

## ME and UN Convention on the Rights of Persons with Disabilities (CRPD)

Document Version: 1

Date Created: November 2020

### **ME and the Convention on the Rights of Persons with Disabilities (CRPD)**

Each country that has acceded to the CRPD has an office or ministry that guards the convention. You can use the articles of the CRPS to substantiate your case when you complain to that office about the way ME patients are being treated in your country, and you can complain to the ministry of health or other offices, using the articles of the CRPS to substantiate your case, you can read the covenant in your language and instructions on it, on this page.

<https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities.html>

**The first article of the Convention specifies who is considered to be disabled.  
It is obvious that chronically ill patients are considered to be disabled.  
Therefore, ME patients can take advantage of the Convention in the battle for their human rights.**

*Persons with disabilities include those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others. (Convention Article 1)*

**In the section of the contract pertaining to the health of disabled people, it is written that the states' parties shall ensure to:**

*Provide those health services needed by persons with disabilities specifically because of their disabilities, including early identification and intervention as appropriate, and services designed to minimize and prevent further disabilities, including among children and older persons. (Article 25b)*

**It is indisputable that the contract stipulates that chronically ill patients are entitled to;**

*early identification and intervention as appropriate, and services designed to minimize and prevent further disabilities (Article 25b)*

**ME patients in (country's name) usually do not have the option to:**

*an early identification and intervention as appropriate, and services designed to minimize and prevent further disabilities (Article 25b)*

**Healthcare professionals in (country's name) do not receive training or retraining to diagnose ME or provide appropriate care to ME patients.**

*Require health professionals to provide care of the same quality to persons with disabilities as to others, including on the basis of free and informed consent by, inter alia, raising awareness of the human rights, dignity, autonomy and needs of persons with disabilities through training and the promulgation of ethical standards for public and private health care; (Article 25d)*

**Article 15 could be used to criticise the cruel medical treatment of ME patients receiving GET that will cause PEM attacks and also when they are made to undergo deleterious psychological treatments.**

**Article 15**

***Freedom from torture or cruel, inhuman or degrading treatment or punishment***

1. *No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. In particular, no one shall be subjected without his or her free consent to medical or scientific experimentation.*
2. *States Parties shall take all effective legislative, administrative, judicial or other measures to prevent persons with disabilities, on an equal basis with others, from being subjected to torture or cruel, inhuman or degrading treatment or punishment.*

**Children with ME in have not enjoyed the rights to which they are entitled.**

**Article 7**

***Children with disabilities***

1. *States Parties shall take all necessary measures to ensure the full enjoyment by children with disabilities of all human rights and fundamental freedoms on an equal basis with other children.*
2. *In all actions concerning children with disabilities, the best interests of the child shall be a primary consideration.*
3. *States Parties shall ensure that children with disabilities have the right to express their views freely on all matters affecting them, their views being given due weight in accordance with their age and maturity, on an equal basis with other children, and to be provided with disability and age-appropriate assistance to realize that right.*

**Children with ME do not receive appropriate adaptation in schools.**

**School staff are not informed about the disability of children with ME.**

**Children with ME are at risk of developing PEM attacks in schools that will impair their ability to learn.**

**To prevent such attacks, children must be able to rest regularly.**

**Schools may not have considered the fact that children with ME may need to be able to lie down in the classroom and in other school spaces, or may also need to have access to a rest room.**

**There is generally no understanding that children with ME may not be able to attend school and that, in those cases, the school needs to find other resources to ensure the possibility of their continued education.**

**Adult ME patients in school face many of the same barriers as children with ME.**

## **Article 24 Education**

1. *States Parties recognize the right of persons with disabilities to education. With a view to realizing this right without discrimination and on the basis of equal opportunity, States Parties shall ensure an inclusive education system at all levels and lifelong learning directed to:*

(a) *The full development of human potential and sense of dignity and self-worth, and the strengthening of respect for human rights, fundamental freedoms and human diversity;*

(b) *The development by persons with disabilities of their personality, talents and creativity, as well as their mental and physical abilities, to their fullest potential;*

(c) *Enabling persons with disabilities to participate effectively in a free society.*

2. *In realizing this right, States Parties shall ensure that:*

(a) *Persons with disabilities are not excluded from the general education system on the basis of disability, and that children with disabilities are not excluded from free and compulsory primary education, or from secondary education, on the basis of disability;*

(b) *Persons with disabilities can access an inclusive, quality and free primary education and secondary education on an equal basis with others in the communities in which they live;*

(c) *Reasonable accommodation of the individual's requirements is provided;*

(d) *Persons with disabilities receive the support required, within the general education system, to facilitate their effective education;*

(e) *Effective individualized support measures are provided in environments that maximize academic and social development, consistent with the goal of full inclusion.*

3. *States Parties shall enable persons with disabilities to learn life and social development skills to facilitate their full and equal participation in education and as members of the community. To this end, States Parties shall take appropriate measures, including:*

- (a) *Facilitating the learning of Braille, alternative script, augmentative and alternative modes, means and formats of communication and orientation and mobility skills, and facilitating peer support and mentoring;*
- (b) *Facilitating the learning of sign language and the promotion of the linguistic identity of the deaf community;*
- (c) *Ensuring that the education of persons, and in particular children, who are blind, deaf or deafblind, is delivered in the most appropriate languages and modes and means of communication for the individual, and in environments which maximize academic and social development.*

4. *In order to help ensure the realization of this right, States Parties shall take appropriate measures to employ teachers, including teachers with disabilities, who are qualified in sign language and/or Braille, and to train professionals and staff who work at all levels of education. Such training shall incorporate disability awareness and the use of appropriate augmentative and alternative modes, means and formats of communication, educational techniques and materials to support persons with disabilities.*

Here is a link to the UN goals, there are several articles there that might benefit for the ME human right battle in your country. <https://www.globalgoals.org/>

