



## Guiding principles

### ***Sustainable Inclusion***

#### **A Policy Paper of the ECCE**

*January 2013*

The association ECCE "European Co-operation in Anthroposophical Curative Education and Social Therapy" was set up in 1992 with the objective, at the European level, to represent and to protect the interests of persons with disabilities, their parents, communities and living arrangements that have emerged to make an existence worthy of human beings possible for people with intellectual disabilities.

Anthroposophical curative education and social therapy acts since 1924 standing for the idea that these persons have:

- the right to live an individually chosen life-style in surroundings which enable personal development and communication
- the right to education and therapies suited to their individual potential
- the right to fully participate in society in a way suited to their individual potential
- the right to appropriate guidance whenever needed and to benefit from treatment compatible with their own human dignity

**ECCE fully approves the UN Convention on the rights of persons with disabilities which expresses what anthroposophical curative education and social therapy aims for since the beginning.**

**UN Convention on the rights of persons with disabilities states a new vision of persons with disabilities (article 1)** *"Persons with disabilities include those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others."*

***This is the vision of ECCE.***

In Europe, after WWII until about the 1960s, the medical-curative image of man that viewed disabilities generally as a kind of illness which had to be treated by means of medicine and psychiatry was dominant. This was replaced in the 1990s by an approaching people with disabilities as individuals and regarding disability as a part of their mode of being. The UN Convention on the Rights of Persons with Disabilities recognizes that disability is not an inherent characteristic of the person but as a result of relative phenomenon. However, it is necessary to create a legal basis to promote the encounter. Curative education and social-therapeutic areas are places that facilitate these encounters.

**The purpose of UN Convention (art 1) is "to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities, and to promote respect for their inherent dignity". It clarifies the rights of persons with disabilities.**

In particular The UN convention (art 12) recognizes “that persons with disabilities enjoy legal capacity” and require to be supported in exercising their legal capacity. It replaces the model in which a third party acts in the place of the person with disabilities with the model of legal assistance that allocates, to a third party, the support of the person with disabilities in the execution of legal actions without restricting the rights of that person nor in the exercise of his rights. This support requires guaranteeing and financing.

UN Convention *recognizes of all persons with disabilities to have the right and the opportunity to choose their place of residence and living arrangement (article 19), the right of Full and effective participation and inclusion in society (art.3), of education, learning (art.24) and work (art 27). It recognizes to the persons with disabilities the right to live in special living arrangements, to which also anthroposophical based community concepts and individual living arrangements belong, aiming to provide to the person with disability an inclusive life.*

In order that the ideals of fraternity, equality and freedom, which stand behind the UN text, have the widest possible realization, a fundamental role falls to the school. To guarantee the freedom of choice, a multiple and open offering of educational forms is indispensable for the many and diverse individual paths of children with disabilities. Of decisive importance for successful participation to society is also the availability of social spheres, varied training and working places.

**The ideals set forth in the UN Convention were always the guiding principle for anthroposophical curative education, social therapy and social work.**

What were the first village communities in which people with or without disabilities lived together “at eye level” other than a then-revolutionary attempt to realize participation and inclusion as demanded in Article 19? Since the beginning, in these living places, the person’s right to work was recognized and workplaces were created with the idea it is also rich for people with severe disabilities. What is Waldorf-oriented education as practised for many decades in curative-educational homes and curative-educational schools, especially in Germany, other than a realisation of what is demanded in Article 24, but an inclusive education?

The UN Convention on the rights of people with disabilities provides an unique opportunity to break out of stereotypes. The question can then be formulated quite simply. Which living arrangement, which form of education, which work context enables each individual with disabilities to realize to the maximum extent of his right to participation based on his human rights and to become himself?

**Freedom of choice presupposes diversity of solutions. ECCE commits itself in creating and dealing with** inclusive social and cultural spheres, living and working in an open environment. ECCE pays special attention to people with severe or multiple disabilities who are in need of high level of support, who need special learning and working facilities, especially in the area of workshops. These facilities are needed to enable their participation in work individually, attuning the work process to their individual skills and inclinations or providing them with personal guidance in the work process they choose.

**These solutions offer persons with special needs the opportunity to make a rich and meaningful contribution to our society. They are successful by promoting a solidarity of spirit among the people in question, themselves and society.**

**Convention on the Rights of Persons with Disabilities (extracts)**  
(www.un.org)

The States Parties to the present Convention recognize (preamble),

*that disability is an evolving concept and that disability results from the interaction between persons with impairments and attitudinal and environmental barriers that hinders their full and effective participation in society on an equal basis with others.*

Article 12 (Equal recognition before the law) states:

*States Parties shall recognize that persons with disabilities enjoy legal capacity on an equal basis with others in all aspects of life. States Parties shall take appropriate measures to provide access by persons with disabilities to the support they may require in exercising their legal capacity.*

Article 19 (“Living independently and being included in the community”)

*recognize the equal right of all persons with disabilities to live in the community [...] and that persons with disabilities have the opportunity to choose their place of residence and where and with whom they live on an equal basis with others (...) and have access to personal assistance necessary to support living and inclusion in the community.*

Article 24 (“Education”)

*States Parties recognize the right of persons with disabilities to education. With a view to realizing this right without discrimination and on the basis of equal opportunity, States Parties shall ensure an inclusive education system at all levels and lifelong learning [...].*

Article 27 (“Work and Employment”) states:

*1. States Parties recognize the right of persons with disabilities to work, on an equal basis with others; this includes the right to the opportunity to gain a living by work freely chosen or accepted in a labour market and work environment that is open, inclusive and accessible to persons with disabilities. States Parties shall safeguard and promote the realization of the right to work [...].*

## Ethics

The free will of people who have intellectual disabilities together with their rights to choose and make decisions for themselves is a theme that is currently manifesting itself as a paradigm, due to the UN Convention in relation to the rights of people with disabilities.

### **ECCE focuses on the European development concerning ethical issues.**

What is necessary, what is appropriate for people in need of special care is the central issue of curative education. We are especially aware of the changes in paradigms or rules with regard to their rights as far as autonomous decision making is concerned. In symposia by ECCE – which occur every year during the General Meeting –, these topics are approached from an ethical point of view. To respect the dignity and freedom of every individual in living and working communities and therefore seeking the most appropriate and responsible guidance with respect to his inner being has been the core of the talks and discussions between parents and curative educators and social therapists.

### **Especially, the ECCE commits itself against research for the benefit of outsiders.**

In Article 25 of the UN Convention, States Parties *“require health professionals to provide care of the same quality to persons with disabilities as to others, including on the basis of free and informed consent by, inter alia, raising awareness of the human rights, dignity, autonomy and needs of persons with disabilities through training and the promulgation of ethical standards for public and private health care.”* ECCE requires research to be done on disabled people being only permissible when proof is adduced that the person on whom an operation or experimentation is planned for the purpose of research must have agreed to the operation in person, entirely on the basis of the expression of his free will and only after receiving appropriate information from the physician about the nature, significance and consequences of the specific operation. ECCE requires the area of conflict between the legal capacity to act of his own accord and the need for the protection of particularly vulnerable persons to be assessed carefully.

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