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AU LEGAL PROCESS: SOCIAL PROTECTION

3-4 May, 2017
Protea Parktonian All Suite Hotel
Braamfontein, Johannesburg

2017 Annual
International SASPEN Conference

3-4 May, 2017
Protea Parktonian Braamfontein
Johannesburg, South Africa



**INCLUSION, INTEGRATION
AND TRANSFORMATION:**
Social Protection for Persons with
Disabilities in the SADC



DRAFT PROTOCOL TO THE AFRICAN CHARTER ON HUMAN AND PEOPLES' RIGHTS ON THE RIGHTS OF PERSONS WITH DISABILITIES IN AFRICA

**INCLUSION,
AND TRANS**
Social Protection
Disabilities

**INTEGRATION:
FORMATION:**
for Persons with
in the SADC

**RIGHT TO ADEQUATE
STANDARD OF LIVING
AND RIGHT TO SOCIAL
PROTECTION**



**FRIEDRICH
EBERT
STIFTUNG**



- ◆ **Ensures** that the rights and dignity of persons with disabilities should be promoted, protected and ensured in order to enable them to enjoy fully and equally all their human rights and fundamental freedoms;
- ◆ Will provide the first comprehensive African normative basis for ensuring the rights of persons with disabilities as full human beings with inherent dignity and not as mere objects.
- ◆ Is informed by the social model of disability rather than the charity and medical models of disability which have guided policy and law-making across much of Africa.



- ◆ Recognizes the important standards set by the Convention on the Rights of Persons with Disabilities (CRPD); and it does not undermine any of those standards.
- ◆ Introduces further normative standards of particular relevance to Africa to ensure full and effective protection and promotion of the rights of persons with disabilities in Africa.



- ◆ Establishes the content and institutional basis to enable persons with disabilities to seek redress wherever their rights are violated.
- ◆ Will offer political and diplomatic possibilities at the Continental level for rallying advocacy and action to ensure the rights of persons with disabilities in Africa



◆ **ARTICLE 16: RIGHT TO ADEQUATE STANDARD OF LIVING AND RIGHT TO SOCIAL PROTECTION**

◆ Persons with disabilities have the right to an adequate standard of living for themselves and their families, including adequate food, access to safe drinking water, housing, sanitation and clothing, to the continuous improvement of living conditions and to social protection.



◆ States Parties shall take appropriate and effective measures to facilitate full enjoyment by persons with disabilities of this right, on the basis of equality, including by:

1. Ensuring that persons with disabilities shall access appropriate and affordable services, devices and other assistance for disability-related needs, including accessible housing and other social amenities, mobility aids and caregivers;



2. Ensuring **access** by persons with disabilities to **social protection programmes**;
3. Putting **financial measures** in place to **cover disability-related expenses**, including through the use of tax exemptions or concessions, cash-transfers, duty waivers and other subsidies; and



4. Facilitating provision of assistance, including interpreters, guides, auxiliary and augmentative supporters and caregivers, while respecting the rights, will and preferences of persons with disabilities.





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