



Short version of the National Action Plan

Goals and contents of the National Action Plan

With the National Action Plan to Implement the UN Convention on the Rights of Persons with Disabilities, the Federal Government is setting a process in motion which will exert a major influence in the next ten years not only on the lives of persons with disabilities, but on those of everyone in Germany. The idea of inclusion, which is the central guiding concept of the UN Convention on the Rights of Persons with Disabilities, will change our everyday culture. Germany intends to become inclusive.

More than one billion people in the world live with a disability. There are roughly 9.6 million in Germany, that is more than 11.7 percent of the population. The majority of them, 7.1 million, live with a serious disability, and 2.5 million with a less serious disability.

Despite the large number worldwide, only roughly 40 states - mostly industrialised nations - have regulations offering special protection for the rights of persons with disabilities. For this reason, the United Nations General Assembly decided in 2001 to develop proposals for a comprehensive international treaty to promote and protect the rights of persons with disabilities. The result is the UN Convention on the Rights of Persons with Disabilities, which was passed in 2006. Germany ratified the Convention and its Protocol on 24 February 2009.

The UN Convention on the Rights of Persons with Disabilities lends concrete form to universal human rights for the special needs and circumstances of persons with disabilities. Inclusion is the universal position and the central principle for action. Henceforward, the principle of inclusion becomes the guideline and a clear orientation for the practical implementation of the Convention.

The goal is for people with and without disabilities to live in a self-determined manner and to live together in all areas of life from the beginning. On the basis of the principle of equal participation, the same quality and the same standard are expected to apply in the respective areas of life for persons with disabilities as for people without disabilities. It is a matter of equal participation in political, social, economic and cultural life, equal opportunities in education, vocational integration and the task of giving *all* people the opportunity to have a self-determined place in a accessible society. This includes support that is tailored to individual

needs and to the respective life situation.

Inclusion means being on common ground from the beginning. It ends the laborious interplay between exclusion and integration.

If we organise our world in such a way that it is open, accessible and understandable for all people, our everyday culture changes - starting with the shape and characteristics of everyday objects through amended regulations and norms in the design of our infrastructure and our media to structural changes for instance in the educational, health, social or transport system. All the more serious, however, will be the effect on the further development of our idea of normality: We will expect to encounter people in our everyday lives, in shops and on streets, in kindergartens, in schools and lecture theatres, on trams and at work, on the television, at hospital, in restaurants and at swimming baths who organise their lives adjacent to and with one another on the basis of very different physical, intellectual and mental preconditions and will learn to take this for granted. And we will hardly notice this because it has become the norm. Our perception of people and of life is changing. So is our idea of what constitutes a successful life. This view is based on the unmistakable dignity of each individual. It does not reduce people to shortcomings, but appreciates their different talents, potentials and skills and holds them in high regard.

Inclusion will enhance the quality of life of all people. This is why we are moving towards an inclusive society. It is an enrichment for everyone.

The Federal Government is creating a tool in the shape of the National Action Plan with which it wishes to systematically advance the implementation of the UN Convention on the Rights of Persons with Disabilities over the next ten years.

This process starts by taking stock: The Action Plan documents all present and future measures with which the Federal Government pursues the development of an inclusive society. The 213 large and small schemes, projects and activities from all fields of life show that inclusion is a process which has been developing for quite some time. We are not starting from scratch. Policy on disability is a task for all government departments, and inclusion is a task for society as a whole.

This is one reason why the Federal Government has included the population, and persons with disabilities in particular, in the drafting of the National Action Plan from the outset. Many of their visions and proposals, suggestions for changes and schemes have been included.

The Action Plan is a bundle of schemes and a motor for change - but it is not a set of laws. It is a matter of closing existing gaps between the law as it stands and practice. The Federal Government is moving forward here using schemes which point the way and providing the impetus for further work.

With the National Action Plan, the Federal Government describes the challenges and projects of the Federation. It is organising a debate within society; it is promoting growing consideration of the special interests and needs of persons with disabilities from the outset in all political schemes and legislative initiatives ("disability mainstreaming"). Furthermore, it is campaigning for the *Länder* and municipalities to draft their own action plans and to set up points of call for networking ("focal points").

Finally, inclusion is being carried out in everyday life. In shops, at the workplace, in restaurants and in the homes in which many persons with disabilities live. Inclusion can therefore only be successful if associations, enterprises, social facilities, foundations and other civil society players in particular take part in the practical implementation of the UN Convention on the Rights of Persons with Disabilities and draft their own action plans as a framework for future activities. The Federal Government will actively campaign for this. The activities which set examples are to be documented on an Internet platform, setting in motion a process of learning from one another.

