

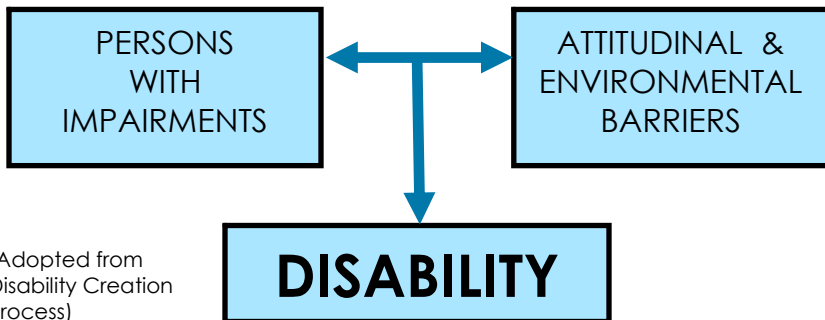


**A Basic Guide to  
Understanding Disability  
and the  
Rights of Persons with  
Disabilities**

# So what is DISABILITY?

There are many notions and beliefs about disability including the thinking that it is a personal tragedy and a charity issue. Many consider disability as the inability of the individual to function as a normal person. However, there has been a shift in the way people think about disability. Today, disability is considered as a rights and development issue. Disability does not only refer to the individual but also to the barriers imposed by society when it does not give equal opportunities and due attention to the rights of individuals with impairments.

**The United Nation Convention on the Rights of Persons with Disabilities (CRPD) recognizes that disability is an evolving concept, resulting from the interaction between persons with impairments and attitudinal and environmental barriers that hinder their full and effective participation in society on an equal basis with others.**



Article 1 of the CRPD states that **persons with disabilities (PWD) include those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation with society on an equal basis with others.**

Knowing that attitudinal and environmental barriers are primary factors that result in disability, how do we break these barriers?

## 1. Use the CRPD!



## CONVENTION on the RIGHTS of PERSONS with DISABILITIES

Use the CRPD as a legal instrument. Having ratified the CRPD in April 2008, the Philippines has a legal obligation to promote and protect the rights of persons with disabilities. Use the CRPD as a tool to level the playing field for PWD. (<http://www.un.org/disabilities/default.asp?id=150>)

## 2. Use CBR as a strategy!



Community-Based Rehabilitation (CBR) is a strategy for rehabilitation, equalization of opportunities, poverty reduction, and social inclusion of persons with disabilities. ([Joint position paper of ILO, UNESCO, and WHO. 2004](#))

**CBR is used in over 90 countries worldwide and adopted in the Philippines in 2005 thru Executive Order 437: Encouraging the implementation of CBR in all local government units in the Philippines and allocating funds to support it.**

(Refer to the National Council on Disability Affairs (NCDA) website at [www.ncda.gov.ph](http://www.ncda.gov.ph) for full text of EO 437 and the World Health Organization (WHO) website at <http://www.who.int/disabilities/cbr/guidelines/en/index.html> for a copy of the new CBR guidelines)

### **3) Promote & protect local laws upholding the rights of persons with disabilities!**

**“Those who have less in life should have more in law.”** Such is the famous grassroots slogan popularized in the 1950s by then president of the Philippines, Ramon Magsaysay. The slogan stressed his deep concern for the poor and marginalized sectors of society.

**As persons with disabilities belong to one of the most marginalized sectors of society, we should also ensure that they too are accorded their basic human rights by promoting and protecting local laws that uphold their rights.**





# Landmark Disability Laws in the Philippines

## **Republic Act 7277 (1992) Magna Carta for Disabled Persons**

An act providing for the rehabilitation, self-development and self-reliance of disabled persons and their integration into the mainstream of society and for other purposes.

## **Republic Act 9442 (2007)**

An act amending Republic Act NO. 7277, otherwise known as the "Magna Carta for Persons with Disability as Amended, and for other purposes " Granting additional privileges and incentive and prohibitions on verbal, non-verbal ridicule and vilification against persons with disability.

Under SEC. 32. Persons with disabilities shall be entitled to the following:

- At least twenty percent (20%) discount from all establishments including hotels, restaurants and recreation centers; theaters, cinema houses; purchase of medicines in all drugstores; medical and dental services; fare for domestic air and sea travel; public railways, skyways, bus fares.

