability issues. Another issue which should be covered is the opportunity for PWD to hold both elective and nonelective government posts; the Convention should expressly state "the right to hold public office." 18(c) should not be eliminated; the logic in footnote 65 is flawed, since Article 4(2) covers domestic issues, while Article 18 focuses on the national and local level.

Kenya proposed adding a new paragraph, 18(b)(i)(bis), "take all appropriate measures to ensure that persons with disabilities, without any discrimination, have the opportunity to represent their governments and to participate in the work of international organizations." It also proposed insertion of a new paragraph following 18(c). 18(d) would read, "enable persons with disabilities to participate in the formulation, implementation and evaluation of plans and programs for local, national and regional development which may affect them."

Argentina proposed to make Article 18 conform with the Covenant on Civil and Political Rights (ICCPR) by rewording the chapeau to read "States Parties shall guarantee the political rights of persons with disabilities without undue restrictions and undertake to." In 18(b), the words "effectively and fully participate in the conduct of public administration" with "participate in the direction of public issues." The purpose of this replacement is to ensure conformity with the American Convention on Human Rights, Article 23. 18(c) should be deleted because it addresses issues already covered in 4.2.

Yemen expressed support for Article 18, and proposed the following amendments. 18(b) deletion of "encourage as appropriate" and replacing with "ensure," to avoid possible misinterpretations that would deprive PWD of opportunities to participate. In 18(b)(ii), "international" should be inserted so that the text would read "international, national, regional and local levels."

Jordan stated that the term "public life" is vague, and suggested replacing "public life" with "public affairs" in the title of Article 18.

New Zealand distributed a restructured version of Article 18, in which the current chapeau and 18(a) would be replaced by new paragraphs, 18.1 and 18.2; the current 18(b) would be replaced by a new paragraph, 18.3; and 18(c), with some amendment, would be moved to the article on general obligations. The suggested revision reads as follows:

"1. States Parties shall guarantee to citizens with disabilities the right and the opportunity to take part, on the basis of equality, in the conduct of public affairs, including the right and opportunity to vote and be elected in all elections and public referenda and be eligible for election to publicly elected bodies. In particular States Parties shall ensure that voting procedures and facilities:

- (a) are appropriate, accessible and easy to understand;
- (b) protect the right of citizens with disabilities to vote by secret ballot; and
- (c) allow, where necessary, the provision of assistance in voting to citizens with disabilities.

"2. States Parties shall take all appropriate measures to ensure to persons with disabilities, on the basis of equality, the right:

- (a) to participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government;
- (b) to participate in non-governmental organizations and associations concerned with the public and political life of the country.

"3. In particular, States Parties shall actively promote an environment in which persons with disabilities can:

- (a) participate in the activities and administration of political parties;
- (b) form, lead and join organizations of persons with disabilities established to represent them at national, regional and local levels."

In attempting to deal with some of the concerns about terms like "public and political life" and "political administration," New Zealand's suggested revision draws on wording from the International Covenant on Civil and Political Rights (ICCPR), the Convention on the Elimination of Racial Discrimination (CERD), and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). The revised 18.1 changes "political and public life," which is part of a descriptive phrase in CEDAW, to "the conduct of public affairs," which appears as a right in the ICCPR. The proposed new paragraph 18.3 goes beyond the basic right to vote and be elected to public office, to address the right of PWD to take part in other aspects of public life and civil society.

Uruguay suggested inserting in the chapeau, after "people with disabilities," the words "and their role in public administration," in reference to the impediments that PWD often encounter in serving in the judiciary and holding nonelective office. To 18(a)(iii) should be appended the words "introducing the necessary adaptations that will facilitate the use of new applied technologies, adjusting them in keeping with their needs." New technologies will continue to advance and these should be used to assist PWD in voting.

Mexico expressed concern that 18(b)(ii) restricts PWD to forming organizations of PWD. The words "of PWD" should be deleted, to indicate that these organizations can include both persons with and without disabilities. The content of 18(c) is covered by the general obligations of Article 4. It supported New Zealand on including language from other covenants and conventions, and supported Chile on the question of public office. It is important to identify not only the procedures and facilities involved, but also the measures required for PWD to exercise their rights effectively. It also supported the antidiscrimination clause suggested by the EU, and the technical amendments proposed by other delegations.

Canada expressed its support for the helpful amendments proposed by New Zealand, which clarify some of the concepts, including the distinction between the rights of "persons" and the rights of "citizens." In 18(a)(i), Canada suggested inserting "and use" after "to understand."

Australia recommended, in 18(a), replacing “ensuring that” with “promoting” and then appending “that:.” In 18(b)(i), in order to maintain consistency in the text, the words “on a basis of equality” should be replaced by the words “on an equal basis to others.”

South Africa proposed in 18(c) to replace “on an equal basis” with “equitably,” and also to delete the words “in particular those issues relating to persons with disabilities,” as PWD should be involved in decisionmaking across all issues, not only the spheres that are disability-specific. Disability itself is a cross-cutting issue.

Lebanon recommended rewording the chapeau: “States parties shall guarantee the participation of disabled persons in the political and public life without discrimination and without any hindrances or conditionals and undertake to perform the following:.” In 18(a), it suggested adding “in the countries that approve of indirect voting” after “representatives.”