The Action Plan has a time horizon of ten years. In this time, it will be regularly assessed and refined according to the results. The first time will be in two years. We would also like to organise implementation in a transparent fashion and with the participation of all stakeholders.

This Action Plan is also the result of a constructive, critical dialogue with the population, in particular with persons with disabilities. The Federal Government will also continue to hold onto this in future. Participation is furthermore also institutionalised through the Committee on the National Action Plan, consisting of representatives of associations of persons with disabilities, social and welfare associations, as well as the social partners and academia. Moreover, through the advisory council on inclusion established with the Federal Government Commissioner for Matters relating to Disabled Persons.

In order to clarify the extensive challenges posed by an inclusive society, the Action Plan will be structured according to twelve fields of action and seven cross-sectional topics.

Working together with the associations of persons with disabilities, the Federal Government has identified fields of activity via a kind of matrix for which the concrete schemes are formulated. The fields of action describe all areas of life: The individual chapters of the Action Plan follow these fields.

The seven cross-sectional topics - need of assistive services, accessibility, gender mainstreaming, equality, migration, self-determined living and diversity of disability - are considered in all fields of action.

Progress in inclusion is to become measurable. The basis for this will be provided in future by the new Disability Report.

The Federal Government will be revising the Disability Report and linking it with the fields of action of the Action Plan. Indicator-based reporting is to close existing gaps in the data and present the data that are available in a more practical fashion on which policy can be based. We would like thus to have a good data basis to counter prejudices and to develop policies for persons with disabilities on the basis of sound facts. In the course of this development it will be possible to identify in which fields and at which levels progress is made.

Inclusion means being on common ground from the beginning. This applies to upbringing and education in families, kindergartens and schools.

That which is taken for granted soon falls out of view. This also applies to progress in fields which we regard as normal today and which appeared questionable only thirty years ago. That children with a disability grow up in a family is such an assumption. It appeared for a long time that suitable care, promotion and therapy were only possible in a home. The blanket expansion of early promotion has helped further this development. One problem here however – in particular for the parents of children with disabilities - is still the delimitation of the different benefits from various different legal codes provided by different bodies. Parents need to coordinate this in a manner caused by the existing structures.

The Federal Government is endeavouring to solve the known interface-related problems in the various fields of **early promotion**.

The problems related to competence and funding which prevent a holistic view being taken of children and juveniles with disabilities and their families will be dealt with in an interconfederal Federal-*Länder* working party with participation from the central associations of local authorities and the Federal Association of the Regional Social Assistance Agencies. In terms

of the perspective, it is a matter of overcoming the different division of responsibility and of combining integration assistance for children and juveniles with disabilities under the umbrella of Social Code Book VIII (Child assistance and youth welfare) in a consensus between the Federation, the *Länder* and the municipalities (**“Grand Solution Social Code Book VIII”**).

Working mothers and fathers who take care of children with disabilities are faced with extraordinary burdens. The Federal Government will examine whether existing arrangements for **relieving the burden on working parents of children with disabilities** can be refined in order to support them in their important task even more strongly than was previously the case.

Mothers and fathers with disabilities also wish to experience fulfilled, responsible parenthood. Where necessary, they are offered various benefits (known as **assistive services for parents**) by the statutory provisions. It is being examined whether a procedure can be found which overcomes difficulties in practice with the involvement of all funding agencies.

“Together from the beginning” also applies to **childcare. Inclusion has already been almost fully achieved in kindergartens and childcare facilities today**. We will also achieve this high standard **for the under-threes** by entrenching the mandate to expand inclusive childcare in the law. The Federation is supporting the quality-orientated expansion of child day-care activities for the under-threes on an as-needed basis with Euro 4 billion until 2013. From 2014 onwards, it will be permanently supporting the *Länder* to the tune of Euro 770 million per year.

Every child has a right to individual promotion, support, development and education. The Federal Government is endeavouring to ensure that inclusive playing and learning become taken for granted.

Every child is to be able to attend the school of their choice and of their parents' choice, that is to decide freely between regular or specialist school, regardless of what skills and leanings, strengths and weaknesses he/she has. This is the guiding concept of **inclusive education**. Only 20.1 percent of all pupils with learning difficulties attend a regular school today. This will change. We would also like by these means to involve the parents of children with and without disabilities. Everyday life in schools will change too.

Germany has a high-quality, detailed promotion system. It is a matter of using this potential in order to teach all pupils in one class and under the same roof.

