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Human and Civil Rights*

Human and Civil Rights

Everyone has human rights and civil rights. This includes people with intellectual and developmental disabilities (I/DD). Human and civil rights are supposed to make sure everyone is treated fairly.

Issue

Nobody should be treated unfairly. People with I/DD are often denied their rights.

People with I/DD are just as different from each other as everyone else is. There are people with I/DD of every age, gender identity and expression, race and ethnicity, sexual orientation, culture, language, religion, and so on. This means they speak different languages, have different beliefs, follow different kinds of religions, and more. People with I/DD who are people of color or LGBTQ+ often face more discrimination. That means they are treated differently than other people and denied their rights. LGBTQ+ means lesbian, gay, bisexual, transgender, queer, questioning, and other identities.

Human Rights

The United Nations' (UN) Universal Declaration of Human Rights says that human rights are for everyone.

It also says that every country should have laws to protect human rights.

This Declaration and other documents passed by the UN talk more about what rights all humans have.

These include:

- Freedom from discrimination because of disability. This means not being treated differently because you have a disability.

- Freedom from torture. Torture is when someone hurts another person very badly on purpose. It is usually done to force them to do something or to make them suffer.
- Right for everyone to take charge of their own lives.
- Right to education.

Civil Rights

The U.S. Constitution, Bill of Rights, and other laws guarantee civil rights. That means they say everyone has civil rights.

These laws make it against the law to discriminate because of someone's sex, gender, race or ethnicity, sexual orientation, age, disability, political beliefs, religion, or social class. Social class is based on things like how much money you have, the kind of job you do, and how much education you have. It can affect opportunities you get and how people see you.

These laws have not done enough to protect people with disabilities and other groups that do not get the same opportunities as everyone else.

Advocates have gone to court to try to protect people's rights.

Congress has passed laws to protect the civil rights of people with disabilities. These include:

- Section 504 of the Rehabilitation Act
- Individuals with Disabilities Education Act
- Civil Rights of Institutionalized Persons Act
- Americans with Disabilities Act (ADA)
- Parts of the Affordable Care Act.

However, there are still barriers to people with I/DD having their human and civil rights respected.

Barriers include:

- Discrimination in education, employment, housing, and voting.
- Beliefs that people with I/DD are not as valuable as everyone else.

- Keeping people from trying new things and taking risks.
- Using restraint, seclusion, and aversives.
 - “Aversives” are treatment or actions used to stop behavior that is dangerous or that breaks rules by causing discomfort or pain.
 - “Restraint” means controlling a person’s movement by doing things like holding them down, tying their hands, or giving them medication.
 - “Seclusion” is putting a person in a room or area where they are alone and cannot leave.
- Putting people in institutions instead of supporting them in community living.
- Treating people with disabilities differently when they need healthcare. Limiting who can vote.

Position

All people have human and civil rights.

People with I/DD have the same rights as everyone else.

People with I/DD have the right to accommodations and support to protect their civil and human rights. Accommodations are changes that are made to help someone have the same opportunities as everyone else.

Governments must make sure everyone’s human and civil rights are respected.

Professionals must be educated about the rights of people with I/DD. This can include:

- Teachers
- Police Officers
- Doctors
- Direct support professionals.

Anyone in a position of power who harms someone with I/DD or stops them from having their rights must be held accountable. This means they should be stopped and should get in trouble.

People can be hurt when others are cruel or do not care. One example is the use of restraint or seclusion.

People in power like legislators and other government leaders must improve laws to make sure all human rights are protected.

*** The DE DD Council's position statement is based on the American Association on Intellectual and Developmental Disabilities (AAIDD) and The Arc United States position statement on human and civil rights for people with disabilities.**



The Delaware Developmental Disabilities Council is federally funded in compliance with the DD Act.

