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### Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General

Promotion and protection of all human rights, civil  
political, economic, social and cultural rights,  
including the right to development

## Awareness-raising under article 8 of the Convention on the Rights of Persons with Disabilities

### Report of the Office of the United Nations High Commissioner for Human Rights

#### *Summary*

The present report, submitted pursuant to Human Rights Council resolution 37/22, provides an overview of the obligation under article 8 of the Convention on the Rights of Persons with Disabilities to raise awareness throughout society, including at the family level, regarding persons with disabilities, their capabilities and contributions to society, and to foster respect for their rights and dignity. It contains guidance on a human rights-based approach to develop awareness-raising programmes and recommendations to assist States in implementing their obligations under international human rights law.



## I. Introduction

1. In its resolution 37/22, the Human Rights Council requested the Office of the United Nations High Commissioner for Human Rights (OHCHR) to prepare a thematic study on article 8 of the Convention on the Rights of Persons with Disabilities to be submitted before its forty-third session.
2. Article 8 of the Convention on the Rights of Persons with Disabilities addresses awareness-raising and calls on State parties to adopt measures to raise awareness about persons with disabilities throughout society; to foster respect for the rights and dignity of persons with disabilities; to combat stereotypes, prejudices and harmful practices, including those based on sex and age, in all areas of life; and to promote awareness of the capabilities and contributions of persons with disabilities. In so doing, States parties have an obligation to undertake pragmatic and action-oriented measures, which include, inter alia, initiating and maintaining effective public awareness campaigns and encouraging all organs of the media to portray persons with disabilities in a manner consistent with the purpose of the Convention.
3. The present report examines article 8 of the Convention and the vital role it plays in achieving the objectives of the Convention by combating discrimination against persons with disabilities and changing perceptions and attitudes towards such persons in all facets of life. For the preparation of the present report, a note verbale requesting input was sent to all member States, and written contributions were received from 29 States and one regional integration organization. Submissions were also received from regional organizations, national human rights institutions and civil society organizations. The contributions received will be available on the OHCHR website.<sup>1</sup>

## II. Awareness-raising and persons with disabilities

### A. Awareness-raising and human rights

4. Although awareness-raising has not been defined in international law, it is generally considered a broad term that encompasses fostering communication and information in order to improve mutual understanding and mobilize communities to bring about changes in attitudes and behaviour.<sup>2</sup> Awareness-raising programmes include an array of interventions, such as public campaigns, training sessions, seminars, workshops, formal education, audiovisual and printed materials, and actions on social media. Raising the awareness of human rights contributes to empowering individuals to participate actively in the decisions that affect them, including actions to defend and promote human rights.
5. Awareness-raising plays a key role in promoting respect for human rights as it targets the underlying attitudes, values and beliefs that are at the root of human rights violations, including discriminatory laws, policies, discourse and conduct. Negative attitudes often translate into negative behaviours, which – when directed towards individuals or groups in society – lead to discrimination and harmful practices, including hate crime. As such, awareness-raising has become a regular component of recommendations to States parties across all human rights mechanisms. In particular, human rights education and education for sustainable development have become more prominent on the global agenda, as a central tool in contributing to sustainable development.<sup>3</sup>
6. The Convention on the Rights of Persons with Disabilities is innovative in the sense that it dedicates an entire article to awareness-raising. The article emerged as a stand-alone provision in the original draft of the treaty text based on the experience that legislation

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<sup>1</sup> See [www.ohchr.org/EN/Issues/Disability/Pages/StudiesReportsPapers.aspx](http://www.ohchr.org/EN/Issues/Disability/Pages/StudiesReportsPapers.aspx).

<sup>2</sup> Richard Sayers, *Principles of Awareness-Raising for Information Literacy: A Case Study* (Bangkok, United Nations Educational, Scientific and Cultural Organization, 2006), foreword.

<sup>3</sup> Targets 4.7, 12.8 and 13.3 of the Sustainable Development Goals.

alone was not effective in tackling the assumptions, attitudes and stereotypes that perpetuated discrimination against persons with disabilities.

## **B. The need for awareness-raising regarding persons with disabilities**

7. In the preamble to the Convention, it states that disability results from the interaction between persons with impairments and attitudinal and environmental barriers that hinders their full and effective participation in society. Hence, attitudinal barriers are at the centre of the cause of exclusion of persons with disabilities. Negative attitudes can be based on multiple grounds, including prejudice, religious beliefs, low expectations and even fear. Awareness-raising about persons with disabilities and their rights aims to break the cycle of cause and effect of disability-based discrimination that prevails in society by addressing negative attitudes.

8. Persons with disabilities may adopt these negative attitudes themselves, limiting their personal expectations and ambitions and resulting in lower self-esteem and disempowerment. They may be more exposed to abuse and exploitation due to their lack of awareness and information about their rights, what such rights entail and how to exercise and invoke them should they be threatened or infringed.

9. Although estimations indicate that persons with disabilities represent up to 15 per cent of the world's population, disability remains largely invisible as a human rights issue. In addition, a glaring gap exists in understanding disability and how violations of the human rights of persons with disabilities oppresses them. Awareness-raising is fundamental in increasing the visibility of the situation of persons with disabilities, both in preventing and eradicating practices that negatively impact them and disseminating information on policies and practices that contribute to the enjoyment of their rights, inclusion and participation.

