

The Bahamas signs the Convention on the Rights of Persons with Disabilities

On the 24th September, 2013, the Bahamas became a signatory to the Convention on the Rights of Persons with Disabilities.

The Convention on the Rights of Persons with Disabilities is an international human rights treaty of the United Nations intended to protect the rights and dignity of persons with disabilities. As a result of the Bahamas being a signatory to the Convention, it is now required to provide, protect and ensure the full enjoyment of human rights and fundamental freedoms by persons with disabilities and ensure that they enjoy full equity under the law and to promote respect for their inherent dignity.

Disability is defined by the Convention as those who have long term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others.

The guiding principles of the Convention are as follows:

a) Article 2 of the Convention outlines that “reasonable accommodation” must be made for persons with disabilities.

b) The Convention stresses the Prevention of Discrimination by raising awareness throughout society and by combating stereotypes.

c) Accessibility is fundamental under the Convention which stipulates that persons with disabilities should be able to live independently and participate fully in all aspects of life.

d) Member States are obligated to ensure the protection and safety of persons with disabilities in situations of armed conflict, emergencies and the occurrence of national disasters.

e) The Convention affirms the equal recognition before the law and legal capacity of persons with disabilities together with effective access to justice.

f) The Convention states that persons with disabilities should be guaranteed the right to inclusive education at all levels, regardless of age, without discrimination and on the basis of equal opportunity.

g) The right to healthcare is outlined in Article 25 of the Convention which indicates that “persons with disabilities have the right to the enjoyment of the highest attainable standard of health care without discrimination on the basis of disability”.

h) The Convention protects the integrity of the person. Every person with disabilities has a right to respect for his or her physical and mental integrity on an equal basis with others.

i) The prohibition of compulsory sterilization of disabled persons is outlined in the Convention and disabled persons are guaranteed the right to adopt.

j) The Convention affirms that country’s that are signatory to the Convention “...shall take effective and appropriate measures, including through peer support, to enable persons with disabilities to attain and maintain maximum independence, full physical, mental, social and vocational ability, and full inclusion and participation in all aspects of life”.

k) The Convention recognizes and requires those who are signatories to it the right of persons with disabilities to work on an equal basis of others.

l) Adequate standard of living and social protection for persons with disabilities is recognized by the Convention by virtue of Article 28.

m) Article 29 requires that all parties who are signatory protect “the right of persons with disabilities to vote by secret ballot in elections and public referendums”.

The Convention on the Rights of Persons with Disabilities came into effect on the 3rd May, 2008.

The Government of the Bahamas has committed to take the necessary steps to act in good faith in fulfillment of the purpose of the Convention.

Halsbury Chambers