United Nations Economic and Social Commission for Asia and the Pacific

Promoting Inclusive Quality Police Services for Persons with Disabilities in Asia and the Pacific

3 December 2021, Virtual

Concept Note

I. Background

Everyone’s lives are undeniably linked to interaction with police services, to different degrees. Examples of interactions with police services include reporting lost items, asking for patrol in one’s neighbourhood, and asking for help in situations of crimes, disasters, and humanitarian crises. Not all interactions are positive, however, with incidences of police brutality against people being reported as well. Persons with disabilities are also involved in all of these types of interactions with police services.

Ms. María Soledad Cisternas Reyes, the UN Secretary-General’s Special Envoy on Disability and Accessibility, being aware that there are many barriers persons with disabilities face in this area despite articles 13 and 14 in the Convention on the Rights of Persons with Disabilities (CRPD) delineating rights on access to justice, and liberty and security of a person respectively, has promoted inclusive quality police services for persons with disabilities. She asserts that removing barriers through a rights-based approach and enhancing inclusive quality police services will lead to police officers changing their behaviours, including in the following ways: overcoming their stereotypes and prejudices against persons with disabilities; communicating with and assisting them with respect and without paternalistic attitudes, using accessible means of communications such as sign language, remote sign language interpretation services for deaf people, Braille for blind people, plain language for persons with intellectual disabilities; assisting persons with disabilities in universally accessible means of transport and the built environment; and promoting the hiring of persons with disabilities in police institutions. Adequate training of police officers on disability rights underpins these behavioural changes.

In 2020, the International Principles and Guidelines on Access to Justice for Persons with Disabilities was launched as a result of a series of collaborative efforts among Ms. Reyes, Ms. Catalina Devandas Aguilar, then the United Nations Special Rapporteur on the Rights of Persons with Disabilities, the Office of the United Nations High Commissioner for Human Rights (OHCHR). The principles and guidelines cover police issues within an overall context of the right of access to justice.¹

To move the guidelines forward, Ms. Reyes launched the global campaign on this theme along with the guidelines “For Inclusive Quality Police Services for Persons with Disabilities: 10 Areas of Action”2 at the opening of the 14th Session of the Conference of States Parties to the CRPD in New York on 15 June 2021.3 The campaign underscores its linkage to the promotion on the implementation of the SDG 16 on peace, justice and strong institutions, in which targets 16.7 and 8 request Member States to submit disability disaggregated data on the proportion of positions in local institutions and proportion of the population who believe decision making is inclusive and responsive to disabilities, respectively. The launch gained support from the International Disability Alliance (IDA)4 and the United Cities and Local Governments (UCLG).5 The UCLG support was extended as the police institution’s decision-making power lies at the local government level. There has not yet been a regional campaign held in Asia and the Pacific on inclusive police services.

ESCAP has been the regional engine on promoting disability rights and disability-inclusive development through the promotion of the implementation of the Incheon Strategy to “Make the Right Real” for Persons with Disabilities and the Beijing Declaration, including the Action Plan to Accelerate the Implementation of the Incheon Strategy.6 The Incheon Strategy supports the global campaign on inclusive police quality service via its promotion of Goal 9 on accelerating the ratification and implementation of the Convention on the Rights of Persons with Disabilities and the harmonization of national legislation with the Convention as well as through Goal 2 on promoting participation in political processes and in decision-making, Goal 3 on enhancing access to the physical environment, public transportation, knowledge, information and communication, and Goal 6 on ensuring gender equality and women’s empowerment.

ESCAP is also a member of UN Regional Disability Working Group, which was established in 2020 to enhance coordinated action on the implementation of the United Nations Disability Inclusion Strategy (UNDIS) in Asia and the Pacific. UNDIS’s main aims include disability inclusion in all UN entities substantive work.

Against this background, ESCAP is organizing the session on “Advancing disability-inclusive development: Moving forward together in Asia and the Pacific” on 3 December as part of the regional forum in commemoration of the 2021 international day for persons with disabilities. The inclusion of this session within the regional forum will facilitate the attendance of a broad audience and highlight the connections between the guidelines and other disability rights-related work within the Asia and Pacific region.

---

3 https://www.youtube.com/watch?v=uBRC85L_jSM&t=1s
4 https://www.internationaldisabilityalliance.org/
5 https://www.uclg.org/
II. Organizers

The session within the Regional Forum will be co-organized by ESCAP and Ms. María Soledad Cisternas Reyes, the UN Secretary-General’s Special Envoy on Disability and Accessibility, in collaboration with the UN Regional Disability Working Group.

III. Objectives

A. To deepen understanding of the global campaign on inclusive quality police services for persons with disabilities, particularly, 10 principles contained in the guidelines “For inclusive quality police services for persons with disabilities: 10 areas of action”, and achievements made thus far in other parts of the world as a result of the campaign efforts.

B. To recognize and understand barriers persons with disabilities face in their interactions with police officers and practices on the topic by police institutions, local and central governments, organizations of persons with disabilities, individual persons with disabilities, media and others.

C. To explore and identify regional, national and local policy options to enhance inclusive quality police services for persons with disabilities.

D. To express commitment by UN entities in Asia and the Pacific to support the campaign.

IV. Participants

1. Diplomats in Bangkok
2. Policy makers on disability and police services in Asia and the Pacific
3. UN entities in Asia and the Pacific
4. Organizations of persons with disabilities, individual persons with disabilities, as well as relevant CSOs from Asia and the Pacific

V. Meeting platform and reasonable accommodation

The meeting will be conducted on the Microsoft Teams platform. Real-time captioning in English and international sign interpretation will be available.

VI. Pre-event action

A. ESCAP will disseminate campaign guidelines and a video to all disability policy makers and relevant OPDs and CSOs, and make them available on a website dedicated for the Regional Forum.

