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Annex II

SUMMARY OF MEASURES CONCERNING IMPLEMENTATION OF THE DECLARATION
ON THE RIGHTS OF DISABLED PERSONS

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INTRODUCTION

1. At its thirtieth session in 1975, the General Assembly, in resolution 3447 (XXX), recalling the principles of the Universal Declaration of Human Rights, 1/ the International Covenant on Human Rights, 2/ the Declaration of the Rights of the Child 3/ and the Declaration on the Rights of Mentally Retarded Persons, 4/ as well as the standards already set for social progress in the constitutions, conventions, recommendations and resolutions of the Economic and Social Council, the International Labour Organization, the United Nations Educational, Scientific and Cultural Organization, the World Health Organization, the United Nations Children's Fund and other organizations concerned, and emphasizing that the Declaration on Social Progress and Development 5/ had already proclaimed the necessity of protecting the rights and assuring the welfare and rehabilitation of the physically and mentally disadvantaged, proclaimed the Declaration on the Rights of Disabled Persons. At its thirty-first session, the General Assembly adopted resolution 31/82 on the implementation of the Declaration, recommending that all Member States take account of the rights and principles laid down in it in establishing their policies, plans and programmes and that all international organizations and agencies concerned include in their programmes provisions ensuring the effective implementation of those rights and principles. In the same resolution, the Assembly also requested the Secretary-General "to inform the General Assembly, in the form of a summary annexed to his reports on the world social situation, of the measures adopted by Member States and by the international organizations and agencies concerned with a view to ensuring the effective implementation of the rights and principles laid down in the Declaration and of the present resolution". The present annex has been prepared in response to that request.

2. The information contained in this annex was obtained from Governments, the specialized agencies of the United Nations, and non-governmental organizations concerned with the disabled and mentally retarded, in response to an inquiry sent out in July 1977 with a follow-up note verbale circulated early in 1978. To some extent other documentation made available to the Secretariat was also used. By 31 May 1978, 38 Governments, the International Labour Organisation, the World Health Organization and six international non-governmental organizations had provided information on measures they had taken in the implementation of the Declarations on the Rights of Disabled Persons and on the Rights of Mentally Retarded Persons.

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- 1/ General Assembly resolution 217 A (III).
2/ General Assembly resolution 2200 A (XXI), annex.
3/ General Assembly resolution 1386 (XIV).
4/ General Assembly resolution 2856 (XXVI).
5/ General Assembly resolution 2542 (XXIV).

3. According to the Declaration on the Rights of Disabled Persons, such persons shall enjoy the following rights:

(a) The inherent right to respect for their human dignity; the same fundamental rights as their fellow citizens of the same age; first and foremost, the right to enjoy a decent life, as normal and full as possible;

(b) The same civil and political rights as other human beings. (For certain reservations with regard to mentally disabled persons, see para. 6 below);

(c) The right to education, to medical, functional and psychological treatment and to medical, social and vocational rehabilitation and other measures designed to enable them to become as self-reliant as possible and to develop their capabilities and skills to the maximum, thus hastening the process of their social integration or reintegration;

(d) The right to economic and social security and to a decent level of living; and, according to their capabilities, the right to secure and retain employment or to engage in a useful, productive and remunerative occupation and to join trade unions;

(e) The right to have their special needs taken into consideration at all stages of economic and social planning;

(f) The right to live with their families or with foster parents and to participate in all social, creative or recreational activities. If the stay of a disabled person in a specialized establishment is indispensable, the environment and living conditions therein shall be as close as possible to those of the normal life of a person of his or her age.

4. In addition, the Declaration provides that disabled persons shall be protected against all exploitation, regulations and treatment of a discriminatory, abusive or degrading nature and that disabled persons shall be able to avail themselves of qualified legal aid when such aid proves indispensable for the protection of their persons and property. If judicial proceedings are instituted against them, the legal procedure applied shall take their physical and mental condition fully into account. Finally, the Declaration suggests that organizations of disabled persons may be usefully consulted in all matters regarding these rights, and states that disabled persons, their families and communities shall be fully informed, by all appropriate means, of the rights contained in the Declaration.

5. The rights proclaimed in the Declaration on the Rights of Mentally Retarded Persons (General Assembly resolution 2056 (XXVI)) are largely covered by the Declaration on the Rights of Disabled Persons. The former, however, includes the following additional rights:

(a) The right to a qualified guardian when this is required to protect the person's personal well-being and interests;

(b) The right to protection from exploitation, abuse and degrading treatment.

6. Furthermore, the former Declaration provides that whenever mentally retarded persons are unable, because of the severity of their handicap, to exercise all their rights in a meaningful way or it should become necessary to restrict or deny some or all of these rights, the procedure used for that restriction or denial of rights must contain proper legal safeguards against every form of abuse. This procedure must be based on an evaluation of the social capability of the mentally retarded person by qualified experts and must be subject to periodic review and to the right of appeal to higher authorities. By the Declaration on the Rights of Disabled Persons, this provision was extended to apply to mentally disabled as well as mentally retarded persons.

7. In proclaiming the Declaration on the Rights of Disabled Persons, the General Assembly called for "national and international action to ensure that it will be used as a common basis and frame of reference for the protection" of the rights set forth in it. The Assembly also expressed its awareness of the fact that certain countries, at their present stage of development, can devote only limited efforts to the implementation of the proclaimed rights.

I. DECLARATION ON THE RIGHTS OF DISABLED PERSONS

Measures taken by Governments

8. Information received from Governments refers, in general, to services provided to disabled persons and to laws and regulations affecting them, either enacted prior to the adoption of the Declaration on the Rights of Disabled Persons or, in cases where such measures had already been decided upon, improved or amended after its adoption. Most of the legislative measures mentioned - even constitutions were referred to in some cases - were enacted during the past few decades and concerned themselves with different kinds of rehabilitation services which should be provided to disabled persons and the conditions under which they should be provided. If fully implemented, they would ensure the enjoyment by disabled persons of at least some of the rights proclaimed in the Declaration, including the provision of education, rehabilitation services and other, similar, measures designed to enable disabled persons to become as self-reliant as possible, hasten the process of their integration and provide them with economic and social security, employment or some other form of productive and remunerative occupation.

9. In this connexion it may be noted that the United Nations recently published two studies on legislation affecting disabled persons, namely, "Comparative study on legislation, organization and administration of rehabilitation services for the disabled" (ST/ECA/28) and Recent Trends in Legislation Concerning Rehabilitation

Services for Disabled Persons in Selected Countries, ^{1/} issued in August 1976 and November 1978, respectively. It is considered unnecessary, therefore, to describe those legislative provisions in detail in the present report. Related information on services available in different countries for certain groups of disabled persons as well as on the kinds of problems disabled persons are facing in their efforts to integrate or reintegrate themselves into community life is contained in several other recent United Nations publications; they are listed in the appendix to the present report.

10. Several Governments pointed out that the constitutions of their countries ensured the rights of all their peoples, including the disabled, to, among other things, education, health protection, employment and - in cases of a disability that may prevent gainful employment - to proper maintenance by means of pensions or other services. Such assertions were obviously meant to indicate that the respective rights as proclaimed in the Declaration were being implemented.

