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of migration. In the continuous discussion around sanctuaries of today, the fact that virtually anything has come to be accepted, or to refer back to Arendt, all means have become possible, to find an end to contemporary migration flows. In the context of universal human rights, practices of sanctuary has the potential to make a contribution not only for pointing to the migration control regimes but also in relation to the broader problem of modernism. Its broader political effects remaining to be seen, the book leads the reader to believe that sanctuary—as both enactment and place—possesses the potential to disrupt the state's attempt to monopolize territorial sovereignty and ways of being political.

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***Human Rights and Disability Advocacy* (University of Pennsylvania Press, Maya Sabatello & Marianne Schulze eds., 2013), 304 Pages, ISBN 9780812245479.**

*Human Rights and Disability Advocacy* is a fascinating account of the involvement of civil society in the drafting of the United Nations Convention on the Rights of Persons with Disabilities (CRPD).<sup>1</sup> The focus on process is situated within a larger discussion of the role of the "new diplomacy" within the United Nations (UN) and other international bodies in which civil society organizations work alongside states as valued and active participants in human rights advocacy and monitoring.

The authors of the fifteen chapter book bring out in rich detail the struggles and debates within the international disability community that came together to achieve the common goal of a treaty that reflects the diversity of that community. The book's introduction provides a very concise and useful historical account of how a disability-specific human rights treaty came about and the process through which civil society became involved in its negotiation. The Ad-Hoc Committee (AHC) responsible for drafting the convention was established by a UN resolution in 2001 and met eight times over three years. The process by which civil society was involved was elaborated through a series of resolutions which

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1. Convention on the Rights of Persons with Disabilities, adopted 13 Dec. 2006, G.A. Res. 61/106, U.N. GAOR, 61th Sess., U.N. Doc. A/RES/61/106 (2007) (entered into force 3 May 2008) [hereinafter CRPD].

address, among other things, the role of National Human Rights Instruments (NHRIs) and the accreditation process for nongovernmental organizations (NGOs), and disabled people's organizations (DPOs). Thus civil society participation grew from thirty individuals who attended the first session of the AHC to 110 disability organizations and almost 500 individuals, most of them persons with disabilities, who attended the seventh session.<sup>2</sup> As a number of the chapters' authors emphasize, the participation and visibility of people with disabilities in the negotiations in itself had a huge impact on changing the perceptions of disability among states' delegates. Liisa Kauppinen and Markku Jokinen, in the chapter "Including Deaf Culture and Linguistic Rights," note that

For many states' delegates, encounters with [World Federation of the Deaf] representatives were the first time they talked to a deaf person. Ultimately, however, they learned—and were impressed—by the fact that it is possible to “conduct business” directly and without effort with a deaf person by using a sign-language interpreter.<sup>3</sup>

Each chapter of the book recounts the experience of a particular NGO, DPO, or coalition in negotiating to have an issue or set of issues of concern to a particular group included in the final document. These include people with intellectual disabilities, women, children, the deaf community, the deaf-blind community, indigenous people, and people from the global south. The organizations and individuals who took part in the meetings

of the Ad Hoc Committee had very different levels of knowledge and expertise in advocating at the international level as well as varying levels of resources available for them to participate, as a result the strategies and approaches employed by different organizations varied widely. Tara J. Melish, in the chapter “An Eye Toward Effective Enforcement: A Technical-Comparative Approach to the Drafting Negotiations” discusses the highly strategic approach employed by Disability Rights International (DRI, at that time Mental Disability Rights International). Based on its experience using existing regional and international human rights treaties, DRI was concerned that the treaty be consistent with and not weaken any existing human rights protections and that its language and structure maximize its implementation and enforcement. One of the ways that DRI did this was by focusing on the inclusion of strong procedural safeguards as enforcement “hooks”<sup>4</sup> as a way to leverage the substantive protection of rights.<sup>5</sup> DRI hired an experienced human rights attorney to represent it in the negotiations and took on the role of issuing an unofficial transcript of each day's proceedings, calling attention to specific points to continually place the negotiations within the framework of international human rights law. In contrast to this is the journey of Pamela Molina Toledo, who recounts her experience of coming to the negotiations as a deaf person from the Global South: “How did I get there without a cent, without interpreters, without a law

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2. HUMAN RIGHTS AND DISABILITY ADVOCACY 6 (Maya Sabatello & Marianne Schulze eds., 2013).
  3. Liisa Kauppinen & Markku Jokinen, *Including Deaf Culture and Linguistic Rights*, in HUMAN RIGHTS AND DISABILITY ADVOCACY, *supra* note 2, at 130, 141.
  4. Tara J. Melish, *An Eye Toward Effective Enforcement: A Technical-Comparative Approach to the Drafting Negotiations*, HUMAN RIGHTS AND DISABILITY ADVOCACY, *supra* note 2, at 70, 72.
  5. *Id.* at 79.

degree, without the help of the Chilean government?"<sup>6</sup> When she first arrives for the AHC meetings, without funding for a sign-language interpreter, she can only follow the discussions by participating in an online discussion group. However, she is eventually able to participate as a civil society representative in meetings of the Group of Latin American and the Caribbean Countries (GRULAC) led by a Costa Rican delegate.