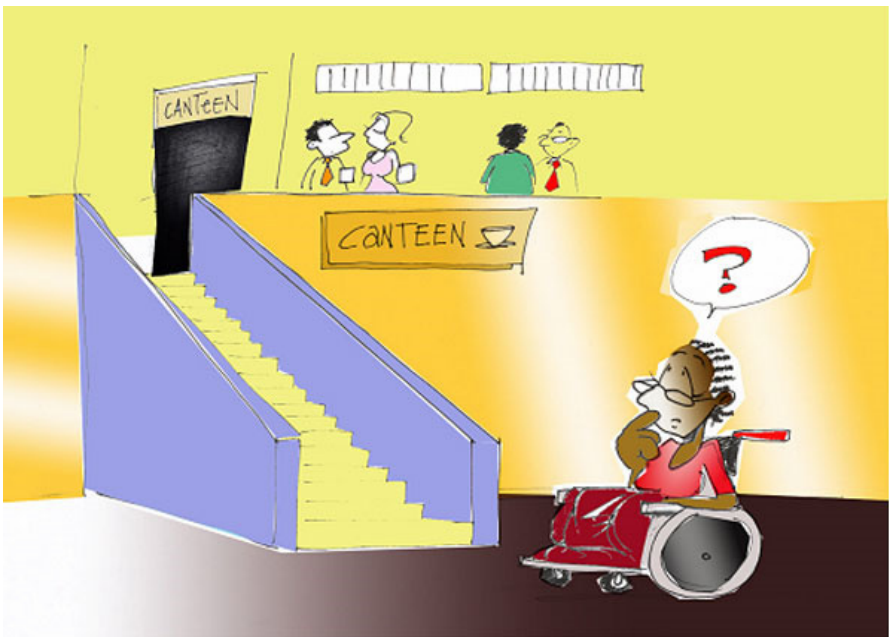
## **Republic Act 10070 (2010)**

An act establishing an institutional mechanism to ensure the implementation of programs and services for persons with disabilities in every province, city, and municipality, amending Republic Act No. 7277, otherwise known as the "Magna Carta for Disabled Persons" amended, and for other purposes. This law directs the setting up of Persons with Disability Affairs Office (PDAO) in all provinces, city and municipality to be headed by a qualified disabled person.

Refer to the website of the National Council on Disability Affairs (NCDA) at [www.ncda.gov.ph](http://www.ncda.gov.ph) for a full list of Philippines' disability laws.

## 4) Promote Access!

Persons with disabilities, on an equal basis with others, should have access to the physical environment, transportation, information and communications, including information and communication technologies and systems, and to other facilities and services open or provided to the public both in urban and rural areas, to live independently and participate fully in all aspects of life. (Article 9 - Accessibility; CRPD)



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**Accessibility** is a right of persons with disabilities in the Philippines as mandated by **Batas Pambansa 344: An act to enhance the mobility of disabled persons by requiring certain buildings, institutions, establishments and public utilities to install facilities and other devices.**

(Refer to the full text of BP 344 at [www.ncda.gov.ph](http://www.ncda.gov.ph))

**5) Most importantly, have a positive attitude towards disability!**

## **WHO IS DISABLED?**

**If you fail to see the person but only see the impairment**

**Then who is blind?**

**If you cannot hear your brother's cry for justice,**

**Then who is deaf?**

**If you do not communicate with your sister but separate her from you,**

**Then who is mentally handicapped?**

**If you do not stand up for the rights of all persons,**

**Then who is crippled?**

**SO, WHO THEN IS DISABLED?**

**Our attitudes towards persons with disabilities**

**could be what makes them disabled, and what makes us disabled.**

**Let's break these attitudinal barriers now!**

(adopted from Tony Wong)



**Let's do our share in making our societies barrier-free and inclusive!**

Approximately 10% of the world's population (over 650 million people) are persons with disabilities (PWD), 80% of whom live in developing countries. In the Philippines, 80% of persons with disabilities live below poverty line. In 2004, the World Health Organization estimates that 9.4 million are persons with disabilities. According to Department of Health there is a significant number of persons with disabilities in Region 6. 45,670 PWD are situated in Panay Island and 13, 338 PWD in Iloilo Province (as of 2000).

**HANDICAP  
INTERNATIONAL**

**Handicap International (HI)** is an independent international aid organization working in situations of poverty and exclusion, conflict and disaster.

Working alongside persons with disabilities and other vulnerable groups throughout the world, our action and testimony are focused on responding to their essential needs, improving their living conditions and promoting respect for their dignity and their fundamental rights. With a network of eight national associations (USA, Belgium, Canada, France, Germany, Luxembourg, Switzerland, and UK), Handicap International, founded in 1982 and co-recipient of the Nobel Peace prize in 1997, has programs in 60 countries and acts in both emergency and development situations.

The **UMWAD Project** (Umwad means progress in Ilonggo) aims to increase the capacities of Disabled Peoples Organization (DPO) so that they can become integral actors in local development. The project covers the municipalities of Barbaza and Laua-an in Antique province, and the municipalities of Batad, San Dionisio, and Concepcion in Iloilo province.

#### **Handicap International - Philippines Program**

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