10. The media plays a fundamental role in shaping attitudes towards persons with disabilities and represents an important tool in providing information about rights and promoting inclusive societies. However, persons with disabilities and disability as a social construct are largely absent in the media. The increasing involvement of persons with disabilities and improvements in the practices of media services can contribute to improving the portrayal of this population, facilitating access to information and combating stigmatization and stereotyping.

### **1. Understanding disability**

11. Disability is the social effect that results from the negative attitudinal and environmental barriers imposed on persons with impairments that prevent them from fully enjoying their rights. There are multiple perspectives on the root causes of these barriers. Some sociologists have argued that the role of persons with disabilities is intrinsically linked to their economic contribution to society. Consequently, a person is valued only if he or she is able to produce or consume on an equal basis with others. This would explain their exclusion, while providing a key for economic inclusion. Others focus on the cultural role, which explains their segregation or inclusion in religious, tribal or traditional societies. Hence, persons are valued as long as they conform to the values accepted by the majority of a given community. These approaches usually are strongly linked and untangling them may be artificial.

12. Discrimination and exclusion of persons with disabilities have been explained in sociology using different models of disability, which help to illustrate why societies give certain roles to persons with disabilities at a given time and within a given context. Currently, all models coexist, often in the same territory and at all levels of development, and have different effects. The charity and medical models are the most prevalent in law, policy and practice. The social model and the human rights model of disability are less represented in law and policy. These models have superseded the charity and medical models. They promote an inclusive perspective of persons with disabilities. Identifying them helps to better plan awareness-raising actions.

13. The charity model of disability considers persons with disabilities as passive objects of kind (charitable) acts or welfare recipients only, rather than as empowered individuals with equal rights. Under this model, disability is an individual's problem and persons with disabilities are not considered capable of providing for themselves on account of their impairments; rather, they are considered as a burden on society, which bestows its benevolence on them. Persons with disabilities, under this perspective, are considered the objects of pity, dependent on the goodwill of others, and are thereby disempowered and not in control of their own lives, participating little or not all in society. The effect of this model is that society's responses are limited to care and assistance, with individuals being reduced to recipients of charity and welfare only, instead of its guaranteeing them the enjoyment of their rights.

14. The medical model of disability considers persons with disabilities as objects of treatment, as patients to be cured, and disability as a medical problem that needs to be solved or an illness that needs to be treated. Under this model, disability resides in the individual and doctors know best how to correct and manage any impairment, regardless of the consent, will and preferences of the individual. Persons with disabilities, under this model, are considered as deviating from the physical and mental norms and their behaviours and attitudes are pathologized. The effect of this model is that society's responses seek to normalize and diminish impairments as a means to enabling participation, instead of removing barriers.

15. In a similar manner to racism, sexism or ageism, "ableism" is commonly described as the belief system that underlies the negative attitudes, stereotypes and stigma that devalue persons with disabilities on the basis on their actual or perceived impairments. Ableism considers persons with disabilities as being less worthy of respect and consideration, less able to contribute and participate, and of less inherent value than others. Whereas other discriminatory discourse is increasingly challenged by public opinion, ableism continues to legitimize the rhetoric behind different forms of discrimination. Ableism may be conscious or unconscious, and may be entrenched in institutions, systems and the broader culture of society. It limits the opportunities of persons with disabilities and reduces their inclusion in community life.<sup>4</sup>

#### *Stigmatization, stereotyping and prejudice*

16. Persons with disabilities face stigmatization based on their actual or perceived impairments. Stigmatization has different sources and is usually very context specific and impairment based. Consequently, persons with physical impairments face different forms of stigmatization to a blind or a deaf person. Behind stigmatization there are feelings and behaviours that other people experience that lead to negative attitudes. Awareness-raising strategies should look at these elements of stigmatization to better address the challenges of changing attitudes and building inclusive societies.

17. Stereotypes of persons with disabilities are commonly built upon their stigmatization. Stereotypes are a kind of social typing that do not consider variation within a group, telling a one-perspective story of the entire group based on a common trait, in this case the impairment of the person. These general assumptions are misleading, commonly untrue and have negative effects. Prejudice based on stigmatization and stereotyping usually results in exclusion and affects the psychological well-being of the person discriminated against. In the following paragraphs we consider some examples of these stereotypes.

#### *Common stereotypes against persons with disabilities*

18. "Persons with disabilities are dangerous." This presumption is usually associated with persons with intellectual disabilities and persons with psychosocial disabilities, and is often fuelled by media reports and reactions to gun violence that scapegoat such persons and call for measures to strengthen the enforcement of mental health laws, forced treatment and deprivation of liberty based on a perceived danger to the persons themselves or others. Such measures are contrary to the provisions of the Convention. In addition, the applicable

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<sup>4</sup> A/71/314, para. 31.

laws may be presented as “disability neutral”, but in fact they reflect the medical model of disability and are couched in the terms of ableism. Such fear-based reactions tend to increase the number of instances of arbitrary detention, the ratio of persons with psychosocial disabilities in prisons and violations of the right to due process, among others.

19. “Persons with disabilities need protection.” Being considered historically as vulnerable, overprotection is a very common response to persons with disabilities, as espoused by the charity model of disability. This leads to infantilization, substitution of the person in decision-making and denial of autonomy. Legal consequences vary, although most commonly, persons with disabilities are denied the right to exercise legal capacity, that is, legal agency to make their own decisions, such as accepting or rejecting treatment and executing contracts.

