

**Forum:** General Assembly III (SOCHUM II)

**Issue:** Countering unfair treatment and Discriminations against Individuals with Physical/Mental Disabilities and Inherited Disorders

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## Introduction

Although people with disabilities constitute a large portion of the world's population, they remain one of the most disadvantaged and marginalized groups in the status quo. While it is difficult to quantitatively present statistics on disabled people as definitions vary between countries, figures from UNICEF suggest that almost a billion people are considered disabled. Disabled people are subject to a plethora of human right violations; namely, they face isolation, institutionalization, discrimination and stigma. Besides this, people with disabilities often lack access to basic healthcare, education, as well as employment opportunities. Even though these individuals have been facing several types of discrimination for decades, disability discrimination is still an issue in the world today. Disability discrimination is a term which can describe a wide variety of types of discrimination against individuals with either mental or physical disabilities. There are types of disability discriminations in which these individuals may lose job offers due to their disabilities, they could be harassed in public because of said disabilities, they could be denied opportunities simply because of their disabilities, and such. The situation is especially dire in developing countries, as disabilities are often attributed to sinful behavior. The University College London estimates that 80% of all disabled people are from developing countries, where they are prone to fall through the cracks of poverty. A lack of early prevention methods, coupled with misinformation and poor education, amplify the severity of the issue in these regions.

However, the issue is not limited to the developing nations. In both LEDCs and MEDCs, people with disabilities find it more difficult to secure decent employment and are often relegated to isolated facilities where they are removed from society. It was not until the 1900s that movements against disability discrimination began exploding in popularity. Throughout the 1900s, there were many groups and organizations formed to help these individuals achieve rights, and there were also many movements aiming to stop disability discrimination.

The most prominent movement which allowed these individuals to have protection against disability discrimination was the Americans with Disabilities Act of 1990. The Americans with Disabilities Act was a civil rights law signed on July 26th, 1990 which protected individuals with both mental and physical disabilities from many types of discrimination. Under the ADA, disability discrimination is a federal offence. Since the ADA was signed, the lives of individuals with disabilities have been changed drastically for the better. In the past decade, numerous advancements have been made in regard to disability rights.

The issue has appeared more frequently in UN agendas, and recognition of human rights violations have concurrently given rise to more dialogue and will within the global community. It is critical that delegates consider the societal and cultural norms in both developing and developed countries to tackle the issue at its core.

## Definition of Key Terms

### **Ableism**

Ableism is the act of prejudice or discrimination against individuals with disabilities, either physical or mental. This trend of thinking has become normalized in society, because of the lack of understanding the majority of the populace has regarding the experience of disabled people.

### **Mental Illnesses**

Mental illnesses are health conditions involving changes in emotion, thought, or behavior. Some of the major groups of mental illnesses include mood disorders, anxiety disorders, eating disorders, and others. People with mental illnesses are often stigmatized, and do not receive necessary support in handling these issues. Individuals with certain illnesses are also considered disabled, and face disability discrimination as well as individuals with physical disabilities.

### **Discrimination**

Discrimination is the act of treating a person or a particular group of people in a worse manner than one would treat another person or group.

### **Physical Illnesses**

Health conditions having to do with the physical wellness of an individual. Individuals with certain physical illnesses are considered disabled and face disability discrimination.

### **Hate Crime**

A hate crime is an act of prejudice motivated crime against a certain group of people due to their social position, race, appearance, etc. Committing hate crimes toward individuals with disabilities is a prominent type of disability discrimination.

### **Americans with Disabilities Act**

A civil rights law that prohibits discrimination based on disability signed on July 26, 1990 by American president George H.W. Bush. This played a major role in helping individuals with disabilities have protection against disability discrimination.

### **Inherited Diseases**

Inherited diseases include disorders that are caused by an abnormality in a person's genome that are passed down. These are determined before birth, and most inherited diseases cannot be cured in the status quo. Examples of inherited diseases are sickle-cell disease, Down syndrome, and Angelman syndrome, all of which can have adverse impacts on a person's perception in society.