Trinidad and Tobago proposed the addition of a new paragraph, 18(d) “to ensure that persons with disabilities can access national parliaments and/or local government legislative bodies and be properly seated therein either as elected members of those bodies or as visitors.” Because this revision deals with accessibility which is covered in another Article, it could appear elsewhere in the Convention; either way, it is important to address this.

Thailand supported the New Zealand revisions to make the Article more concise and to bring it in line with other instruments. It emphasized the importance of guaranteeing the right of PWD to exercise secret voting, and also the right of self-representation for PWD. While PWD can join or form any other type of organization, organizations that represent PWD should always be organizations of PWD.

Israel supported New Zealand’s proposal, but suggested amendments to that text. Some of these amendments relate to the fact that in some countries, persons other than citizens are allowed to vote, hold office, and so on. Israel recommended rewriting the first sentence of New Zealand’s draft paragraph 18.1, as follows: “States Parties shall guarantee to persons with disabilities implementation and fulfillment, on the basis of equality, of such rights as are prescribed by law, to take part in the conduct of public affairs. This obligation shall include facilitating to the full and on the basis of equality the rights of PWD prescribed by law to vote and be elected in all elections and public referenda and be eligible for election for election to publicly elected bodies. “Citizens” should also replace “persons” in NZ 18.1(b) and (c). Israel supported particularly the New Zealand proposal relating to public office, and it endorsed the Canadian proposal for 18(a)(i). It proposed a provision of an anti-discrimination paragraph for Article 18: “States Parties shall guarantee that the rights subject of this Article are not denied or restricted in any manner on the basis of disability.”

Viet Nam supported the proposal of the Chinese delegation.

Palestine emphasized the need to talk about the full right of public participation in all spheres of life, especially the right to vote and to serve in public office, and to participate in the political, economic, social, and cultural spheres.

Sierra Leone endorsed the NZ proposal and suggested further discussion of the issue, raised by Israel, about whether to refer to “persons” or “citizens.” In NZ 18.2(a), the words “of government policy and the implementation thereof” with the words “and implementation of

public policies.” Referring to footnote 65, Sierra Leone noted that Article 4.2 deals specifically with legislation to implement the Convention while this Article does not. In NZ 18.2(b), “international organizations” should be inserted before “non-governmental organizations.”

Peru recommended in 18(c) replacing “in particular those issues relating to PWD” with “public and political life of a country.” It also endorsed the New Zealand proposal, which encompasses all aspects of political participation, and which incorporates the language of internationally-recognized human rights instruments.

Serbia and Montenegro supported the New Zealand proposal and suggested that “international” be inserted before “national” in 18.3(b). It supported the EU’s recommendation to move this Article further up in the Convention, after the Articles that deal with equality and non-discrimination.

India proposed in 18(a) to replace “to vote and be elected” with “to vote and stand for election.”

Guatemala proposed to append to 18(a)(iii): “when they so request of their own free will.” It supported Peru on its proposal for 18(c).

The **Chair** opened the floor to NGOs.

Landmine Survivors Network supported the proposals of Kenya and Uganda to include the right of PWD to represent their governments at the international level. LSN emphasized the need to ensure that a disability perspective be integrated into development planning and decisionmaking, for example when considering accessibility of reconstruction projects in post-conflict areas. This can only occur with the participation of PWD and their representative organizations. LSN supported the inclusion in Article 18 of language supported by international law that would reference the right of PWD to participate in the formulation, implementation, and evaluation of plans and programs for national and regional development.

Disabled Peoples’ International expressed appreciation for the current level of specificity regarding PWD and voting, but expressed concern for the lack of specificity in relation to other decisionmaking processes, such as holding political office or participating in political organizations. DPI drew attention to the prevailing practice to ensure participation of marginalized groups in society of providing detail outlining potential barriers to the realization of rights of participation. It then urged the Committee to attend to the ILO Convention No. 169, as noted in footnote 65, for a fuller outline of these potential barriers. It supported Uganda and Kenya proposals to make explicit the rights of PWD to represent governments and take part in the work of organizations at the international level.

People with Disability Australia, Inc., along with **(Australian) National Association of Community Legal Centres** and **Australian Federation of Disability Organizations**, applauded 18(b)(ii), but recommended strengthening the subparagraph in three respects as proposed by the Bangkok draft. First, the Article should make clear that PWD are entitled to form and join “independent” organizations, a right which is crucial to the integrity of the civic participation of PWD. Second, the Article should require States to provide these independent organizations of PWD with recognition and financial support, without which these associations will not be able to fulfill their important role. Third, the role of PWD organizations

should be expanded to include the international level, such as in the implementation of this Convention. Also, 18(c) should be strengthened by requiring States to recognize the "primacy" of PWD participation in decisionmaking about issues which directly affect PWD. "We want more than equal standing with others on these matters." To facilitate PWD participation, States should establish central disability policy coordination points within and across governments. In 18(a), the words "information and materials" should be inserted after "voting procedures and facilities," to insure full accessibility. The convention should also prohibit States from denying voting rights to PWD on the basis of mental or cognitive disability. In 18(a) and (b), the words "actively promote" should be replaced by "ensure," because these paragraphs deal with civil and political rights which should be implemented immediately. In 18(a)(i) "appropriate" should be deleted, as it adds nothing to the meaning and might allow it to be read down. For this same reason, the words "as appropriate" should be deleted from the chapeau of 18(b).

