



**Intervention by Odile Maurin for HANDI-SOCIAL
Private meeting with the UN CRPD Committee
for French associations on the evaluation report on the implementation by France
of the UN Convention on the Rights of Persons with Disabilities
16 August 2021 1pm - on Zoom**

Ladies and Gentlemen of the Committee,

As you can imagine, it is difficult to answer the question "How does France implement the UN Convention?" in three minutes because the scope of the injustices we experience is so vast. This is why I really invite you to read our entire report by consulting all the links in the footnotes. This report was produced in conjunction with the Coordination Handicap Autonomie, Cle-Autistes and Alliance Autiste.

This is the first time that I, an autistic activist in an electric wheelchair, have been asked to speak before your UN committee. So, although I have respect for you and your functions, I will fully express the failings of my country.
Indeed, I accuse!

First, with the 2014 Accessibility Ordinance

- which put an end to the continuity of the travel chain in transport, also reducing accessibility standards,
- giving deadlines of up to 9 years, while the law has been promising results for 45 years, and these deadlines will not be met.

Then in 2018 with the Elan law which divided by 5 the production of accessible housing while we are cruelly lacking. By proposing instead so-called inclusive housing, which transforms this project into a mini institution, in order to ease our conscience?

With the decrease in technical and human assistance, and the remaining expenses, disabled people who have no family to help them and no personal fortune only benefit from rights that barely ensure their survival, but in no way their dignity. They are dependent on home-based services that have very little training and, above all, few resources and do not always understand the specific needs of people.

Some management associations have agreed to negotiate a percentage of accessible housing to be built, whereas the interest of people with disabilities is to be able to choose their housing and not to be forced to live in unchosen housing.

One of the serious dysfunctions that must be denounced is the first article of the law of 11 February 2005, which is contrary to article 4.3 of the convention.

In spite of the UN Convention, in spite of general comment number 7, the management organisations that offer services and participate in the management of establishments and services speak for the people directly concerned in France.

Article 1 of the law speaks of simultaneous presence, but does not define the share that each type of organisation represents. There is therefore an inversion of representativeness, with civil society organisations offering services and being in the majority. It is no longer possible to let the French government choose who represents people with disabilities.

We demand / we propose

Self-representing organisations do not have the material and human means to interfere in the dialogue that the state reserves for service provider organisations. All this has a major impact on the whole policy in France.

We call on France to distinguish, on the one hand, between the associations representing the people directly concerned and, on the other hand, those representing the parents and relatives of disabled people, and to clearly differentiate them from the management associations.

We propose, on the model of the representation of families in France or of trade unions, that people with disabilities elect their representatives, and that parents and relatives also elect their representatives, with a majority given to the people directly concerned. Everyone is legitimate to speak, but everyone must speak from their own position, and not on behalf of others.

My personal situation illustrates the great gap between the declarations of French governments over the past 15 years and their actual actions.

As a newly elected member of the Republic, I have to spend 80% of my elected allowance to pay assistants, but I am refused the payment of this reasonable accommodation.

It took me 10 years of fighting and all the knowledge I have acquired in French disability law to get a vehicle adapted so that I could work again and be independent. This meant that I was no longer dependent on abusive transport services that force me to book any transport 10 to 15 days in advance, only to refuse it or change it the day before, without taking into account the commitments made. This is not possible for everyone in view of the struggle to be waged, and moreover the law no longer allows it, since it has been modified to limit expenditure according to the available budgets, with the complicity of management organisations.

To oppose the regression of rights caused by the accessibility ordinance and then by the ELAN law, and after having used all the institutional means of expression and participation for nearly 20 years, 16 Handi-Social activists, the majority of whom are disabled, had to carry out non-violent civil disobedience actions to denounce the discriminatory measures suffered by disabled people. We were severely repressed at the end of an unfair trial during which accessibility and means of compensation were lacking for the defendants (absence of interpreters for a person with speech difficulties, of documents readable by a blind person, non-respect of sanitary measures, absence of sound system prejudicial to people with hearing difficulties, non-respect of security rules, impossibility to go to the toilets etc.). The Court has not provided anything despite warnings and does not respect the laws on accessibility.

The situations of violence that I have personally suffered, 5 broken feet for having demonstrated peacefully, have been denounced by Amnesty International.

We are therefore accusing and our accusations are substantiated, argued, documented, they come from the field, they are the fruit of our deaths, of our depressed friends, of all those who after the hope of the 2005 law despair.

Indeed, we are not just activists practising non-violent civil disobedience, but we seek to denounce through our actions, through this report, the serious setbacks suffered in terms of accessibility.

Moreover, according to the jurisprudence of the Court of Justice of the European Union, a "worker" must be considered to be any person who carries out real and effective activities, such as the workers in French ESATs who are considered as users of the medico-social sector, even though they really work, still have no trade union rights, no right to strike, are pressured to be profitable, and are underpaid, as was the case for the daughter of one of our activists whose disability was aggravated by her working conditions.

Odile Maurin for Handi-social