There are already promising methods in many Federal *Länder*. This path is to be continued. Questions related to inclusive education form the subject-matter of the **Skills Development Initiative of the Federation and the *Länder***. The *Länder* are currently revising the “Recommendations for special educational promotion in schools in the Federal Republic of Germany”. The joint tuition of children with and without disabilities is a major focus here.

The Federal Government is supporting progress on this path with the **Jakob Muth Prize for inclusive schools** and creating an additional incentive to engage in a commitment for an inclusive education system. What is more, the Federal Government will be organising a **National Conference on Inclusive Education** and drafting a **guideline booklet for parents on joint tuition**.

It is a core endeavour of the Federal Government to develop an inclusive world of work. Having work means personal independence and self-affirmation. It is fundamental for the self-realisation of most people in our working society. By providing Euro 100 million for the “Inclusion Initiative” programme, the Federal Government will be ensuring greater employment of persons with disabilities.

Many persons with disabilities do not find a job on the first labour market. Their unemployment rate is above average. Many juveniles with a disability do not find a regular in-company training place. The **“Initiative for Training and Employment”** addresses large numbers of stakeholders who can contribute towards the inclusion of persons with disabilities in the general labour market.

In addition, Euro 100 million will be provided in the context of the **“Inclusion Initiative”**. It has been developed together with the *Länder*, the Federal Employment Agency, chambers of trade and industry, as well as integration offices and main welfare agencies. It tackles the point where vocational orientation is decided, that is in schools. It encompasses better vocational orientation and an expansion of in-company training for juveniles with serious disabilities. The Federal Government would therefore like to make the vocational orientation of pupils with serious disabilities much easier and to promote the in-company training of juveniles with serious disabilities in recognised training occupations. It sets incentives, and above all it also creates an awareness among small and medium-sized enterprises for the training and employment of persons with disabilities. Furthermore, the employment of elderly workers with disabilities is to be promoted from this programme.

At the same time, Germany sees itself confronted as a result of demographic development

by a future drop in the number of persons in gainful employment. For this reason, the Federal Government will be presenting a concept to hold onto specialist workers, providing amongst other things for activating the potential for specialist workers within the country. These also include persons with disabilities.

Anyone working today in a workshop for persons with disabilities should have the opportunity to also claim certain benefits from other providers. For this reason, the reorientation of the **law on workshops** is being discussed in a Federation-*Länder* working party. The Federal Government is endeavouring here to bring about a marked **strengthening of the individual-centred approach**.

Inclusion is achieved in everyday life. The Federal Government will hence be particularly concentrating on shaping an inclusive immediate social environment: Diversity of living arrangements and possibilities to meet and advise near to places of residence, accessible cultural and leisure services and a well-functioning network of highly-varied specialist, support and assistance services, are the elixir of an inclusive society.

The “**Social Living**” **umbrella programme** covers the period from 2010 to 2014 with a budget of Euro 3.85 million and will tackle topics such as mobile counselling, skill development of craft enterprises, technology-aided living and inclusive social areas.

The supply of accessible homes has already increased continuously in recent years. Another Euro 518 million will be available every year until 2013 in the context of **housing promotion**, including for schemes to reduce barriers in existing homes or to build new accessible rented housing or owner-occupied homes for persons with disabilities. Materials on accessibility are to be drawn up to assist the **development of architects’ skills**.

Particular importance attaches to unrestricted access to medical care. For this reason, the Federal Government would like to remove constructional and communication-related barriers in doctors’ surgeries and rehabilitation facilities: An adequate number of surgeries are to become accessible in the next ten years. In 2012, the Federal Government will be developing an overall concept together with the *Länder* and the medical profession, helping to guarantee barrier-free access and **accessible fittings in practices and clinics**. Additionally, guidelines for doctors are to be developed amongst other things.

There have already been considerable improvements in recent years when it comes to the mobility of persons with disabilities. Roughly 100 **railway stations of the German Rail-**

ways are made accessible each year. The Federal Government will be campaigning for a further expansion of the Railways and of local public passenger transport to ensure mobility.

An important novelty is planned for people who are entitled to travel for free: **The restriction applicable for railways of the Federation in local transport to within 50 km of an individual's registered address is to be abolished.**

In the context of the eGovernment strategy on "participation", the Federal Ministry of Labour and Social Affairs (BMAS) will be further expanding the information and services for **accessible travel planning** on the established Internet portal www.einfach-teilhabe.de. Accessibility may not end outside cinemas or at the theatre box office. Persons with disabilities are to be able to take part with others in art, culture, sport, leisure and tourism activities, without encountering obstacles and whilst enjoying equal rights. The Federal Government is hence endeavouring to further "**Design for All**" which takes account of the range of human abilities, skills, needs and preferences; moreover, assistance systems are to be developed which support people with physical handicaps. Research funds are being made available for this.