11. In Belgium, numerous laws and regulations affecting disabled persons, enacted since 1938, seek to ensure to them the right to human dignity, vital minimum necessities, adapted accommodation and an adapted environment, medical treatment, both physical and mental, vocational rehabilitation and adapted work on other gainful activity, and participation in civil and social activities. In Chile, medical and social rehabilitation programmes, instituted in accordance with legal provisions enacted since 1952, ensure the application and continuing follow-up of the rights of disabled persons as well as their integration into community life. In El Salvador, by virtue of laws and regulations enacted since 1904, the rights of disabled persons are protected and their welfare and integration into normal life ensured. Also, their human dignity and their right to a decent life, as normal and full as possible, are respected, and the enjoyment and exercise of the other rights enumerated in the Declaration are not denied to anyone.

12. Disabled persons in Finland enjoy the same fundamental civil and political rights as their fellow citizens. Previously, disabled persons were often exempted from compulsory education. Since the Mental Subnormality Act entered into force on 1 January 1978, even mentally retarded persons have had a subjective right to education. The possibilities for disabled persons to participate in elections have been facilitated by the provision of special voting facilities in different institutions. Special assistants helping disabled persons to vote have also been provided. State funds are provided for the purpose of employing assistants to help severely disabled persons in their daily activities at school. Housing and transportation services, combined with home help, where necessary, are provided for the purpose of making it easier for severely disabled persons to live at home and to attend classes or training or be employed. Guidelines for environmental planning have been formulated which take into account the needs of disabled persons. In addition, service apartment houses, where the special needs caused by a severe disability have been taken into consideration, have been built for

^{1/} United Nations publication, Sales No. E.78.IV.1.

severely disabled persons. Their number, however, is not yet sufficient. These services and other benefits are provided by virtue of a number of different laws specifying the conditions under which services and benefits are awarded. In general, disabled persons have a right to hospital treatment, rehabilitation, aids and appliances and education as well as other, related, treatment methods. There is, in general, no discrimination against disabled persons, nor are there any regulations of a discriminatory nature. No special legal aid is provided for the disabled, but the general public legal aid is at their disposal. There are no interpreter services for deaf persons and those with defective hearing, even though these are considered necessary. Organizations of disabled persons are active and they are consulted when matters concerning disabled persons arise. Publicity is provided for them by means of the mass communications media, the organizations of disabled and the competent authorities.

13. The Government of the German Democratic Republic acts, in implementing its general social policy, in conformity with the provisions of the Declaration, and the country's constitution as well as numerous laws and regulations guarantee to disabled persons, as a matter of principle, the same rights that other citizens enjoy. Among these are the right to social security, to work, to education, to leisure time and recreation as well as to the protection of health and the capacity for work. Reference is made, in particular to a recent decision of the Council of Ministers and the most recent revision of the Labour Code of 16 June 1977, both of which are designed to better ensure, among other things, the rights of disabled persons. The Government also referred to its intention of making use of the preparatory work on the International Year for Disabled Persons to promote the exchange of experience and results gained as well as methods used in efforts to integrate disabled persons into community life.

14. In the Federal Republic of Germany, disabled persons enjoy the same rights as the non-disabled do. The specific rights enumerated in the Declaration are guaranteed to them through the programme of action for rehabilitation adopted by the Government in 1970 and in the subsequent corresponding legislation, in particular, the Disabled Persons Act of 1974. According to that Act, severely disabled persons, as it defines them, have the right to be employed and to have their working places adapted, where necessary, according to the requirement of their disabilities; the right to upgrading and retraining; the right to an extended annual vacation, and special protection against being arbitrarily laid off, among other measures. The implementation of these provisions is supervised by the governmental agencies concerned. Disabled persons may also seek the help of special shop-stewards for the severely disabled, elected in each working place with at least 50 workers or employees, to represent them. The disabled who, despite these and other measures, are not able, physically or mentally, to undertake regular employment, have the possibility of being employed in one of numerous sheltered workshops that have been established throughout the country. Additional ones will be set up in the near future.

15. The Government of India has pointed out that disabled persons with physical and mental impairments constitute the weakest segment of the population and that

sustained efforts are required if their training, education and rehabilitation be ensured. The experience in India has shown that with proper education and training a majority of the country's disabled persons can be enabled to live as self-reliant citizens and make contributions of their own towards the enrichment of life in the community.

16. According to the Government of Iraq, the Declaration is compatible with its approach to the provision of care and rehabilitation services for disabled persons, including the use of current medical and scientific knowledge in producing appropriate technical aids and appliances and of foreign expertise in the development of vocational rehabilitation services; the expansion of teaching and training facilities in medical rehabilitation; studies on the requirements of disabled persons for housing and special equipment, and encouraging employers to employ more disabled persons.

17. The Government of the Libyan Arab Jamahiriya is strongly committed to fulfilling the needs of the disabled for protection, care and guidance, to providing them with educational and professional opportunities and to rehabilitating them and integrating them into society with the objective of enabling them to become productive and constructive elements of society and well adjusted psychologically. To this end, a rehabilitation department was established in 1973 in the Ministry of Health with responsibility for supervising rehabilitation services at hospitals and centres for the care of the disabled as well as devising programmes for their medical and vocational rehabilitation. The department was also made responsible for the supervision of the polio sanatoriums for children and for work in the field of rehabilitating the deaf and the dumb. Within the context of the implementation of the programmes, plans and internal policies of the Ministry of Health, a great deal of attention is being paid to rehabilitation services as part of the 1976-1980 five-year plan. In addition, the Secretary of Social Affairs and Social Welfare has plans to undertake social studies and research projects, including a census of the disabled, and to supervise the extension of financial and moral assistance to non-profit organizations working for the disabled.

18. Physically disabled persons in the Netherlands enjoy the same civil rights as other citizens. They are entitled to a vast range of rehabilitation services for which opportunities have been extended through recent legislative amendments. Increasing emphasis is given to arrangements for independent living rather than institutional care, i.e., the adaptation of houses, the provision of necessary services through community health and social welfare agencies and improvement of the accessibility of public buildings and facilities. The organizations representing disabled persons are actively promoting their rights and a Council for the Disabled has been established to co-ordinate the work of different organizations. The Declaration has been given wide publicity in the publications of those organizations.

19. The Government of New Zealand pointed out that, when the Declaration was proclaimed, legislation which provided for the implementation of the proclaimed rights already existed. The provisions of the Disabled Persons Community Welfare

Act of 1975 are particularly significant in this respect. The Act reinforces the principle that the proper place for disabled persons is in the community and that they have the right to live in an environment which does not discriminate against them. Among the most recent measures in favour of handicapped children is the approval given by the Government in July 1977 for relocation allowances to be paid to parents of handicapped children who are required to move in order to obtain special education for their children not available within a reasonable distance of their home. The scheme is designed to enable handicapped children, during schooling, to live at home rather than at hostels or foster homes.