20. “Persons with disabilities are incapable.” This presumption is closely linked to the idea that persons with disabilities need protection because they are considered, *inter alia*, incapable of making decisions, working and learning. This is reflected in multiple areas, for example, social protection systems are commonly developed on the assumption that benefits are necessary because persons with disabilities cannot work. This reinforces the charity model, eliminating any expectation of entering the open labour market.

21. “Persons with disabilities have a life of less value/less quality.”<sup>5</sup> This premise has underpinned many debates in favour of prenatal testing and disability-selective termination of pregnancies in cases in which foetal impairment has been detected. It assumes that it would be desirable to avoid the birth of a child who would presumably have a poor quality of life. Similarly, the same premise figures in discussions on end of life and assisted dying. For example, some jurisdictions are expanding the criteria for having access to assisted dying beyond terminally ill persons whose death is reasonably foreseen, to persons with disabilities with degenerative impairments or illnesses and those with static impairments who face reduced functioning, which reinforces the idea that the latter also have a life that is not worth living.<sup>6</sup>

22. “Persons with disabilities are less than human.” This stereotype operates on the assumption that persons with disabilities do not share human feelings and emotions, and thus do not share a common human dignity. Most commonly, this stereotype typically applies to persons with intellectual disabilities, persons with autism, and others whose expressions and communication may differ from what is considered “normal”. This dehumanization and objectification of persons with disabilities has been at the root of alarming practices; for example, medical experimentation, including eugenics, infanticide, filicide, locking up individuals at home or school or in institutions, including in cages or shackles, withholding food and health care, and all forms of violence, exploitation and abuse, including forced prostitution and trafficking.

23. “Persons with disabilities are sexually abnormal (e.g., they are stereotyped as asexual, inactive, overactive, incapable or sexually perverse).”<sup>7</sup> This presumption is usually disproportionately applied to persons with intellectual disabilities and persons with psychosocial disabilities, notably women and girls. This stereotype prevents them from accessing sex-related information and developing a healthy sex life. Usually, relatives, teachers and health-care professionals are either untrained or unconfident in discussing sexuality with persons with disabilities, preventing them from accessing quality sexual and reproductive health care, which is reflected in poorer health outcomes.<sup>8</sup>

24. “Persons with disabilities are extraordinary/overachievers.” This premise, though framed positively, has the effect of reinforcing the stereotypes of persons with disabilities by highlighting and celebrating “overcoming” impairments. It operates on the assumption that people living with an impairment cannot succeed and, when it happens, it is

<sup>5</sup> CRPD/C/POL/CO/1, para. 13 (a).

<sup>6</sup> See A/HRC/43/41.

<sup>7</sup> Committee on the Rights of Persons with Disabilities, general comment No. 3 (2016) on women and girls with disabilities, para. 47.

<sup>8</sup> A/72/133, paras. 18–19.

exaggerated as a great feat. According to this stereotype, everyday achievements are given extraordinary prominence, which even surpass standards of normality, “in spite” of their impairment. This is often referred to as the phenomenon of a “superhero” whose focus is on inspiration and serving as a role model for persons with disabilities and others alike.

25. “Persons with disabilities are mystical or sinister (stereotyped as cursed, possessed by spirits, practitioners of witchcraft, harmful or bringing either good or bad luck).” Certain beliefs in some countries and cultures posit that persons with disabilities have superpowers and/or are magical, or are cursed or possessed by demons, which leads to harmful practices against them.<sup>9</sup> In extreme cases, persons with disabilities, such as persons with albinism, may be abducted, attacked and murdered so that their body parts can be used in witchcraft for good fortune and health. In addition, women with disabilities, particularly young women and girls, may be targeted and raped by men with HIV, which is linked to the myth of virgin cleansing.

## 2. Disability-based discrimination

26. The above-mentioned stereotypes lead to disability-based discrimination, which encompasses any distinction, exclusion or restriction on the basis of disability that has the purpose or effect of impairing or nullifying the recognition, enjoyment or exercise, on an equal basis with others, of all human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.<sup>10</sup> It includes all forms of discrimination, such as direct or indirect discrimination, discrimination by association, denial of reasonable accommodation, structural and systemic discrimination and multiple and intersecting forms of discrimination.<sup>11</sup>

27. Disability-based discrimination is commonly seen as unintended. As a result, anti-discrimination measures tend to be less rigorous, both in their consequences and in their implementation. Awareness-raising as a tool to combat discrimination is not an exception to this rule. Protection against discrimination considers both intended and unintended discrimination and awareness-raising strategies should consider the multiple perspectives operating behind them.

28. Disability-based discrimination can have consequences beyond those for persons with disabilities and affect others by “association”.<sup>12</sup> For example, the parents of persons with disabilities, particularly women, are disproportionately discriminated against in employment on the assumption that their extra care duties may result in higher absenteeism or less dedication to the job. Flexible arrangements and reasonable accommodation are anti-discriminatory measures that can help to overcome possible requirements from employees and avoid disability-based discrimination.<sup>13</sup>

29. Persons with disabilities most commonly face multiple and intersecting forms of discrimination, usually on the grounds of age, disability, ethnic, indigenous, national or social origin, gender identity, political or other opinion, race, refugee, migrant or asylum seeker status, religion, sex or sexual orientation. Awareness-raising strategies should consider the realities of persons with disabilities exposed to these forms of discrimination, particularly women and girls with disabilities, and the multidimensional layers of identities, statuses and life circumstances.<sup>14</sup>

## 3. Language and hate speech

30. Language plays a critical role in shaping and reflecting our thoughts, beliefs and feelings; it embodies and develops social and cultural values and serves as an instrument for their communication. Accepted language to refer to persons with disabilities varies

<sup>9</sup> CRPD/C/UGA/CO/1, para. 18.

