



GUIDELINES
FOR ACCESS
TO JUSTICE
OF DEAF WOMEN
VICTIMS OF
GENDER-BASED
VIOLENCE

Initiative
"REMOVING BARRIERS FOR ACCESS TO JUSTICE
OF DEAF AND HEARING-IMPAIRED WOMEN."



SORDAS
IN
VIOLENCIA



PARA
2030

GUIDELINES FOR ACCESS TO JUSTICE OF DEAF WOMEN
VICTIMS OF GENDER-BASED VIOLENCE

Initiative "Removing Barriers for Access to Justice
of Deaf and hearing-impaired Women."

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VICTIMS OF GENDER-BASED VIOLENCE

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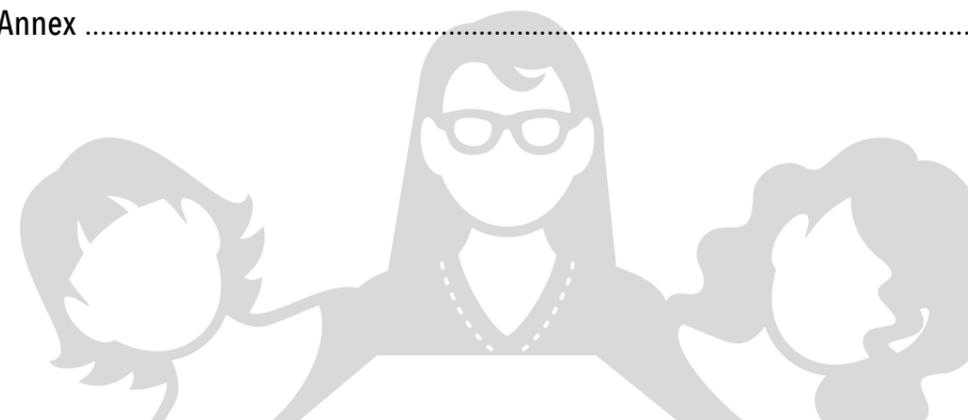
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ENLACES TERRITORIALES
PARA LA
EQUIDAD DE GÉNERO



Fundación de Padres y Familiares de
Personas Sordas para su Integración



1

INTRODUCTION

This set of guidelines is based on the knowledge gained and systematized from our experience working with Deaf women victims of gender-based violence within the framework of the “Sordas Sin Violencia” Program [“Non-Violence to Deaf Women” in English].

This Program is the only device in Argentina which exclusively informs and supports Deaf women experiencing gender-based violence along the difficult path towards accessing justice and enhancing their quality of life. “Sordas Sin Violencia” was created in 2016 by an alliance of two civil society associations, namely: FUNDASOR, which supports Deaf persons’ families in their communication and socialization processes, and “Enlaces territoriales para la equidad de género,” an organization specialized in gender-based violence. Our work develops within the territory of the City of Buenos Aires, though with the support of Information and Communication Technologies (ICT) we have been able to accompany Deaf women across Argentina.

The United Nations Development Program (UNDP) has called us to take part in an Innovation Initiative named “Removing Barriers for Access to Justice of Deaf and hearing-impaired Women.” As a result of our participation, we have prepared these Guidelines and conducted sensitization and identification activities aimed at government officials, social, cultural and educational organizations, as well as the Deaf community. Our goal is to enable Deaf women to exercise their rights, access justice, and lead a violence-free life.

2



DEAF WOMEN AND THEIR CULTURE

Due to their hearing loss, Deaf persons adopt a visual form of communication and develop customs and values which become a tradition with the passage of time. As explained by the Deaf expert Paddy Ladd, who has been awarded a PhD degree in Deaf Culture by the University of Bristol, they create an identity and a sense of belonging. From their life experiences, Deaf people symbolize and structure the world in their own way, they share the same culture which is also marked by the sense of isolation and frustration caused by communication barriers in society and the lack of access to information.¹

Deaf persons' cultural and linguistic identity was recognized in Article 30 of the International Convention on the Rights of Persons with Disabilities.²

Accessible communicational environments provide Deaf women victims of gender-based violence with easy access to information, engagement and autonomy.

¹Paddy Ladd (2011). Understanding Deaf Culture. In Search of Deafhood. First edition in Spanish. Concepción, Chile.

²Article 30, paragraph 4 reads as follows: Persons with disabilities shall be entitled, on an equal basis with others, to recognition and support of their specific cultural and linguistic identity, including Sign Language and deaf culture.

Argentine Sign Language (LSA) unites and represents Argentine Deaf persons as they form part of a minority linguistic community which carries out an efficient and effective communication process.

In spite of this, regarding Deaf people and women in particular, there are misconceptions and value judgments which enhance exclusion and discrimination:

Deaf women are not deaf-mute

A person is mute if his/her vocal cords are damaged and, as a result, he/she is unable to speak.

Neither are they ill nor do they suffer from intellectual disability

Linguistic, emotional and intellectual development is not related with someone's hearing capacity and their means of communication. The fact that Deaf persons use another communication system does not at all mean that their intellectual functions and cognitive development are impaired.

Within the Deaf Community there is no universal means to communicate

Argentine Sign Language (LSA) is the main communication system within the Deaf community in Argentina. Most women use LSA, though there are also women who are not familiar with this language and others who use oral language and lip-reading. The forms of communication depend on socialization, education, and socio-economic contexts. Also, Sign Language differs according to geographical and cultural variables.

