



ASSEMBLY — 42ND SESSION

EXECUTIVE COMMITTEE

Agenda Item 12: Facilitation Programmes

ADDRESSING AND ENSURING THE RIGHTS OF PERSONS WITH DISABILITIES IN AIR TRANSPORT

(Presented by Uruguay and supported by 19 Member States of the Latin American Civil Aviation Commission (LACAC))²

EXECUTIVE SUMMARY

This working paper presents a summary report that attempts to define disability and sets forth a regulatory approach and a statistical overview, to provide a better understanding of the actual situation.

Action: The Assembly is invited to:

- encourage all stakeholders to adapt their regulatory frameworks by incorporating into its rules or acceding to the Convention on the Rights of Persons with Disabilities and its Optional Protocol;
- foster enhanced participation by persons with disabilities in the aviation sector; and
- support and encourage decision-making by States, airport operators and airlines to provide facilities and amenities conducive to the effective integration of persons with disabilities in this mode of transport.

<i>Strategic Goals:</i>	This working paper relates to all the International Civil Aviation Organization Strategic Goals.
<i>Financial implications:</i>	
<i>References:</i>	Convention on the Rights of Persons with Disabilities and its Optional Protocol Doc 9984, <i>Manual on Access to Air Transport by Passengers with Disabilities</i> Resolution A20-21 of LACAC Annex 9 — <i>Facilitation</i>

¹ Spanish version provided by Uruguay.

² Belize, Bolivia (Plurinational State of), Chile, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Peru, Uruguay and Venezuela (Bolivarian Republic of)).

1. INTRODUCTION

1.1 Disability is an evolving concept that 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.

1.2 Despite various instruments and undertakings, persons with disabilities continue to face barriers to their participation as equal members of society and violations of their human rights continue in all parts of the world.

1.3 Of particular concern is the plight of persons with disabilities who are subject to multiple or aggravated forms of discrimination on the basis of race, colour, sex, language, religion, political or other opinion, national, ethnic, indigenous or social origin, property, birth, age or other status. In this regard, women and girls with disabilities are often at greater risk, both within and outside the home, of violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation.

1.4 There is a need to incorporate a gender perspective in all efforts to promote the full enjoyment of human rights and fundamental freedoms by persons with disabilities, especially given the proven fact that the majority of persons with disabilities live in vulnerable conditions, and that it is necessary to mitigate the negative impact of poverty on persons with disabilities.

1.5 According to World Bank reports, 15 per cent of the world's population, or 1 billion people, experience some form of disability. Persons with disabilities, on average as a group, are more likely to experience adverse socioeconomic outcomes than persons without disabilities.

1.6 Barriers to the full social and economic inclusion of persons with disabilities include inaccessible physical environments and transportation, the unavailability of assistive devices and technologies, non-adapted means of communication, gaps in service delivery, and discriminatory prejudice and stigma in society.

2. OBJECTIVES

2.1 The objective of this working paper is to raise awareness among States, airport operators and airlines on the importance of complying with international agreements designed to mitigate the disadvantages brought on by disability.

2.2 To ensure that all airline stakeholders, airport operators and aviation authorities are aware that the United Nations Convention on the Rights of Persons with Disabilities promotes the comprehensive integration of people living with disabilities into society and highlights the importance of international development in protecting their rights of persons with disabilities.

2.3 To raise awareness of the fact that all of us will, at one point in our lives, be partially or entirely disabled, driven in large part by the lengthening of human life expectancy.

2.4 Airports and airlines, along with organizations operating in the tourism industry, should consider the opportunity afforded by the existence of a captive market comprising people with varying degrees of disability, who have the right to be valued and yet fear being overlooked when travelling.

2.5 For its part, promoting the participation of persons with disabilities should be an immediate objective in the regional and global civil aviation sector that will can only be realized if properly planned and supported by policies to progressively address inequality.