The CRPD's article on education for people with disabilities is probably the best example of how the priorities of a number of different organizations were negotiated and how this is reflected in the final text of the treaty.<sup>7</sup> The debates around that particular article are discussed in several chapters from the perspective of organizations of people with intellectual disabilities, organizations representing the deaf community, representatives of the deaf-blind community, and organizations working on behalf of children. Anna MacQuarrie and Connie Laurin-Bowie of Inclusion International, an organization of people with intellectual disabilities and their families, provide a good summary of the background of this debate in their chapter, "Our Lives, Our Voices":

For years the issue of inclusive education had divided the international disability community. From different understandings of what inclusive education means, to different disability-specific educational needs, to "purists" who subscribed to one vision or one approach, finding a common voice on education required a respectful deliberative dialogue among CRPD stakeholders.<sup>8</sup>

The crux of the debate was whether the right to education for people with disabilities is a right to choose the type of education and setting ("special," segregated, or mainstream) or the right to be included in general education with whatever supports are necessary. While both states and a number of disability groups wanted the language of the treaty to emphasize choice, MacQuarrie and Laurin-Bowie explain why this was not acceptable to people with intellectual disabilities and their advocates; because if segregated settings are maintained, people with intellectual disabilities will continue to be over-represented in them. On the other hand maintaining settings in which education is geared to specific groups is particularly important to the deaf, deaf-blind and blind communities, who, as Kauppinen and Jokinen of the World Federation of the Deaf articulate, view the provision of education in sign language or Braille as a right to receive education in the language of their choice much as linguistic/cultural minorities do. In the end, each group had to compromise. The final language of the treaty states that every person has a right to an inclusive education, but does not specifically exclude education in non-inclusive settings. It contains specific provisions for deaf, blind, and deaf-blind people, although these are not as strong or specific as proposals the World Federation of the Deaf put forward in the negotiations.

*Human Rights & Disability Advocacy* should be of importance to anyone interested in the role of civil society in international human rights advocacy. The

6. Pamela Molina Toledo, *At the United Nations... "The South Also Exists,"* HUMAN RIGHTS AND DISABILITY ADVOCACY, *supra* note 2, at 170,171.

7. CRPD, *supra* note 1, art. 24.

8. Anna MacQuarrie & Connie Laurin-Bowie, *Our Lives, Our Voices: People with Intellectual Disabilities and Their Families,* HUMAN RIGHTS AND DISABILITY ADVOCACY, *supra* note 2, at 25, 41.

participation of people with disabilities and their representative organizations in the negotiation of the CRPD resulted in a treaty in which the participation of civil society in its implementation and enforcement are front and center, as reflected in Article 33 of the convention which obligates states parties to establish a national monitoring mechanism and emphasizes that "Civil society, in particular people with disabilities and their representative organizations, shall be involved and participate fully in the monitoring process."<sup>9</sup>

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***Nationality and Statelessness Under International Law* (Cambridge University Press, Alice Edwards & Laura Van Waas eds., 2014), 306 Pages, ISBN 978-1-107-03244-6.**

## I. INTRODUCTION

A stateless person is most simply defined in the negative as "a person not having a nationality under the law of any State."<sup>1</sup> This straightforward definition belies the complicated nature of an issue that currently affects millions of people worldwide and will influence more in the future.<sup>2</sup> *Nationality and Stateless-*

*ness Under International Law* provides a careful analysis of what it means to be stateless, the causes of statelessness, and how international law has historically dealt with the problem. Calling on authors who possess extensive experience in international law, research, and practice, the book provides insights as to how international law can best address and prevent the problem of statelessness.

## II. CHAPTERS 1–2: INTRODUCTION TO NATIONALITY, CITIZENSHIP, AND STATELESSNESS

The first two chapters serve as an important foundation for the rest of the book by effectively introducing the reader to the basic concepts of nationality, statelessness, and citizenship. In Chapter 1, Alice Edwards discusses the procedural and substantive aspects of nationality. She uses the *Nottebohm* case brought before the International Court of Justice after World War II to serve as a reminder that nationality is a matter of domestic law, which can have international consequences. She explains how people procedurally acquire nationality via *jus soli*, *jus sanguinis*, and *jus domicile*.<sup>3</sup> Edwards also discusses the substantive aspects of nationality. For example, diplomatic protection, right to reentry, and residence are typical benefits conferred on nationals of the state.<sup>4</sup>

After establishing a foundation for these basic concepts, Matthew Gibney

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9. CRPD, *supra* note 1, art. 33(3).

1. PAUL WEIS, NATIONALITY AND STATELESSNESS IN INTERNATIONAL LAW 161 (2d ed. 1994)  
 2. Alice Edwards & Laura Van Waas, *Introduction to NATIONALITY AND STATELESSNESS UNDER INTERNATIONAL LAW* 1 (Alice Edwards & Laura Van Waas eds., 2014) [hereinafter NATIONALITY AND STATELESSNESS UNDER INTERNATIONAL LAW]  
 3. Alice Edwards, *The Meaning of Nationality*, in NATIONALITY AND STATELESSNESS UNDER INTERNATIONAL LAW, *supra* note 2, at 11, 16–20.  
 4. *Id.* at 29–42.