World Network of Users and Survivors of Psychiatry expressed concern that the text of Article 18 does not explicitly guarantee the right to vote and hold public office. This must be included because the legislation of many countries excludes PWD from voting or holding public office on the ground of disability. WNUSP supports New Zealand's proposal.

National Human Rights Institutions suggested expanding the scope of the text to "embrace the full spectrum of the right of association," so that PWD can not only join organizations that are representative of PWD but can also join other organizations. It supported the proposals of Mexico and New Zealand. In 18(a), "ensure" should replace "actively promote"; and in 18(b), "shall encourage" should replace "actively promote."

DRAFT ARTICLE 19: ACCESSIBILITY

Morocco reported that the African Group would be submitting written proposals later today.

Israel clarified that accessibility applies not only to physical and sensory disabilities, but also to mental and cognitive disabilities, and recommended adding to the chapeau of 19.1 "all kinds of" before "disabilities." There should be greater clarification of the definitions of public and private; any place and service open to the public should in principle be accessible. To that end, 19.1(a) and (b) should be deleted; in the chapeau of 19.2 "appropriate" should be replaced by "all possible"; and 19.2(a) should be revised as follows: "ensure, including by way of legislation and state-funded financial incentives, that places, buildings, facilities and services open to, and used by the public are accessible to people with all kinds of disabilities, including by way of provision of auxiliary aids and services." In a new paragraph, 19.5, "auxiliary aids and services" should be defined as: "(a) interpreters or other methods of making orally delivered materials available to individuals with hearing impairments; (b) readers, taped texts or other methods of making visually delivered materials available to individuals with visual impairments; (c) guidance, advice and information in a manner intelligible to persons with mental, psychiatric and cognitive disabilities." The text of 19.2(b) should be replaced with "promote and encourage, including by way of state-funded financial incentives, the accessibility to people with all kinds of disabilities of residential places and buildings." In 19.2(c), "public" should be replaced with "places, buildings" and at the end should be appended the words "open to, or used by the public." In 19.2(g) Israel proposed replacing the text after "are consulted" with "at all stages in the process of formulating legislation, regulations, standards and guidelines in relation to accessibility."

Israel urged States Parties be obliged to introduce legislation requiring the accessibility of places, buildings, facilities and services open to and used by the public, and proposed a paragraph on such.

3. (a) States Parties shall introduce legislation requiring that:

- (i) all places, buildings, facilities and services open to and used by the public shall be made accessible, subject to no disproportionate burden being imposed and subject also to the possibility of providing for progressive realisation of accessibility in accordance with this sub-paragraph;
- (ii) such accommodations are made in residential places and buildings as are reasonable in the circumstances
- (b) Legislation introduced under this paragraph shall include appropriate and effective remedies and penalties as well as efficient enforcement and implementation mechanisms."

Israel proposed an additional paragraph that would apply to the legal system: "4. States Parties shall, in the implementation of this article, place special emphasis on taking all possible steps to ensure the accessibility of the legal system, including civil and criminal proceedings, the courts of law, tribunals, interrogation and testification procedures."

Korea expressed concern that transportation is not included in issues of accessibility, and recommended a separate subparagraph between 19.2(a) and (b): "devise policies and necessary technologies in order to make public transportation accessible to persons with disabilities, and develop special transportation services for persons with disabilities as a complementary measures to public transportation."

Philippines supported the recommendations of Israel and Korea. It proposed the addition in 19.1(a) of "but not limited to" after "including."

Ireland, representing the **European Union**, reaffirmed its recommendation that this Article appear earlier in the Convention. The Article should be broad, but the current draft is excessively detailed, which could lend itself to being exclusive rather than inclusive; the proposal from Israel could take the Article even further in the wrong direction. The EU proposed a rewording of the chapeau of 19.1: "States parties to this Convention shall take appropriate measures to identify and eliminate obstacles to accessibility, including *inter alia* architectural, sensorial and cultural barriers, and promote equal access to information and means of communication." It suggested deleting 19.1(a) and (b) as a result of this rewording. It suggested replacing the chapeau of 19.2 with: "These measures shall include." The EU recommended deleting 19.2(a), as it does not add to the maintenance of a general approach in the text. It proposed that the ideas in 19.2(b) be moved to Article 15 on independent living. The EU suggested a rewording of 19.2(c) to emphasize consultation with organizations of PWD: "developing, promulgating and monitoring implementation of minimum national standards and guidelines for the accessibility of public facilities and services in consultation with organizations of PWD;". It expressed concern that the essential principle of universal design has not been adequately addressed in this Article, and therefore proposed inserting "and universal design" after "assistive technologies" in 19.2(e). The EU proposed a new paragraph 19.2(e)(bis): "promoting the development, availability and use of universally designed goods, services, equipment and facilities, which are accessible and understandable to, as well as usable by, everyone, to the greatest extent in the most independent and natural manner possible, without the need for adaptation or specialized design solutions." As a result of this, the EU asserted that 19.2(f) could be deleted, as it was subsumed in the previous paragraph. It also stated that 19.2(g) could be deleted, as the idea was subsumed in the

revised para 19.2(c). The EU proposed deleting 19.2(h), as it does not consider this subparagraph to be helpful in the context of accessibility.