<sup>10</sup> Convention on the Rights of Persons with Disabilities, art. 2.

<sup>11</sup> Committee on the Rights of Persons with Disabilities, general comment No. 6 (2018) on equality and non-discrimination, paras. 18–22.

<sup>12</sup> *Ibid.*, para. 20.

<sup>13</sup> CRPD/C/EU/CO/1, paras. 78–79.

<sup>14</sup> General comment No. 3, para. 16.

among countries. Persons with disabilities self-identify in different ways in different contexts. OHCHR considers that self-identification should be the rule and that it is context-specific. At the international level, “persons with disabilities” is the agreed expression in English. The singular of “persons with disabilities” is “person with disability”. In the United Kingdom of Great Britain and Northern Ireland, the word “disabled” is commonly recognized as acceptable use of language, while its literal translation (“*discapacitado/a*”) is not well considered in Spanish-speaking countries, in which there is a preference for the term “*persona con discapacidad*”. When referring to people facing specific barriers based on an actual or perceived impairment, it is better to use “people first” language, such as “persons with [intellectual/physical] disabilities”.

31. However, the language and terminology used to refer to persons with disabilities has been consistently negative and derogatory, expressing ableist views, e.g. “being afflicted with”, “suffering from”, “handicapped”, “invalid”, “insane”, “lunatic”, “crippled” and “retarded”, among others. Expressions such as “wheelchair bound” or “confined to a wheelchair” to describe wheelchair users is misleading ableist language that perpetuates the presumption that a person’s wheelchair is their most prominent feature and simultaneously negates the individual’s experience of freedom of movement and independence. The use of “deaf mute” or “deaf and dumb” to describe deaf persons is equally misleading, ableist and derogatory. The use of some ableist terms are part of everyday language to the point that the association with persons with disabilities may no longer be evident. For example, “lame” refers to anyone or anything boring or uncool, “schizophrenic” is used to describe something (from people’s behaviour to political policies) as unpredictable, fickle or flighty, while “autistic” is commonly used for politicians that disregard the voice of their constituency.<sup>15</sup>

32. Abusive language against persons with disabilities is largely unrecognized as hate speech, mainly because of the commonly considered unintended nature of discrimination based on disability. Nevertheless, hate speech against persons with disabilities contributes to maintaining an ableist climate that has consequences beyond the individual targeted and an impact on persons with disabilities as a group. Hate speech may also constitute or lead to hate crime and bullying, which is a growing trend in online hate speech.

#### 4. The role of the media

33. The media has enormous power to educate the public to have a more comprehensive understanding of disability and promote positive attitudes towards persons with disabilities, particularly in the absence of direct experience of the life of a person with disability. Yet, the media commonly perpetuates stereotypes. Persons with disabilities have been marginalized within and through the media, being underrepresented in media content. When portrayed, ableist perspectives tend to be most common. Usually, characters representing persons with disabilities are played by actors and actresses without impairments. Cultural appropriation of disability is underresearched but is getting more and more attention.

34. Telethons present persons with disabilities from a charity or medical perspective, and are commonly framed as public-private partnerships. These televised fund-raising marathons typically resort to feelings of compassion and pity by drawing on the perceptions of disease and disability and promises of medical research and cures, lauding the “overcomers” and lamenting the “tragedy of disability”. Telethons institutionalize in an efficient way the charity and medical models of disability through media sensationalism. Telethons perpetuate and reproduce stigmatization and hinder the possibility of constructing a culture in which persons with disabilities are recognized as part of human diversity and society.<sup>16</sup>

35. Public-private partnerships related to the media, nevertheless, can contribute to presenting persons with disabilities from a rights-based perspective. For example, in Spain, Radio Televisión Española entered into agreements to raise awareness of persons with

<sup>15</sup> CRPD/C/BGR/CO/1, para. 10.

<sup>16</sup> CRPD/C/PER/CO/1, para. 18; CRC/C/MEX/CO/4-5, para. 46 (f); and CRPD/C/CHL/CO/1, para. 18.

disabilities. In Mexico, the National Council to Prevent Discrimination entered into an agreement with Twitter to monitor and act on cyberbullying and hate speech against persons with disabilities, among other populations.

### **III. Article 8 of the Convention on the Rights of Persons with Disabilities**

#### **A. Awareness-raising under the human rights model of disability**

36. Article 8 of the Convention on the Rights of Persons with Disabilities, entitled “awareness-raising”, focuses on some of the factors that cause disability-based discrimination, namely the negative attitudes and prejudice towards persons with disabilities. The article requires States parties to undertake to adopt immediate, effective and appropriate measures to raise public awareness about persons with disabilities and their rights and contributions throughout society, including at the family level, and in all areas of life.

37. In addition to the obligations on States parties described in article 8 (1) mentioned above, article 8 (2) gives guidance to States parties on increasing awareness of the rights and contributions of persons with disabilities to society, including by initiating and maintaining effective public campaigns, media, education systems and training programmes. Article 8 focuses on work and employment and educational contexts, and is respectful of the right to freedom of speech by “encouraging” the media to portray persons with disabilities in a manner that is consistent with the purpose of the treaty. The examples given under article 8 (2) should not be read as an exhaustive list of actions, but as a reference to improve awareness.

