

**OUTCOME DOCUMENT OF THEMATIC DEBATE ON “PROMOTION AND PROTECTION OF RIGHTS OF PERSONS WITH DISABILITIES”  
17<sup>th</sup> REGULAR SESSION OF OIC – IPHRC**

**Jeddah 31<sup>st</sup> March 2021:** The Organization of Islamic Cooperation Independent Permanent Human Rights Commission (IPHRC) held a thematic debate titled: *“Promotion and Protection of rights of persons with disabilities”* during its 17<sup>th</sup> Regular Session held online on 30<sup>th</sup> March 2021. IPHRC Chairperson Dr. Saeed Alghufli inaugurated the debate and the OIC Secretary General Dr. Othaimen delivered the keynote address through a pre-recorded message. Representatives of the Statistical, Economic and Social Research and Training Centre for Islamic Countries (SESRIC), and International Islamic Fiqh Academy (IIFA) participated as panelists. A large number of Member and Observer States also participated online and contributed to the discussion. Based on the comprehensive discussion, the Commission adopted the following as the outcome document of thematic debate:

**Underscored** that Islam regards all human beings as God’s noble creature, each of whom has a special relationship with the Creator, regardless of his or her physical and mental condition. The Quran and the traditions of Prophet Muhammad (peace be upon him) regard all having same worth with no distinction based on caste, creed, color or physical abilities. Accordingly, persons with disabilities are equal in dignity and status both in spiritual and mundane legal domains. In addition, Islam, while exalting their rights, exempts persons with disabilities from some of responsibilities and obligations, in proportion to their disability.

**Inspired and guided** by Prophet Muhammad’s (peace be upon him) behavior that manifests Islamic teachings that disability in and of itself is not necessarily a hindrance or disadvantage and that persons with disabilities are individuals with equal rights. Hence, appropriate response to disability is to facilitate them by meeting their physical, psychological and emotional needs.

**Guided also** by the recently adopted Cairo Declaration of the OIC on Human Rights, OIC Charter and Ten Years Program of Action (TYPOA), United Nations Convention on the Rights of Persons with Disabilities (CRPD), Universal Declaration of Human Rights, Vienna Declaration and Program of Action, Addis Ababa Action Agenda and relevant IIFA Resolutions which recognize equal rights of for persons with disabilities.

**Welcomed** ratification of UN CRPD – an international development tool to promote and protect rights of persons with disabilities on equal footing without creating new rights – by the majority of OIC Member States, which reflects their willingness to removing barriers impeding full participation and integration of persons with disabilities into society.

**Affirmed** that disability as explained by World Health Organization (WHO)<sup>1</sup> is “a limitation in a functional domain that arises from the interaction between a person’s intrinsic capacity, and environmental and personal factors.” From this perspective, disability is an umbrella

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<sup>1</sup> WHO (2001) International Classification of Functioning, Disability and Health. Available at: <http://www.who.int/classifications/icf/en/>

term, covering impairments, activity limitations, and participation restrictions. Similarly, the CRPD<sup>2</sup> recognizes “that disability is an evolving concept and that disability results from the interaction between persons with impairments and attitudinal and environmental barriers that hinders their full and effective participation in society on an equal basis with others.”

**Highlighted** that persons with disabilities represent one of the world’s largest and most vulnerable segments of society (approx. one billion persons, about 15% of the world’s population), 80% of which live in developing countries, including OIC States.

**Recognized** the importance of the overarching principles of diversity, gender equity, life-course and multisectoral approach, inclusiveness, and human dignity in addressing challenges faced by persons with disabilities.

**Recognized** further the importance of promoting and protecting the rights of persons with disabilities for achievement of Sustainable Development Goals (SDGs).

**Stressed** that disability is a complex phenomenon, reflecting interaction between features of a person’s body and features of society where he/she lives, which exacerbate effects of disability. Main barriers to persons with disabilities’ inclusion entail discrimination and stigma on the grounds of disability; lack of accessibility to physical and virtual environments; lack of access to assistive technologies and essential services that are critical for their full and equal participation, as both agents of change and beneficiaries of development.

**Further stressed** that armed conflicts and disasters not only have disproportional negative effects on lives of persons with disabilities which puts growing pressure on affected societies. Accordingly, all humanitarian actions should give adequate priority to protecting and rescuing persons with disabilities. In this regard, **urged** all stakeholders including OIC Member States to make use of Incheon Strategy<sup>3</sup>, which provides useful strategic framework, linking the 2030 SDGs, CRPD and the Sendai Framework for Disaster Risk Reduction 2015–2030 toward disability-inclusive sustainable development.

**Expressed concern** that persons with disabilities continue to face persistent inequalities in social, economic, cultural and political spheres. A country’s economic, legislative, physical and social environment may create or maintain barriers to the participation of persons with disabilities in economic, civic and social life, which include inadequate means of rehabilitation and limited access to public goods and services.