Canada stressed that the elimination of barriers and the prevention of new barriers a key element of substantive equality, and therefore recommended the addition of the "barrier prevention factor" in the chapeau of 19.1. It stated that certain provisions of Articles 13, 19, and 20 address the same issue, but with emphasis on different points, e.g., 13(f) and 19.2(d) both encourage private entities that provide services to the general public to do so in an accessible manner. Other examples of partial duplication are 13(d) and 19.2(e); as well as 19.2(f) and 20(b); and 19 2(e) and 20(c). Therefore Canada suggested consolidating overlapping provisions of these Articles to strike a balance between applicable overriding principles and the enumeration of specific measures designed to give effect to these principles. Canada cautioned against enshrining in the convention any specific technical measures that time may render obsolete or outmoded, as technical advances will change what is required of accessibility to achieve equality. Canada stated that if a consolidation of these three Articles is attempted, it must take into account the issue of the duty to accommodate. It then proposed a chapeau to the suggested consolidated Article that could be titled "Accessibility and full participation," to read as follows: "States Parties to this Convention shall take all appropriate measures to identify and eliminate existing barriers, to prevent the creation of new barriers, and to ensure accessibility for PWD in order to enhance their capacity to live independently and to participate fully in all aspects of life." It supported the EU's proposed Article 19.2(e)(bis). Canada asserted that consolidation is necessary to reduce or eliminate redundancy, to achieve brevity, and to promote consistency between Articles, rendering the Convention more clear.

China stated that accessibility involves the infrastructure of the State and that the building of infrastructure cannot be accomplished within a short period of time, and that depending on the economic and social development levels of countries, available resources should be used gradually to make infrastructure more accessible. Therefore, China proposed adding in the chapeau to 19.1 after "appropriate measures" the words "to the maximum extent of the available resources."

Jordan stated that 19.2(a), (f), and (h) are of general interest are applicable to other articles, so there is no need to include them in more than one article. Thus, Jordan agreed with the EU that in order to consolidate this Convention, these subparagraphs should be moved to the Article on general obligations. It also proposed moving 19.2(c) to the Article on monitoring (Article 25). In 19.2(g), it suggested inserting "and families of disabled children" after "PWD."

Kuwait proposed to append "all buildings that house key services for PWD must be made fully accessible" to 19.1(a) to clarify what is public and what is private with respect to facilities. It suggested a new subparagraph in 19.1: "(c) formulate and implement plans to progressively reduce and eliminate barriers to accessibility for persons with disabilities with respect to existing public buildings." It also suggested dividing 19.2(b) into two sections, as follows:

"19.2(b)(i): "provide other forms of live assistance including guides, readers and captioning to facilitate accessibility to public buildings, facilities and information;" and "19.2(b)(ii): "provide sign language interpreters as intermediaries to interpret information from spoken language into sign language and from sign language into spoken language for access to public services, education and to facilitate participation."

In 19.2(d) Kuwait proposed to replace "require" with "encourage." In 19.2(f) it proposed to replace "universal design" with "personal accessibility to all PWD."

Costa Rica suggested that the term "built environment" is too restrictive, as mentioned in footnote 67, and proposed replacing it with "physical environment," as PWD should have the right to access to all spaces, not just buildings. In the chapeau of 19.1, Costa Rica proposed to insert after "to ensure" the words "the enjoyment of the rights and fundamental freedoms of PWD, their capacity to live independently." In 19.1(a) "private or public" should be inserted after "and other other." 19.2(a) should be revised to read "providing and provide in public buildings and facilities signage in easy to understand forms, including Braille." In 19.2(e), the words "where appropriate" should be appended. In 19.2(b), after the word "intermediaries" should be inserted the words "other support services and technological services."

Afternoon Session

Commenced: 3:05 PM

Adjourned: 5:57 PM

The morning discussion of Article 19 was completed and Article 20 was discussed in its entirety, with the Chair again urging succinctness given that many of the points raised on A19 will be raised in A20. Discussion of Article 21 began with a majority of interventions recommending (see FN 74) that its Health and Rehabilitation aspects be dealt with in two separate articles. The EU, Israel and India drafts of these Articles are on the UN Enable website.

ARTICLE 19: ACCESSIBILITY (CONT)

Chile stated that the Convention should refer to various modes of transportation, including air transportation. Technology is a right, not merely a reference; technology is a means to better education, work, economic and social rights. It also applies to rehabilitation. In 19.1(a), accessibility refers not only to public buildings and sites; but also to private buildings. There should be accessibility everywhere in the public sector; the private sector should be encouraged to improve the standards of accessibility even if they don't provide services to the public. The obligation in 19.2(h) should be linked with Article 4 because education about accessibility will create change not just today, but for decades.

Thailand proposed preserving the entire content of the chapeau and supported the constructive proposals of Israel. It suggested replacing "Encourage" with "To require" in 19.2(d). It proposed inserting 19.2(e), after "production" the words ", including localization," and appending to 19.2(f) the words "following, if appropriate with internationally recognized accessibility standards and guidelines." Although it agreed that the concepts put forth in 19.2(e) and (f) could overlap with Articles 13 and 20, and while it supported consolidation of the Articles, it desired the concept of accessibility be preserved.