38. States should raise the awareness of all the rights of persons with disabilities in the treaty. The provisions contained in article 8 are wide-ranging and include both general and specific requests to States parties. They place an emphasis on the specific areas in which awareness-raising measures need to be adopted. For instance, article 8 (1) (a) highlights the need for States parties to raise and promote awareness about “the rights and dignity of persons with disabilities” both “throughout society” and “at the family level”. The article further calls on States parties to “combat stereotypes, prejudices and harmful practices” regarding persons with disabilities, including those based on “sex and age”, in all areas of life. These latest references are a reminder to States parties that there are persons with disabilities who face multiple and intersecting discrimination, like women and girls with disabilities.

39. The specific reference in the article to “the family level” implies that there is a recognition that existing views on persons with disabilities extend to family members. Families play a crucial role in empowering persons with disabilities, at an early age and throughout life. Having well-informed families can advance the implementation of the treaty and ensure that the rights of persons with disabilities are also respected in the family context. Negative attitudes, based on paternalistic views, shame, low expectations of family members with disabilities or mystical views, commonly lead to harmful practices, such as forced institutionalization, confinement of persons with disabilities in their homes, abandonment and neglect.

40. Empowered family members usually cope better with the challenges that societies impose on persons with disabilities and their families in a more resilient way. Awareness-raising programmes should factor in the potential of collaborating with families and acknowledge that not all families are prepared to get involved immediately, hence such programmes should include dedicated support for families to increase their capacity to operate as multipliers of positive attitudes towards persons with disabilities.



## **B. Providing information about rights**

41. It is self-evident that exercising and claiming rights requires that the person concerned is aware of their rights. Persons with disabilities have the right to know, seek and receive information about all human rights and fundamental freedoms and this right is reflected in article 21 of the Convention on the Rights of Persons with Disabilities, regarding access to information. Awareness-raising programmes should clearly define this objective and the appropriate means to achieve it. They could also contribute to facilitating access to accountability mechanisms when rights are not respected, including, but not limited to, complaint mechanisms and legal aid services.

42. Providing information about rights is less complex than other more ambitious goals, such as changing individual attitudes towards, or collective perceptions of, persons with disabilities. Nevertheless, serious consideration should be given to the kind of rights to be promoted and the tools to be used in awareness-raising programmes because the complex and innovative perspectives considered in the Convention on the Rights of Persons with Disabilities could appear counterintuitive to the general public. In fact, they commonly require a customized design to be successful. Information about rights should be well tailored to the audience, using simple messaging and key aspects that the target audience can relate to. Massive campaigns to provide information about rights should bring the international standards in the Convention on the Rights of Persons with Disabilities to the national context, being careful not to portray them as abstract rights, but as concrete entitlements and practices that lead to the enjoyment of such rights.

43. For example, the right to education requires an inclusive education system. Explaining the complexity of transforming systems may not be easy to achieve through a massive campaign, however, emphasizing that children with disabilities should not be barred from attending regular school because of their impairments is a simple message than can substantially improve access to such a right. Raising awareness of the systemic transformations necessary to achieve fully inclusive education will require other interventions, such as training or long-term awareness-raising programmes linked to capacity-building. Providing information on rights is about providing the minimum tools for self-empowerment; it does not have the immediate goal of changing attitudes or removing other barriers beyond providing the necessary information to the target audience.

44. The existing stigmatization of persons with disabilities commonly results in a lack of self-identification as persons with disabilities or in a refusal by parents to accept the impairments of their children. Providing information about rights should factor in this social effect and implement strategies to address it. Hence, awareness-raising strategies should acknowledge that not all persons with disabilities will identify as being the target of the campaign and may disregard the information received. Consequently, the campaign should explore multiple communication strategies that appeal to different circumstances. For example, if the campaign aims at increasing awareness of social benefits this could be portrayed in a way that appeals to the possibility of using such benefits rather than presenting it as the realization of a right. Persons with disabilities may be motivated by the different goals that they value, which may go beyond the exercise of a right in itself, although the realization of the right is what is at the root of the action.

45. Parents of children with disabilities may not identify themselves as being discriminated against based on disability, since they are not persons with disabilities themselves. Raising awareness of their rights may be more effective if the rights are presented as mainstream rights, rather than disability-specific rights, as labour rights or the right to choose an education for their children. For example, the mothers of children with disabilities may see no value in independent living services for their children as a right, such as personal assistance at school, but they might see the value of the right to pursue a career and achieve economic independence. Portraying the right to independent living as a

common benefit for mothers and their children can increase the impact of awareness-raising and the realization of rights for both.<sup>17</sup>

46. Awareness-raising campaigns must directly address the realities and rights of persons with disabilities if they are to be considered as measures to implement article 8 of the Convention on the Rights of Persons with Disabilities. Some countries dedicate disability-specific funds to support campaigns to prevent traffic accidents, to develop HIV/AIDS campaigns or to reduce gun violence. Equally, when reporting on awareness-raising campaigns for persons with disabilities, some States mention campaigns to prevent illnesses and conditions affecting vision and hearing, and health conditions that might affect mobility or other primary health conditions. While these campaigns should be inclusive of persons with disabilities, they do not only target such persons. Since they target the general population, they should not be considered as disability-specific measures under article 8 of the Convention on the Rights of Persons with Disabilities. Usually, funding for disability-specific actions is limited and redirecting funds from this source to fund general campaigns has a disproportionate impact on the disability budget without providing a similar benefit to persons with disabilities themselves.