3

WHY ARE DEAF WOMEN VICTIMS OF GENDER BASED VIOLENCE DOUBLY AFFECTED BY VIOLENCE?

Law No. 26,485, commonly known as the “Comprehensive Protection to Women Act” establishes tools for

“(...) preventing, punishing and eradicating violence against women within the environments where they develop their interpersonal relationships.”³

This Law defines several types of violence against women, namely: physical, sexual, psychological, economic and symbolic violence. It also distinguishes several forms of violence depending on the environments where it occurs. Thus, women may be victims of domestic violence if the person harming their integrity, dignity and well-being is a family member, though they may also be victims of institutional, workplace, obstetric and media violence, among other forms of abuse.

³This is the Comprehensive Protection National Law to Prevent, Punish and Eradicate Violence against Women in the Environments where they Develop their interpersonal relations . http://www.cnm.gob.ar/legNac/Ley_26485_decreto_1011.pdf

Deaf women who endure gender-based violence are often doubly affected by it, as besides suffering the direct consequences of violence, they also face multiple barriers which impede their communication, cause isolation and hinder access to information, assistance and justice services.



According to the data provided by the UN Secretary General's Campaign named "UNiTE To End Violence Against Women,"⁴ women who experience multiple forms of discrimination are more likely to become victims of violence than other women, and its consequences may be more serious due to the difficulty to access services in general.

⁴http://endviolence.un.org/pdf/pressmaterials/unite_the_situation_en.pdf

As they cannot access information, many Deaf women ignore that they are victims of gender-based violence and that the violence inflicted upon them is a crime. We also support women in situations where they try to recourse to justice but instead they find services which are not qualified or adapted to allow them to access justice on an equal basis. For example, in Argentina, it is common to use hot lines in order to provide guidance and advice to women experiencing gender-based violence. These hot lines have not been adapted yet, and they are a few the services which have been adjusted to combine a gender-based approach and the rights of persons with disabilities in their interventions.



Comprehensive assistance services which consider the culture, timing, forms of communication and the particular needs of Deaf women are crucial to overcome the obstacles placed by society, and enable these women to exercise their rights.

4



THE RIGHTS OF DEAF WOMEN AND PERSONS WITH DISABILITIES

Law No. 26,378 ratifies the UN Convention on the Rights of Persons with Disabilities in Argentina.

All the articles of the Convention are important to ensure the rights of persons with disabilities, the enjoyment of their fundamental liberties and the non-discrimination. However, in order to learn about the rights of Deaf women victims of gender-based violence and adopt measures in their pursuit, there are some articles which are central and are worth to be highlighted.

The social model of disability established by the Convention is founded on human rights, such as human dignity, personal freedom and equality. It rejects the rehabilitation approach and emphasizes in the universal accessibility, non-discrimination, participation, social inclusion, and the elimination of barriers that restrict or impede the autonomy of persons with disabilities.

Mainly, we suggest the reading of the following articles:

ARTICLE 2:

Definitions of communication, language, discrimination, reasonable adjustments and universal design of products, environments, programs and services.

ARTICLE 6:

Rights of women with disabilities.

ARTICLE 9:

Accessibility of the physical environment, transportation, information and communications, including systems and ICT.

ARTICLE 13:

Access to justice on an equal basis, including through procedural adjustments.

ARTICLE 16:

Protection from all forms of exploitation, violence and abuse both within and outside the home, including gender-based aspects.

ARTICLE 21:

Freedom of expression and opinion and access to information in the communication forms described in Article 2, including Sign Language.

These articles provide for the adoption of measures to ensure Deaf persons' rights enforceability; they recognize Sign Language and their culture, and promote inter alia, communication accessibility through professional Sign Language interpreters and simple language. They are fully transcribed in the annex.

5



NOTHING ABOUT US WITHOUT US

The English phrase “Nothing about us without us” was adopted by a global movement in their fight for the rights of people with disabilities. It has been translated as “Nada sobre nosotros sin nosotros” in Spanish.

This expression rejects the approaches based on compassion or charity to reaffirm the right of persons with disabilities to fully participate both in decision-making processes and public policies that may affect or influence their lives.

We have also adopted this phrase to remind people of the importance of demanding the active involvement of Deaf women and their organizations in the decision-making process regarding the policies and measures which concern them.

Likewise, we believe that one of the key factors that contributes to the successful accompaniment processes to Deaf women victims of gender-based violence is the involvement of other Deaf persons. In our experience, when a Deaf woman experiencing gender-based violence finds another Deaf person willing to create an empathic bond, the conditions required for her to break free from violence and to start building a new life path are being settled.

It is advisable that assistance services for gender-based violence victims engage or seek advice from members of the Deaf community or other qualified entities specialized in Deaf Culture.

6



THE RIGHT TO AN INCLUSIVE COMMUNICATION

Communication is a fundamental, universal and indivisible human right. It is an essential requirement for access to justice services, and for Deaf women to be included in society, enjoy both their autonomy and a life free from violence.

The Convention on the Rights of Persons with Disabilities urges to adopt all relevant measures to ensure that persons with disabilities may exercise the right to freedom of expression and opinion, including the freedom to collect, receive and facilitate information and ideas on an equal basis with others, and through any form of communication, including Sign Language.⁵

Below, we include some suggestions in order to create an accessible and appropriate communicational environment to interact with Deaf women victims of gender-based violence.

⁵Article 21.

