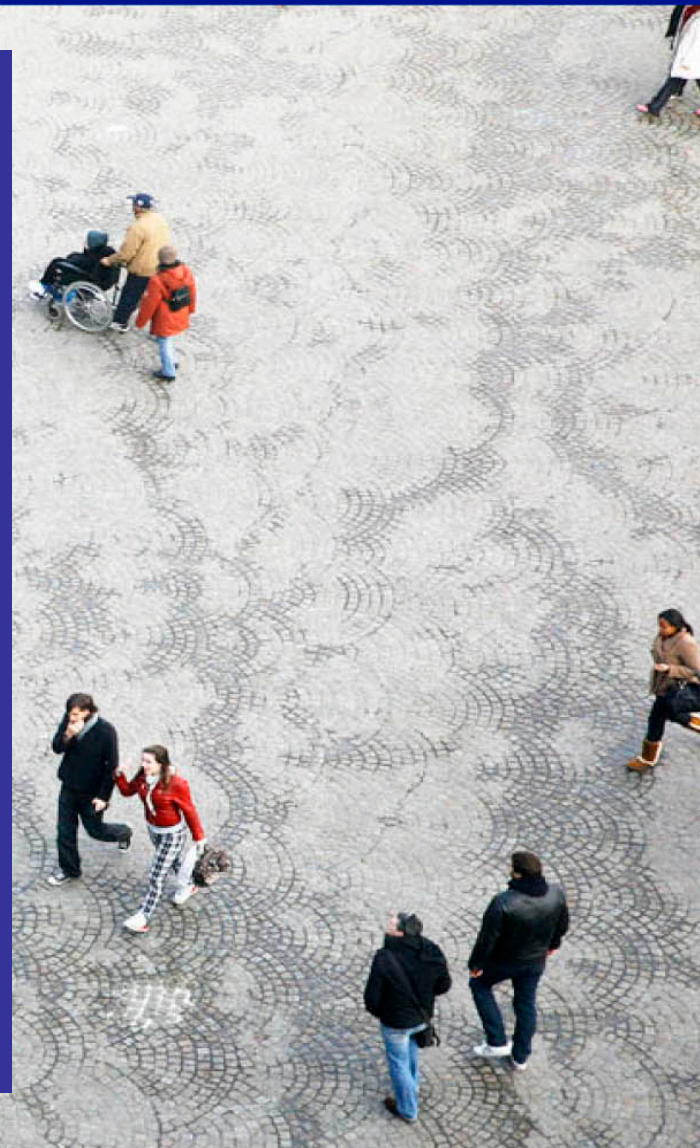# The ANED online: demonstration phase
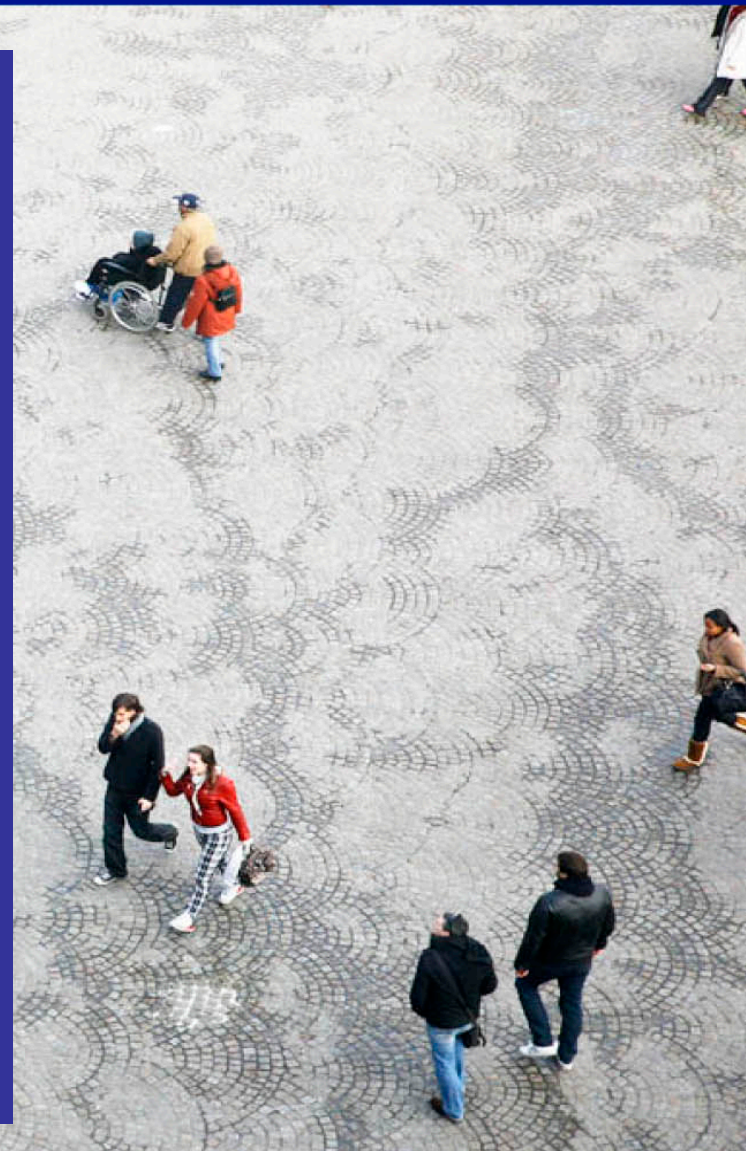## Prof. Mark Priestley
University of Leeds

The online tool

Defined in Annex 2 of the Commission Staff Working Paper accompanying the Strategy SEC(2010)1323