20. The Constitution of Pakistan contains a specific provision for making available the basic necessities of life to persons unable to earn their living. Welfare and rehabilitation services available to disabled persons include curative, medical, educational and vocational training services. These are provided by both public and private institutions and seek to improve the functional and psychological capacities of disabled persons and their integration or reintegration into family, community and occupation. Special services are available for the blind, deaf, mentally retarded, those suffering from leprosy and, through a special foundation, for disabled ex-servicemen.

21. In Poland there exists a system of comprehensive rehabilitation services provided by the State for the benefit of disabled persons. These are complemented by those offered by the Union of Invalids' Co-operatives which specifically seek to employ severely disabled persons and provide them, in addition, with special medical care they may require, medical and vocational rehabilitation and leisure-time activities.

22. A system of comprehensive rehabilitation services existed in Sweden even before the Declaration was proclaimed, and through it, disabled persons enjoyed the proclaimed rights. The most recent developments concerning those services seek, in particular, to improve the possibilities for even severely disabled persons, to enjoy their rights more fully as well as participate in all aspects of community life. With regard to education, for instance, the efforts to integrate handicapped children with the non-handicapped in kindergartens as well as nursery, primary and secondary schools are being intensified. One upper secondary school was recently specially adapted to accommodate students with severe physical handicaps. The attendance at colleges and universities of severely disabled students is being promoted through such measures as the rendering of textbooks into Braille or tape recordings and the provision of reading services, transportation and other personal assistance. Employment opportunities have been increased through such measures as the establishment of adjustment teams in places of work, with the goal of helping older and disabled workers keep their jobs, subsidized salaries and wages for severely disabled persons, assistance in the adaptation of work places by means of the necessary structural changes and installation of technical aids and support for work performed at home. In general, disabled persons are entitled to obtain, free of charge, different kinds of technical aids which improve their ability to carry out, unaided, their necessary daily activities at home, school or place of work. Research on new, innovative and improved technical aids continues. These efforts greatly improve the possibility for the disabled to lead decent lives, an objective which is further promoted through payments for adjustments required in the dwellings of disabled persons, e.g., eliminating thresholds, broadening doors, reconstructing kitchens and bathrooms and installing lifts.

23. For those disabled persons who, because of their disabilities and the design of the means of public transport, cannot use public transport facilities, local authorities throughout the country are attempting to provide special individual or group transport, at the same cost. Recently, a 10-year plan was set up to create a barrier-free public transport system. By law, dwellings and those parts of all buildings used by the general public or as working places shall be designed in a manner making them accessible to and usable by persons whose mobility or orientation ability is restricted by age, disability or sickness. Buildings with no more than two storeys are exempted from installing elevators. Recommendations were recently formulated by a State committee on handicapped persons to render cultural services more accessible and usable, so that, among other things, the deaf could understand those parts of television programmes that others hear and the blind could read or listen to a greater number of books, periodicals and newspapers than is the case at present. Representatives of disabled persons participate actively in the promotion of the kinds of measures described above. In each county there is a council for the handicapped, with representatives of associations of and for the disabled as members. There are similar councils also in a great majority of the municipalities. The councils, as advisory bodies to corresponding country and local authorities, deal with all matters concerning disabled persons and their rehabilitation.

24. The Government of the Union of Soviet Socialist Republics stated that under the country's constitution, disabled persons enjoy all the rights set out in the two Declarations and that, in general, citizens of the Soviet Union have the right to work - that is, to guaranteed employment and pay in accordance with the quantity and quality of their work, to rest and leisure, to health protection ensured by free and qualified medical care, to maintenance in old age, sickness and in the event of complete or partial disability, to housing, education and the enjoyment of cultural benefits - all of these guaranteed through various social security provisions. It is a duty and function of the State to ensure the material security of citizens who are unable to work, including disabled and mentally retarded persons. Rehabilitation services are an integral part of the State system of public health, social security and education. Most disabled persons live with their families and, together with other members of the family, participate actively in all kinds of public activities. Like all Soviet citizens, they are entitled to qualified legal assistance, even in criminal cases. In cases involving deaf and dumb or blind persons or others prevented by a physical or mental handicap from exercising their right to defend themselves, a legal counsel must take part in judicial proceedings, even if the defendant declines counsel. Disabled persons and their families are informed of their rights through the ordinary mass communications media and periodicals published by social security authorities and organizations concerned. The above information applies also to the Byelorussian and Ukrainian Soviet Socialist Republics.

25. The Government of the United Kingdom of Great Britain and Northern Ireland fully subscribes to the aims of the Declaration and has been working towards their realization for a number of years. It is fully committed to ensuring that disabled

people are able to preserve their dignity and self-respect and has as its goal an improvement in the quality of life for all disabled people. Recent legislation has done much to support disabled people in their efforts to live lives as full and independent as possible. Physically disabled people enjoy the same civil and political rights as those who are not disabled, except where the nature of the handicap inevitably imposes restrictions - as in the case of blind people who are exempted from jury service and similar legal obligations. Disabled people are helped to become self-reliant through a combination of services, including primary health-care teams, special education and employment services; personal social services such as home help, meals in the home and social worker support; cash benefits and appropriate rehabilitation. Wherever possible, support services are provided to help disabled people remain in their own homes rather than enter residential care. Where they are required to promote self-reliance, a wide variety of aids and equipment can be supplied. Training in their use and follow-up services are also provided.

26. In the United Kingdom disabled people and non-disabled people alike are eligible to receive, free of charge, such medical treatment and rehabilitation services as they require. In the past few years it has been part of the Government's policy that medical rehabilitation services should be improved and expanded. Moneys were allocated from central funds to enable hospitals and centres carrying out good practice in medical rehabilitation in England to be designated as demonstration centres. Local authority social service departments and non-governmental organizations make an important contribution to social rehabilitation in providing, among other things, day centres, whose activities encourage social integration and may provide education and training opportunities. By recent legislation, children formerly considered ineducable were brought within the scope of the education system. Thus, since 1971 (1975 in Scotland) all children of compulsory school age, whether handicapped or not, have been entitled to efficient full-time education suitable to their ages, abilities and aptitudes. This will be taken a stage further when section 10 of the Education Act 1976 (applying only in England and Wales) comes into force on a day yet to be appointed. This legislation will ensure that, so far as may be practicable, handicapped children shall be educated in ordinary schools. In Northern Ireland, where separate legislation applies, the position is broadly similar. In further and higher education, provision for the handicapped is made through the normal facilities at those levels provided by local education authorities, universities and some voluntary bodies. Disabled persons have the same rights as the non-handicapped to mandatory grants and the same access to discretionary grants but in addition are eligible for additional payments in respect of their special needs.