3. DISABILITY MITIGATION THROUGH INCLUSION AND COMPLIANCE

3.1 Statistical analyses reveal the following important facts:

STATISTICAL ANALYSIS

URUGUAY (INE)			
Year	2004	2006	Current
Number of disabled persons	210 400	297 718	517 771
Percentage of population	7.6	9.2	16
Rate of increase	1	1	1.5
WORLDWIDE (WHO)			
Year	1970	2023	
Number of disabled persons	369 000 000	1 000 000 000	
Percentage of population	10	15	
Annual rate of increase	0.5	1	

3.2 Prominent among the rules that comprehensively address the rights of persons with disabilities are the Convention on the Rights of Persons with Disabilities and its Optional Protocol (New York, 2006) and Annex 9 — *Facilitation* to the Convention on International Civil Aviation (Chicago, 1944), in addition to the International Standards and Recommended Practices (SARPs) issued by the International Civil Aviation Organization (ICAO).

3.3 In the case of Uruguay, Act 18 418 (November 2008), Act 18 651 (February 2010) and Act 18 776 (August 2011) are the legislative instruments that incorporate the international standards into domestic law and make them legally enforceable.

3.4 All the aforementioned rules are focused on the following principles:

- respect for inherent dignity, individual autonomy, including people's freedom to make their own decisions, and the independence of individuals;
- non-discrimination;
- full and effective participation and inclusion in society;
- respect for difference and acceptance of persons with disabilities as part of diversity and the human condition;
- equality of opportunity;
- accessibility;
- equality between men and women; and
- respect for the evolving capacities of children with disabilities and their right to preserve their identity.

3.5 Some possible pathways towards the attainment of these objectives are detailed below:

- increase opportunities for persons with disabilities to attain management positions by identifying the barriers and biases that hinder their progress in the aviation sector;
- promote their access to paid work, through high-quality formal employment or the development of entrepreneurship and businesses;
- ensure open and unsegregated educational pathways and equal opportunities for vocational training;
- systematically encourage the role of persons with disabilities in aviation and promote their success;

- e) disseminate the principles emanating from the above-mentioned rules and international and regional programmes for the care of persons with disabilities and ensure full compliance with those provisions;
- f) collect data and analyse statistics on persons with disabilities disaggregated by gender, age and socioeconomic and cultural level;
- g) step up cooperation in disability-related activities and events between ICAO, the International Air Transport Association (IATA), Airports Council International (ACI), the International Federation of Air Traffic Controllers' Associations (IFATCA), the International Federation of Air Line Pilots' Associations (IFALPA) and Member States; and
- h) take measures to optimize the use of internships, scholarships, sponsorships and similar programmes to enhance skills development opportunities for persons with disabilities in aviation at the national and international levels, through collaboration between ICAO, States, international organizations and aviation industry partners.

4. A LOOK AT SOLVING THE FEAR OF TRAVEL

4.1 Persons with disabilities should receive special assistance to ensure that they are provided with the same services as the general public. Such assistance should be provided in a manner that respects the dignity of the person.

4.2 Access for persons with disabilities to all services must be facilitated throughout their journey, from their arrival at the airport of departure until they leave the airport of destination.

4.3 Persons with disabilities must be provided with the necessary information in an accessible format and airlines, airports and ground handling operators must be able to provide them with the assistance that they require during their journey.

4.4 Provision should be made for the need to establish and coordinate training programmes for staff to assist persons with disabilities.

4.5 The necessary steps must be taken to ensure that airport facilities and services are adapted to the needs of persons with disabilities.

4.6 Vehicles equipped with lifts or other appropriate equipment should be provided to facilitate the movement of such persons between the aircraft and the terminal building.

4.7 Persons with auditory or visual impairments must be furnished with information about the services available for their flight in accessible formats.

4.8 Persons with mobility needs must be provided with adequate parking facilities and appropriate measures must be taken to facilitate their movement between parking areas and the terminal buildings.

5. CONCLUSION

5.1 Encourage all stakeholders to foster the inclusion of persons with disabilities in the aviation sector by promoting programmes through ICAO and complying with their obligations under international conventions and regional and local rules.

5.2 Promote, through the aviation industry in its broadest sense, all means of attracting persons with disabilities as passengers, tourists and other users of air transport in order to comply with the

aforementioned provisions and thus also to ensure the free and broad exercise by such persons of their rights.

5.3 Support and encourage the conduct of studies, both regional and targeted, to measure the baseline of inclusion of persons with disabilities, with a view to developing a strategy for improvements tailored to local or subregional realities for the promotion and sustainable inclusion of such persons.

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