### C. Changing attitudes

47. Awareness-raising programmes should go beyond providing information about rights and focus on changing negative attitudes that operate as barriers to the participation of persons with disabilities. While being aware of rights is essential, particularly for the person concerned, a general awareness of rights can have negative or masking effects. Social desirability bias, that is the tendency of individuals to report on their attitudes in a manner that is socially acceptable, is a common consequence of awareness-raising programmes that are only designed to provide information about rights. Studies show that persons with and without impairments progressively increase their societal perspectives on other persons with disabilities, for example, recognizing their right to work, to education, to social protection or to health. Nevertheless, when assessed from an individual perspective using subtle assessment tools, negative attitudes reappear. Monitoring attitudes towards persons with disabilities should include subtle assessment tools to avoid false positives.<sup>18</sup>

48. Negative attitudes towards persons with disabilities stem from a social construction of what is normal (body, form of communication, functionality) and what is not. This normalcy implies that there are those whom are considered “normal” and “others” whom are not. “Normalcy” and “otherness”, as general categories, support an explanation of how the impairment of a person influences the role given to that person by society. Impairment is perceived in different dimensions: an objective dimension in which the impairment “is”, as a personal characteristic, without further qualification; a subjective dimension, in which persons may value their impairments, may give it no particular value, may give it a negative value, may embrace it as part of their identity and/or may consider it as a health condition that requires attention, among others; and a social dimension, in which society acts upon the lived experience of the impairment, misrepresenting it and giving it a negative value. The objective and subjective dimensions are not the domain of awareness-raising programmes, while the attitudes constructed in the social dimension are, as they can be changed and replaced by a positive representation.

49. Attitudes towards persons with disabilities are complex, so interventions designed to change them must be wide-ranging. It is largely recognized that attitudes change positively, at a faster pace and are more durable when interpersonal relations and affective ties are generated. Hence, the importance of the direct involvement of persons with disabilities in awareness-raising programmes to change attitudes towards such persons. Direct contact with persons with disabilities is key in giving a human dimension to the lived experiences of the persons concerned and supports the correction of misrepresentations and stereotypes.

<sup>17</sup> A/HRC/28/37, para. 36; and general comment No. 3, para. 17 (c).

<sup>18</sup> Mark Deal, “Attitudes of disabled people towards other disabled people and impairment groups”, unpublished doctoral thesis, City, University of London, 2006, pp. 316–318.

50. Attitudes are built on the outcomes of the positive or negative experiences that we have when engaging with other people and as a result of observing and associating. Direct experience tends to better inform attitudes towards other people and to give a better source of information on how we should behave in the future towards such people. As humans, we tend to create categories based on our experiences and these categories lead to generalizations about a group. The more we engage with persons with disabilities, the broader is our understanding of this group and the better we can assess its diversity and our own attitudes towards it. In order to change attitudes towards persons with disabilities, it is necessary to present the diversity of experiences that persons with disabilities live and the commonalities within that group of persons; to present it as a group but one consisting of very different lived experiences.

51. Understanding and portraying the diversity of persons with disabilities is crucial in designing an awareness-raising programme to change attitudes towards such persons. As mentioned above, stigmatization of persons with disabilities is context specific and the representation of lived experiences is impairment based. For example, low expectations of persons with disabilities vary according to their impairment and the cultural context. Persons with physical impairments tend to be better accepted as parents, employees and students than persons with intellectual disabilities, who face greater negative attitudes in the same roles.

#### **D. Mobilizing action**

52. Awareness-raising programmes should lead to action being mobilized and go beyond simply providing a rational explanation of the lived experience of disability or the human rights consequences of disability-based discrimination. Combating discrimination against persons with disabilities and awareness-raising programmes to change attitudes require the active engagement of persons with disabilities and the communities that are targeted in such actions. Their active involvement not only provides for their recognition but builds a collective belonging that is crucial in presenting a scenario in which persons with disabilities are recognized as equals from the onset and the social problem under discussion is presented as an issue that affects the whole community and not only persons with disabilities.

53. As mentioned above, a rational understanding of disability-based discrimination is usually not enough to change attitudes and promote effective change. It is rare for people to show animosity towards a group of persons with disabilities, who are often perceived as victims of their impairments and condemned to less valuable lives. Consequently, awareness-raising programmes aiming at eliminating attitudinal barriers should appeal emotionally to a community for it to see disability-based discrimination and exclusion as unfair or unjust for the community itself and not just “others”, in this case persons with disabilities.

54. Identifying what motivates change is key to an effective awareness-raising action. Depending on the objective, top-down action can be effective (e.g. implementing an internal policy in a hierarchical structure), while in other cases, bottom-up actions would be better (e.g. improving interpersonal relations in a working environment). Also, awareness-raising action can vary according to the objective, for example limiting awareness-raising activities to a certain hierarchy in an organization (e.g. building the capacity of school directors in charge of implementing reasonable accommodation) or to a broader population (e.g. increasing the involvement of the school community – teachers, students, parents, directors and school staff – to support inclusive education). Mobilizing action most commonly requires a multi-stakeholder approach, involving the media, community leaders, persons with disabilities and their families, religious leaders and others.