27. In the United Kingdom, schemes and services to help disabled people to choose, train for, find and keep the right jobs are run by the Manpower Services Commission under the general guidance of several Ministries. The Commission was set up in 1974 and includes representatives from both sides of industry. It provides special training facilities for disabled people in four residential training colleges, but most disabled trainees participate in ordinary training courses run by the Commission in its own skill centres and other training establishments. To provide

essential support for future policy in this field, the Commission has set up a new Employment Rehabilitation Research Centre to evaluate existing procedures. The effectiveness of the service will be assessed, and ways of improving and developing it will be devised over the next three to five years. The Commission provides a specialist resettlement service for disabled people, run by over 500 Disablement Resettlement Officers working from job centres, employment offices and some hospitals. Their main tasks are to help disabled people find and keep suitable jobs and to help employers recruit suitable disabled people and make the most efficient use of their services. Supporting the service are several schemes designed to give disabled people the extra help they need in order to compete on equal terms with able-bodied people with similar qualifications. The Commission also has responsibility for co-ordinating, developing and financially supporting sheltered employment facilities. Underlying all the other schemes and services is the "quota scheme" under which all employers of 20 or more people have a statutory obligation to employ at least 3 per cent registered disabled people. Difficulties have been encountered in the attempts to enforce the scheme strictly, and the Commission has recently been placing increased emphasis on seeking the voluntary co-operation of employers and trade unions in improving employment opportunities for disabled people. The future of the quota scheme is likely to be reviewed by the Commission in the next few years. Employment services for disabled people are founded on two long established principles: that the majority of disabled people are potentially capable of working on their merits in ordinary jobs, and the chief aim of policy should be to provide the necessary assessment, rehabilitation, training and placement services to achieve this, supplemented by a quota scheme; and that sheltered employment should be provided for the few who, on account of the severity of their disability are unlikely to be capable of open employment, at least for a substantial period of time. Accordingly, the main objectives of the United Kingdom's services for disabled people are to enable disabled persons to make the most of their capabilities and realize their potential, and to enable them to compete on equal terms with able-bodied people. Disabled workers have the same right to join British trade unions as do able-bodied workers. The Government acknowledges in particular the rights of disabled people outlined in paragraph 6 of the Declaration and provides services and schemes to make sure that disabled people are able to exercise those rights.

28. The United Kingdom has a comprehensive system of social security benefits, and disabled people who have contributed the required amount and satisfied other conditions for receipt of those benefits are entitled to them on the same basis as all other members of the population. It is mandatory by law to appoint disabled people to certain advisory committees, and those responsible for appointing persons to committees, councils and commissions that are concerned with matters concerning the interests of the chronically sick and disabled are required to consider the appointment of an individual who is disabled or has special knowledge of the problems facing disabled people. The planners and designers of new buildings or of major adaptations to existing buildings are required to take into account the special needs of disabled people in respect of access to and within the building, the provision of parking facilities and of special sanitary conveniences. The

relevant Act was recently amended to extend those provisions to places of employment. A wide range of additional support services exists for disabled people and their families, so that disabled people can receive such care as they need within the community, wherever possible. Any person charged with an offence who has not the means to pay for his defence may apply for legal aid. An unrepresented defendant who appears to the court to be significantly disabled will normally be given legal aid (subject to means) even without application, and the requirement for a statement of means may also be waived if it appears that the defendant is incapable of supplying it. Organizations of disabled people are regularly consulted, along with professional bodies and local governmental organizations, on all matters which concern them and were informed of the contents of the Declaration on its adoption. Many have given it wide publicity. The Government provides information on the full range of services available to disabled people. A comprehensive leaflet, "Help for handicapped people", and other leaflets are available free from local social security offices.

29. The measures described play an important part in implementing the Declaration but clearly much can still be done to improve the quality of life experienced by disabled people. The speed with which services can become more widely available and new objectives met must depend largely on the resources available. Equally important, however, is the less tangible work of influencing public attitudes and combating discrimination, and this continues at many levels. The appointment of the Minister for the Disabled has given disabled people a new element of protection, since he can be appealed to for help if any case of exploitation or discrimination occurs.

30. The Government of the United States of America referred to the most recent federal legislation on the disabled, notably, the Rehabilitation Act of 1973, as having brought about significant and favourable changes in services and benefits concerning disabled persons. The Act's provisions that deal with the civil rights of disabled persons in particular (the federal regulations implementing the provisions of the Act entered into force on 1 June 1977) are directly relevant to the objectives of the United Nations Declaration. Section 504 of the Act provides that "no otherwise qualified handicapped individual ... shall, solely by reason of his handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance". Accordingly, all recipients of federal assistance must ensure that their programmes and activities are operated without such discrimination and that, among other things, they are accessible to the disabled. Other sections of the Act provide, for instance, for the means of ensuring compliance with the prescribed standards, which require that all buildings and facilities owned, occupied or financed by the Government be accessible to and usable by physically handicapped persons and that the employers who do contract work for the federal Government (their number is about 2 million) take affirmative steps to assure equal consideration for handicapped job applicants, even to the extent of making extra accommodations where necessary. An Office of Handicapped Individuals has been set up in the Department of Health, Education and Welfare to serve as the focal point within the Department for review, co-ordination,

information and planning related to policies, programmes, procedures and activities relevant to physically and mentally disabled persons. From 10 April 1978 on, disabled people who believe they have been discriminated against in employment by federal departments and agencies will have a complaint procedure available to them for seeking redress. The Civil Service Commission has published a set of regulations implementing a 1948 law making it illegal for federal departments and agencies to discriminate against disabled people in employment. These regulations will allow disabled people who have complaints to use the same Equal Employment Opportunity procedures that were made available to women and minorities under the Civil Rights Act of 1964.

31. With regard to handicapped children, other current legislation in the United States requires that, for each handicapped child, an individualized education plan must be developed and that there must be annual assessment of the child's accomplishments. The states receiving federal assistance for the education and habilitation of developmentally disabled persons must have, in effect, a system to protect and advocate the rights of such persons. It should have the authority to pursue legal, administrative and other appropriate remedies to insure the protection of their rights. Other recent measures taken by the Government include the establishment of an Office of Independent Living for the Disabled in the Department of Housing and Urban Development, to work for alternative housing environments for the disabled; the requirement issued by the Department of Transportation that all public buses be made accessible to disabled persons; and a regulation forbidding airlines to arbitrarily deny seats to physically disabled travellers, provided those travellers meet certain established requirements.

32. The Government of the United States also submitted a comprehensive report on the White House Conference on Handicapped Individuals, held in May 1977. In authorizing the holding of the Conference, the Congress of the United States stated "it is of critical importance to this Nation that equality of opportunity, equal access to all aspects of society and equal rights guaranteed by the Constitution of the United States be provided to all individuals with handicaps" and "it is essential that recommendations be made to assure that all individuals with handicaps are able to live their lives independently and with dignity". The Conference dealt with, among other things, the educational, economic, health and social concerns of disabled persons as well as their civil rights. On each of these and other subjects the Conference adopted a great number of recommendations and resolutions for action by the federal, state and local governments.

