

Workshop on the Equal Participation and Inclusive Society of Persons with Disabilities

The UNCRPD and Incorporating Intersectionality in
Disability Rights Scholarship and Policy Advocacy

Nagase Osamu 長瀬修
Ritsumeikan University 立命館大学

Saturday 24 October 2020 16:30-16:45

Zoom Meeting

East Asia Disability Studies Forum 2019 October 2019, Wuhan



Intersectionality ?

Intersectional Discrimination ?

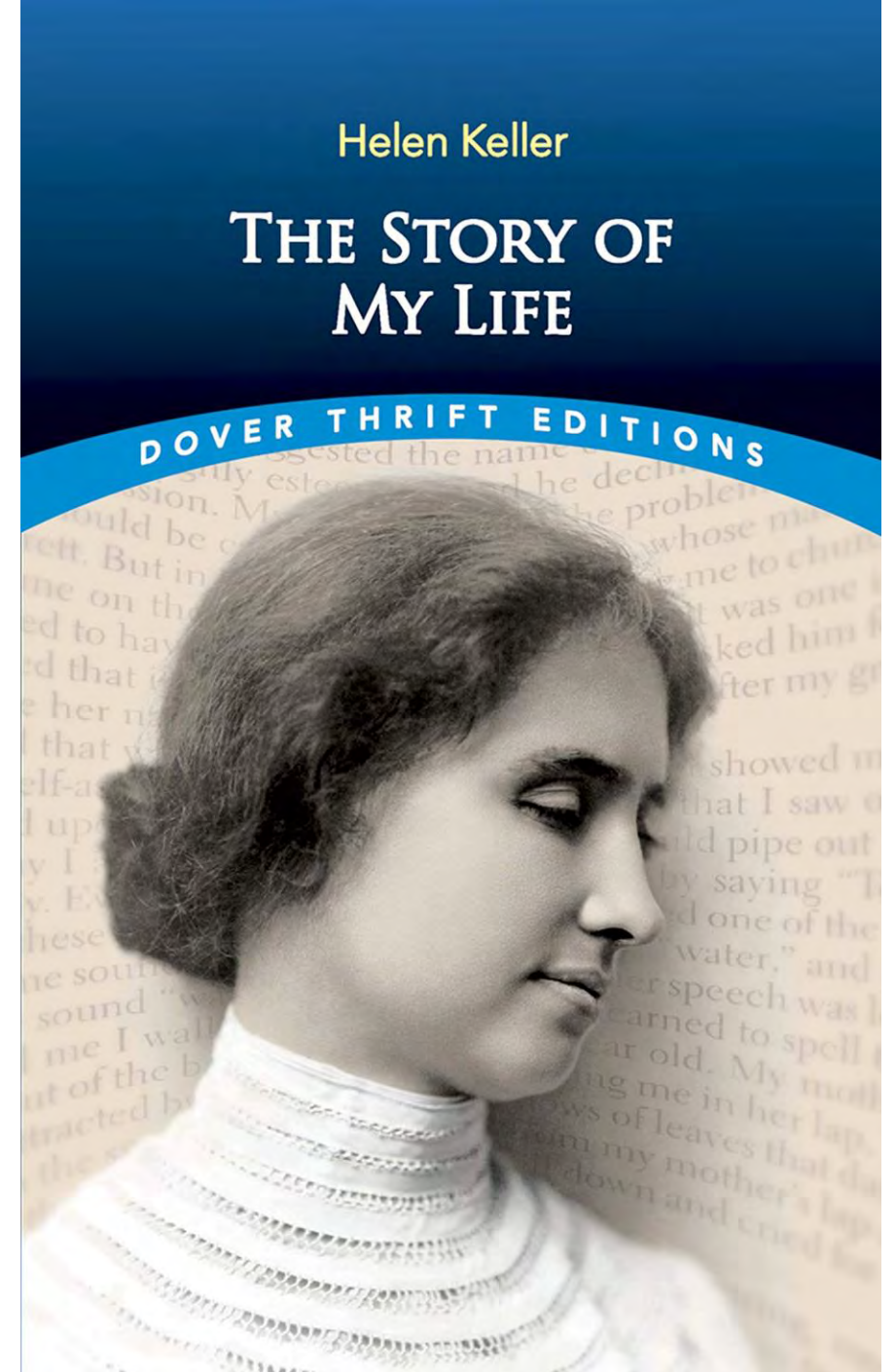
- “Multiple discrimination” refers to a situation in which a person experiences discrimination on two or more grounds, leading to discrimination that is compounded or aggravated.
- “Intersectional discrimination” refers to a situation where several grounds interact with each other at the same time in such a way as to be inseparable.