- a 'table' of 'key instruments' for each country
- 'policies, practical measures and legal acts'
- 'to achieve the effective implementation of the Convention'
- with web link to reference document or relevant information

Part of ANED's work 2008-11

- **mapping the current situation...in all Member States and EFTA countries**

- **collecting qualitative and quantitative data at national level**

- **to create an online resource**

- **provide a systematic way to identify and analyse key relevant policy areas**

9 Themes – 43 instruments – 29 countries

1. UN Convention
2. General legal framework
3. Accessibility
4. Independent living
5. Education and training
6. Employment
7. Statistics and data
8. Awareness and external action

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	29 countries
43 instruments	1,247 records x 9 fields = 11,223 items

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Individual record - fields

- **Date of entry**
- **Country**
- **Theme**
- **Instrument**
- **Description**
- **Web link title**
- **URL**
- **Additional web links**
- **Optional comments (hidden)**
- **Quick reference progress summary (for discussion)**

Individual record - example

Austria A1. Ratification or conclusion of the UN Convention

Austria signed the UNCRPD and the Optional Protocol on 30 March 2007 in New York. The Parliament ratified the Convention and the Protocol in July 2008. The ratification deed was deposited by the Secretary-General of the UN on 26 September 2010. According to Art. 45(2) both instruments entered into force for the Republic of Austria on 26 October 2008 and were published on 23 October 2008 in the Federal Law Gazette (BGBl. III Nr. 155/2008).

Link: Federal Law Gazette 2008/III/155

Additional web links:

Update date: Thu, 2011-09-29

Comments:

Reporting functionality

- **Country reports (1 country x all instruments)**
- **Instrument reports (1 instrument x all countries)**
- **Detailed records (1 instrument x all fields)**
- **Cross tab reports (>1 country x >1 instrument)**
- **Thematic reports (sub-set of instruments)**
- **Full data reports (all countries x all instruments)**

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Reporting functionality

View results as text report

View results as matrix table

View text or matrix on screen

Export results to document formats

- **Word**
- **PDF**
- **Excel**

	1 country	>1 country	All countries
1 instrument	**Detailed record**		**Instrument report**
>1 instrument		**Cross-tab**	
All instruments	**Country report**		**Full download**

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Mapping_Disability_rights_and_policies_in_European_countries[1].pdf - Adobe Reader

File   Edit   View   Document   Tools   Window   Help

1 / 2   49.4%   Find

Mapping Disability rights and policies in European countries.

Germany

B. General legal framework

B1. Anti-discrimination legislation

In Germany there are three main laws which form the legal framework for non-discrimination on the grounds of disability. First, the German Constitution [Grundgesetz] states in Article 3: '(1) All persons shall be equal before the law. (2) Men and women shall have equal rights. The state shall promote the actual implementation of equal rights for women and men and take steps to eliminate disadvantages that now exist. (3) No person shall be favoured or disfavoured because of sex, parentage, race, language, homeland and origin, faith, or religious or political opinions. No person shall be disfavoured because of disability.' Article 3 paragraph 3 sentence 2 of the German constitution, added in 1994, prohibits discrimination on the ground of disability. Secondly, there is the national Disability Equality Act [Gesetz zur Gleichstellung behinderter Menschen – Behindertengleichstellungsgesetz, BGG]. This law came into force in 2002 and has the goal of providing accessibility. It focuses on the public service sector, but also has small implications for private business. By now, all federal states [Bundesländer] of Germany have implemented their own disability equality acts in order to implement the federal standards. As a result, Germany now has 16 laws at the federal level and one national act. The third important law at national level is the General Equality Act [Allgemeines Gleichbehandlungsgesetz, AGG] which came into force in 2006. It protects disabled people against discrimination at the work place and in civil law. This law established the new institution of the Federal Anti-Discrimination Agency [Antidiskrimierungsstelle des Bundes] which aims to stimulate public discourse, to inform about non-discrimination legislation, to monitor the practice and to carry out research.

Basic Law for the Federal Republic of Germany (German Constitution, German version) [1]
Additional links:
Basic Law for the Federal Republic of Germany (German Constitution, English version) http://bundesrecht.juris.de/englisch_gg/index.html Disability Equality Act http://www.gesetze-im-internet.de/bgg Disability Equality Act of North Rhine-Westphalia (one of 16 examples of a non-discrimination and accessibility act at the federal level) http://www.landtag.nrw.de/portal/WWW/GB_I/I.1/Ausschuesse13/A01/13-861.pdf General Equality Act http://bundesrecht.juris.de/agg/index.html Federal Anti-Discrimination Agency http://www.antidiskriminierungsstelle.de
Update date: Thu, 2011-09-29

B2. Recognition of legal capacity

In Germany legal custodianship (guardianship) can be established if a person is not able to manage his or her own affairs in daily life. The legal basis is the Civil Code Book (section 1896 ff. Bürgerliches Gesetzbuch, BGB). It is dependent on an individual's condition and in most cases restricted to certain areas of agency (e.g. health, financial care) and will power. Reasons for guardianship are: mental illness, dementia, a high degree of intellectual disability (cognitive impairments) or other chronic conditions that make a person unable to take care of his or her life affairs. According to the German Civil Code Book (section 1906 BGB) compulsory detention in a mental hospital is in general forbidden, but may be possible as an exception under the condition that an individual endangers him- or herself and/or others. The institution of supported decision-making as recognised in Article 12 of the UNCRPD has not yet been implemented into German civil law.

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Demonstration of the working model...

- **Work in progress...**

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