33. The Governments of Bolivia, Egypt, Ecuador, Greece, Hungary, Iran, Jordan, Malaysia, Niger, Singapore, Spain, Suriname, Tunisia and the United Republic of Cameroon, described, without referring to any of the specific rights enumerated in the Declaration, the existing and often long-standing services that have been set up in their countries to rehabilitate disabled persons as well as legislative measures under which such services are provided. The latter include statutes obliging employers with a certain (varying) minimum number of employees to employ disabled persons up to a percentage of the total labour force, reserving a certain percentage or certain kinds of jobs in public administration and state enterprises for rehabilitated disabled persons, and stipulating the conditions under which

artificial limbs and other orthotic or prosthetic appliances are provided to disabled persons, at the expense of the State or a social security scheme. These kinds of legislative provisions and corresponding rehabilitation services no doubt greatly help disabled persons in the countries concerned to obtain some or all of the rights contained in the Declaration, notably the rights to rehabilitation services, education and employment. However, hardly any of these measures were undertaken as a result of the Declaration; most were taken prior to its adoption and irrespective of it. This fact, of course, does not lessen the importance of the measures.

Measures taken by the specialized agencies of the United Nations

34. The International Labour Organisation (ILO) pointed out that while the Declaration on the Rights of Disabled Persons in its entirety is of direct concern to the organisation, operative paragraphs 5-7 are particularly applicable, stressing as they do the rights of the disabled to vocational rehabilitation and placement services to enable them to become as self-reliant as possible and to hasten the process of their integration or reintegration into society as well as their rights to economic and social security, to secure and retain employment or engage in useful, productive work and to join trade unions. This part of the Declaration reinforces ILO recommendation 99 concerning vocational rehabilitation of the disabled and the resolution on the same subject adopted by the International Labour Conference at its sixtieth session in 1975; both, *inter alia*, stress that vocational rehabilitation services should be made available to all disabled persons, whatever the origin and nature of their disability and whatever their age, provided they can be prepared for and have reasonable prospects of securing and retaining suitable employment, and that to provide help for vocational rehabilitation and social reintegration of disabled persons is both a humanitarian duty and a requirement imposed by human solidarity.

35. Since the adoption of the Declaration, the ILO has made every effort to bring it to the notice of Governments, employers and trade union organizations and non-governmental organizations concerned with the disabled. ^{2/} Furthermore, in connexion with its technical co-operation projects in vocational rehabilitation, every opportunity has been taken to embody the principles of the Declaration in the planning of services designed for the social and vocational reintegration of the disabled. Specific new projects envisaged or already planned in the immediate future include a regional (Caribbean) seminar on vocational rehabilitation of the mentally retarded; the production of sound/slide presentations for public information and staff training programmes which will emphasize the right of all disabled persons to vocational rehabilitation services and employment; expansion of the documentation/information service through which Governments, employers, trade unions and all those interested in the disabled are kept informed of vocational

^{2/} See, for instance, International Labour Review, vol 115, No. 3 (May-June 1977), p. 351.

rehabilitation and employment possibilities for the disabled. Special attention will also be given to promoting the vocational needs and rights of those disabled - hitherto much neglected - who reside in rural areas.

36. In the field of social security, too, the rights and needs of the disabled, as advocated in the Declarations, will not be neglected. In this connexion, the ILO intends to assess the extent of existing gaps, both in developed and developing countries, and identify areas where improvement is possible. For this purpose, and, in order to advise the Governing Body on further action of the ILO in this field, a meeting of selected members of the Committee of Social Security Experts will be held in the biennium 1978-1979. Other action will be taken in connexion with the activities the ILO is planning for International Year for Disabled Persons, during which the principles of the Declaration will undoubtedly be taken into account.

37. At its twenty-ninth session the World Health Assembly considered the report of the Director-General on disability prevention and rehabilitation. Recognizing that existing services are often costly and the coverage inadequate and that an extension of the present pattern of services is unlikely to meet the needs of most countries, the Assembly recommended that the policy of the World Health Organization (WHO) on disability prevention and rehabilitation be oriented towards the promotion of effective measures for the prevention of disability; encouragement of the application of effective approaches and appropriate technologies to prevent disability, while integrating disability prevention and rehabilitation into health programmes at all levels, including primary health care; emphasis on those problems of disability that can be solved most efficiently and effectively and in a manner acceptable to the population in question; and the inclusion of the appropriate disability prevention and rehabilitation methods into the training of all relevant health workers. The Assembly also decided to draw the attention of member States to the importance of disability prevention and rehabilitation as an integral part of health and social services and to the need for collaboration between all agencies concerned with health promotion, including social welfare services.

38. The programme set up to implement this policy hinges on the establishment of collaborating centres in a number of countries within the six WHO regions for the purpose of undertaking surveys of the needs of disabled persons; developing appropriate technology for the disabled; developing a new information system; studying the most effective ways by which disability in the productive age can be diminished; and studying the most effective methods of delivering services at the primary health-care level.

Measures taken by non-governmental organizations

39. The Council of World Organizations Interested in the Handicapped distributed the text of the Declaration on the Rights of Disabled Persons to its member international non-governmental organizations, urging them to bring it to the

attention of national affiliates. Issues relevant to the provisions of the Declaration have been included on the agenda of the annual plenary meetings of the Council. A statement of employment policy, reflecting the need to guarantee the rights of disabled persons, was approved in 1976 and conveyed to all member organizations with the recommendation that it be incorporated in their personnel policies. The text was also made available to the United Nations and its specialized agencies with the recommendation that its principles be included in their personnel policies.

40. The International Federation of Disabled Workers and Crippled Civilians (known as FIMITIC, acronym of its French name) welcomed the proclamation of the Declaration on the Rights of Disabled Persons and urged its affiliates in different countries to support the objectives of International Year for Disabled Persons and also seek the support of their respective Governments in the implementation of the Declaration. The FIMITIC's new social policy programme, adopted by its Executive Board in November 1977, in reference to the United Nations Declaration, calls upon all countries to adopt comprehensive laws on rehabilitation of the disabled and emphasizes the rights of disabled persons to optimal education, training and medical and vocational rehabilitation, with the greatest possible independence as the goal of these measures; to the development of their personality in a way worthy of human dignity; and to participation in the social and cultural life of their communities. The major prerequisite for full participation, according to the FIMITIC programme, is the avoidance or elimination of architectural and other man-made barriers.

41. Since Rehabilitation International and its member organizations have as their raison d'être the protection and advancement of the rights of disabled persons, the activities of this network of organizations contribute in general to the implementation of the provisions of the Declaration.

42. Particularly relevant actions have included the publication of the Declaration in International Rehabilitation Review, the distribution of copies of the Declaration to its member organizations, requesting them to report on measures for its implementation, and the completion of plans to publish in 1978 a booklet containing the texts of United Nations and other related statements of policy relative to the rights of disabled persons. The Second International Conference on Legislation Concerning the Disabled, held in Manila in January 1978, produced the Manila Statement, a set of principles for the preparation of legislation relevant to the rights of disabled persons in newly independent developing countries. The governing bodies of Rehabilitation International have held special sessions to consider the issues involved in obtaining greater participation of disabled persons in international rehabilitation activity; they have also authorized a survey of opinion on those issues and an international workshop on the topic as part of the fourteenth World Rehabilitation Congress, to be held in Canada in 1980.