## **Background Information**

### ***History of disability discrimination***

Discrimination against people with disabilities is not a recent development. Records of poor treatment of disabled people can be traced back to as far as Ancient Greece, in which cripples were chosen to be ritualistic sacrifices in times of calendrical crisis. Although an extreme example, this attitude against disabled people persisted for centuries thereafter. As the 1800s and 1900s advanced, people with physical disabilities were punished for being "unsightly" in codified law. Known colloquially as "ugly laws," the United States mandated that it was illegal for "any person, who is diseased, maimed, mutilated or deformed in any way, so as to be an unsightly or disgusting object, to expose himself to public view (Eugenics Archive)" in 1902. Similar laws were passed in countries such as the Philippines and England. This gave legal basis for the mistreatment of people with physical disabilities. The idea of mental illnesses was initially a socially taboo subject as well, with its first mention in 13th century England.

The idea of mental illnesses was initially a socially taboo subject as well, with its first mention in 13th century England. They were referred to as "lunatics" or "idiots," as little was known about the scientific sources of mental illnesses. They were shunned from society, with provisions in laws withholding their rights to marriage, property, and other rights that most citizens had. Asylums were also established for those with mental illnesses, and these institutions typically treated its inhabitants poorly under prison-like conditions.

Movements aiming to help disabled individuals be able to have protection against discrimination did not gain popularity until the 20th century.

Throughout the 1900s, there were many groups and organizations formed with the goal of achieving rights and protection for disabled individuals. Some examples of groups formed in order to help these disabled individuals to be able to be protected against discrimination are The League of the Physically Handicapped (1930s) who were fighting for the employment of disabled individuals during the Great Depression, We Are Not Alone (1940s) who were a group of psychiatric patients helping patients during the transition from hospitals back into society, and the National Association for Retarded Children (1950s) who were a group of parents looking for more suitable education and care for their retarded children. In 1973, the Rehabilitation Act, which is a federal code that prohibits certain types of workplace discrimination, was signed and put into effect. Following the Rehabilitation Act, the Education of All Handicapped Children Act, which guarantees all disabled children public school education, was signed and put into effect in 1975. Then, in 1990, the Americans with Disabilities Act was signed and put into effect.

### *The Disability Rights Movement*

The Disability Rights Movement started in the 1960s, and marshals like-minded activists and organizations towards attaining more rights for people with disabilities. The specific goals for this movement include employment equity, freedom from discrimination, and equal opportunities, striving to overcome attitudinal, environmental, and institutional barriers that hinder their capabilities. They tackle issues from all aspects of society for all types of disabled people, from those with developmental issues or physical disabilities. Their tailored mandates for different types of people have been successful in pinpointing specific issues and addressing them.

As a result of this movement, laws have been passed in some countries that have improved the conditions for disabled people. One of the most important developments that arose from this movement was the effectuation of the 1990 Americans with Disabilities Act, which prohibits discrimination on the basis of disability. It requires employers to provide adequate assistance to those with disabilities, and places guidelines on public spaces to accommodate people with disabilities. Although the disability rights movement is a bound towards the right direction, activism has mostly been contained in developed countries and is yet to become a truly global phenomenon.

### *Americans with Disabilities Act*

The Americans with Disabilities Act is a civil rights law which prohibits disability discrimination. It was signed on July 26th, 1990 by American president George H.W. Bush. Its contents are similar to that of the Civil Rights Act, but instead it targets discrimination against peoples with disabilities. The ADA has five main

sections that were specified to protect disabled individuals from certain types of discrimination. Employment, public entities, public accommodations, telecommunications, and miscellaneous are the five sections of the ADA. The employment section is specified to protect disabled individuals from being discriminated against in the processes of job applications, hiring, firing, and such. The public entities section of the ADA makes sure that individuals with disabilities are able to physically access public facilities- for example, wheelchair ramps are implemented in certain places so said disabled persons are able to enter or use a public facility. The next section of the ADA is the public accommodation section, which allows individuals with disabilities to have the same chances to rent, lease, or stay in public accommodations, and it also allows individuals with disabilities to be able to use or enter public facilities such as schools or stores. The telecommunications section of the ADA allows individuals with disabilities, especially hearing impediments, to be able to enjoy equivalent telecommunication services as others. The miscellaneous section of the ADA protects individuals with disabilities from other types of discrimination.

