**COMMENTS ON THE GENERAL COMMENT ON RIGHT OF PERSONS WITH DISABILITIES TO LIVE INDEPENDENTLY AND BE INCLUDED IN THE COMMUNITY (ARTICLE 19)**

**ORGANISATION – MOIZER AND MANDAGERE**

Moizer and Mandagere is a voluntary and unfunded group of two law students in London, United Kingdom engaged in disability rights and the law.

Paragraph 40

1. Countries should provide access to the same services as everyone else in the community. Countries need to recognise that use of the internet for many disabled people remains a difficultly. Although there have been increases in internet usage, many older and disabled people are still not online. Those who suffer specific social disadvantages are least likely to benefit from the very applications of technology that could help them tackle their disadvantage. State parties should ensure accessibly and simplicity of internet use, in order for it to be a service for everyone to use.

Paragraph 67

Legal rights are only effective when they can be enforced. States should endeavour to ensure that there are no disproportionate financial barriers which hinder disabled individuals from enforcing their rights. Challenging harmful government and business decisions which contravene disabled rights is essential for ensuring that disability rights remain protected.

1. States parties should ensure access to justice and provide appropriate legal advice, remedies and support, including through reasonable and procedural accommodation for persons with disabilities who seek to enforce their right to independent and community living. Furthermore, states parties should ensure that access to justice is not inhibited by disproportionate financial barriers.
2. State parties should understand there is a close link to those with a lack of legal knowledge and those who have a disability of some kind. Those with a disability especially, are less likely to know their legal rights and are more likely to experience legal problems. These are the people who are in an extremely disadvantaged position and need access to justice. Countries should look to improving access to justice, by means such as online court systems. This is a potential benefit to those who may have mobility issues and cannot access a physical court, but it is important to note these people may also not be able to use the internet appropriately because of capability issues or lack of skill. State parties need to recognise the disadvantaged have a greater need for access to justice, but are less able to use the solution of the online justice required, as they are less likely to have the technical, cultural or literacy skills.

Paragraph 68

State parties should recognise the importance of mental health as a hidden disability. Given the increased focus on mental health issues, it is vital that the Draft Comment recognises the need to tackle mental health issues. The following amendment should be added:

1. States parties should recognize the importance of mental health as a ‘hidden’ disability. Given the nature of mental health and the prevailing stereotypes that surround it, it often remains undetected and access to adequate services remains difficult. States parties should ensure that those who have disabilities associated with mental health are treated no less importantly than those who have physical disabilities. In particular, access to mental health services and disseminated information on the importance of mental health should be a high priority to mitigate against the effects of disabilities associated with mental health.

Paragraph 77

The UN Charter on disability should be intersectional. Currently it recognises the unique needs of disabled women, but does not contain any provision for racial minorities. This should be rectified as follows:

1. Equally, racial minorities with disabilities face additional difficulties in finding specialist help. They often feel neglected by existing social services which fail to take account of their needs and cultural norms. Existing racial stereotypes and norms from the racial majority can drive racial minorities away from social services and mean that they face additional barriers in obtaining help. States parties should take measures to tackle discrimination, both indirect and direct, and pursue strategies which deal with the respective needs of racial minorities.