43. Among actions at the national level, in addition to their ongoing programmes in this field, Rehabilitation International affiliates reported the following:

- (a) The publication and distribution of pamphlets describing the rights of disabled persons and their means of access to facilities for rehabilitation and other services;

- (b) The preparation and distribution of a poster reproducing the United Nations Declaration;
- (c) The organization of national workshops on specific areas of rights of disabled persons such as voting rights, law enforcement and other legal rights;
- (d) Initiatives to bring about increased participation of disabled persons in both governmental and voluntary bodies dealing with policies and programmes related to disability;
- (e) Intensified campaigns to achieve the elimination of architectural barriers and provide access for disabled persons to public transportation and other facilities;
- (f) In one country, a travelling exhibition on the rights of disabled persons and available services, displayed in supermarkets and community buildings throughout the nation.

44. The World Council for the Welfare of the Blind (WCWB) also circulated the Declaration on the Rights of Disabled Persons among its affiliates and requested them to ask their respective Governments for action in the implementation of the Declaration. The First International Congress on Services to Deaf-Blind Youth and Adults, organized under the auspices of WCWB in September 1977, adopted a resolution on the rights of deaf and blind persons. In addition to the rights included in the United Nations Declaration, the resolution, amplifying those rights to some extent, also contains the following specific rights applying particularly to the needs of deaf and blind persons:

- (a) The right, every day of the year and at times they themselves decide, to the services, free of charge, of an interpreter who is well acquainted with the deaf/blind person's way of communicating;
- (b) The right to information about daily events in a medium they are able to understand and access to literature by means of a process that enables them to "read" books on their own.

45. The resolution also encourages the establishment of clubs or associations of deaf and blind persons through which they can make their joint demands and wishes known.

46. The World Federation for the Deaf pointed out that in 1971 the Federation's Assembly adopted the Declaration of the Rights of the Persons with Impaired Hearing which contains the same basic principles, in different words, as the United Nations Declaration on the Rights of Disabled Persons, but which, in addition, emphasizes some of the specific needs of the hard-of-hearing and the deaf, particularly in the fields of education and communication. The Federation thus fully supports the aims of the United Nations Declaration and is promoting its implementation at the national level through the Federation's affiliates.

II. DECLARATION ON THE RIGHTS OF MENTALLY RETARDED PERSONS

Measures taken by Governments

47. The situation is somewhat different with regard to the Declaration on the Rights of Mentally Retarded Persons. Since it was proclaimed in 1971, there has been more time available to make it known and have its contents discussed in international, regional and national meetings. It was pointed out by the Government of Jordan that the Declaration has been given wide circulation in the Arab region, particularly after the First Arab Regional Conference on Mental Retardation, which was held in 1975, and that this fact has helped to bring about a wider awareness of the prevailing problems and needs in this regard as well as a more serious commitment to their solution and satisfaction on the part of both official authorities and voluntary groups. The Declaration has even led to some concrete measures which might not have been taken - at least not up until now - had it not been adopted. Thus, for instance, in a federal district court in the state of Alabama, United States of America, the judge enjoined the state to give better services to the mentally retarded persons in a certain institution, basing his ruling, inter alia, on the second article of the Declaration. 1/

48. The Government of Guatemala, pointing out first that under the country's constitution children and the disabled should be given special protection, described the measures taken by the Directorate of Special Education Assistance, Social Affairs Secretariat, Office of the President of the Republic, to provide education and rehabilitation services to mentally retarded persons, particularly the establishment and operation of a centre for special education, opened in 1974. Reference was also made to a new code on minors which was discussed by the Guatemalan Parliament in 1977 and which would, when adopted, ensure the protection and education of mentally retarded children in Guatemala. Together with this code, first efforts have been made to draft a new law concerning the mentally retarded which would comply with the principles of the Declaration on the Rights of Mentally Retarded Persons.

49. The Government of Kuwait stated that mentally retarded persons, like all other citizens, are provided, free of charge, with education, employment, medical care and social welfare, and that institutions have been established in which mentally retarded persons who are trainable and can benefit from rehabilitation services are given those services. Those among them who are educable are enrolled in non-residential special schools and provided with all the necessities (books, tools, clothing, transport). They may later go to vocational training centres. Those for whom other employment cannot be found are admitted to sheltered

1/ The New York Times, 14 April 1972, p. 79.

workshops. As far as possible, mentally retarded persons attend non-residential institutions and efforts are made to facilitate their living with their families. Welfare homes have been established for those in whose cases these efforts fail. By law, each mentally retarded person in Kuwait has a guardian, either the father or a family member and, in the latter case, the Ministry of Justice exercises control and supervision over the guardianship. Moreover, protection against abuse is provided by law.

50. In the Libyan Arab Jamahiriya, the following steps are envisaged, in the context of implementation of the current national plan: to establish day-care centres for the care, medical treatment and vocational and social training of the mentally retarded in their own neighbourhoods; to provide social, educational and medical services to the mentally retarded and their families in their homes; to establish rehabilitation centres for the disabled, including the mentally retarded, and to undertake studies and research projects in order to examine and understand the causes, conditions and problems that foster the incidence of mental retardation and mental and psychological diseases.

51. In Poland, free medical care is available to practically all citizens, including the mentally retarded. A new bill for a law on mental health has been drafted which would provide legal safeguards against improper treatment and institutionalization. Mentally retarded children are provided with free education in special classes in ordinary primary schools or special primary schools and special vocational schools, or, for the moderately and severely retarded, at "schools of life". A system of special nursing schools for the latter groups is at its initial stage of development, and preparatory work for reforming the entire special education programme is under way. With regard to the right to employment, it is the duty of the Invalids' Co-operatives to secure further training and suitable gainful occupation in co-operative enterprises for mentally retarded school leavers, should it not be possible for them to find jobs elsewhere. Mentally retarded persons are covered by the State social security scheme and the complementary social assistance programmes of trade unions and social organizations.

52. Different forms of assistance, including day-care centres, vacation camps, counselling and special family allowances, are available in order to enable parents to keep their mentally retarded children at home. There are not yet enough suitable housing facilities for those habilitated mentally retarded adolescents and adults who could be enabled to live under limited supervision. An increase in such facilities is being considered. Under Polish law, mentally retarded persons enjoy full citizenship and civil rights except in cases where limitations have been established by court action. In case of incapacitation, a guardian is appointed by the court. In prosecuting mentally retarded persons, recognition is given to the degree of their retardation.

53. Most of the measures described above in paragraphs 25-29 concerning services and benefits for disabled persons in the United Kingdom of Great Britain and Northern Ireland apply to the mentally retarded also, unless specifically indicated otherwise. Some of the exceptions as well as special services available to the mentally retarded only and concerning their rights to such services are

listed below. Mentally handicapped and mentally ill people living in specialist hospitals for their disability may not use the hospital as an address to register as electors, and while they are in the hospital they are therefore unable to vote, if they have no other address. Mentally ill or handicapped patients in general hospitals are not disenfranchised in this way. The Government has accepted, in principle, the recommendation of the 1973-1974 all-party conference that the distinction should be removed so that patients in specialist mental hospitals would be placed on the same footing as those in general hospitals. A working party has been set up to consider how this recommendation could be implemented and it is expected that their report will be made shortly. Powers are available for the formal detention in hospital of both mentally ill and mentally handicapped people, where this is considered necessary, but powers for both these categories of people are subject to the safeguards set out in paragraph 7 of the Declaration on the Rights of Mentally Retarded Persons. Training for mentally handicapped adults who cannot enter open or sheltered employment is provided by local authorities in adult training centres. Trainees undertake simple and sometimes more advanced industrial processes and receive a basic general education, counselling and recreation and training in social behaviour, all of which are designed to help the individual develop his maximum potential. Provision is made in the Mental Health Act 1959 (for Scotland, the Mental Health (Scotland) Act 1960) for the appointment of guardians for mentally handicapped people, in order to protect them from exploitation, in line with paragraph 5 of the Declaration on the Rights of Mentally Retarded Persons. Provision is made in the Legal Aid (General) Regulations for applications to be made on behalf of persons who are, by reason of mental disorder, incapable of managing and administering their property and affairs. Court procedures safeguard the position of the mentally disabled.