General comment No. 3 (2016) on women and girls with disabilities

deafblind=deaf + blind?
“inseparable”

- “Deafblindness is not simply deafness plus blindness, rather it is a separate and unique disability...”

(Anne Sullivan Centre for people who are deafblind)



Intersectionality ?

Intersectional Discrimination ?

- “Multiple discrimination” refers to a situation in which a person experiences discrimination on two or more grounds, leading to discrimination that is compounded or aggravated.
- “Intersectional discrimination” refers to a situation where several grounds interact with each other at the same time in such a way as to be inseparable.
- Grounds for discrimination include age, disability, ethnic, indigenous, national or social origin, gender identity, political or other opinion, race, refugee, migrant or asylum seeker status, religion, sex and sexual orientation.
- General comment No. 3 (2016) on women and girls with disabilities

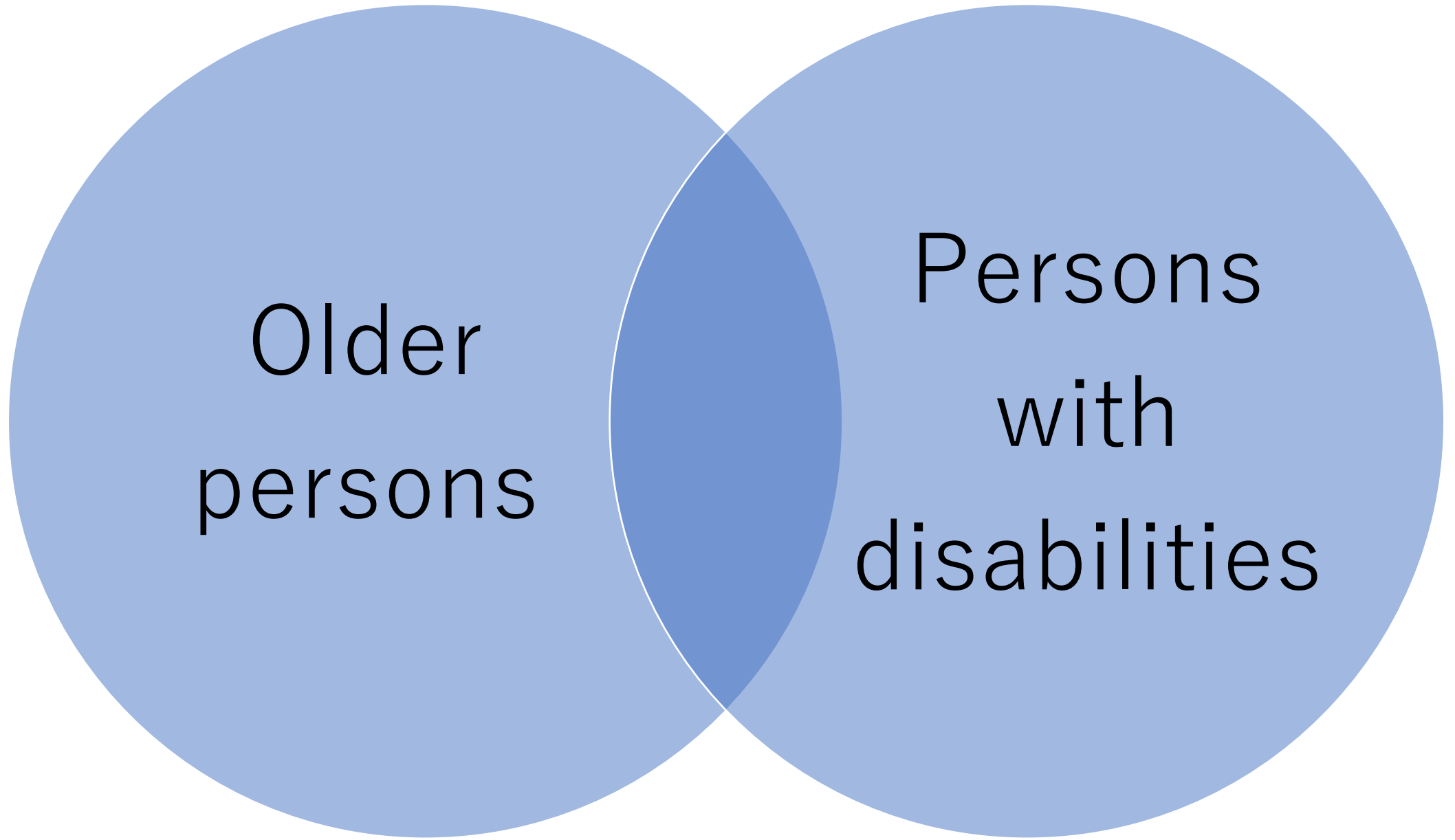
CRPD and intersectionality

- Concerned about the difficult conditions faced by persons with disabilities who are subject to multiple or aggravated forms of discrimination on the basis of **race, colour, sex, language, religion, political or other opinion, national, ethnic, indigenous or social origin, property, birth, age or other status**, (preamble p)

- **SEX:** Women with disabilities (Art. 6)
- **LANGUAGE:** “Language” includes spoken and signed languages and other forms of non spoken languages; (Art. 2)
 - Facilitating the learning of sign language and the promotion of the linguistic identity of the deaf community (Article 24)
 - Persons with disabilities shall be entitled, on an equal basis with others, to recognition and support of their specific cultural and linguistic identity, including sign languages and deaf culture. (Art. 30)
- **AGE:** Children with Disabilities (Art. 7)

Missing?

- Gender identity and sexual orientation (SOGI) : LGBTQ...