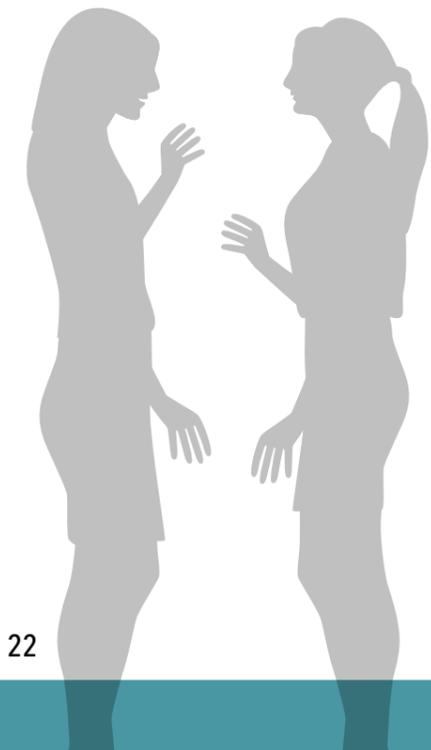
1. Guidelines for Interpersonal Communication

Sign Language uses the whole body, facial markers (also known as NMMs: Non Manual Markers), space, and many other elements comprising its grammar that are used to organize sentences and speech, just like any other language.

It has the same structural and organizational principles than spoken language, though, unlike them, it does not use the auditory channel but the visual channel. Therefore, Sign Language is gestural-visual. If only the hands were used, meaning would be lost.

If the Deaf woman uses Sign Language it is important that a LSA-Spanish Sign Language interpreter be available as soon as possible. Meanwhile, communication may be facilitated by creating conditions which enable visual contact among the speakers:

- Face the Deaf woman at all times and make eye contact with her.
- Try to place yourself in a well-lit spot.
- Speak slowly, uttering sounds clearly without covering your mouth.
- Show goodwill, empathy, patience and willingness to dialog.
- Keep in mind that interaction timing is different. Therefore, it is necessary not to show distress or impatience if the interview takes longer than expected.
- Avoid tension in face of any communication difficulties you may encounter.
- Convey information in a clear and concise way, avoiding the use of connectors.
- Do not shout or raise your voice.
- If necessary, make notes and drawings on paper.



2. Communication through Accessible Technologies

Digital media may facilitate interaction and access to information through devices which, among other things, combine video and graphic communication.

Currently, Deaf persons prioritize the use of social networks such as Facebook and WhatsApp, as both platforms allow them to communicate through videos, calls and cyber chats (chat rooms).

Therefore, it is advisable that justice services use social networks and digital media with similar functionalities.

Below are some tips for communicating through digital media:

- Make short and clear phrases using simple language.
- Avoid using technical terms.
- Use images, graphics or other visual contents without making oversimplifications which may restrict the information provided.
- Ensure that videos are filmed in LSA and captioned to be accessible by Deaf persons.
- Validate messages with members of the Deaf community to ensure comprehension and their validity within the culture and language of Deaf persons.



Counseling and emergency devices may be adapted by way of web applications and social networks. For example, in the City of Buenos Aires, it is possible to have anti-panic buttons through which communication with the Local Police Department is activated by Whatsapp video calls.

3. Necessary Adjustments to Questionnaires and Forms

It is often believed that written communication poses fewer obstacles for communication with Deaf persons.

However, documents and forms become an important barrier to access justice as, besides the overall unfamiliarity of technical and legal jargon, Deaf persons may have difficulties to read and write in Spanish. Sign Language is non-graphic (not written), and a high percentage of this population is illiterate, semi-illiterate or has not completed their formal education.

In order to overcome these obstacles, it is advisable to use videos in LSA, which may explain the purpose of each form and how they should be completed. It is always important that explanatory material for each form is available. Likewise, explanatory videos may be made for such documents.

These contents should always be produced with the collaboration of LSA – Spanish interpreters and Deaf persons.



“Sordas Sin Violencia” advises governmental agencies so they may prepare accessible guidelines for Deaf women through culturally and linguistically adjusted videos in LSA.

4. Awareness raising and Access to Information Campaigns

Deaf women are usually excluded from campaigns and from messages spread by media and social networks to inform them about their rights.

In order to make inclusive campaigns, we provide the following suggestions:

- Design campaigns using messages that are accessible to the entire population from an early stage;
- Include Sign Language and captions for Deaf people. Consider that the video screen featuring the signer should take up 34% of the full screen with a chroma key background and should be located on the bottom right corner of the screen;⁶
- Give relevance to visuals;
- Avoid voice overlapping in videos which will be captioned in Spanish later and edit them so that the video is simultaneous with the audio; and
- Include active members of the Deaf community in campaign planning, as well as in message validating, in order to properly monitor them from a linguistic and cultural perspective. In the case of audiovisual material it is advisable to verify the quality of LSA-Spanish interpretation.

We suggest taking into account that it is often impossible to adapt communicational materials which have been produced without considering an inclusive communication approach. For example, this is the case of the “Ball of Wool” spot [“Ovillo de Lana” in Spanish] (<https://www.youtube.com/watch?v=oQLygzc2ok>) in the “Another Life is Possible” [“Otra vida es posible”] Campaign when we tried to caption to make it accessible for Deaf people.