54. In the United States of America, close to 1 million mentally retarded children received special education during the school year 1976/77 under two different public laws as well as within a special programme (Head Start). The President's Committee on Mental Retardation, established in 1966 and serving as a Federal advocate for improvements and innovations on behalf of the mentally retarded, undertakes occasional investigations and assists in promoting creative approaches to mental retardation problems. In this role, the Committee has made a number of contributions in the areas mentioned in the Declaration on the Rights of Mentally Retarded Persons. Most recently, it has formulated recommendations for action by the Government, with the following broad objectives: full citizenship and legal rights for all mentally retarded individuals; access to comprehensive programmes of service delivered through humane service systems; improved public understanding of the problem and better acceptance of mentally retarded individuals; equitable, co-ordinated, efficient and effective use of public resources on behalf of mentally retarded citizens; and the prevention of mental retardation. In the years since the proclamation of the Declaration, the Committee has also undertaken to promote the realization of the specific clauses of the Declaration. In 1973 it held the first national conference on the mentally retarded citizen and the law, to consider the human and legal rights of mentally retarded persons as citizens of the United States. Since then, the Department of Justice has established a special service to intervene on behalf of mentally retarded persons whose legal rights are in jeopardy. In 1977, the Committee co-sponsored a conference on the future of legal services for mentally retarded

persons, to consider how best the courts and legislatures might be encouraged to further protect the legal rights and citizenship of those persons. Other events organized or co-sponsored by the Committee include a conference on early intervention with high-risk infants and young children in 1974, an evaluation conference on early intervention techniques in 1976, a national multicultural seminar on mental retardation among minority disadvantaged populations in 1977 and seminars and symposia on the mentally retarded offender and the law enforcement process. On all these occasions, publications have been issued dealing with the questions considered in the meetings. Most recently, the Committee has been engaged in a study of the minimum essential services required to provide suitable support to mentally retarded individuals in the community. The Committee has also encouraged the employment of mentally retarded persons, sought to change the nature of public institutions from large institutions to smaller short-term facilities, dealt with the problems of protection and human dignity and become increasingly concerned with the rights of mentally retarded individuals themselves, as distinguished from those of their spokesmen, be they parents, guardians or caretakers.

Measures taken by the specialized agencies of the United Nations

55. The ILO has made special efforts to bring to the notice of all concerned with the rehabilitation of the mentally retarded the Declaration on the Rights of Mentally Retarded Persons and especially paragraph 3, which stresses the rights of mentally retarded persons to economic security, and a decent standard of living, to perform productive work or to engage in any other meaningful occupation to the fullest possible extent of their capabilities.

56. The WHO has been involved in work on mental retardation for many years, in collaboration with the United Nations, its specialized agencies, and non-governmental organizations. Since the adoption by the World Health Assembly at its twenty-eighth session of resolution WHA 28.57 on mental retardation, new directions are being followed. Priority is being given to action within existing services and to interventions concerned with children. Simple methods of detection and care which can be used by public health nurses, auxiliary health workers and parents are being stressed. Improved pre-natal and natal care, the control of infectious diseases and adequate nutrition in early childhood, combined with health education of parents, are seen as the most effective preventive measures.

57. Activities undertaken since the resolution was adopted include: WHO meetings which have produced valuable guidelines; projects to test the feasibility of providing care at the primary health-care level in developing countries; an international survey of legislation; development of methods for the control of associated conditions such as epilepsy; training for public health administrators; the identification and strengthening of potential training centres; and the development mechanisms of co-ordination.

58. Full response to the resolution is constrained to some extent, and future progress will depend mainly on the priority accorded by Governments to work on mental retardation.

Measures taken by non-governmental organizations

59. The International League of Societies for the Mentally Handicapped pointed out that the League's fourth international congress in 1968 adopted the Declaration on General and Special Rights of the Mentally Retarded which was later used as a basis by the Commission for Social Development for the drafting of the respective United Nations Declaration. It is thus natural that the League is concentrating its activities on the promotion of measures seeking to implement the Declaration. The League has published the text of the Declaration in its different publications and given it wide distribution through its affiliates. In its congresses and other meetings, discussion of the measures required for implementing the Declaration has had a focal place; for example, the League's fifth international congress had "The rights of the retarded: suit the action to the word" as its theme. In the symposia and regional meetings organized by the League and its affiliates, some of the specific provisions of the Declaration have been discussed and the reports of those meetings given wide distribution. In 1974/75, a study was conducted by a League consultant on the progress made in the implementation of the Declaration. It was the conclusion of the consultant that no country, even the most industrialized or socially progressive, had made all of the rights available to some of its retarded citizens or any one right available to all of its retarded citizens. As a consequence, the League has set up a task-force on the implementation of the Declaration. The task-force has prepared a set of guidelines in the form of a questionnaire in which each article of the Declaration has been amplified to an extent such that the League's affiliates can easily establish the degree to which their respective countries have met the Declaration's provisions.

III. PLANS FOR THE FUTURE

60. While the measures that have been described above largely relate to existing services and already enacted legislative provisions, some Governments also gave information about plans that are under consideration or about to be implemented in the near future and which will further promote compliance in those countries with the principles of the Declaration on the Rights of Disabled Persons. Thus, the comprehensive social reform which has been partially carried out in Denmark is, as far as it relates to services concerning disabled persons, mainly based on the principles set out in the United Nations Declarations. When it is fully implemented and other approved or planned measures within the health, social and housing sectors are carried out, Denmark will have provided a legislative and administrative network in which it will be possible to comply with the provisions of both of the Declarations. The effectiveness of this network will, however,

depend on the financial resources made available at any given time for the implementation of the laws and regulations concerned. The goal of the reform is to ensure for the disabled as normal a life as possible and enable as many of them as possible to live in their own homes or with their families and make use, when required, of the resources for assistance in the community which are available to all its members. It also endeavours to reintegrate disabled persons at present living in institutions into the community, to the greatest possible extent. The services available to them in this regard include specially equipped apartments with different kinds of communal facilities. Research has been initiated, partially on a joint Scandinavian basis, with a view to making buses and railway cars accessible to all, including wheelchair users. New railway cars which will replace the current rolling stock in the early 1980s will each have a compartment and a toilet designed for wheelchair users. Efforts are continuously being made to provide for increased participation by all segments of the population, including the disabled, in the decision-making process.