- Ageing: Older persons with disabilities



Older
persons

Persons
with
disabilities

Report on the rights of older persons with disabilities by the Special Rapporteur (SR) on the rights of persons with disabilities (A/74/186, 2019)

- the disability rights community often does not adequately reflect the interests and challenges faced by older persons, the older persons' movement often fails to understand and apply the human rights-based approach to disability.

Consequently, older persons with disabilities frequently fall through the cracks.

Report by SR : human rights challenges facing older persons with disabilities

- Stigma and stereotypes
- Equality and non-discrimination
- Autonomy and legal capacity
- Independent living and community support 2
- Freedom from violence and abuse
- Social protection
- Palliative care

Report by the SR: Fulfilling the rights of older persons with disabilities

- Reviewing legal and policy frameworks
- Taking measures in the following areas,
 - Non-discrimination
 - Community-based support
 - Accessibility
 - Access to justice
 - Participation
 - Capacity-building and awareness-raising
 - Resource mobilization
 - International cooperation

Some Policy Issues

- Relationship between old age pension and disability specific benefits (pension)
- Relationship between services under the disability services and long-term care insurance
- Equal access to healthcare, i.e., triage, age, and disability
- Institutionalization of older persons, including older persons with disabilities

Thank you. 謝謝 ありがとうございます。



Nagase Osamu 長瀬修
Nagase@an.email.ne.jp

- Eminent Research Professor, Institute of Ars Vivendi, Ritsumeikan University
- Editor, Disability & Society
- Chair of Membership Committee and Officer of Inclusion International
- Vice-Chair, CRPD Committee, Japan Disability Forum
- Board Member, Japan Society for Disability Law/Disability Equality Training Forum/Japan Society for Disability Studies