

October 30, 2013

Dear Senator:

Not Dead Yet is writing to support ratification of the Convention on the Rights of Persons with Disabilities (CRPD). Not Dead Yet is a national disability rights organization that addresses health care policies pertaining to life-sustaining treatment and “end-of-life” care. Our organization often works in coalition with conservative organizations in opposing state bills to legalize assisted suicide.

There’s been a lot of misinformation out there about the CRPD, so let me point to some specific Articles of the CRPD that are relevant to [Not Dead Yet’s goals](#).

First, there is Article 10, entitled “Right to life,” which does not carry exactly the same connotation and meaning that the phrase does in U.S.culture-war politics. [Article 10](#) simply states:

States Parties reaffirm that every human being has the inherent right to life and shall take all necessary measures to ensure its effective enjoyment by persons with disabilities on an equal basis with others.

Not Dead Yet’s concerns about futility policies, surrogate decision-making and assisted suicide all pertain to the notion that persons with disabilities have the same inherent right to live as everyone else.

CRPD [Article 16](#) addresses “Freedom from exploitation, violence and abuse.” Article 16 begins by stating,

1. States Parties shall take all appropriate legislative, administrative, social, educational and other measures to protect persons with disabilities, both within and outside the home, from all forms of exploitation, violence and abuse, including their gender-based aspects. . . .

The Article goes on to call for related efforts toward abuse prevention, public education, reporting, victim support services, protection services, investigation of abuse and appropriate prosecution of abusers.

As we also know, persons with disabilities are more likely to experience abuse than their non-disabled peers. This reality has a direct bearing on Not Dead Yet’s goals of ensuring that the civil rights of disabled people are protected from inappropriate surrogate decisions to withhold life-sustaining treatment, and of ensuring the equal

protection of the law when disabled people are the victims of violence and even homicide.

Finally, CRPD [Article 25](#) addresses “Health.” The most relevant portions affirm essential principles of nondiscrimination in health care:

States Parties recognize that persons with disabilities have the right to the enjoyment of the highest attainable standard of health without discrimination on the basis of disability. States Parties shall take all appropriate measures to . . .

d) Require health professionals to provide care of the same quality to persons with disabilities as to others, . . . through training and the promulgation of ethical standards for public and private health care;

e) Prohibit discrimination against persons with disabilities in the provision of health insurance, . . . ;

f) Prevent discriminatory denial of health care or health services or food and fluids on the basis of disability.

Subsection “f” directly states Not Dead Yet’s goal to prevent the withholding of health care, and even food and fluids, on the basis of disability. Sadly, we know that this happens in the U.S. and elsewhere. Not Dead Yet has been talking about it for years, and last year our concerns were substantiated in [a major Report from the National Disability Rights Network](#). The CRPD won’t cure this injustice, but it will affirm that it is an injustice, and help establish that it is an international human rights issue.

The U.S. should ratify the CRPD, which has already been ratified by 117 other nations as of July 2012. It won’t change U.S. law, given that disability rights consistent with the CRPD are already on the books here. But it will provide global leadership on disability rights and help protect our disabled citizens abroad. Moreover, it will affirm our nation’s commitment to our stated ideals of equality and justice for *all*.

If you have any questions, please contact me at dcoleman@notdeadyet.org or 708-420-0539.

Sincerely,

Diane Coleman, JD, MBA
President/CEO

Not Dead Yet
497 State Street
Rochester, NY 14608
708-420-0539 C
www.notdeadyet.org