

Observance of the Equal Opportunities (Persons with Disability) Act 2000.

After more than ten years since the Equal Opportunities (Persons with Disability) Act came into effect, the National Commission Persons with Disability (KNPD) notes that there is increased awareness of the importance of ensuring that disabled persons have equal opportunities and are not discriminated against on the grounds of their disability. However, this awareness has still not lead to the complete elimination of such discrimination.

In order for the Equal Opportunities Act to be effective, remedies need to be put in place in time in cases of discrimination. This helps ensure that disabled persons can, as much as possible, live independently.

In fact, the regulations concerning the Procedure for the Investigation of Complaints (LS 413/01), which deal with complaints of discrimination on the grounds of disability, determine the time frame in which information should be provided to KNPD regarding alleged discrimination, and the time frame in which a remedy is to be sought should it be established that a disabled person has been discriminated against.

According to these regulations, KNPD informs the parties which are alleged to have caused discrimination to provide relevant information. Within *seven days*, the parties concerned are obliged to explain if they consider the complaint to be justified, as well as remedies they propose to implement in order to address the situation.

KNPD firmly believes that the Equal Opportunities Act is used not only for enforcement, but also to educate and to serve as a tool with which one can negotiate in order to eliminate any discrimination. On the other hand, negotiations can only be effective when all parties concerned show good will and discuss together in order to find a reasonable way to remove discrimination against disabled persons.

An essential concept which is part and parcel of the Equal Opportunities Act, and KNPD's work, is that of Reasonableness. Consequently, KNPD ensures that it is as reasonable as possible in the implementation of the Act. This includes providing a reasonable timeframe within which to answer correspondence, to provide the necessary information, and to find a solution that is as equitable as possible for all parties concerned.

However, KNPD notes that unfortunately a number of persons, companies and establishments do not believe that they need to act immediately to remove discrimination or that they do not need to eliminate it at all. This is not just against the law, but also unacceptable for KNPD and even more so for disabled persons, since it shows a lack of solidarity and altruism with a substantial majority in our society.

KNPD believes that after ten years of work, the time has come to enforce the law in a more forceful manner. It is therefore inviting all those who have already been informed of irregularities in order to address them immediately. Those who are aware of any

discrimination, or have experienced it themselves, should also inform KNPD of these irregularities in a civic spirit and a spirit of solidarity.

In the absence of such action, KNPD will have no option but to seek solutions using all the legal measures it can use through the Equal Opportunities (Persons with Disability) Act, Chapter 413.