## **IV. Implementation measures**

### **A. Normative framework**

55. Normative frameworks play a fundamental role in framing attitudes and behaviour towards persons with disabilities. Normative frameworks should be broadly understood and include cultural aspects and societal values that may not be reflected formally in legislation. It is very common to see legislation that formally recognizes the rights of persons with disabilities overruled by everyday behaviour. This broad approach, which tackles both legal and attitudinal perspectives, is reflected in the Convention on the Rights of Persons with Disabilities since it requires the necessary legal reforms to harmonize domestic legislation with the treaty and, additionally, recognizes that, even without completing such reforms, States parties should refrain from engaging in any act or practice that is inconsistent with the Convention.<sup>19</sup> Nevertheless, formal legal and policy frameworks remain key in mobilizing change and providing the legitimacy for actions.

56. In almost every area of rights, the charity and medical models of disability continue to provide the philosophical basis for most legislation in the world. Pejorative language and legislation that allows harmful practices against persons with disabilities makes up the vast majority of legislation and policies. Ending these perspectives in law is key in eliminating attitudinal barriers that lead to discrimination and the exclusion of persons with disabilities in society.

57. Many countries have established criminal and civil responsibility for hate speech, including by imposing penalties both on the perpetrators and the platforms that do not control the content that is published on them. Legal responsibility not only aims at deterring certain behaviour but represents a collective stand on certain issues. Incorporating hate speech, bullying and harmful practices as illegal in law frames the collective perspective of a society and may contribute to changing negative attitudes.

### **B. Media policy**

58. Article 8 of the Convention on the Rights of Persons with Disabilities specifically provides that States parties should raise awareness by encouraging all organs of the media to portray persons with disabilities in a manner consistent with the purpose of the Convention. The use of the word “encourage” implies that States parties cannot demand a certain conduct from the media. This is rooted in the right of freedom of expression under article 19 of the International Covenant on Civil and Political Rights.

59. Broadcasting regulatory frameworks offer a platform for combating the discriminatory portrayal of persons with disabilities. They can include principles to promote diversity and combat disability-based discrimination. These non-mandatory provisions can serve as a basis for codes of conduct, or similar self-regulatory frameworks, which can include guidance on developing content in a manner that prevents discrimination. The assessment, development, monitoring and revision of such codes should be carried out following public consultation, including with persons with disabilities and their representative organizations. For example, in Germany, organizations of persons with disabilities sit on the supervisory bodies of public broadcasting corporations.

60. Access to the media should include multiple means of communication, as it is a fundamental instrument for awareness-raising. For example, in Argentina, the law on the national media provides for progressive implementation of closed captioning, audio description and sign language interpretation in multiple media.

61. As mentioned above, the presence, portrayal and participation of persons with disabilities in the broadcast media, both on and off air, can rapidly improve efforts in the media companies and their products to change attitudes. States could work together with

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<sup>19</sup> Art. 4 (b) and (d).

the public and private media to increase the participation of persons with disabilities, in consultation with them. For example, in the United Kingdom of Great Britain and Northern Ireland, the Doubling Disability initiative<sup>20</sup> aims at doubling the percentage of persons with disabilities working in off-screen broadcasting production and creative talent roles by 2020.

### **C. Public campaigns**

62. Awareness-raising campaigns, particularly massive campaigns, have had little effect in changing attitudes. Research, although limited in scope and regional distribution, indicates that it is a valid tool in providing information about rights. These campaigns should be focused in scope, portray persons with disabilities in their diversity and avoid engaging in complex issues that could be challenging for being counterintuitive or for potentially having unexpected adverse results. Slovenia and El Salvador implemented public campaigns, involving the media, to educate the public about the rights of persons with disabilities and the legal regulations regarding discrimination and the enjoyment of these rights. Both States reported good outcomes.

### **D. Training and education**

63. Training and other face-to-face strategies are better suited to promote changes in attitudes and to address complex and systemic reforms. In order to improve effectiveness, training and other education strategies should create an environment in which participants can feel free to express their views without being judged and in which they can converse with persons with disabilities to deconstruct their learned perceptions of normalcy throughout the process. Training should be directed at persons both with and without impairments as the existing stigmatization and stereotyping of other persons with disabilities also exist among them. Training can benefit from inclusive strategies that combine multiple means of communication and address the broadest ways of accessing information, through visual, audio and written tools. Ecuador implemented an online training initiative on providing services to persons with disabilities in the tourism sector and the judicial system and their accessibility thereto. More than 20,000 people took part.

64. Formal education provides the necessary tools and structure to build understanding, according to a human rights-based perspective, of disability, including in complex areas related to the Convention on the Rights of Persons with Disabilities, and ensures interaction between persons with disabilities and others on a regular basis. In order to foster an attitude of respect for the rights of persons with disabilities, curricula at primary, secondary and tertiary levels of education should include disability-inclusive human rights and gender equality education, education for sustainable development and sustainable lifestyles, and global citizenship education and an appreciation of the cultural diversity among others, as included in the Sustainable Development Goals. For example, Colombia created a university network to promote the rights of persons with disabilities among students at law schools, “Tejiendo Justicia”, which includes 106 law schools that provide legal aid services.

### **E. Participation**

65. The participation of persons with disabilities is key in better defining the scope of awareness-raising campaigns and changing attitudes through training. This involvement should reflect the diversity of persons with disabilities and their lived experiences of their impairments, and the multiple and intersecting identities related to sex, age, gender, ethnic origin, migration status, cultural background and social status. The richer the diversity of those involved in the design and implementation of awareness-raising programmes, the better the chances of achieving good results.

