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**Political initiatives for Persons with Disabilities
in Germany based on the UNCRPD**

on the occasion of the periodic review before the UN Committee
on the Rights of Persons with Disabilities (CRPD)

Geneva, 29 August 2023

Speaking time: 9 minutes

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1. Introduction

Ambassador Dr. Stasch,

Thank you for your introductory remarks.

Madam Chair,

Distinguished members of the Committee on the
Rights of Persons with Disabilities,

Distinguished representatives from civil society and
the monitoring body,

Ladies and gentlemen,

Eight years after our last periodic review, we now have the second opportunity to engage in a constructive dialogue with you as international experts for the implementation of the UN Convention on the Rights of Persons with Disabilities. It is my privilege to be part of this important procedure for the second time - this time even as Head of Delegation. In this capacity, I would like to stress that this procedure is very important for the German Government. We will take a very close look at your

recommendations after our meeting here. This is why we have come with such a large, high-level delegation made up of representatives of the Federation and our *Länder*, Jürgen Dusel, the Federal Government Commissioner for Persons with Disabilities; and Rika Esser, the Commissioner for Persons with Disabilities of the *Land* of Hesse.

Ladies and gentlemen,

The UN Convention on the Rights of Persons with Disabilities has become an indispensable part and crucial guide for an inclusive society since its entry into force in Germany on 26 March 2009. On behalf of the German Government, I can assure you that it is firmly committed to the participation of persons with disabilities in all areas and situations of life.

Having said this, we are aware that we have not yet reached our goal - as you will already have heard from the representatives of our monitoring body and NGOs. However, I feel that we can be proud of what we have accomplished and that we have made

major progress over the past 14 years. The monitoring body and civil society have been important drivers and supporters in this process.

On the one hand, we would like to take the opportunity today and tomorrow to demonstrate that we have not rested on our laurels since the entry into force of the CRPD in Germany. Rather, we have continued and newly introduced various measures, processes and projects for more inclusion and participation in society since the last Concluding Observations in 2015.

Moreover, we will listen to you actively to receive important input regarding German inclusion policies for the next couple of years.

2. Developments since the 2015 Concluding Observations

Ladies and gentlemen,

Before looking ahead, I would first like to comment on the developments since the adoption of the Concluding Observations in 2015: There has been a deep paradigm shift in Germany towards a human rights-based approach and a focus on the individual - in part driven by your recommendations. To illustrate this, let me briefly touch upon four aspects: the Federal Participation Act, the reform of voting rights, better protection against violence and our reform of guardianship law.

2a. Federal Participation Act

The Federal Participation Act did not only re-define the term disability in light of the UNCRPD. We also carried out sweeping reforms of our integration assistance system for persons with significant disabilities enabling individual life choices and fostering full, effective and equal participation in the life of our society. An individual's personal needs now form the basis for benefits for persons with disabilities - their interests and preferences take

centre stage. In addition, we re-organised early intervention. We have integrated medical rehabilitation benefits and benefits for participation in the life of the community - both with regard to their contents and organisation. Article 26 (1) of the UNCRPD especially provided impetus to re-organise low-threshold counselling services and to provide the benefits just mentioned locally.

2b. Reform of voting rights

You were completely right to criticise the denial of voting rights for persons with disabilities under legal guardianship. Our reform of voting rights abolished this practice. On 26 September 2021, about 85,000 persons previously excluded from voting were able to exercise their voting right for the first time in our federal elections. The *Länder* also abolished their denial of voting rights.

2c. Protection against violence

Let me move on to protection against violence: We are all aware that persons with disabilities are at a particularly high risk of becoming victims of violence and abuse. This is why it is our foremost task to do everything possible to protect those concerned. The German Government took an important step in this field that came into effect on 1 July 2021. Since then, institutions have been legally required for the first time to provide appropriate measures for the protection against violence. This includes, in particular, the development and implementation of a violence protection concept.

2d. Guardianship reform

We also addressed your concern about the instrument of legal guardianships: Since 1 January 2023, a system of supported decision-making has replaced previous guardianship law. The reform of guardianship law does not only boost the self-determination of persons under guardianship. It also

places their preferences at the heart of guardians' actions.

