

Memorandum

Date: March 3, 1993

To: John Ziolkowski

From: Alec Vachon

Re: Disability Rights and Country Reports
on Human Rights Practices

Just a brief note to follow up on our conversation this morning. Attached is a short paper on disability rights and U.S. foreign policy, which includes discussion of the specific proposal I mentioned -- that discrimination against people with disabilities be included in the State Department's annual country reports on human rights practices. This paper also quotes the Senator in this regard.

If feasible, any legislation would likely be highly visible and popular and without cost (except for the time required of foreign service officers).

I spoke with Mira Baratta in the late afternoon about this project. She indicated that she had a scheduled meeting with some people at State involved with human rights issues tomorrow, and would discuss this project with them. I will be very interested in their reaction, given that in the past State has not shown much interest in disability rights. Also, the U.S. concept of disability rights, as articulated in the Americans with Disabilities Act of 1990, is still quite unique in the world.

However, State has supported a proposed meeting here in Washington, D.C. on international action for people with disabilities in developing countries, to be sponsored by the National Council on Disability, an independent federal agency (and the folks who originally proposed the Americans with Disabilities Act). State has also suggested that this meeting might be endorsed by the U.N. as a meeting in preparation for the its 1994 World Summit on Social Development.

Thanks.

cc: M. Baratta
D. Stanley

March 4, 1993

TO: Alec Vachon

FROM: John Ziolkowski

SUBJECT: Disability Rights and Country Reports on Human Rights Practices

Thanks for the memo and the accompanying paper. I have just two comments before you talk with State and send the proposal on to the Senator.

First, I agree with you that State is and will be reluctant to include disability rights in its country reports. State never liked doing the reports to begin with and any expansion will be resisted automatically.

There may be more valid problems though, in that some attitudes toward disabilities are the result of cultural or economic problems, not government policy. In some places, such as the independent states of the former Soviet Union, they are still writing their constitutions and have no law covering many issues.

In that regard, the Administration may well resist any legislation that links disability rights to foreign aid allotments in that we are dealing with countries that are not yet prepared to establish these programs. To the extent that such linkage might exclude or disadvantage countries like Armenia, which Senator Dole strongly supports, he would probably agree with the Administration.

Second, I should mention that in reference to the paragraph on page 4, freedom to travel is generally regarded as a right for internal travel or emigration. Admission to a country for a visit or permanent residence is a privilege, not a right. As for immigrants or visitors with HIV, Senator Dole was one of the leaders of the recent successful fight on the Senate floor to maintain the present exclusions on people with HIV.