

Rights Summary

People with intellectual and/or developmental disabilities¹ have the same basic legal, civil, and human rights as other citizens. They may need accommodation, protection, and support to enable them to exercise these rights. Their rights should never be limited or restricted without due process.

Advocacy

Advocacy on the individual or systems level is acting with or on behalf of an individual or group to resolve an issue, obtain a needed support or service or promote a change in the practices, policies and/or behaviors of third parties. Advocacy is essential for promoting and protecting the civil and human rights of people with intellectual and/or developmental disabilities and for establishing, maintaining or improving their quality of life.

Autonomy, Decision-Making Supports, and Guardianship

All individuals with intellectual and/or developmental disabilities (I/DD) have the right to recognition as persons before the law and to enjoy legal capacity on an equal basis with individuals who do not have disabilities in all aspects of life (United Nations Convention on the Rights of Persons with Disabilities (UN CRPD), 2006). The personal autonomy, liberty, freedom, and dignity of each individual with I/DD must be respected and supported. Legally, each individual adult or emancipated minor is presumed competent to make decisions for himself or herself, and each individual with I/DD should receive the preparation, opportunities, and decision-making supports to develop as a decision-maker over the course of his or her lifetime.

Criminal Justice System

People with intellectual and/or developmental disabilities (I/DD) have the right to justice and fair treatment in all areas of the criminal justice system, and must be afforded the supports and accommodations required to make justice and fair treatment a reality.

Human and Civil Rights

The human and civil rights of all people with intellectual and/or developmental disabilities must be honored, protected, communicated, enforced and thus be central to all advocacy on their behalf.

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Inclusion

All people with intellectual and/or developmental disabilities benefit when fully included in community life.

Physician-Assisted Suicide

Physician-assisted suicide must be prohibited for people with intellectual disability (ID) due to the inherent risk of undue influence.

Protection from Mistreatment

People with intellectual and/or developmental disabilities must be free from abuse, neglect, or any kind of mistreatment.

Self-Advocacy

People with intellectual and/or developmental disabilities (I/DD) must have the right to and be supported to act as self-advocates. Self-advocates exercise their rights as citizens by communicating for and representing themselves, with supports in doing so, as necessary. This means they have a say in decision-making in all areas of their daily lives and in public policy decisions that affect them.

Self-Determination

People with intellectual and/or developmental disabilities (I/DD) have the same right to, and responsibilities that accompany, self-determination as everyone else. They must have opportunities, respectful support, and the authority to exert control in their lives, to self-direct their services to the extent they choose, and to advocate on their own behalf.

¹ “People with intellectual disability (ID)” refers to those with “significant limitations both in intellectual functioning and in adaptive behavior as expressed in conceptual, social, and practical adaptive skills. This disability originates before age 18”, as defined by the American Association on Intellectual and Developmental Disabilities (AAIDD) in its manual, *Intellectual Disability: Definition, Classification, and Systems of Supports* (Schalock et al., 2010), and the *Diagnostic and Statistical Manual of Mental Disorders, 5th Edition (DSM-5)*, published by the American Psychiatric Association (APA, 2013). “People with developmental disabilities (DD)” refers to those with “a severe, chronic disability of an individual that- (i) is attributable to a mental or physical impairment or combination of mental and physical impairments; (ii) is manifested before the individual attains age 22; (iii) is likely to continue indefinitely; (iv) results in substantial functional limitations in 3 or more of the following areas of major life activity: (I) Self-care, (II) Receptive and expressive language, (III) Learning, (IV) Mobility, (V) Self-direction, (VI) Capacity for independent living, (VII) Economic self-sufficiency; and (v) reflects the individual’s need for a combination and sequence of special, interdisciplinary, or generic services, individualized supports, or other forms of assistance that are of lifelong or extended duration and are individually planned and coordinated,” as defined by the *Developmental Disabilities Assistance and Bill of Rights Act 2000*. In everyday language people with ID and/or DD are frequently referred to as people with cognitive, intellectual and/or developmental disabilities.

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