<sup>20</sup> The Creative Diversity Network leads this initiative and is backed by the BBC, Channel 4, ITV, Sky, Channel 5/Viacom, ITN, Pact and the Department for Work and Pensions.

## **F. Research and data**

66. Awareness-raising is very underresearched and there is little data on the actual effects or outcomes of awareness-raising programmes, particularly in developing countries. Statistical data and quantitative research are crucial in identifying the attitudinal barriers that exist throughout society and in the specific context in which an awareness-raising programme is being developed. In this sense, surveys on equality, discrimination and attitudes, and quantitative research on the media's portrayal of persons with disabilities, allow identification of the key issues and potential gaps or deficits of the awareness-raising measures. In addition, given the nature of the psychology of discrimination underlying stigmatization and stereotyping, which leads to deeply entrenched attitudinal barriers, context-specific research is needed to develop improved effective awareness-raising programmes, especially training and education programmes. Qualitative research becomes key in identifying the inner processes that result in discriminatory outcomes, which operate at individual and collective levels.

67. In Moldova, the Council for the Prevention and Elimination of Discrimination and Ensuring Equality developed a study on attitudes and perceptions, including those regarding persons with disabilities. Lithuania developed a report, using focus groups, on the portrayal of persons with disabilities in more than 3,000 publications, on the basis of a human rights perspective.

68. Collecting data and undertaking research at regular intervals provide for an effective monitoring tool to measure progress and evaluate changes in discriminatory patterns. The broadcast media, broadcasting regulators, communities, disability-related organizations and organizations of persons with disabilities should be involved in such research to ensure that all the stakeholders concerned can contribute to the outcomes of the research. In Ireland, the National Disability Authority, in partnership with the Broadcasting Commission of Ireland, developed, in 2006, a review of literature to evaluate how persons with disabilities were perceived as a follow-up to a similar report in 2001.

## **G. Resource allocation**

69. Contributions to the present report indicate that awareness-raising measures are underfunded. States should explore avenues to invest in awareness-raising programmes, including through international cooperation, to ensure that attitude-changing initiatives receive the necessary resources to counter negative attitudes towards and societal perceptions of persons with disabilities.

70. At State level, Governments should ensure that specific funding and budget allocations are provided for the development, implementation and evaluation of awareness-raising measures (i.e. public awareness campaigns, media measures, human rights education, education for sustainable development and training) across all relevant departments, particularly in the areas of education, employment, social protection, health, transportation and access to justice. Notably, States parties should financially support their national human rights institutions and organizations of persons with disabilities to evaluate periodically changes in attitudes towards persons with disabilities, as part of their specific mandate to monitor the implementation of the treaty.<sup>21</sup>

71. Australia has devoted 1.5 million Australian dollars to assist women with intellectual disabilities to report abuse, facilitated by digital media, and 3.8 million dollars to help protect vulnerable communities, including persons with disabilities, from online abuse, going beyond the traditional media and taking steps to combat the perpetuation of abuse of persons with disabilities in the realm of digital and social media.

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<sup>21</sup> Convention on the Rights of Persons with Disabilities, art. 33 (2) and (3).

## V. Conclusions and recommendations

72. The Convention on the Rights of Persons with Disabilities is innovative in that it includes, in article 8, a cross-cutting provision on awareness-raising regarding persons with disabilities, their capabilities and contributions to society, and their rights. Awareness-raising is key in overcoming the outdated understanding of disability that is still present in law and practice, such as the charity and medical models and ableism, which lead to negative societal attitudes towards persons with disabilities. Awareness-raising is required to empower persons with disabilities, by disseminating information and enhancing their understanding of their rights, and to tackle and remove the attitudinal barriers within society.

73. Persons with disabilities are subject to low expectations, stigmatization, stereotyping and prejudices. These lead to discrimination, the use of derogative language, violence and harmful practices, which should all be explicitly tackled by awareness-raising programmes. As these presumptions are deeply rooted in society, any positive legal and policy reform concerning disability should be accompanied by awareness-raising strategies.

74. States should promote a positive portrayal of persons with disabilities and develop awareness-raising programmes to provide information about rights, mobilize action and eliminate attitudinal barriers that prevent or restrict their effective participation in society. Furthermore, States should refrain from supporting, through funding or as part of public-private partnerships, campaigns that perpetuate stigmatization or stereotyping.

75. In line with international standards on freedom of expression, States, including through their media regulatory bodies, should encourage the media to portray persons with disabilities in a manner consistent with the purpose of the treaty. Incentives and guiding principles in regulations and codes of practices should promote an increase in the production of content concerning disability and the representation of persons with disabilities within media companies, both on and off camera. Media regulatory and monitoring bodies should have clear mandates to establish and enforce mandatory accessibility standards that allow persons with disabilities to access media content and digital environments on an equal basis with others.

76. The participation of persons with disabilities in the design and implementation of awareness-raising programmes and media-related legislation and regulations, including the institutional framework, is essential in enhancing their relevance and effectiveness and preventing the reproduction or perpetuation of negative stereotypes.

77. States should undertake, promote and fund research and data collection, and monitor the evolution of attitudes towards persons with disabilities. Quantitative and qualitative research on equality, discrimination and attitudes, and on content and the representation of persons with disabilities in the media, including through private-public partnerships, is key in tracking progress and informing decision-making in the context-specific awareness-raising efforts.