

DISABILITY RIGHTS CHARTER OF SOUTH AFRICA

ARTICLE 1: NON-DISCRIMINATION

There shall be no discrimination against disabled people and they shall enjoy equal opportunities in all spheres of life and they shall be protected against exploitation and all treatment of an abusive or degrading nature.

ARTICLE 2: SELF-REPRESENTATION

Disabled people shall be entitled to represent themselves on all matters affecting them and resources shall be made available to enable them to fulfill this role.

Article 3: Health and rehabilitation

Health and rehabilitation services shall be effective, accessible and affordable to all disabled people in South Africa.

Article 4: Education

- a) Disabled people shall have the right to mainstream education with personal assistance where necessary, appropriate assistive technology and specialized teaching.
- b) Parents of disabled children shall have the right to participate in the planning and provision of their children's education.

Article 5: Employment

- a) All disabled people shall have the right to employment in the open labour market and appropriate measures, such as quota systems and training programmes, shall be implemented by government and

employers to ensure that opportunities are created in the workplace which allow for the full enjoyment of this right.

- b) The state shall provide incentives to employers, such as tax concessions, to encourage them to employ disabled people.
- c) State assistance shall be provided to disabled people to encourage them to engage in income generation through workshops and self-help projects.

Article 6: Sport and recreation

Disabled people shall have the right to engage in sport and recreational activities and resources, such as sports facilities and financial assistance, as well as opportunities for participation, shall be made available to support this initiative in this regard.

Article 7: Social Security

The state shall provide security to disabled people who are without adequate income and all measures used to determine the adequacy of such income shall take into account additional costs incurred by them as a result of their disability.

Article 8: Housing

The state shall embark on a programme aimed at ensuring adequate, accessible and affordable housing for all disabled people.

Article 9: Transport

Affordable and adequate transport shall be made available to disabled people.

Article 10: Built environ

All new environs shall be accessible and safe to disabled people and all reasonable steps shall be taken to make existing built environs accessible and safe.

Article 11: Disabled children

- a) Disabled children shall have the right to be treated with respect and dignity and shall be provided with equal opportunities to enable them to reach their full potential in life.
- b) The state shall ensure that all disabled children are properly cared for with adequate support.
- c) All forms of abuse of disabled children shall be prohibited and severe penalties imposed for such abuse.

Article 11: Disabled women

All disabled women shall be treated with respect and dignity. They shall be free to make their own decisions and shall be protected from all forms of abuse which undermine their integrity in any way.

Article 13: Independent Living

Disabled people shall be entitled, encouraged and assisted to live independently in their communities and to develop the skills necessary to enable them to live in the broader society and they shall be provided with adequate and appropriate support systems to do so.

Article 14: Communication

Disabled people shall have the right to communicate freely and measures designed to ensure the full enjoyment of this right shall include the provision of Braille and/or audio recorded material for blind people, the recognition and use of sign language for people with hearing and/or speech disabilities and mentors/advocates for mentally disabled people.

Article 15: Participation in social life

Disabled people shall have the right to make their own decisions in all areas of social life and this shall include freedom to engage in sexual relationships and to have a family

Article 16: Prevention

All effective and appropriate steps shall be taken by the state and society at large to prevent disability.

Article 17: Positive action

Positive action shall be applied to address existing discriminatory practices and disadvantaging conditions facing disabled people, giving special attention to the situation of under-represented groups such as disabled women and children, deaf people, mentally disabled people, people with albinism and disabled people living in underdeveloped areas.

Article 18: Enforcement

Appropriate and effective policies and legislation as well as accountable services shall be developed and enforced to provide all disabled people with opportunities for the full enjoyment of all these rights.