61. For the purpose of establishing a legal framework guaranteeing the effective implementation in Greece of the principles and rights contained in the Declaration, two bills have recently been prepared. The first deals with the vocational training and rehabilitation of disabled persons of both sexes with limited possibilities for employment. It would establish compulsory employment of such persons in the public sector and by benevolent societies, in jobs suitable to their condition. The second deals with special education and care for handicapped persons and would provide for the establishment and operation of special schools for their education, thus facilitating their integration into society as productive members. It is thought that the goal of the Declaration will be effectively reached by the adoption of the two bills by the Parliament.

62. In Iran, rehabilitation services for disabled persons will be further developed in accordance with the Government's sixth development plan for 1978-1983. By the end of that period there are expected to be 28 multipurpose rehabilitation centres in operation in provinces throughout the country.

63. Perhaps the most significant area of concern to mentally disabled persons in New Zealand is that of their legal rights. The Advisory Council established under the Disabled Persons Community Welfare Act is currently conducting a study on the matter and will make recommendations to the Minister of Social Welfare on the kind of services and facilities that would enhance the welfare of disabled persons. A working party of the Council has drafted a bill intended to give practical effect in a general way to the Declaration on the Rights of Mentally Retarded Persons. The work is guided by two objectives: one to ensure that mentally retarded persons, and dependent persons in general, will obtain all the rights and services to which they are entitled; the other to ensure that a dependent person who is legally an adult and under no guardianship can be protected from abuse by unscrupulous members of the community or from getting caught up in ventures they do not understand and are unable to handle. To help ensure the protection of the

rights of dependent persons, the working party drafted a bill suggesting that a special "public advocate" be appointed to function as the guardian of disabled persons, but by late 1977 it had not been approved by the Council.

64. In Norway, the Government recently submitted to the parliament a report entitled "The disabled in society" which presents the main objectives and principles that will guide the Government's action in this regard in the future and which also, to some extent, outlines the measures that the Government intends to follow in implementing those objectives and principles. The principal objective is the fullest possible integration of disabled persons into society, to the extent that they can live independently. The required services should be provided in the community by the agencies that also serve the other members of the community. Residential institutions should be an alternative only when there is no other acceptable solution or when the disabled person concerned chooses that alternative. Disabled persons' own organizations which act as socio-political pressure groups should receive financial support from public funds. The parliament has already approved the principles contained in another report of the Government concerning the future structure of the care of mentally retarded persons. Those principles are similar to the ones described above. They emphasize that services for the mentally retarded must satisfy their individual needs for education, training, treatment and housing, among other things, and that the rights of mentally retarded persons need to be strengthened.

65. A draft for a new bill on the employment of disabled persons is under consideration in Pakistan. It would oblige employers to employ disabled persons up to a fixed percentage of the total labour force (quota system) and thus provide equal opportunities in employment to the disabled. It also would promote vocational training programmes. Enactment of the proposed legislation would further help to implement the Declaration.

66. The Government of the Syrian Arab Republic has pointed out that the new five-year plan for 1981-1985 will include a number of programmes designed to provide expanded services to disabled persons in the fields of education, vocational training and employment, among others. Reference is also made to measures that will be taken in observance of International Year for Disabled Persons to study the problems involved in assisting and protecting disabled persons, and the best ways of doing so. In the Union of Soviet Socialist Republics, the latest, or tenth, five-year plan provides for a set of measures designed to make further improvements in the conditions and rules governing the award of disability and other pensions, to improve living conditions and cultural services for disabled persons living in homes for aged workers and disabled persons and to ensure that increasing numbers of such institutions meet modern standards. Action is planned to expand prosthetic and orthotic assistance. In the United Republic of Cameroon, the Government envisages, within its fourth five-year development plan, to establish a new rehabilitation centre for the blind in the northern part of the country and sheltered workshops in the capital. Voluntary organizations are also expected to expand existing facilities and at least one new centre for handicapped children is being planned. The Government

has pointed out, however, that in the developing countries there are often insurmountable difficulties encountered in financing these kinds of social projects and suggests that the international organizations concerned should consider ways of providing support, within the framework of International Year for Disabled Persons, for instance, to finance projects that seek to improve the conditions of life of disabled persons in developing countries.

67. In his report on International Year for Disabled Persons (A/32/288) to the thirty-second session of the General Assembly, the Secretary-General proposed, among other things, that a draft for a long-term programme of action, aiming at the implementation of the Declarations on the Rights of Disabled Persons and on the Rights of Mentally Retarded Persons, the implementation of the objectives of International Year for Disabled Persons and assisting developing countries in particular in designing national programmes for these purposes, be prepared for consideration by the Commission for Social Development at its twenty-seventh session in January-February 1981 and, through the Commission, by the Economic and Social Council and General Assembly the same year. The proposal was approved by the Assembly in its resolution 31/126 of 16 December 1976 on International Year for Disabled Persons. Accordingly, preparatory work for drafting such a programme of action has begun.

IV. CONCLUSION

68. There is not much to add to the statement of the consultant of the International League of Societies for the Mentally Handicapped, referred to in paragraph 59 above. The statement was made in reference to the Declaration concerning mentally retarded persons, and noted that implementation was still incomplete in all countries, although the Declaration had been proclaimed in 1971. Since the Declaration on the Rights of Disabled Persons was not proclaimed until 1975, it is understandable that it has not yet been fully implemented.

69. As is evidenced by some of the plans for future measures described above, a great deal can be done - and indeed has already been done and is being planned - in many countries, to increase the possibilities for disabled persons to enjoy the rights proclaimed in the Declaration on their rights. On the other hand, as has been pointed out by the Government of the United Republic of Cameroon, there are in the developing countries often insurmountable difficulties involved in the financing of the kinds of social projects that would make it possible to promote services through which the enjoyment of the proclaimed rights would materialize, even if only gradually. Greater efforts are required to assist developing countries in planning and establishing the needed services. In this respect, the action planned, within the framework of International Year for Disabled Persons, by international organizations as well as Governments, including those of many developing countries, should prove useful.

Appendix

RECENT UNITED NATIONS PUBLICATIONS IN THE FIELD OF REHABILITATION

Obstacles Limiting the Access of Disabled Children to Rehabilitation Services and Education (Sales No. E.76.IV.8).

Social Barriers to the Integration of Disabled Persons into Community Life. Report of an Expert Group Meeting (Sales No. E.77/IV.6).

Rehabilitation of the Disabled, the Social and Economic Implications of Investments in this Field (Sales No. E.77.IV.11).

PUBLICATIONS PRINTED FOR THE UNITED NATIONS BY
NON-GOVERNMENTAL ORGANIZATIONS

Barrier-Free Design. Report of a United Nations Expert Group Meeting (New York, Rehabilitation International, 1975).

Social and Economic Conditions of the Mentally Retarded in Selected Countries (Brussels, International League of Societies for the Mentally Handicapped, 1976).

Rehabilitation Services for the Blind (Paris, World Council for the Welfare of the Blind, 1977).
