



CRPD Ratification and Implementation **The Arab World as an example**

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It is the objective of this presentation to highlight the status of CRPD following its adoption by the UN in 2006 with special emphasis on disability politics and DPOs status in the Arab world following the ratification of 16 Arab countries to the convention on the rights of persons with disabilities and the Arab spring.

It is clear that disability as a cause has witnessed a paradigmatic revolution beginning in the eighties when the UN adopted the standards rules and declared the international decade on disability 1983-1992 and culminated by the adoption of the UN General Assembly of the convention on the rights of people with disabilities (CRPD). For the first time in the history of the disability as a cause, the approach shifted from the medical and care paradigm which was dominant since the beginning of the twentieth century to the paradigm based on rights and integration. However, it was clear that this shift was not accompanied with similar revolutionary efforts to make it a world wide reality. In order for the CRPD to be applied properly, the dominant political discourse should be that of human rights which is not the case yet worldwide. Lots of states that govern more than half of the population including Arab World follow regimes that are not based on the concept of rights and political participation. Accordingly, these states are not at ease in applying a UN convention based on the concept of rights. I can claim that until now, most countries still adopt the medical and care approach in dealing with all related disability politics. Some examples may clarify the point. Following the Arab Spring and after the changes that took place in Egypt, the new constitution talks about disability in article 72 but it asks the State to care for persons with disabilities and not to treat them as citizens with rights. The shift towards the adoption of a right based approach is not going to be smooth and easy. This could clearly be shown in the way countries define disability and in their limited support to the formation and participation of disabled people organizations in disability related politics. Most states still define disability based on a medical approach stressing the medical part of the story on the expense of social and political barriers that make disability a living situation. In addition, with the exception of very few countries, most representations of persons with disability in different national councils on disability are done through appointment by governments. Most governments

provide funds for institutions and service associations with very limited support to DPOs and empowerment.

As the Arab World is concerned, the positive point is the ratification of 16 Arab countries for the CRPD. Even though the CRPD clearly considers disability as a right based issue, it is not clear how committed Arab governments will be to its implementation. Looking at disability in the Arab World prior to the Arab Spring, one can clearly decipher the cases of oppression and marginalization of individual persons with disabilities reinforced by a strong discourse and culture of alienation and negation of human rights and existence. This situation is the product of different discourses dominating the public arena in these countries. These are combination of a religious tradition and the discourse of the unity of the social formation under the leadership of the State and therefore one party and one leader. Accordingly, both individual persons with disabilities and DPOs find themselves outside the margin of the dominant discourse of the State and society. Disability is not a social issue of concern. The medical, religious and care paradigms are the dominant discourses in the Arab World. Accordingly, persons with disabilities are either left under the power and control of religious and medical institutions or the state. In fact, until the end of the last century, disability was not an issue within the social space of these countries. Even though many of these countries have suffered from wars and violence, disability did not become a serious and important issue. However, things began to change beginning the 21st century. The launching of the CRPD negotiation and its final adoption in the UN in 2006 has had its effect on disability politics in the region. In 2004, the Arab Summit adopted the Arab decade of persons with disabilities 2004-2013. Furthermore, many Arab countries began legislating for new laws on disability including Jordan, Syria, Tunisia, Bahrain, UAE, and Egypt. Most of these laws were not right based but they call for integration and better life of persons with disabilities. Many factors have led to the emergence of disability as a political issue that needs to be addressed. These can be summarized as follows:

- 1- Disability cause started to gain ground in these societies as a result of the increasing pressure from the western world and international governmental and non-governmental organizations operating in these countries. The internationalization of the new discourse of the civil rights of persons with disabilities through the United Nations World program of action, the decade, and the CRPD has pushed these countries to deal reluctantly with this issue and to acknowledge disability as a social case that they have to address. The agreement on the Arab decade is just a proof of this trend.
- 2- During the last ten years, the disability movement in the Arab World has succeeded in organizing itself and lobbying governments and the Arab league to deal with disability as human rights issue. The foundation of AOPD in 1998 was a major step in this direction where AOPD was the motor force behind the adoption of the Arab summit of the Arab decade and it was very active in all negotiations related to the ratification of the CRPD. The most important contribution of this movement on the disability cause is its success in pushing the emphasis from the medical care and rehabilitation paradigm to that of human rights based on the need for the societal accommodation of difference within its public and political space.

- 3- During the Arab Spring, DPOs and persons with disabilities were very active especially in Tunis and Egypt. As a result, the DPOs in these countries worked to insure that disability cause will not be left out following all changes that took place in these countries. In Egypt, a new union of DPOs was formed I 2011. Another alliance was declared in 2010 in Jordan. However, the disability movement is still weak in the Gulf region, much better developed in Morocco, Yemen, and Lebanon. Regardless, DPOs in the Arab World have been growing and gaining ground in pushing the disability agenda in their countries.

Finally, there is always a gap between a convention and its implementation from ratifying countries. The CRPD is not an exception. The real change may not take place without the work of both human rights organizations and DPOs. However, lots of efforts have to be invested in order to develop the democratic and managerial skills of these DPOs. Most of them are suffering from limited resources, limited experience in networking and democratic practices and finally limited managerial skills. The most important challenges in front of the disability movement nowadays are to insure that disability will be seriously dealt with by governments, that persons with disabilities will be involved in the national and political life of their countries and finally that DPOs succeed in developing democratic, grass roots based, and transparent organizations. The CRPD helps in pushing in this direction and vice versa a solid movement will make governments more committed for the respect and implementation of the convention.



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