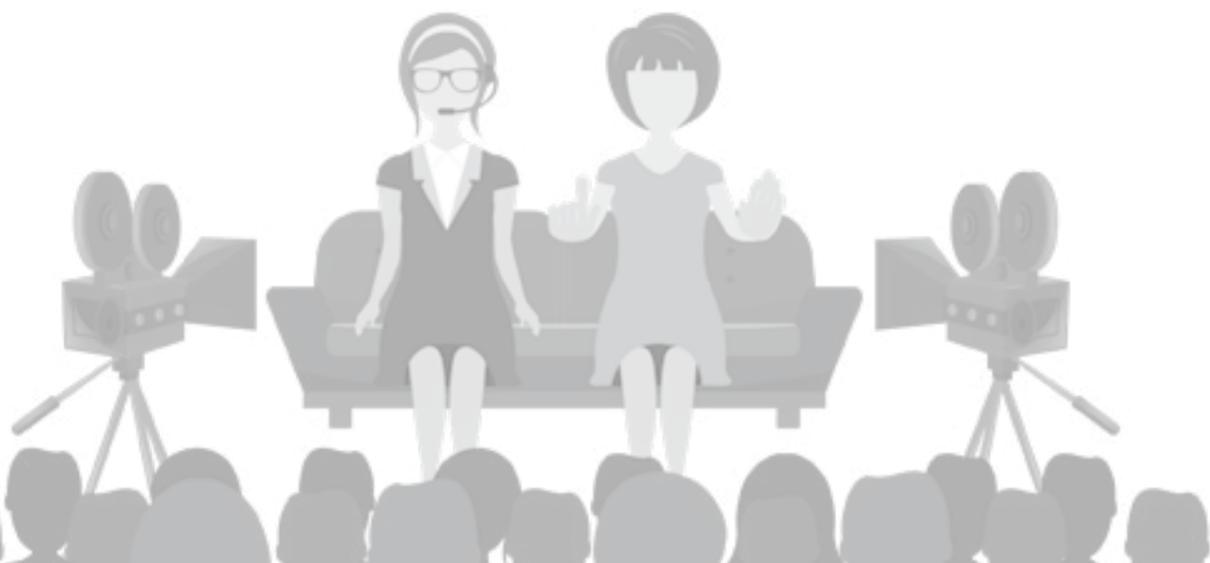
⁶ <http://www.vocesporlajusticia.gob.ar/wp-content/uploads/2017/11/Recomendaciones-para-una-comunicaci%C3%B3n-accesible-e-inclusiva.pdf>

5. Deaf Women' Participation in Audiovisual Media

Deaf women are practically invisible in the media. In the few instances where they are interviewed or considered to appear on the media, their experiences are usually negative, basically because of the lack of knowledge about the approach required from a technical and journalistic point of view.

Based on our experience, we suggest the following:

- Both the Deaf woman and the LSA-Spanish interpreter should appear on camera. There should be a Deaf mediator and another interpreter backstage to facilitate communication between the interviewed woman and the news team.
- Long shots should be used to allow the interviewee to use space comfortably and to ensure that her signs are caught by the camera.
- If the interview is recorded, ensure that it is captioned and a video graph displaying contact information of the relevant service appears on screen.
- As in any news report, it is important to consider what women have to say, thus avoiding re-victimization or stereotypes.



6. Communication in Public Events

It is also necessary to guarantee accessibility to information in public events. We refer to the "Guidelines for Accessible and Inclusive Communication" ["Recomendaciones para una comunicación accesible e inclusiva"] prepared by the Argentine Disability Agency,⁷ namely:

When organizing workshops, meetings or work environments it is necessary to create the conditions required so that everyone may have equal participation opportunities.

- When sending an invitation to the event, ask if the attendant will require some sort of support.
- Prepare material in the formats and languages required (simple language, Sign Language, automatic captions).
- At the beginning of the event, ask if anyone requires Spanish-Sign Language.
- Do not cover your mouth (with your hands or the microphone) or give your back to the audience in oral communications.
- It is important that the room is well-lit, for example, during lectures.

