

## CBM AUSTRALIA POLICY NOTES

### Reasonable accommodations

The CBMA policy note provides a **high level overview** of our **understanding and policy position** on relevant topics, and outlines our **engagement with these areas** in conjunction with our partners and other areas of the organisation.

### Summary

'**Reasonable accommodations**' are defined in Article 2 of the United Nations Convention on the Rights of Persons with Disabilities (CRPD) as:

*"...**necessary and appropriate modification and adjustments** not imposing a disproportionate or undue burden, where needed in a particular case, **to ensure to persons with disabilities the enjoyment or exercise on an equal basis with others** of all human rights and fundamental freedoms".<sup>1</sup>*

As the majority of countries have signed and ratified the UN CRPD, **we have a responsibility to provide reasonable accommodations** to ensure equal access and opportunities for people with disabilities.

In practice, reasonable accommodations mean supporting an individual with a disability to be able to participate equally, by **making changes to how an environment, setting or activity is delivered, or by providing additional support**.

### Difference between reasonable accommodations and accessibility

- '**Reasonable accommodations**' refer to **individual situations** that are provided upon request, these may also require additional support.
  - Reasonable accommodations **responds to the specific needs of a person with a disability**.
  - Reasonable accommodations are achieved with **immediate action**.
  - For example, a **portable ramp** over a small set of stairs is considered a reasonable accommodation, as **it requires assistance from others** to set-up.
- '**Accessibility**' refers to a **structural means for removing barriers** which is achieved without needs for additional support.

- Accessibility is **responding to the needs of all people**.
- Accessibility is achieved **progressively over time**.
- For example, a **concrete ramp** that is a permanent fixture is considered as accessibility, as it **does not require assistance** from others.

This means that **even if you are working on accessibility** from the start, that **reasonable accommodations** will still need to be provided – as **each person with a disability has different needs**.

## Examples

Examples of reasonable accommodations could include:

- **Temporary adaptation of a venue, environment or transport**, e.g., providing portable ramps for buildings or vehicles, dimming or turning off fluorescent lights, including temporary grab bars within a bathroom, setting up tables with adequate spacing for walkways, etc.
- **Adjustments to an online platform or online documents**, e.g., providing closed captions, using bold text to highlight key terms, using pictures to explain complex topics, providing detailed image descriptions in comparison to simple alt-text.
- **Adjustments to communication requirements**, e.g., providing sign language interpreters, allowing Autistic people to communicate without masking, providing information in advance of a meeting or event, asking speakers to use visual descriptions, printing copies of detailed instructions, avoiding jargon, etc.
- **Provision of assistive devices or assistive technologies**, e.g., mobility devices such as wheelchairs, crutches etc., speech-to-text software, screen readers, communication boards, noise-cancelling headphones, etc.
- **Flexible participation approaches**, e.g., flexible working arrangements, options to participate 1:1 or in smaller group settings as an alternative to larger group settings, access to a support person or mentor to provide additional support, providing a note-taker and sending copies afterwards, offering flexible attendance options or locations, enabling access to follow-up sessions or 1:1 support in breaks, providing private spaces to access as required, etc.

Even though reasonable accommodations are most commonly referred to regarding workplaces and education settings, they are a **cross-cutting feature of disability equity in development**.

This means that reasonable accommodations are **essential to achieving non-discrimination** and ensuring people with disabilities are not excluded or restricted from enjoying, on an equal basis with others, all human rights.<sup>ii</sup>

As such they are a necessary component of what is referred to as '**preconditions to inclusion**'. **Pre-conditions to inclusion are the building blocks to participation for people with disabilities.** Without them, people with disabilities cannot equally participate or access their rights.

The active participation of people with disabilities is part of a human rights-based approach and is key to realising the disability movement's motto of 'nothing without us.' Reasonable accommodations must be provided to people with disabilities so that they can **participate in decision-making processes that affect them on an equal basis with others.**<sup>iii</sup>

This is echoed by the Pacific Disability Forum (PDF) whose guidelines on preconditions to inclusion recommend that **reasonable accommodations be considered central to non-discrimination, with the denial of reasonable accommodations amounting to discrimination.**<sup>iv</sup>

## **Costs of reasonable accommodations**

As the requirements of people with disabilities vary, so do the types and **costs** associated with providing reasonable accommodations.