3. Current projects of the German Government

Ladies and gentlemen,

As you can see, many things have changed in very positive ways for persons with disabilities in Germany since the first periodic review. However, we will not stop there. We know that our path towards an inclusive society is still long and at times complicated. We are pursuing this path together with the representative organisations of persons with disabilities, social welfare NGOs and with persons with disabilities themselves. In this regard, let me provide you with examples of what I consider the most important projects of the German Government at present.

3a. Inclusion in and through sports

I would like to begin with a topic that not always takes centre stage, but is a vital matter close to our hearts: inclusion in and through sports. Many people in Germany are still impressed by the atmosphere during the Special Olympics World Summer Games in June in Berlin. They fondly remember the competitions among the athletes and the commitment of the many volunteers. We all know that sports unites people across borders and helps to bring down barriers - especially in people's heads. That is why it should be the goal of all States parties to give persons with disabilities the opportunity to actively practice sports and to participate actively or as spectators in sports competitions without encountering barriers.

3b. Federal Accessibility Initiative and reform of the Equality of Persons with Disabilities Act

During this legislative period, we have expressly committed to making Germany accessible in all areas of public and private life with the Federal

Accessibility Initiative and statements on the agreed reform of the Equality of Persons with Disabilities Act. Although this is a very ambitious aspiration, the reduction of barriers is a key matter for the German Government. For example, Germany enshrined the right of support from a service dog at publicly accessible facilities and institutions in its law back in 2021. Furthermore, detailed rules for the training and examination of human-service dog partnerships and standards for training centres and examiners were issued in 2022. In addition, we want to achieve measurable outcomes, especially in the key areas of housing and construction, mobility, the digital world and health. This is why the Federal Accessibility Initiative was initiated in November 2022.

Importantly, I would like to emphasise that we deeply respect the principle of “nothing about us without us”. For this reason, we are involving all relevant actors in order to advise the German Government when planning and implementing its measures. When talking about “relevant actors”, I

mean our *Länder*, municipalities, the private sector, the social partners and of course persons with disabilities.

In addition, we will reform the Equality for Persons with Disabilities Act, which has mainly concentrated on the public sphere so far. To this end, we aim to develop the rules for the public sector further. In parallel, we will check whether it is possible for the Equality of Persons with Disabilities Act to cover the private sector to a greater extent. The goal of the legal reform is to make the environment accessible, both in the public and private sphere, enabling access for everyone.

3c. Inclusive labour market

Another goal we would like to reach is the creation of an inclusive labour market which is in conformity with the Convention. To this end, we have already taken a variety of measures over the past few years in order to bring and retain more persons with

disabilities in employment. For example, we have revised the system of mandatory employment quotas. Starting in 2024, companies with at least 20 job positions will have to pay a higher levy, if they do not employ a single person with severe disabilities. In addition, we want to further develop workshop for persons with disabilities. In this regard, we will take measures to reduce the number of persons entering workshops and increase the number of transitions from workshops to the open labour market. In this context, we will also have to consider to which extent the various current functions of workshops will have to be re-designed. A comprehensive expert study on workshops, which was concluded on 30 June 2023, will serve as the basis for this reform. Starting in September, we will discuss the concrete proposals and reform measures with all stakeholders and then take legislative action.

3d. Global Disability Summit 2025

The 3rd Global Disability Summit is another large event we are very much looking forward to.

Germany will host it together with the Kingdom of Jordan and the International Disability Alliance on 2 and 3 April 2025 in Berlin. The Global Disability Summit has become an important forum for the international discussion between the States Parties to the United Nations Convention on the Rights of Persons with Disabilities and civil society. Its aim is to support the implementation of the CRPD from a development and human rights perspective and, in particular, to assist countries in the Global South to be able to fulfil their obligations under the Convention. After hosting the Special Olympics World Games, we are looking forward to making another contribution to enhanced international cooperation for the implementation of Article 32 of the Convention.

4. Conclusion

Ladies and gentlemen,

Thank you for this opportunity to address you. Now I am looking forward to our constructive dialogue during the next couple of hours and tomorrow.

Our shared vision, our shared goal, is the full, effective and equal inclusion and participation of persons with disabilities. I am confident that our meeting will be a crucial step towards this goal.

An important and indispensable pioneer in this regard is Jürgen Dusel, the Federal Government Commissioner for Matters relating to Persons with Disabilities. I would now like to pass the floor to him.
Thank you.