



Frequently Asked Questions

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What is the Convention on the Rights of Persons with Disabilities?

The Convention on the Rights of Persons with Disabilities (CRPD) is a treaty that describes the obligations of ratifying countries to promote, protect, fulfill, and ensure the rights of persons with disabilities. The treaty embodies the American ideals that form the basis of the Americans with Disabilities Act (ADA): empowering persons with disabilities to be independent and productive citizens.

What is the history of the CRPD?

The US signed the CRPD on July 30, 2009, joining the 141 other signing nations. As of June 2012, the Convention has 114 ratifications and 153 signatures. On May 17, 2012, following almost three years of thorough inter-agency review, the Obama Administration submitted its treaty package to the Senate for its advice and consent for ratification.

Why should the US ratify? Isn't signature enough?

Signature of a treaty only conveys preliminary endorsement and demonstrates a country's intent to examine the treaty domestically and consider ratification. Ratification of the CRPD would show the serious commitment of the US to disability rights. Direct benefits of US ratification include:

- **Global leadership:** Ratification provides the US a unique opportunity to engage in substantive discussions in an international forum to provide our guidance and expertise to other countries who are adopting the laws necessary to implement the treaty.
- **Protecting U.S. citizens abroad:** Americans with disabilities, including our growing veteran population, live, work, travel, study, and retire outside the United States. As a ratifying party the United States can use the CRPD to encourage other countries to ratify and implement the instrument to achieve the high standard of accessibility that the United States has embraced, benefitting the millions of U.S. citizens abroad. (21 veterans and military service organizations support ratification including: Veterans of Foreign Wars, The American Legion, Wounded Warrior Project, and Disabled American Veterans)
- **Business interests:** The CRPD is leveling the playing field for U.S. corporations by requiring businesses abroad to create policies on accessibility that meet ADA standards. Further, the CRPD's implementation abroad will create demand for accessible goods that American businesses produce.

Does the CRPD create a new area for litigation?

No. The CRPD text does not indicate that it is meant to be automatically enforceable, and the treaty package's proposed declaration that the treaty is non self-executing would ensure that the treaty will not create a private cause of action in US Courts. The US has traditionally ratified other human rights treaties (International Covenant on Civil and Political Rights, Convention against Torture, Convention on the Elimination of All Forms of Racial Discrimination) with a non self-executing declaration.

What are the costs associated with ratifying the CRPD?

CRPD ratification presents an opportunity to stand for the rights of persons with disabilities, trumpet the accomplishments of US law and policy, and honor Americans with disabilities, while incurring no costs. Such opportunities are rare.

Will the CRPD require changes to laws in the US?

No. Current US law includes a vast array of provisions and programs to fight discrimination against persons with disabilities. These laws include the Rehabilitation Act of 1973 (as amended), the Americans with Disabilities Act of 1990 (as amended), and the Individuals with Disabilities Education Act, among others. The treaty works with this legislation to ensure the rights of people with disabilities. Most provisions of the treaty are consistent with current US legislation. In cases where existing US law may not be consistent with the CRPD, the treaty package proposes reservations, understandings, and a declaration (RUDs) that confirm that by ratifying CRPD the United States is not undertaking any international obligations inconsistent with current domestic U.S. law. Thus, no change in law and no additional costs are required for the United States to ratify the CRPD. For example, the treaty package proposes adopting a reservation that the U.S does not accept any obligation to regulate private conduct under the treaty, except as mandated by the Constitution and law of the U.S. Further, the treaty package proposes an understanding that the U.S. will interpret the term “disability” according to its definition under relevant U.S. laws.

What is the role of the Committee on the Rights of Persons with Disabilities?

The CRPD Committee, composed of disability experts from ratifying countries, is meant to provide an international forum for the sharing of ideas and offers a valuable opportunity for the US to continue its global leadership and provide guidance and expertise to the world on our robust domestic legal protection of disability rights. The treaty-imposed limitations on the role of the CRPD Committee ensure that the body is merely advisory and it is authorized to respond to reports with “suggestions and general recommendations.” Having US representation on the Committee will help make sure that the Committee stays true to its intended mission. Moreover, formal provision of US expertise on the Committee will be valuable to other countries, and impact how they treat disabled Americans overseas.

Why should the US ratify the CRPD when we have the ADA?

Similar to the ADA, the principles of the CRPD are equal treatment and non-discrimination in access to justice, health, education, employment, and rehabilitation. Through the ADA, the US has made progress toward the goals of inclusion, equal opportunity, full participation, independent living, and economic self-sufficiency for Americans with disabilities. Ratification of the CRPD would present the opportunity for a reaffirmation of these values and provide the forum to advance them worldwide.

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