

The Long and Winding Road to Equality and Inclusion for Persons with Disabilities : The United Nations Convention on the Rights of Persons with Disabilities

Citation for published version (APA):

Broderick, A. (2015). *The Long and Winding Road to Equality and Inclusion for Persons with Disabilities : The United Nations Convention on the Rights of Persons with Disabilities*. [Doctoral Thesis, Maastricht University]. Intersentia. <https://doi.org/10.26481/dis.20151120ab>

Document status and date:

Published: 01/01/2015

DOI:

[10.26481/dis.20151120ab](https://doi.org/10.26481/dis.20151120ab)

Document Version:

Publisher's PDF, also known as Version of record

Please check the document version of this publication:

- A submitted manuscript is the version of the article upon submission and before peer-review. There can be important differences between the submitted version and the official published version of record. People interested in the research are advised to contact the author for the final version of the publication, or visit the DOI to the publisher's website.
- The final author version and the galley proof are versions of the publication after peer review.
- The final published version features the final layout of the paper including the volume, issue and page numbers.

[Link to publication](#)

General rights

Copyright and moral rights for the publications made accessible in the public portal are retained by the authors and/or other copyright owners and it is a condition of accessing publications that users recognise and abide by the legal requirements associated with these rights.

- Users may download and print one copy of any publication from the public portal for the purpose of private study or research.
- You may not further distribute the material or use it for any profit-making activity or commercial gain
- You may freely distribute the URL identifying the publication in the public portal.

If the publication is distributed under the terms of Article 25fa of the Dutch Copyright Act, indicated by the "Taverne" license above, please follow below link for the End User Agreement:

www.umlib.nl/taverne-license

Take down policy

If you believe that this document breaches copyright please contact us at:

repository@maastrichtuniversity.nl

providing details and we will investigate your claim.

Download date: 29 Apr. 2025

Propositions

1. The transformative potential of the CRPD cannot be denied; however whether this potential will be realised is a matter of political will.
2. The CPRD mandates that States and, by consequence, society as a whole, take responsibility for the effects which result from the interaction of impairments with environmental barriers.
3. The European Court of Human Rights must take greater cognisance of the substantive disadvantage faced by persons with disabilities if the Court is to target more effectively long-standing discrimination issues and deep-seated barriers to participation for persons with disabilities.
4. In spite of certain criticisms of their application to socio-economic rights realisation, equality and dignity considerations must factor into the CRPD Committee's assessment of measures taken to realise socio-economic rights progressively if those rights are to be effective for persons with disabilities.
5. Human rights treaty interpretation should not be an exercise based on wishful thinking; notwithstanding this, human rights treaties are living instruments and account must be taken of changing social realities in their interpretation to give effect to the object and purpose of the treaty.
6. International human rights law for persons with disabilities can be rendered more effective if individuals have *de jure* and *de facto* access to remedies.
7. International law has great potential to serve as a tool for law reform in the European Union.
8. Research should provide a platform to translate the general rights and obligations of the CRPD into practical strategies to achieve substantive reform and change that can reach into the everyday lives of persons with disabilities.

9. In order to be in a position to ratify the CRPD, Ireland must take stronger measures to reform domestic laws in several areas.

10. Research is to see what everybody else has seen, and to think what nobody else has thought. (Albert Szent-Gyorgyi)