## Major Countries and Organizations Involved

### International Disability Alliance

The International Disability Alliance is an organization aiming to improve awareness and rights for individuals with disabilities. The IDA works not only with non-governmental organizations, but also with the United Nations and state governments. The IDA work with many organizations such as Down Syndrome International and the World Blind Union in order to improve conditions for both mentally and physically disabled individuals across the globe.

### Disability Rights International

Disability Rights International, is an organization advocating for human rights for disabled individuals. DRI's work played a large role in helping disabled individuals have rights and protection. DRI's work has brought worldwide awareness on disability discrimination and recognition of rights for these individuals. DRI has also done work on human rights abuse, and has stopped the abuse of human rights in many Middle Eastern and South Asian countries.

### Sweden

Over 10% of Sweden's population is made up of individuals with disabilities. Sweden is a country which has been aiming to give its disabled citizens the rights they deserve and protection against discrimination for years. The Swedish government has implemented several regulations in order to allow these individuals with disabilities to have easy access to facilities and to also have equal opportunities as the rest of its citizens.

## World Health Organization (WHO)

The World Health Organization is an agency within the United Nations that coordinates international health related issues around the world. In regard to disability rights, the WHO was responsible for drafting the Sustainable Development Goals (SDGs). These goals are supposedly to be achieved by 2030, and include many objectives regarding disability rights.

## France

France is an example of a country that provides generous benefits to those with disabilities. For people no longer able to work due to disabilities, 50% of the average salary is paid as a benefit. Besides this, France supports families that have members with disabilities, paying for education and housing benefits in some instances. This helps alleviate the strain on caring for people with disabilities and enhances the standard of living for these people.

## Timeline of Events

Date	Description of event
September 26, 1973	Rehabilitation Act signed and put into effect
November 30, 1975	Education for all Handicapped Children Act signed and put into effect
July 26, 1990	Americans with Disabilities Act signed and put into effect
April 23, 2016	High level meeting on disability and development

## Relevant UN Resolutions and Treaties

- Declaration on the Rights of Disabled Persons, 9 December 1975 (**A/RES/3447**)
- World Programme of Action Concerning Disabled Persons, 3 December 1982 (**A/RES/37/52**)
- Realizing the Millennium Development Goals for persons with disabilities, 18 December 2008 (**A/RES/63/150**)

## Possible Solutions

**Using social media to spread awareness.** Social media plays a prominent role in the spreading of ideas and news in today's world. It is used by a wide variety of people of different ages, genders, and such. Social media today is used for many purposes, and one of those is spreading awareness. By using social media to post reports, photos, videos, and such about disability discrimination, a wide span of individuals are able to be reached and well informed about the issue at hand. By making these individuals aware of the types and amount of disability discrimination in the world and the effect it has, many individuals are likely to take steps in their daily lives to lessen disability discrimination. There are many ways people could lessen disability discrimination in their daily lives- they might make sure that priority seats are given to those that need them, they might assist disabled individuals in need or protect them against unjust, harsh words from others. More and more people will become aware of the issue and take small steps to ensure that individuals with disabilities are not facing discrimination.

**Modifying and adopting legislation that supports people with disabilities has proven to be a very effective solution in the past.** In certain countries, there is a lack of specific legislation targeting the advancement of people with disabilities. As a consequence, structural discrimination remains rampant in many countries, particularly LEDCs. Although an important issue to tackle, delegates should remain cognizant of the limitations of the UN in dictating affairs within a country's jurisdiction.

**Public spaces should be made more accessible to people with physical disabilities,** to increase the participation of people with disabilities in society. This includes making pathways and entrances to accommodate people who are unable to walk without assistance. As a result of more accommodating public spaces, people will be able to interact with individuals with disabilities more, which has the potential to reduce some of the stigma surrounding them. There are several public facilities, such as a workplace or a school, which play prominent roles in the daily lives of many, that are hard to access for these disabled individuals. By making these locations more accessible, these individuals are able to become more integrated into society.

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