New Zealand stated Article 4.2 could be revised to incorporate overlapping ideas expressed in 19.2(g), and favored 4.1 being revised to absorb concepts in 19.2(e) and (f). It recommended that if "universal design" appears in the final text more once it should be

defined in a definitions article. If it appears only in Article 4, the definition should appear there. Training is mentioned in 19.2(h) and throughout the Convention, and provisions for training should be consolidated in one article. It expressed concern about diluting this article by deleting and relocating provisions and stated that the Committee should avoid the loss of practical ideas which could help implement the Article's more general ideas. Deleting details from 19.1 and 19.2(a) and (b) could dilute their meaning. Details may become obsolete, but details serve as a guide for States to translate the conceptual into the practical. In the chapeau of 19.1, New Zealand proposed adding "to amenities inside buildings and the communications environment" after "built environment." By "communication environment" it means signage and audio loops. In 19.1(a) it proposed to add "infrastructure" after "roads."

Japan stated that the government can encourage or give advice to private companies on the improvement of the environment for PWD, but cannot compel them. In the chapeaus of 19.1 and 19.2 it proposed replacing "appropriate" with "progressive" and replacing "built" with "physical". In 19.1(a), it recommended commencing the subparagraph with "Promotion of" and replacing "public buildings" with "buildings for public use". In 19.2(b) it suggested replacing "live assistance and intermediaries" with "assistance". In 19.2(e), it recommended replacing "Undertake and promote" with "Promote, and where appropriate, undertake."

Mexico stated that it submitted its proposals to the Secretariat. Access should include all PWD. It focused on footnote 76, progressive application, and stated that dissemination, investigation, and promotion of technologies and means of support should be low cost and widespread. Accessible transportation is vital element to achieve other matters. Mexico stated that PWD should be evacuated safely in emergency situations. Accessibility should be considered not only for construction but also for the renovation of public buildings, e.g., schools, housing, medical establishments and public property work spaces as well as walkways, sporting establishments, parks, and other public buildings, both inside and outside. PWD should be active participants as well as spectators. Mexico offered some suggestions to improve correlation between the English and Spanish texts.

Australia proposed in the chapeau of 19.1 inserting "and progressive" after "appropriate"; inserting "remove barriers in all areas including the built environment, goods, services - including transportation, information and communications - facilities, information technology, electronic commerce -including banking - equipment, aids and appliances" after "measures to"; and deleting the last sentence of the chapeau. With the revised chapeau, 19.1(a) and (b) become redundant and should be deleted. In the chapeau of 19.2, "and progressive" should be added after "appropriate," and "*inter alia*:" should be appended at the end, 19.2 is too prescriptive as it stands.

Uruguay believes that developing countries need technical assistance. It proposed a bis which reads without editing: "States Parties will facilitate access to the necessary means so that PWDs can ensure integration. To that end, they will establish appropriate mechanisms which will allow aids, prostheses, technical assistants, specific technology, and in general to be imported without taxes for individuals with disabilities or for institutions which provide services to those individuals."

Guatemala supported Mexico and adds to 19.1(b), after "public buildings," the words "and private buildings for public use."

Lebanon proposed adding to 19.1, "all kinds of disabilities" to make clear this Article applies to all PWD. It suggested deleting "that provide public facilities and services" from 19.2(d). In 19.1(a), after "publicly owned workplaces," should be added "and private entities that provide public facilities or services addressed to the public" so that there is no confusion between public facilities and official facilities. It agreed with Kuwait regarding 19.1(c) and 19.2(b)(i) and (ii), except it would delete "other forms of" and add after "readers," the words "and sign language interpreters" in 19.2(b)(i).

Vietnam proposed, in the chapeau, rewriting "to ensure accessibility for PWD" to read instead "in accordance with available resources to ensure the best accessibility for PWD." In 19.1(b), it proposed deleting "and remodeling."

India agreed with Japan that "progressive" is better than "appropriate" in 19.1. It proposed changing "built environment" to "physical environment" in 19.1. Because the list in 19.2(a) may be limiting, it supports adding the following language: "the inclusion of principles of universal design in the construction and renovation of all indoor and outdoor physical environment." In 19.2(c), it supports including elements of 19.2(d) at the end by adding the words "as also for private facilities intended for full or partial public usage," and then deleting 19.2(d). 19.2(e) is the same as 20(c) and therefore should be moved; 19.2(f) should be moved to general obligations.

Argentina supported Guatemala's proposed changes to 19.1(a), and recommended appending it with "including building installation and services that is property or construction for public use."

Serbia Montenegro supported Mexico's replacement of "appropriate" to "progressive" and it prefers "physical environment" instead of "built environment" in 19.1. In 19.1(a) and 19.2(a) and (b), it proposed changing "public buildings and facilities" in Mexico's amendments to "buildings and public use." It suggested strengthening 19.2(g) as Israel proposed. It also supported the EU in moving Article 19 up nearer to the front because of its importance.

Thailand stated that progressive realization should be clear in general obligations, but not in this article because it is redundant. Information technology should be changed to "information communication technology" so it adheres to generally accepted language.

NHRI supported the retention of this article because it is fundamental in ensuring PWD can participate in society. In 19.1(a), it proposed replacing "public" with "all," deleting "for public use," placing "roads" after "including," and deleting "publicly owned" because private entities should not be exempt from access requirements. This Article should encourage States to develop their own access standards. In 19.2(c), it proposed deletion of the word "public" and at the end, add "and infrastructure." These changes make 19.2(d) redundant and therefore it should be deleted. References to "universal design" should be deleted, unless this is defined. Absent a definition this concept may be interpreted as endorsing the least access. This Article should cover the acceptance of sign as a language.