B. UN Regional Disability Working Group member entities disseminate campaign guidelines and a video to country offices, and their relevant stakeholders.

C. ESCAP and UN Regional Disability Working Group members collaborate in identifying speakers on good practices from the region.

D. ESCAP and UN Regional Disability Working Group members identify if any entities, governments, organizations will be interested in translating materials.
VII. Tentative programme

<table>
<thead>
<tr>
<th>Time</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>10:30-10:50</td>
<td><strong>Keynote address</strong></td>
</tr>
<tr>
<td></td>
<td>• Ms. María Soledad Cisternas Reyes, the UN Secretary-General’s Special</td>
</tr>
<tr>
<td></td>
<td>Envoy on Disability and Accessibility</td>
</tr>
<tr>
<td></td>
<td>• Mr. Kaveh Zahedi, Deputy Executive Secretary, ESCAP</td>
</tr>
<tr>
<td></td>
<td>• Presentation of the campaign video and guidelines</td>
</tr>
<tr>
<td>10:50-11:55</td>
<td>**Panel discussion: Policy and strategies to enhance inclusive quality</td>
</tr>
<tr>
<td></td>
<td>police services for persons with disabilities**</td>
</tr>
<tr>
<td></td>
<td>The panel share the good practices on inclusive quality police services</td>
</tr>
<tr>
<td></td>
<td>and recommend policy options and programmes at national and local</td>
</tr>
<tr>
<td></td>
<td>levels to enhance inclusive quality police services for persons</td>
</tr>
<tr>
<td></td>
<td>with disabilities</td>
</tr>
<tr>
<td></td>
<td><strong>Panel</strong></td>
</tr>
<tr>
<td></td>
<td>• Ms. Risnawati Utami, UN CRPD Committee Member, Indonesia</td>
</tr>
<tr>
<td></td>
<td>• Mr. Monthian Buntan, Senator and Chairperson, the Sub-Committee on</td>
</tr>
<tr>
<td></td>
<td>Social, Children, Youth, Women, the Elderly, the Disabled and the</td>
</tr>
<tr>
<td></td>
<td>Underprivileged Affairs</td>
</tr>
<tr>
<td></td>
<td>• Ms. Lisa Hardeman, Commander, Priority and Safer Communities</td>
</tr>
<tr>
<td></td>
<td>Division, Victoria Police</td>
</tr>
<tr>
<td></td>
<td>• Ms. Senimelia Seru, Project Officer, Fiji Disabled People’s Federation</td>
</tr>
<tr>
<td></td>
<td><strong>Moderator:</strong> Ms. Kamma, Blair, UNFPA, and a Coordinator of UN</td>
</tr>
<tr>
<td></td>
<td>Disability Working Group</td>
</tr>
<tr>
<td>11:55-12:00</td>
<td>• Moderator wrapping up the session</td>
</tr>
</tbody>
</table>
Annex

I. Convention on the Rights of Persons with Disabilities

Article 13 – Access to justice⁷

1. States Parties shall ensure effective access to justice for persons with disabilities on an equal basis with others, including through the provision of procedural and age-appropriate accommodations, in order to facilitate their effective role as direct and indirect participants, including as witnesses, in all legal proceedings, including at investigative and other preliminary stages.

2. In order to help to ensure effective access to justice for persons with disabilities, States Parties shall promote appropriate training for those working in the field of administration of justice, including police and prison staff.

Article 14 – Liberty and security of person⁸

1. States Parties shall ensure that persons with disabilities, on an equal basis with others:

   a) Enjoy the right to liberty and security of person.

   b) Are not deprived of their liberty unlawfully or arbitrarily, and that any deprivation of liberty is in conformity with the law, and that the existence of a disability shall in no case justify a deprivation of liberty.

2. States Parties shall ensure that if persons with disabilities are deprived of their liberty through any process, they are, on an equal basis with others, entitled to guarantees in accordance with international human rights law and shall be treated in compliance with the objectives and principles of the present Convention, including by provision of reasonable accommodation.

II. For Inclusive Quality Police Services for Persons with Disabilities: 10 Areas of Action⁹

1. Awareness raising
2. Access to information and communication
3. Free access to police premises
4. Interaction between persons with disabilities and police officers in the city or other human settlements
5. Crisis situation of persons with disabilities
6. Emergency situations
7. Law enforcement situations

---

8. Crimes
9. Border patrol services
10. Educational role of the police within the institution and community

III. International Principles and Guidelines on Access to Justice for Persons with Disabilities

10 principles

Principle 1 All persons with disabilities have legal capacity and, therefore, no one shall be denied access to justice on the basis of disability.

Principle 2 Facilities and services must be universally accessible to ensure equal access to justice without discrimination of persons with disabilities.

Principle 3 Persons with disabilities, including children with disabilities, have the right to appropriate procedural accommodations.

Principle 4 Persons with disabilities have the right to access legal notices and information in a timely and accessible manner on an equal basis with others.

Principle 5 Persons with disabilities are entitled to all substantive and procedural safeguards recognized in international law on an equal basis with others, and States must provide the necessary accommodations to guarantee due process.

Principle 6 Persons with disabilities have the right to free or affordable legal assistance.

Principle 7 Persons with disabilities have the right to participate in the administration of justice on an equal basis with others.

Principle 8 Persons with disabilities have the rights to report complaints and initiate legal proceedings concerning human rights violations and crimes, have their complaints investigated and be afforded effective remedies.

Principle 9 Effective and robust monitoring mechanisms play a critical role in supporting access to justice for persons with disabilities.

Principle 10 All those working in the justice system must be provided with awareness-raising and training programmes addressing the rights of persons with disabilities, in particular in the context of access to justice.

---------------------