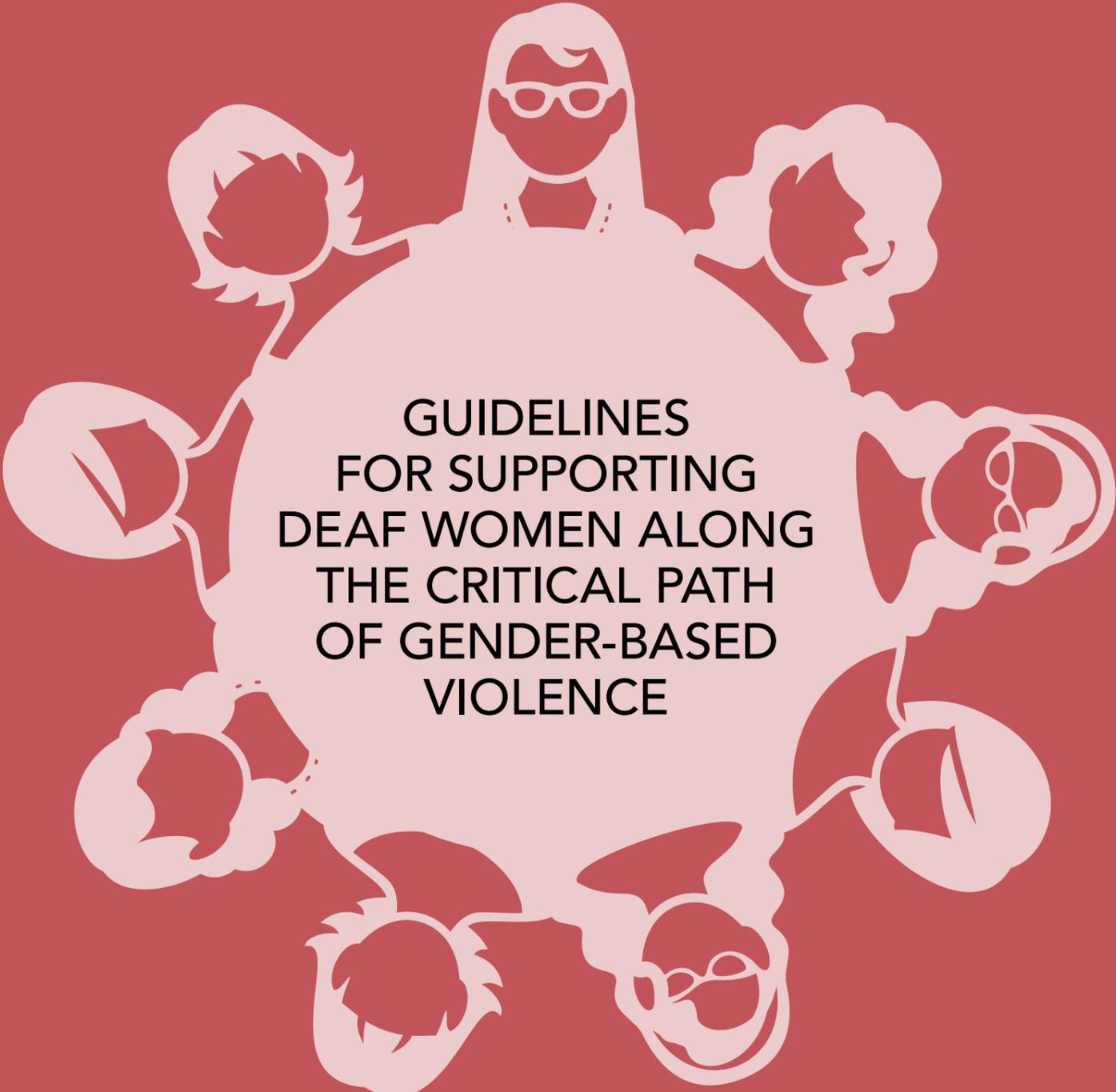
From our experience in the organization of workshops and work environments, we have learned that the following guidelines are also important:

It is always important to seek feedback from participants as to the actions to be implemented in order to facilitate communication in each case.

- Include basic inclusive communication guidelines in the invitation and the relevant work materials.
- Request participants to ask for permission to speak (for example by raising their hand) and to respect the time allotted to each participant.
- Consider hiring LSA-Spanish interpreters keeping in mind the number of Deaf persons who will be attending the event, their forms of communication and the length of the event.
- Ensure that there are LSA-Spanish interpreters available in the lobby to guide participants and facilitate check-in.
- Avoid noisy spaces and sound stimuli overlapping.

⁷ <http://www.vocesporlajusticia.gob.ar/wp-content/uploads/2017/11/Recomendaciones-para-una-comunicaci%C3%B3n-accesible-e-inclusiva.pdf>

7



GUIDELINES FOR SUPPORTING DEAF WOMEN ALONG THE CRITICAL PATH OF GENDER-BASED VIOLENCE

The situations where “Sordas Sin Violencia” has provided support have shown that there are two variables which have a strong impact when a Deaf woman becomes aware of the fact that she is experiencing gender-based violence and seeks the aid of a counseling and support service.

These variables are as follows:

- **The victim's family and social networks; the support provided by them and the attitude they adopt when faced with a violent situation.**
- **The role of the State and the commitment of the officials who receive them.**

Whether women victims of gender-based violence have access to justice and are able to exercise their right to a life free from violence depends on these variables. Having a support network and being appropriately received and assisted by justice services increase their chances to break free from oppression and start new projects. The challenge of assisting women with a poor support network is even greater as, in addition to their need to access justice these women need to build new social and emotional networks.

In both situations, both the role of the State in ensuring rights and the commitment and willingness of law enforcement officials are central to overcome communication barriers. In fact, very often this is the difference between these women's life and death.

Next, we offer some suggestions and recommendations which might facilitate a quick and adequate response in emergency situations.

1. First Approach to Governmental Agencies

In emergency situations, it is very important that the officials who receive them assume the role of supporting, explaining and rapidly calling an LSA-Spanish interpreter to facilitate communication.

What should be done while waiting for the arrival of a LSA-Spanish interpreter?

- Show willingness to build an empathic relationship whereby the woman feels that she will be listened to attentively, respectfully and confidentially and knows she can express herself confidently.
- Avoid showing unrest or distress due to the difficulties that may be encountered in communication.
- Speak clearly to facilitate lip-reading.
- Ensure that there are no more than two persons assisting a Deaf woman to avoid harassing her.
- Ensure that the interview takes place in a quiet and well-lit space.
- Promote direct referrals or collaboration. For example, if legal representation is recommended it is advisable that the initial interview with her attorney be made through Whatsapp.
- Protect privacy and keep the aggressor's identity confidential.
- Spend more time than the usual time allotted to the interview, considering that the length of speech is different.

It is of utmost importance to pay attention to "feedback" in conversation. We suggest considering particularly what the woman has to say and checking if she has managed to understand the information provided, as lip-reading is often insufficient to attain good comprehension.

In order to facilitate assistance to Deaf women, we suggest that justice services should be well-informed about local institutions of Deaf people and entities which may provide LSA – Spanish interpretation services. It is also recommendable that work meetings with such entities are held to share approaches and forms of intervention, or otherwise that such entities are invited to participate in intersectoral gender discussion roundtables.