WFD supported 19.2(b) proposals by Kuwait, Mexico, and NHRI. It is unsure if it agrees to move parts to Article 15. The point of Article 19 is to integrate PWD as equal parts of society.

PWD Australia/NACLC/Australian Federation of Disability believes Article 19 is too narrow to remove all barriers. It supported the Australian changes to 19.1. If Article 19 was generally framed and not prescriptive, encouraging international cooperation, it may achieve more. It is too focused to the “public” and “built” environment; obligations for access should apply to State and non-State actors. Private residential accommodations must be made accessible as this impacts PWD’s isolation, and they need to spend money to modify structures. The Bangkok draft mandating national access standards should be included. “Progressive” measures should replace “appropriate” measures.

RI / DPI / European Disability Forum / II / WFD / LSN / WBU/ World Union for Progressive Judaism believe that access opens “gateways into the life world”. It should tackle barriers built to exclude and ensure all new buildings are built for access. It supports Kuwait’s proposal for 19.2(c), but prefers the word “enact,” not “promulgate” to make clear the standards have the force of law. “Universal design” may be interpreted with too much flexibility and therefore they support alternative wording. All new forms of communication and transportation should be accessible from the beginning because it is cost effective. Progressive achievement of access means retrofitting over time, but starting today. The private sector needs to be strengthened. All key services need access, especially basic living needs and equal citizenship rights, physician services, community services and cultural sites. Like Kuwait, it supports dividing 19.2(b) into two sections. It supports referring to reasonable accommodation because inaccessibility is not an excuse to not deliver services to PWD. It also supports information, communication and technologies needs its own paragraph.

ARTICLE 20: PERSONAL MOBILITY

Ireland suggested shortening this article. The chapeau should read: “States Parties to this Convention shall take appropriate measures to promote liberty of movement for PWD.” It proposed shortening 20(a): “facilitating access by PWD to high-quality mobility aids, devices, assistive technologies”; the rest of 20(a) is now in 15(2). It suggested deleting 20(b) and 20(c) because these ideas are now in 19(e) (bis). 20(d), (e), (f) and (g) are already addressed in other areas of the Convention.

Bahrain proposed adding a new paragraph: “States Parties shall adopt all possible measures to have technologies exempt from taxes and to have them a low prices.”

Yemen supports Bahrain’s addition. In 20(c), it proposed adding at the end of the sentence: “and the participation of PWD in the search for devices.” In 20(d), it proposed adding “and their families” at the end of the sentence. It alerted the Secretariat to translation discrepancies between the Arabic and English draft texts.

Chile alerted the Secretariat to clarifications needed in the Spanish text in 20(a) and 20(e).

China suggested that the words “liberty of movement” in the chapeau of Article 20 be changed to “personal mobility” for consistency.

Japan supported the EU proposal because Article 19 and 20 address similar ideas. It proposed changing the order of the beginning of 20(c): “Promoting and where appropriate, undertaking.”

Morocco proposed adding to the end of 20(c): "and to encourage the private sector to invest in research in this field." In 20(d), it proposed at the end, "and encourage exchange of experience among States."

Korea supported the EU proposal with one change in the chapeau: instead of "promote," it suggested "ensure."

Mexico alerted the Secretariat to Spanish translation discrepancies in 20(a). In 20(e), it proposed the addition: "promote their purchase at an affordable cost" after choice, deleting "and at affordable cost."

Costa Rica proposed replacing "effective" with "appropriate" in the chapeau to be consistent with other articles. It agreed with Mexico, but not with the translation discrepancy. In 20(a), the qualifier "high-quality" should be replaced with "functional" because it is not up to States to determine quality. It proposed deleting "live assistance and intermediaries" with "and other forms of support services." Support services appears in the U.N. norms and standards. It agreed with Japan about adding the word "appropriate". In 20(d) and 20(f), it suggested adding "and their families" after PWD. Subpara 20(d) deals with staff that need to be trained, so the reference to "specialists" should be deleted.

Jordan proposed adding "in the manner and at the time of their choice and at affordable cost" after "PWDs" in the chapeau. It suggested deleting 20(b), (c), (d), (e), (f), and (g) which are repeated in other Articles and to promote a more consolidated text.

Liechtenstein believes Article 19 and 20 should be nearer to the beginning of the Convention, between Article 7 and 8. Both Article 19 and 20 are linked to the freedom of movement. It supported shortening and making Article 20 concise as Jordan and EU stated, possibly just the chapeau and 20(a).

Kenya proposed adding before "measures," in the chapeau, "and progressive."

Uganda suggested replacing "effective" with "appropriate" and adding "independent" before "movement" in the chapeau. In 20(a) it suggested changing "high-quality" to "appropriate", and in 20(b) it proposed inserting "appropriate," between "promoting" and "universal."

New Zealand's proposals are similar to Jordan and the EU. However, it suggested due to redundancy, deleting this Article entirely. Most of the ideas are already in other articles or can be included; the WG split this Article out of the Article on Accessibility and now it is too detailed. It suggested 20(a) move to Article 15. 20(b), (c), and (d) should be moved to Article 4, General Obligations. It suggested deleting 20(e) because it creates a greater right in freedom of movement for PWD than that which generally exists. 20(f) is covered by 15(e); 20(g) is unnecessary.