**Further expressed concern** about persistent denial and violations of human rights of persons with disabilities living under foreign occupation and situations of armed conflict who endure brutalities at hands of occupation/security forces. To this end, **expressed** solidarity with the Palestinian, Afghan, Rohingya and Kashmiri persons with disabilities; and **urged** Member States to intensify humanitarian measures to cater for their health, education, psychological and social development needs.

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<sup>2</sup> CRPD Preamble, paragraph (e).

<sup>3</sup> UN ESCAP Strategy: [www.unescap.org/resources/incheon-strategy-make-right-real-persons-disabilities-asia-and-pacific-and-beijing](http://www.unescap.org/resources/incheon-strategy-make-right-real-persons-disabilities-asia-and-pacific-and-beijing)

**Highlighted** that the ongoing Covid-19 pandemic has exposed prevailing systemic inequalities that have devastating socio-economic costs for vulnerable persons across the world including persons with disabilities whose rights are often forgotten, even during normal times. The pandemic has proved that response and recovery efforts will not be effective unless everyone is equally valued and included in public emergency planning and health response.

**Urged** all States to reorient focus from viewing persons with disabilities as “objects” of charity, medical treatment and social protection to “subjects” with rights; and to undertake all appropriate measures to integrate them in decision making processes, especially public policies and programs that target this important segment of society.

**Encouraged** all States to share best practices on how rights of persons with disabilities are implemented in their jurisdictions and to improve integration of persons with disabilities.

**Urged** OIC General Secretariat to finalize OIC Plan of Action on the inclusion and empowerment of persons with disabilities in coordination with the relevant OIC organs for consideration and approval by the open-ended inter-governmental experts’ group. This Action Plan will be a significant step forward to materialize willingness of OIC States to build inclusive and sustainable societies, in which persons with disabilities are fully integrated.

**Called upon** all OIC Member States to create programs aiming at promoting social protection and social inclusion of persons with disabilities, in line with the Final Communiqué of the 14<sup>th</sup> Session of the Islamic Summit, which called for investment in social protection. Also **called upon** Member States to build disaggregated data resources on disability issues to help make well focused and targeted policies, and to develop capacity-building strategies and programs, in consultation with relevant OIC institutions, including in the field of information technology to facilitate access and adaptation of technology for persons with disabilities as per their particular needs.

**Also called upon** all OIC States to consider the following recommendations for enhancing enjoyment of human rights by persons with disabilities:

- (i) Design policies and targeted interventions to remove psychological, social, cultural and environmental barriers which hinder enjoyment of human rights in their societies;
- (ii) Create strong legislative framework for persons with disabilities, especially women and girls, to ensure their full and effective participation in and contribution to the development of their respective societies as equal and dignified citizens; including measures on positive discrimination for benefit of persons with disabilities.
- (iii) Integrate role of NHRIs and office of ombudsperson in implementation of national legislative framework in protecting and promoting rights of persons with disabilities;
- (iv) Invest into risk reduction to prevent disabilities and also design healthcare services friendly to meet their peculiar needs to improve accessibility and outcome;

- (v) Create tools to conduct impact assessment based on concrete data to determine which interventions are successful and what is needed to improve policies and programs targeting persons with disabilities.
- (vi) Invest in developing digital skills for persons with disabilities for their empowerment, integration and ensuring their independence in the society;
- (vii) Integrate various stakeholders, especially civil society and the private sector, to incorporate persons with disabilities into the labor market, improve their accessibility to education and healthcare services as well as to improve their standards of living;
- (viii) Involve media, religious and community leaders to change the perception about persons with disabilities for their better integration into society, and to share relevant best practices, policies, and measures to stimulate learning and cooperation among the Member States in addressing the common issues faced by persons with disabilities;
- (ix) Fulfil their human rights obligations as stated in CRPD and its Optional Protocol and expedite their ratification by those States who have not done so yet;
- (x) Address specific needs of women and girls with disabilities, and incorporate gender perspective in all relevant policies and actions;
- (xi) Ensure that enhancing accessibility for persons with disabilities is mainstreamed in national development plans and accordingly be reflected in the Member States' national reviews of their implementation of SDGs;
- (xii) Enhance international cooperation with UN and among Member States for sharing of knowledge and best practices to design national plans and strategies and also use of assistive technologies to build the capacities of persons with disabilities.

**Called upon** developed countries to facilitate technology transfer to the developing countries, and to provide technical assistance to achieving better integration of persons with disabilities in their local environments across the world, with a focus on the least developed countries.

**Proposed** establishing a focal point within the Humanitarian Affairs Department of the OIC General Secretariat to follow up on the implementation of the OIC Plan of Action on Persons with Disabilities and to publish an annual review of good practices that have been proven successful in promoting and protecting rights of persons with disabilities in OIC Countries.

**Urged** all national, regional and international organizations as well as other relevant employers, both in the public and private sectors, to set the example of inclusiveness by adopting employment policies that are inclusive of persons with disabilities, including implementation of positive discrimination measures for those having relevant capabilities.

**Decided** to prepare an analytical study on Islamic principles that call for protection and empowerment of persons with disabilities in light of the relevant universal standards, in coordination with relevant OIC institutions.

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