Initial Questions

During the first initial interview, a simple questionnaire may be applied, with questions such as:

How do you communicate?
Do you speak Sign Language?
Do you lip-read? Can you use oral language? Can you write?

What's your name?
If you use LSA,
what's your personal sign?

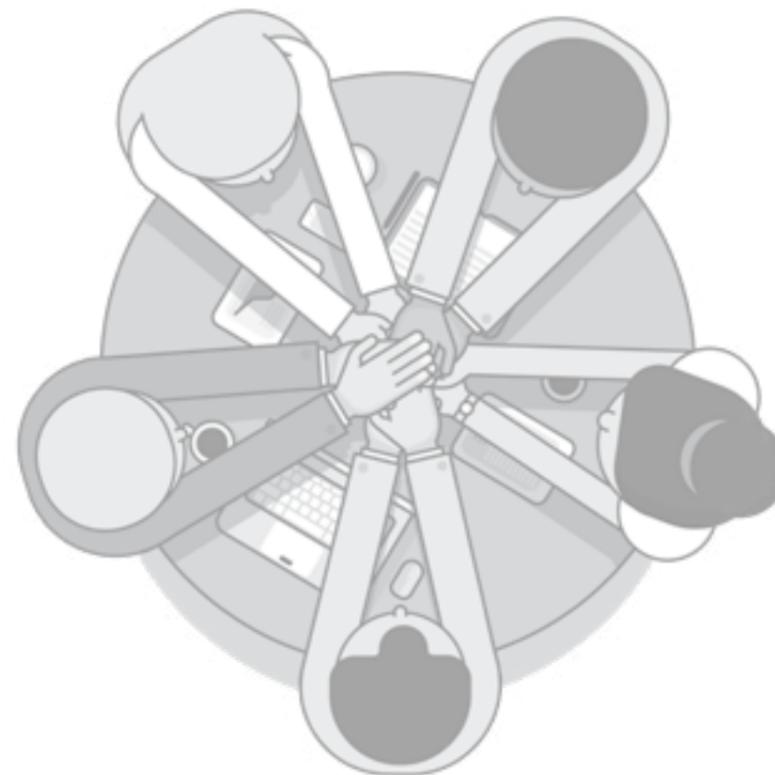
Can you understand me?
Do you want me to speak more slowly?

2. Defining a Comprehensive Support Strategy

It is highly likely that a single interview will not suffice to inform, empower and define an intervention strategy.

Beforehand, probably three or four interviews will be necessary to explain the following in detail: the meaning of a police report, the procedures which must be followed, the meaning of interim and precautionary measures, and the consequences of filing a police report.

Then, an environment must be created where it would be possible to start working jointly with specialists on the question: How can we start a new life without the aggressor?



The “Sordas Sin Violencia” work team which supports women in gender-based violence situations is comprised by a gender-based violence expert, a Deaf mediator and an LSA-Spanish interpreter.

The roles of an LSA-Spanish interpreter and a Deaf mediator are central in this process. For example, on the first interview with her attorney, it is very important that the woman is accompanied by a person who may facilitate LSA-Spanish communication, and another person who may build trust and bridges between both cultures. If an interpreter is not available, a Deaf bilingual (Sign Language - Spanish) trusted advisor may be appointed. If possible, a female advisor is recommended.

Additionally, it will be relevant to inquire about her family and social network, as well as her bonds with the local Deaf community, and to find out about the aggressor’s relationship with this network.

8



INTERPRETERS AND DEAF MEDIATORS' INTERVENTION

1. LSA-Spanish Interpreters

Interpreters play a major role throughout the process supporting women who naturally communicate through LSA.

The thematic guide "Communication Accessible in Sign Language" ("Comunicación accesible en Lengua de Señas")⁸ of the Argentine Institute against Discrimination, Xenophobia and Racism (INADI) states that the intervention of LSA-Spanish interpreters must ensure the following:

- The right to access information in a clear and comprehensible manner and on an equal conditions and opportunities;
- Efficient communication;
- Participation in several environments;
- Deaf persons' autonomy in decision making.

In order to take part in the overall support provided to women victims of gender-based violence, we believe it is important that they may act as a communication intermediary, with capacity to accompany them and explain the legal concepts and the terminology related to the gender-based violence situation they are going through.

For that purpose, it is advisable that they are trained on gender-related matters and human rights, besides having developed their professional practice within the framework of the social model of disability.

As long as it is possible, we suggest appointing interpreters who are experts in the matter, trusted by or familiar to the woman who is to be interpreted.

⁸ <http://www.inadi.gob.ar/biblioteca/book/comunicacion-accesible-en-lengua-de-senas-argentina/>

2. Trusted Companion

Law No. 26,485⁹ establishes in section 25 the concept of protective assistance. The section reads as follows:

“At every stage of the proceeding a companion may be appointed to provide pro bono protective assistance, if required by the woman who is experiencing violence and with the sole purpose of preserving her physical and mental health.”



In the case of Deaf women who experience gender-based violence this role may be fulfilled by a Deaf mediator who meets the following requirements:

- She must be a member of the Deaf community.
- She must have communicational and linguistic knowledge about LSA and Spanish.
- She must be trained on Human Rights and the gender-based approach.
- She must have the capacity to make linguistic and discursive interventions in all stages of the interpretation process.
- She must have attitudes and skills to build an empathic relationship with the women she supports.