NHRI proposed a new title, liberty of movement, because this emphasizes a more rights-based approach rather than the medical model implied in the existing title. It suggested deleting "with the greatest possible independence" from the chapeau and deleting 20(b) and (g), to be placed in General Obligations.

PWD Australia/NACLC/Australian Federation of Disability called for a more general Article that reflects the effect on all PWD, all impairment groups, including Blind and intellectually disabilities. In 20(b), “universal design” only applies to physical environments which are often highly individualized and cannot be universally designed, and “encouraging” should be replaced with “ensure.” It is private entities that build mobility devices and assistive technology, therefore States must make them comply with this Convention. 20(b) should encourage international cooperation to create international design standards for mobility aids. The language in the Bangkok draft is preferable because it is broader than covering access to buildings. It proposed two new paragraphs: “(a) Should require States to take effective measures to ensure timely availability of affordable maintenance and emergency repair services for mobility devices and appliances and (b) Require States to allow portability of personal mobility aids and devices purchased or granted through public subsidy across internal and international borders without cost.”

RI /DPI / European Disability Forum /II /WFD / LSN / WBU / World Union for Progressive Judaism is concerned with the term “universal design.” It agrees with NHRI that “liberty of movement” replace personal mobility because it connotes PWD have power over their own lives. It supported retaining Article 20. “Appropriate assistive technology” should replace “aides, devices and assistive technology” because it is more culturally sensitive and infers that technology will differ by country and age groups. It supported 20(e), the idea affordable costs and believes this will take much work to make affordable assistive technology a reality. “States Parties shall support the emergence and development of assistive technology production through incentives and other measures to support innovation and to reduce market barriers between product design and the placing of products on markets. States parties shall also take steps to ensure the affordability of such assistive technology by PWD.”

International Disability Convention Solidarity Korea stated that general human rights are needed, as well as specific rights to ensure PWD live independently. If the Convention only includes general human rights, it will do little for the rights of PWD. The right to mobility is key.

ARTICLE 21: RIGHT TO HEALTH AND REHABILITATION

Philippines proposed inserting after “States Parties recognize that,” the phrase “the promotion of health and the prevention of disabilities is an immutable and essential responsibility of all health care systems”. 21(j) should be changed to read: “Ensure that free and informed consent is given only after the person concerned has been told of the nature, consequence and risks of the health intervention in the language understandable to the specific PWD and/or their immediate families and recognized guardians.”

Israel recommended splitting this Article and circulated a draft 21(bis) on the separate right to rehabilitation. All references to rehabilitation should be deleted from this Article, which should focus on the right to healthcare.

India circulated a draft splitting this Article into a right to health and a right to rehabilitation. All references to rehabilitation should be deleted from this Article. A new article, 21(bis) should be created reflecting the fact that rehabilitation is unique to PWD, based on a social rather than medical model. This approach is in accordance with Rule 3 of the Standard Rules.

Ireland proposed that Article 21 be limited to medical rehabilitation only and that other kinds of rehabilitation be addressed in other articles such as the right to work or a separate article. Because there is no general right to health in international instruments, just the highest attainable standard of health, the title should be changed to "Access to healthcare and medical rehabilitation." The EU does not support references to prevention because this Convention should address disability, not the occurrence of disability. It proposed deleting 21(d) and dealing with it in Article 12. 21(e), 21(f), and 21(g) should be deleted because they are addressed in other places. 21(h), (i), and (j) should be replaced by the following: "Promoting quality public and private healthcare that respects the human rights of persons with disabilities and ensuring that health and rehabilitation professionals are aware of, and respect, the rights, dignity and needs of persons with disabilities." 21(k) should be moved to Article 12 and 21(l) and (m) should be deleted.

Bahrain supported both Israel and India's proposal. It proposed to add "involvement of organizations and establishments whose interest is to support research and spreading knowledge and awareness of preventive services" at the end of 21(f). In addition, it would add a new paragraph to address "those with severe disabilities."

Costa Rica proposed to replace "without discrimination on the basis of disability" with "on an equal basis and considering human diversity." In 21(b), it proposed adding "needed and requested" before "by PWD. In 21(c), after "assistive technologies," add ", as appropriate" and a sentence should be added: "including domestic services and community based rehabilitation (CBR)." The translation in 21(g) the term "sufficient" is too ambiguous, so it suggested deletion. In 21(k), the Spanish translation states "medical treatment", instead of "medical interventions" which is preferred.

China proposed to amend the first part of 21(k) to read: "ensure medical and related interventions are in the best interest of PWD, and prevent unwanted medical and related interventions unless exceptional circumstances in accordance with the procedure established by law and with the application of appropriate legal safeguards."

Chile supports separate health and rehabilitation articles. There should be an obligation to provide CBR. It suggested a focus on prevention is important and it is a right. Secondary disabilities must be prevented as well as degradation of primary disabilities into secondary disabilities. People should be given information about genetically transmitted disabilities. 21(k) needs to be drafted in a positive way; medical and related interventions should require the consent of the PWD or guardian. Health insurance needs to be provided on an equal basis and cover the cost for private coverage. Genetic, scientific, and medical research should be included.

