

Bob Dole



NEWS

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DOLE PRESENTS TESTIMONY TO HELSINKI COMMISSION
ON DISCRIMINATION AGAINST THE DISABLED ABROAD

WASHINGTON -- Senate Republican Leader Bob Dole provided the following testimony today to the Commission on Security and Cooperation in Europe -- "Helsinki Commission" -- for the first hearing on international disability rights. This hearing was prompted by a bill the Senator introduced in July 1993 to direct the State Department to examine discrimination against the disabled in its annual human rights report. Senator Dole's testimony follows:

Mr. Chairman and Mr. Co-Chairman, I appreciate the opportunity to submit this testimony for the record to the Commission's hearing on the human rights of people with disabilities. I commend the Commission for its initiative in holding this hearing, which is of course its first hearing on this topic.

As Commission members may know, last year I introduced a bill to require the State Department to report on discrimination against people with disabilities. I will discuss that bill shortly, but first will begin with some brief historical remarks about Nazi crimes against the disabled.

Nazi Crimes Against the Disabled

Mr. Chairman, throughout this hearing let us remember the hundreds of thousands of people with disabilities killed by the Nazis in Germany and the occupied countries. Fifty-five years ago this month, in September 1939, Adolf Hitler signed a secret order authorizing Aktion T-4, a systematic program of killing of people with disabilities. Although Hitler rescinded that order in 1941 under considerable pressure, particularly from churches, the program in fact continued until the end of World War II.

As described by the author and historian Hugh Gallagher, Aktion T-4 was the Nazis's first effort at mass killing, and was the prototype for the Holocaust and other atrocities.

The killing of people with disabilities by the Nazis was justified with phrases like "final medical assistance" and "natural selection." But it was simply murder committed with an utter disregard for the worth of people with disabilities.

American Leadership in Human Rights for Disabled

With its scope and government sanction and organization, the Nazi T-4 program was perhaps history's most egregious violation of the human rights of people with disabilities.

But, frankly, we know little about the human rights situation of people with disabilities today. In my view, as a nation that has been a pioneer in promoting the dignity of its own citizens with disabilities, we have a special obligation to assume leadership in this area.

Indeed, just as American leadership of the Allies defeated Germany and the other Axis Powers, American leadership after World War II led to the first international accords on human rights, including the United Nations Charter in 1945 and the Universal Declaration of Human Rights in 1948, to help prevent tragedies such as the Holocaust from happening again.

Although these agreements and others provide an essential foundation for respect for the human rights of people with disabilities, they tell us nothing about the actual human rights situation.

Disability Rights in American Foreign Policy Act

To remedy this lack of information, in July 1993 I introduced a bill, the "Disability Rights in American Foreign Policy Act" (S. 1256), to instruct the Secretary of State to examine discrimination against people with disabilities in the State Department's annual Country Reports on Human Rights Practices. Since 1977, the Country Reports have become an

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authoritative survey of human rights worldwide, closely read by other governments and human rights organizations.

I was very pleased that my bill quickly gained strong bipartisan support, across the political spectrum. I was also pleased that the Chairman of the this Commission was a co-sponsor of my bill in the Senate, and that the Co-Chairman introduced a corresponding bill in the House, again with bipartisan support.

Let me briefly describe my thinking in introducing S. 1256. First, I felt that Country Reports could provide the information we need about the human rights situation of people with disabilities that seems unavailable anywhere else. The experience and reporting system of the State Department on human rights is unique.

Second, I believed it was timely -- perhaps even overdue -- to examine how we might apply the principles of the Americans with Disabilities Act ("ADA") to our human rights policy. As Commission members surely know, ADA heralded a new approach to disability in our nation, by providing for the first time a clear, comprehensive national mandate for the elimination of discrimination against people with disabilities and for a national disability policy based on the positive values of equality of opportunity and full participation.

As I said in my floor statement introducing S. 1256, "America's greatest export has been its concept of human rights. Let us continue that tradition with this bill."

Fortunately, the Secretary of State was listening. Even before any legislative action, the Country Reports for 1993 included for the first time a short section on the status of people with disabilities in 190 countries, from Afghanistan to Zimbabwe. Although as might be expected in the first year, individually the country reports are somewhat uneven, overall they are a very credible first effort.

Some accounts are disturbing. In one country, for example, infants born with birth defects are considered sorcerers, and sometimes killed at birth. However, the government of that country does punish such acts under criminal law.

But others are encouraging. Even in some low-income countries, there are real efforts at advocacy and opportunity.

And the Country Reports are a powerful reminder that the manufacture of disability, through war and civil strife, is sadly one of the world's growth industries.

I would like now to briefly describe some of the objections I encountered while drafting S. 1256. First, some wondered if it were even possible to report on the human rights of people with disabilities. The State Department has proven it is.

Others pointed out that attitudes or treatment of people with disabilities, their exclusion from social life, is really often a matter of cultural practices, and not a human rights issue. I disagree, and hope that argument has been discredited.

It was also implied that attention to people with disabilities is a luxury for low-income countries. Frankly, I believe the need is probably greatest in such countries, who can ill afford potentially productive members of society forced into idleness.

In this regard, I am reminded of a conversation a member of my staff had with a cab driver here in Washington several years ago. The cab driver asked what the staff member did. He explained he worked on disability matters. The driver then told him that when he first arrived in the U.S. he did not understand curb cuts and other accommodations for the disabled, and thought they were another foolish whim of Americans. But now he feels quite different -- he was from Somalia, and as a result of their civil war thousands of people have acquired disabilities. He said the architecture of Somalia is almost wholly inaccessible, and this was a great problem and would need to be fixed.

In any case, the Country Reports now send the message around the world that the United States considers discrimination against people with disabilities a human rights issue and that people with disabilities are included in our human rights agenda.

Future Directions

Although we have made a good beginning with the Country Reports, there is much more work to be done. The United States needs to look at how well its support for programs of bilateral and multinational economic development include people with disabilities, and what kinds of assistance we can provide to other nations as they struggle to provide medical and rehabilitation services for their citizens.

Three years ago I joined with Senators Simon, Harkin, and Helms in adding amendments to a reauthorization of the Foreign Assistance Act that would provide for the first time a specific charter for aid to people with disabilities. That legislation

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never made it into law, but I intend to take up this matter again at an appropriate time.

In closing, let me note that Americans have never shied away from challenges. The fight for full participation by the world's 500-million people with disabilities is one we accept willingly and with enthusiasm, and I look forward to any recommendations the Commission might have in this regard.

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