



How can the SAHRC help you?

The South African Human Rights Commission (SAHRC) is a national institution that works independently to promote, protect and monitor human rights.

It promotes, protects and monitors the observance of human rights. It provides human rights training and conducts research on human rights. It also mediates or litigates on behalf of those who have been victims of human rights violations.

If you feel your rights have been violated based on disAbility, contact the SAHRC.

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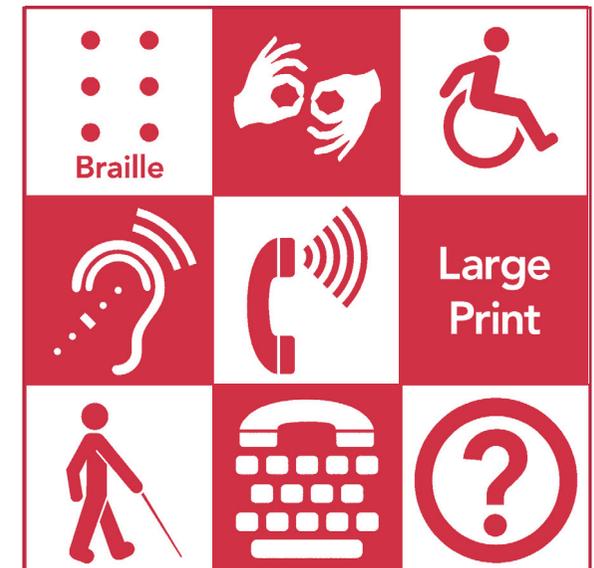
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Human Rights and disAbility



Celebrating Human Diversity

Know your rights. Accept your Responsibilities



disAbility

The human rights-based definition of disAbility says that it is the limitations of the environment that disAble people. The external barriers prevent people with disAbilities from participating in society on an equal basis with others.

DisAbilities are physical, sensory, mental, intellectual and psycho-social in nature. Therefore there is a wide range of interventions that can be applied to ensure access for people with disAbilities that include but is not limited to; medication, assistive devices, personal assistants, change in physical environment.

All people with disAbilities have equal rights to everyone else.

What are disAbility Rights?

DisAbility rights are Human Rights. Everyone is entitled to dignity, integrity and respect. Everyone should have equal access to opportunities, services, participation, inclusion and development.

Appropriate Language

The appropriate language when referring to persons with disAbilities must promote the acceptance of human diversity. The correct term to use is 'person with disAbility' thereby recognising the person primarily before the disability. The disAbility can be differentiated as 'person with visual disability';

'person with hearing disAbility' or 'person with physical disAbility'.

Prevalence of disAbility

It is estimated that people with disAbilities are the largest minority group in the world cutting across all communities and comprising approximately 10% of the global population (650 million).

In South Africa, the prevalence is increased by the rate of HIV/AIDS which also results in disAbilities in its advanced stages.

Universal Access

Access is the major obstacle to inclusion for most people with disAbilities. Therefore removing barriers is key to exercising civil, political, economic, social, environmental, religious and cultural rights in society.

This includes the key principle of universal design, which means designing facilities, services and products for as wide a range of users as possible, for example, shops; banks; libraries; universities, equipment and utensils.

What is Self Representation?

Persons with disAbilities must be included in policy, planning and decision-making processes that affect them.

Human Rights Legal Framework

UN Convention on the Rights of Persons with disAbilities

By ratifying this Convention in 2007, South Africa accepted its legal obligations under the treaty and will adopt legislation to progressively realise the provision contained therein.

The Convention promotes, protects and ensures the full and equal enjoyment of all human rights by persons with disAbilities. Its comprehensive outlook includes key concerns such as accessibility, personal mobility, health, education, employment, habilitation and rehabilitation, equality and non-discrimination.

The Constitution (Bill of Rights, Section 9)

Everyone has the right to equal protection and the full enjoyment of all rights and freedoms. One cannot be discriminated against on the basis of race, gender, sex, pregnancy, disAbility, sexual orientation, age, culture or language.

Promotion of Equality and Prevention of Unfair Discrimination Act (PEPUDA)

This Act also aims to prevent unfair discrimination based on one or more grounds, including gender, race and disAbility and seeks to:

- Promote equality
- Protect human dignity
- Prevent unfair discrimination and the use of hate speech; and
- Promote a culture of democracy

The prohibition against unfair discrimination is primarily intended to provide immediate relief to persons or groups of persons who are being subjected to unfair discrimination.

The PEPUDA has enabled the creation of Equality Courts and has empowered these courts with a wide array of powers to provide effective relief to persons who have been unfairly discriminated against, including people with disAbilities. Therefore, an effective legal framework exists to challenge and put an end to unfair discrimination.