⁹ This is the Comprehensive Protection Law to Prevent, Punish and Eradicate Violence against Women in the Environments where they Develop their Interpersonal Relations.

This professional role enables linguist and cultural mediation in complex communication situations such as the ones experienced by Deaf women who experience gender-based violence; facilitates efficient communication; fosters and guarantees practices for access to information and communication based on respect to Sign Language and the victim's linguistic and cultural identity.

Also, the Deaf mediator may facilitate joint efforts with several institutions; besides supporting and intervening in the resolution of technical, situational, emotional and linguistic problems they may encounter at each stage of the LSA-Spanish interpretation process.



9



LEAVE NO ONE BEHIND

The 2030 Agenda reflects International Treaties on Human Rights on its 17 Sustainable Development Goals (SDGs) and 169 targets. Particularly, as stated in SDG No. 16: “promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels,” governments are bound to create efficient, responsible and inclusive institutions at all level.

This means they must work to eliminate barriers and remove obstacles keeping in mind that justice services are, sometimes, the ultimate guarantee to protect, remedy and enforce their rights.

As is the case of these Guidelines, “Sordas Sin Violencia” will continue working to make available to everyone the knowledge gained and the experiences recorded along this path.

Please feel free to contact us at:
sordassinviolencia@gmail.com



ANNEX

Below, follows a transcription of Articles 2, 6, 9, 13, 16 and 21 of the Convention on the Rights of Persons with Disabilities due to its importance to accomplish access to justice services which are inclusive and universal.

ARTICLE 2: DEFINITIONS

For the purposes of the present Convention:

“Communication” includes languages, display of text, Braille, tactile communication, large print, accessible multimedia as well as written, audio, plain-language, human-reader and augmentative and alternative modes, means and formats of communication, including accessible information and communication technology;

“Language” includes spoken and signed languages and other forms of non spoken languages;

“Discrimination on the basis of disability” means any distinction, exclusion or restriction on the basis of disability which has the purpose or effect of impairing or nullifying the recognition, enjoyment or exercise, on an equal basis with others, of all human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field. It includes all forms of discrimination, including denial of reasonable accommodation;

“Reasonable accommodation” means necessary and appropriate modification and adjustments not imposing a disproportionate or undue burden, where needed in a particular case, to ensure to persons with disabilities the enjoyment or exercise on an equal basis with others of all human rights and fundamental freedoms;

“Universal design” means the design of products, environments, programmes and services to be usable by all people, to the greatest extent possible, without the need for adaptation or specialized design. “Universal design” shall not exclude assistive devices for particular groups of persons with disabilities where this is needed.

ARTICLE 6: WOMEN WITH DISABILITIES

1. States Parties recognize that women and girls with disabilities are subject to multiple discrimination, and in this regard shall take measures to ensure the full and equal enjoyment by them of all human rights and fundamental freedoms.

2. States Parties shall take all appropriate measures to ensure the full development, advancement and empowerment of women, for the purpose of guaranteeing them the exercise and enjoyment of the human rights and fundamental freedoms set out in the present Convention.

ARTICLE 9: ACCESSIBILITY

1. To enable persons with disabilities to live independently and participate fully in all aspects of life, States Parties shall take appropriate measures to ensure to persons with disabilities access, on an equal basis with others, to the physical environment, to transportation, to information and communications, including information and communications technologies and systems, and to other facilities and services open or provided to the public, both in urban and in rural areas. These measures, which shall include the identification and elimination of obstacles and barriers to accessibility, shall apply to, inter alia:

- a) Buildings, roads, transportation and other indoor and outdoor facilities, including schools, housing, medical facilities and workplaces;
- b) Information, communications and other services,

including electronic services and emergency services.

2. States Parties shall also take appropriate measures:

- a) To develop, promulgate and monitor the implementation of minimum standards and guidelines for the accessibility of facilities and services open or provided to the public;
- b) To ensure that private entities that offer facilities and services which are open or provided to the public take into account all aspects of accessibility for persons with disabilities;
- c) To provide training for stakeholders on accessibility issues facing persons with disabilities;
- d) To provide in buildings and other facilities open to the public signage in Braille and in easy to read and understand forms;
- e) To provide forms of live assistance and intermediaries, including guides, readers and professional sign language interpreters, to facilitate accessibility to buildings and other facilities open to the public;
- f) To promote other appropriate forms of assistance and support to persons with disabilities to ensure their access to information;
- g) To promote access for persons with disabilities to new information and communications technologies and systems, including the Internet;

h) To promote the design, development, production and distribution of accessible information and communications technologies and systems at an early stage, so that these technologies and systems become accessible at minimum cost.

ARTICLE 13: ACCESS TO JUSTICE

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 16: FREEDOM FROM EXPLOITATION, VIOLENCE AND ABUSE

1. States Parties shall take all appropriate legislative, administrative, social, educational and other measures to protect persons with disabilities, both within and outside the home, from all forms of exploitation, violence and abuse, including their gender-based aspects.

2. States Parties shall also take all appropriate measures to prevent all forms of exploitation, violence and abuse by ensuring, inter alia, appropriate forms of

gender- and age-sensitive assistance and support for persons with disabilities and their families and caregivers, including through the provision of information and education on how to avoid, recognize and report instances of exploitation, violence and abuse. States Parties shall ensure that protection services are age-, gender- and disability-sensitive.

3. In order to prevent the occurrence of all forms of exploitation, violence and abuse, States Parties shall ensure that all facilities and programmes designed to serve persons with disabilities are effectively monitored by independent authorities.