**Most reasonable accommodations are low-cost or no-cost.** For example: providing closed captions, using visual descriptions when introducing yourself, dimming lights, clearing space for walkways/paths, flexible attendance options, etc).

**Reasonable accommodations associated with higher costs are often related to physical accessibility** (e.g., providing portable ramps, temporary grab bars) **or to communication** (e.g., providing sign language interpreters, screen readers, or speech-to-text software).

**Some governments**, particularly those in middle-higher income countries, **have adequate support systems that cover the costs related** to reasonable accommodations (for example: assistive devices such as wheelchairs or crutches, sign language interpretation support, temporary ramps, etc.). However, **in many countries, these systems are not yet in place.**

## **CBM Australia's position on reasonable accommodations**

CBM Australia (CBMA) advocates for reasonable accommodations particularly with regard to **preconditions to inclusion and inclusive budgeting**, which refers to **allocating funds to remove barriers and promote participation** for people with disabilities.<sup>v</sup> In its [submission](#) to the International Disability Equity and Rights Strategy (IDEARS) which is set to be released in 2024, CBMA calls on the Australian Government to **ensure that accessibility and reasonable accommodations are resourced in all investments so that people with disabilities can fully participate** and lead in design, delivery, monitoring, and evaluation of programs and policies. Specifically, it asks that:

- **All investments allocate a minimum of 5 per cent of the total budget** to support reasonable accommodations for consultation and design processes.
- **For disability-specific programs and where there is a larger cohort of people with disabilities as participants**, the reasonable accommodation **costs may increase** in order to meet the needs of people with disabilities.
- Consultation and design outcomes include **specific reporting on accessibility and reasonable accommodation requirements**.
- There is **tracking and reporting information on budget expenditure on reasonable accommodation** in order to contribute to continuous improvement.

These recommendations on reasonable accommodations are supported by the UN Partnership on the Rights of Persons with Disabilities. CBMA endorses its Pacific partner PDF in its calls for reasonable accommodations as a necessary element of preconditions to inclusion.

### **CBM Australia engagement**

CBMA supports reasonable accommodations in its projects through **inclusive budgeting and in an advisory capacity through providing technical expertise** to other NGOs on how to be more inclusive of people with disabilities in their own projects.

## Annex: Associated resources

### CBM Australia – [CBM Australia’s International Disability Equity and Rights Strategy \(IDEARS\) submission](#)

- his submission details **CBMA’s recommendation to the Australian government on reasonable accommodation** in addition to other detailed recommendations to improve disability equity in international development.

### Pacific Disability Forum – [Guideline on pre-condition to inclusion](#)

- This document, written in the context of the COVID-19 response, serves to provide advice on how to **ensure that the pre-conditions to inclusion are integrated within COVID-19 response efforts**, with recommendations on where and how reasonable accommodations should be included.

### Partnership on the Rights of Persons with Disabilities – [The preconditions necessary to ensure disability inclusion across policies, services, and other interventions](#)

- This document outlines the **six preconditions to inclusion essential to policies, systems, and services**. Although reasonable accommodations are not a precondition, this document details their role in ensuring preconditions are met.

### United Nations – [Convention on the Rights of Persons with Disabilities](#)

- The Convention is integral in **understanding how reasonable accommodations are defined and their role in ensuring people with disabilities can access all human rights** on an equal basis with others.

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<sup>i</sup> OCHCR (Office of the High Commissioner of Human Rights) (2006), [Convention on the Rights of Persons with Disabilities](#).

<sup>ii</sup> OCHCR (2006), [Convention on the Rights of Persons with Disabilities](#).

<sup>iii</sup> UNPRPD (Partnership on the Rights of Persons with Disabilities) (2020), [The preconditions necessary to ensure disability inclusion across policies, services, and other interventions](#).

<sup>iv</sup> PDF (Pacific Disability Forum) (2020), [Guideline on Pre-Condition to Inclusion](#).

<sup>v</sup> UNHCR (United Nations High Commissioner for Human Rights) (2022), [Inclusive Budgeting Tip Sheet](#).