



**WE  
ARE  
ALL  
BORN  
EQUAL**

**FACTSHEET**

**SPECIAL RAPPOORTEUR  
ALICE CRUZ' S REPORT  
TO THE HUMAN RIGHTS  
COUNCIL, JUNE 2020**

The report calls for a rights-based policy framework for persons affected by Hansen's Disease and their family members. The Special Rapporteur considers a policy to be any means through which States define and implement action within a comprehensive framework that puts into practice the principles of the indivisibility, interdependence and universality of rights through coordinated interventions between the different aspects of governmentality.



A comprehensive multisectoral policy is therefore key for achieving the goal of eliminating discrimination against persons affected by leprosy and their family members.

## KEY POINTS

### **Adequate standard of living and economic autonomy**

The structural disadvantage faced by persons affected and family member calls for:

- Protective measures to be implemented, irrespective of contributory scheme or employment status
- Minimum standards of social protection and benchmarks for persons affected and their family members in national policies
- Administrative services and bureaucratic procedures that can guarantee full accessibility to illiterate or poorly educated populations and to populations living in remote or peripheral areas
- Social benefits, such as unconditional cash transfers, taking into consideration the real needs of the target population, including the additional costs of disability
- Guarantees to basic income security combined with policies that promote training opportunities and formal employment
- Guarantees to equal work with affirmative measures
- Due recognition to specific leprosy-related needs and barriers to inclusion in mainstream and/or disability programmes
- Providing reasonable accommodation give due consideration not only to visible physical impairments related to leprosy, but also invisible ones, such as pain or loss of sensation, as well as psychosocial disabilities related to stigmatization.



A rights-based strategy for leprosy within health-care systems must be people centred, having as its priority the well-being of persons, communities and populations, and must ensure: availability, as well as physical and economic accessibility of health-care services; quality of health-care facilities, goods and services; active and informed participation of users; gender-sensitive and culturally sensitive strategies, as well as child friendly services; accountability of the health-care workforce, with indicators that facilitate monitoring; non-discriminatory treatment; and provision of high-quality medical care. The strategy must take a holistic approach that includes a rights-based approach to mental health, which should be ethically respectful, culturally appropriate, gender-sensitive and empowering to individuals, making use of peer support as an integral part of recovery based services.

### **Non-discrimination, independent living and inclusion in the community**

To enforce equality, inclusion and prohibition of discrimination, the report recommends:

- Taking immediate measures to abolish or repeal discriminatory laws and ensure that every public body, institution and service eliminates leprosy-related discriminatory practices
- Undertaking research on the root causes of discrimination, with systematic collection of data
- and thorough analysis of risk factors
- Establishing positive measures to prevent discrimination and investigate, punish and repair any abuse
- Elaborating accessibility standards to guide service providers and all relevant stakeholders
- Creating supporting environments that enable independent living, through habilitation and rehabilitation services, community based support services and arrangements, including personal assistance, assisted living arrangements, mobility aids and assistive devices and technologies

Autonomy and independent living should also be guaranteed in old age. An approach that can address the psychosocial effects of multiple discrimination and violations throughout life, as well as the physical impairments related both to leprosy and to ageing, should be implemented to guarantee a dignified life. Older people affected by leprosy should never be denied the right to legal capacity because of their age and/or mental health status.

### **Elimination of stereotypes and the right to truth and memory**

- According to the Report, Strategies should target awareness-raising and capacity-building of non-official authorities, such as community and traditional leaders and healers, as well as relevant professional groups, such as health-care workers, educators and social workers.
- Awareness-raising strategies should also be designed and implemented in close consultation with persons affected and communities in order to prevent any backlash against affected individuals.
- Reparation programmes should encompass material measures aimed at redressing structural disadvantages and symbolic measures aimed at systemic change, which should include at least rehabilitation measures, a memorialization process and the enforcement of housing rights.

### **Empowerment, with a focus on vulnerable groups**

- Through empowerment, persons affected and family members achieve greater control over their lives, furthering their democratic engagement with enhanced critical understanding about their own settings and their relation to power relations and hegemonic social structures.
- The report emphasizes that research that can identify the groups that are more vulnerable to leprosy-related discrimination and to invest in the education, participation and access to justice for those groups.
- The enforcement of the right to education by persons affected and their family members should be grounded in the elimination of discrimination, the availability of education services, the accessibility of all levels of education, the promotion of training and skills development opportunities and reasonable accommodation.
- In order to promote the participation and access to justice of persons affected and their family members, it is important to identify and remove any legal, economic and cultural barriers, as well as any institutionalized discriminatory practice.