Namibia supported separate articles and the EU proposal. In 21(b), "strive" should be replaced with "ensure." It proposed changing 21(b) to read: "Develop understanding of disability rights, respect for diversity, non discriminatory attitudes and a realistic perception of the capacities of persons with disabilities as users of health services for health professionals at all levels, in line with the principles of this convention." It proposed 21 (i) and (m) be combined to read: "Involve persons with disabilities and their representative organizations in the development and monitoring of health policies and of a code of ethics for public and private health care in promoting quality, transparency and respect for human rights at the national level." In 21(c), it proposed to add: "rehabilitation services as close as possible to

people's own communities." 21(d) should be changed to: "Ensure that respect is afforded to persons with disabilities to give consent to or refuse medical interventions of all kinds, in accordance with their evolving capacities. 21(e)'s proposed language is "Provide programmes and services to prevent and protect against disabilities, including among children and the elderly." Text in 21(d) (bis) should be changed to "Ensure appropriate training and support of sufficient number of rehabilitation." The new Article 21 (bis) should be re-titled "Right to CBR" because medical rehabilitation and CBR are different. "PWD have the right to representation State parties shall ensure that PWD not be deprived of that right. It shall take all appropriate measures to ensure that PWD have rehabilitation services. In particular state parties shall (a) endeavor to provide rehabilitation services within the community based on the principles of CBR." It proposed to add "benefit PWD in consultation with PWD."

Japan proposed in the chapeau, in the second half of first sentence, after the word "and," deleting "shall" and adding "for that purpose." To cohere with ICESCR 12 (d), "to ensure access" in the chapeau should be replaced with "to create conditions which would assure to all persons with disabilities health and rehabilitation services." In 20(j), add after "consent," "or with the application of other relevant legal safeguards" for exceptional cases.

Kenya supported India and Israel. Rehabilitation is a means to independent living and not a health issue.

Guatemala also supported separation into two articles. In 21(a), it proposed adding "and information related to the health services," after "rehabilitation services." Prevention should be included in health care and should not be in rehabilitation.

South Africa supported the EU's position on the title, "access to health care" and deleting rehabilitation because rehabilitation is not only medical. The latter half of 21 (a) should read "... health, rehabilitation, as well as sexual and reproductive services." In 21(b), change "strive" to "provide," and add "achieve the progressive realization of disability specific." It proposed deleting "safe" in 21(d) because it is in Article 12 and to add 21(d) (bis): "Endeavour to support facilities that are in the ownership or managed by persons with disabilities" to encourage PWD and peer counseling. In 21(h), it proposed to delete "and rehabilitation." It proposed deleting 21(l) since Article 6 addresses privacy.

Morocco proposed in 21(e), delete "secondary" to keep prevention broad. In 21(g), at the end, add "continued," before training. After "safeguards" in 21(j), add "or their guardian or legal representative."

Yemen proposed changing the title in 21(bis) to: "Right to habilitation and rehabilitation"; Article 21 title could be right to health or healthcare. In the chapeau, add "free," after "standard of health."

Canada supported separated articles and agreed with EU adding "medical" before "rehabilitation," because there are other forms of rehabilitation that can be addressed elsewhere, or it could support a stand-alone Article. In 21(a), change "citizens" to "to others." 21(d) is too detailed and prescriptive and should be deleted; respite care should be placed in another article such as social security. 21(e), (k), and (l) should be deleted. New technologies are addressed in 13(d) and 20(c) so 21(f) should be deleted. It proposed deleting 21(g) and

21(i). Its proposed language for 21(h) is "Promote the appropriate education and training of all health and rehabilitation professionals to increase their disability-sensitive awareness and respect for the rights, dignity and needs of persons with disabilities." 21(j)'s reference to privacy has already been addressed in article 14 and consent to treatment could be addressed in Article 12 or Article 9- therefore this subpara should be deleted. Likewise 21(m) should also be deleted because this is addressed in general obligations, Article 4.2.

Holy See could support two separate articles. To keep coherence with article 16, it recommended keep references in both as "health" or as "health care" in 21(a) preceded by the word "all." It proposed deleting "sexual and reproductive health services" from 21(a).

Palestine affirmed the importance of free healthcare services from the State and proposed separate articles for rehabilitation and healthcare.

Russian Federation believes separating is appropriate. "Rehabilitation" needs definition in Article 3. It proposed 21(c)(bis): "Provide persons with disabilities with medical assistance including the provision of medicines on a free basis in accordance with the minimum social standards."

Jordan proposed 21(d), (f), (j), (k), (i), and (l) be deleted as redundant. It agrees with the EU proposal regarding 21(g) and (h). It agreed that rehabilitation should be separate article, but both are medical in nature, so need an empowerment paragraph, to include a psycho-social model.

Uganda agreed to separate this article into two. It proposed near the end of the chapeau, after "health," to add "health insurance" because many States charge PWD higher premiums for health insurance. It suggested replacing "endeavor" with "ensure" in 21(c) and replacing "encourage" with "promote" in 21(f) and in 21(g) to strengthen these items.

Thailand supported a separate rehabilitation article. It supported the EU chapeau, but adds "health insurance" as Uganda. After the word "health insurance," it proposed adding "on an equal basis with others and without discrimination." Some subparagraphs references on research and development and consultation with PWD should be placed in other articles. Rehabilitation should reflect the interdisciplinary nature and should not be fractionalized; it supported India's proposal and the inclusion of an empowerment section. Although it values prevention, the concept should not be in this Convention.

Argentina supported Japan's amendment in 21(j) because without that amendment it does not include emergencies, where consent is unable to be obtained. It also supported Jordan in the deletion of 21(m).

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