Amendments to the **Film Promotion Act** will enable more new cinema films to be provided with audio description and extensive subtitling. Cinema promotion is above all to benefit the installation of wheelchair places and induction loops for the hard of hearing.

The concept of inclusion is a major criterion in the further development of structures and systems in the fields of prevention, health, long-term care and rehabilitation.

The Federal Government is endeavouring to ensure accessible, universal prevention, health, rehabilitation and long-term care services for people with and without disabilities that should be provided near to where they live. Instead of simply being next to one another, it is necessary to enable both the **interlinking of all stakeholders and benefits** and the information and advice on existing services.

The right to rehabilitation, as set out in the **Ninth Book of the Social Code (SGB IX)**, is being refined with a view to an inclusive approach. Problems in implementation, such as with the inter-institutional personal budget or in the joint service agencies, are to be solved amongst other things through modern information and communication technologies. The vocational rehabilitation system will be equipped to face the challenges of the future by means of the "*Reha Futur*" initiative.

At the same time, Germany is confronted as a result of demographic development with insured parties who remain in gainful life for longer, so that the demands in terms of benefits to participate in pensions insurance will also continue to increase in future. A fundamental decision has been adopted in pensions policy that increases in expenditure in the pensions insurance system are not to be at the expense of justice between the generations, nor should they endanger the statutory upper limits for the contribution rate. **In this context, the Federal Government will also be examining the need to increase the ceiling on rehabilitation costs.**

We want to provide barrier-free access to rehabilitation services for persons with disabilities. This takes place on the basis of a study which investigates what is done in practice. The Federal Government is examining the possible content of a **Patients Rights Act** to enhance the rights of persons with disabilities when it comes to questions of healthcare. The **reorientation of integration assistance** for persons with disabilities from a largely institutionally-related towards a person-centred participation contribution is being discussed in a Federation-*Länder* working party. A uniform, comprehensive procedure for the planning of participation, in which the individual case is comprehensively investigated at a level spanning the financing entities, is also under discussion.

The **principle of “rehabilitation before long-term care”** is being systematically implemented to reduce and postpone the need for long-term care.

In future, long-term care is to be orientated closer still to the needs of those in need of long-term care, for instance, through **greater transparency in the price and quality of benefit offered**. This enables those in need of long-term care and their relatives to select benefits and benefit-providers more flexibly.

As well as a better portrayal of the need for benefits, forms of housing and care must be available which are orientated towards the requirements of those in need of long-term care, such as shared accommodation for people with dementia.

In order to enable people in gainful employment to engage in the long-term care of their relatives, the Federal Cabinet already adopted the draft **Act on Reconciliation of Long-term Care and Work** (*Gesetz zur Vereinbarkeit von Pflege und Beruf*) on 23 March 2011, the primary component of which is the Act on Care-giving Leave for Families (*Familienpflegezeitgesetz*). Relatives providing long-term care are hence to be able to main-

tain a financial livelihood and avoid interruptions in their working biographies.

The approach for a new, more differentiated **definition of need for long-term care**, as well as its impact on the future design of long-term care insurance and also the links with other benefit systems, are currently being examined with the aim in mind of guaranteeing that implementation will be as seamless as possible.

The **basic and further training of long-term care staff** is to consider more carefully the specific needs of women and men with disabilities in future.

Inclusion means recognising and effectively combating discrimination. This applies to both the public and the private domain.

In enquiries to the Federal Anti-Discrimination Agency (ADS) as an independent advisory agency, the reason for discrimination “disability” is the one named most frequently, at 25 percent. When it comes to multiple discriminations, the combination “disability and age” (roughly 17 percent), as well as “disability and gender” (roughly 7 percent) are mentioned most frequently. Against this background, the Federal Anti-Discrimination Agency will be initiating a **topical year on disability as the reason for discrimination** in 2013 with the aim in mind of creating a greater awareness of the discrimination which is taking place on an everyday basis, and in particular indicating the significance of accessibility and inclusion.

The **Federal Act on Equal Opportunities for Persons with Disabilities** (*Behindertengleichstellungsgesetz des Bundes - BGG*) of 2002 aims to enforce and ensure the equal rights of persons with disabilities in all areas of public and private life. The Federal Government will be evaluating the Act and in doing so in particular clarifying whether all groups of persons with disabilities are adequately considered and the tools contained in the Act have proven their worth.