4. States Parties shall take all appropriate measures to promote the physical, cognitive and psychological recovery, rehabilitation and social reintegration of persons with disabilities who become victims of any form of exploitation, violence or abuse, including through the provision of protection services. Such recovery and reintegration shall take place in an environment that fosters the health, welfare, self-respect, dignity and autonomy of the person and takes into account gender- and age-specific needs.

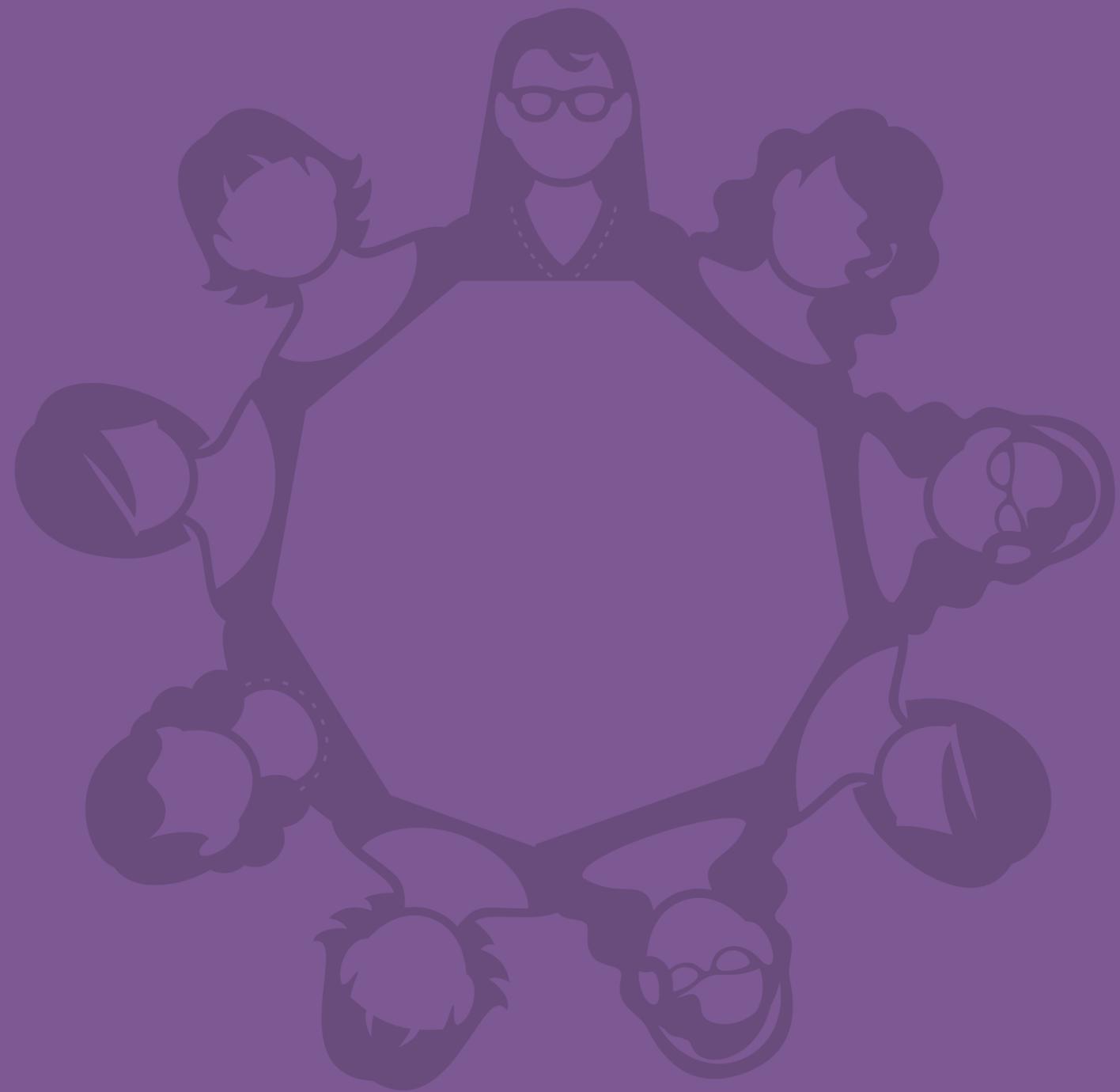
5. States Parties shall put in place effective legislation and policies, including women- and child-focused legislation and policies, to ensure that instances of exploitation, violence and abuse against persons with disabilities are identified, investigated and, where appropriate, prosecuted.

ARTICLE 21: FREEDOM OF EXPRESSION AND OPINION, AND ACCESS TO INFORMATION

States Parties shall take all appropriate measures to

ensure that persons with disabilities can exercise the right to freedom of expression and opinion, including the freedom to seek, receive and impart information and ideas on an equal basis with others and through all forms of communication of their choice, as defined in article 2 of the present Convention, including by:

- a) Providing information intended for the general public to persons with disabilities in accessible formats and technologies appropriate to different kinds of disabilities in a timely manner and without additional cost;
- b) Accepting and facilitating the use of sign languages, Braille, augmentative and alternative communication, and all other accessible means, modes and formats of communication of their choice by persons with disabilities in official interactions;
- c) Urging private entities that provide services to the general public, including through the Internet, to provide information and services in accessible and usable formats for persons with disabilities;
- d) Encouraging the mass media, including providers of information through the Internet, to make their services accessible to persons with disabilities;
- e) Recognizing and promoting the use of sign languages.





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