The Federal Government is looking in particular at the **reduction of multiple discrimination against women with disabilities**. Amongst other things, the Federal Government is supporting the project entitled “Women’s commissioners in workshops for persons with disabilities and in housing facilities”. This seeks to enable women with disabilities to take on such a task and to act as easily-reached contacts and supports. The information collected in the project will be input into a debate on long-term schemes which span different workshops.

Violence against women with disabilities is still taboo and has considerable grey areas. At the end of 2011, the Federal Government will be developing results of a representative study on this topic and developing target-group-specific schemes on this basis. The planned national **“Violence against women” helpline** will be opened at the end of 2012/beginning of 2013 and made barrier-free.

Inclusion means that persons with disabilities can participate effectively and comprehensively in political and social life and enjoy the same rights as others.

A study on the active and passive **participation of persons with disabilities in elections** will study the actual participation of persons with disabilities in this area and develop recommendations for action to improve participation.

The self-determined participation of persons with disabilities is promoted through the deployment of modern accessible information and communication technologies in the context of the **eGovernment “Participation” Strategy of the Federal Ministry of Labour and Social Affairs.**

If a person who is of age cannot look after their own affairs completely or partly themselves because of a mental disorder or due to a disability, the custodianship court appoints a custodian for them. The Federal Ministry of Justice is chairing an interdisciplinary working party dealing with questions related to the **structural reform of the law on custodianship**. It will also explore the question of what potential for improvement exists in view of the UN Convention on the Rights of Persons with Disabilities. The working party has spoken in favour of an exchange with people who have legal custodians in order to be able to include their experience in the discussion.

The UN Convention on the Rights of Persons with Disabilities applies worldwide. For this reason, the Federal Government is supporting the European Commission’s strategy on policy on persons with disabilities. In the context of its development cooperation, the Federal Government will be developing its own strategy on the inclusion of persons with disabilities.

Persons with disabilities have an increased risk of poverty the world over; their chances of education, work and health are much poorer than for the rest of the population. **Development cooperation** will therefore have a separate strategy for the inclusion of persons with disabilities. Financial and staffing resources will be provided in the coming years in order to

improve the inclusion of persons with disabilities in German development cooperation.

Germany is endeavouring at all international levels (European Union, United Nations, other multilateral relationships) to ensure the worldwide implementation of the UN Convention. The Federal Government fundamentally welcomes the **European Commission's strategy** on disability and stresses its interest in cooperation with the EU in a large number of topics tackled in the strategy.

The perception of persons with disabilities depends to a considerable degree on how they are represented in entertainment, information, education and scientific media: which pictures, symbols and definitions are imposed upon them, what stories are told about them and in which contexts they appear or speak themselves.

The interest in the topic of disability on the part of the entertainment and mass media has increased considerably in the past two decades. This is a major indication of a trend towards normalisation and inclusion. Nonetheless, the pictures and interpretations portrayed in the media and also through advertising are in many cases unsatisfactory or problematic: They draw an inadequate, incomplete picture of the real lives of persons with disabilities and document or favour an image (an external perception) which has little in common with the self-perception - the collective or subjective identity - of persons with disabilities.

The Federal Government will communicatively support and accompany the implementation of the National Action Plan with a long-term. The major elements of this campaign will be coordinated with civil society and in particular with the associations of persons with disabilities.

A growing interest in the topic of disability can also be observed in the field of **culture production (film, theatre, literature, art)** in recent years. Art and culture offer an important experimental space for the change of perspectives. The Federal Government will do its best to ensure that **the cultural promotion of the Federation** also increases its support for artists with disabilities.

The varied interest in the topic of disability and the question as to the sense and meaning of "normality", "health", "happiness", "suffering", "body", "identity", "sense", "human dignity", "equality" or "autonomy" frequently underlying this interest leads to a heightened **perception of the cultural dimensions of disability**. This is an important prerequisite for inclusion, and also has an impact on the way in which the topic is dealt with in academic circles: "**Disability**

Studies", an interdisciplinary field of research which is still in its infancy in Germany, constitutes an investigation of disability as a historical, social and cultural phenomenon. On the basis of cultural, intellectual and sociological-orientated research, medical, educational, rehabilitation science and social policy interpretations of disability are given an important corrective and provided with valuable food for thought in the shape of Disability Studies. Disability Studies also make a major contribution to the question of the public portrayal and perception of persons with disabilities.

An **international conference on Disability Studies** is planned to take place in Berlin in cooperation with the researchers and other stakeholders who are active in this area in Germany in order to promote an international exchange.

Disability is not curable. It is an integral part of the personality of persons with disabilities and deserves respect. Disabling structures and conduct are however curable. The name of the therapy is inclusion. We're going to make the world *simpler*. And we're going to simply *do it* together with those who are in this with us!