Human Rights Council
19th Session

Panel discussion on Participation of Persons with Disabilities in Political and Public Life

Opening statement by Ms. Navi Pillay
United Nations High Commissioner for Human Rights

Geneva, 1 March 2012
Madame President,
Distinguished panellists,
Excellencies,
Ladies and Gentlemen,

I am honoured to open the fourth interactive debate of the Human Rights Council on the rights of persons with disabilities. It is encouraging to see the number of representatives from States, national human rights institutions, organizations of persons with disabilities and civil society organizations participating in this panel discussion. Your presence here today is testimony to the growing importance that the human rights community attaches to the promotion and protection of the human rights and inherent dignity of persons with disabilities.

Since its adoption in December 2006, the Convention on the Rights of Persons with Disabilities has been ratified or acceded to by 109 States and one regional integration organization, while 66 States have ratified its Optional Protocol. The speed of the ratification process demonstrates the strong commitment of the international community to a “society for all”, in which persons with disabilities are entitled to the full enjoyment of all human rights and fundamental freedoms on an equal basis with others.

Notwithstanding its symbolic importance, ratification alone is not sufficient to ensure the removal of barriers that continue to hinder the full and effective enjoyment of all civil, cultural, economic, political and social rights by persons with disabilities on an equal basis with others. The achievement of this goal requires States parties to give effect to the Convention at the domestic level, through the adoption of all appropriate measures, be they legislative, judicial, administrative, educational and others. Only then can the idea of a “society for all” be achieved.

Madame President,

In its resolution 16/15, the Human Rights Council requested my Office to prepare a thematic study on participation in political and public life by persons with disabilities. As requested by the Council, the study has been made available, in an accessible format, on the OHCHR website. In this regard, I am particularly proud to inform you that for the first time ever, my Office has produced an easy-to-understand version of the study, which is also available on our webpage. We are extremely grateful to Inclusion Europe for their support in making the study accessible to persons with intellectual disabilities. I would like to seize this opportunity to restate our commitment to continue working with persons with disabilities and their representative organisations to make OHCHR documents and procedures fully accessible for all persons with disabilities.

The Convention on the Rights of Persons with Disabilities heralds a new era for the political participation of persons with disabilities. Article 29 of the Convention sets out the rights of persons with disabilities in relation to their participation in political and public life. It requires that States parties to the Convention guarantee political rights to persons with disabilities, and adopt all appropriate measures to ensure that they enjoy these rights on an equal basis with others.

At one level, article 29 refers to political participation in terms of the right to vote and be elected. It does not foresee any reasonable limitation to the exercise of political rights, nor does it allow any exception for any group of persons with disabilities. In this regard, I am pleased to note that an increasing number of countries have lifted, or are currently reviewing,
existing restrictions on the right to vote and be elected of persons with psychosocial or intellectual disabilities.

In broader terms, article 29 requires States to take appropriate steps to promote an enabling environment in which persons with disabilities can effectively and fully participate in the conduct of public affairs, without discrimination and on an equal basis with others. Such steps include the elimination of all legal, physical and communication barriers that prevent persons with disabilities to exercise their right to participate in the political and public life of their countries.

In its broadest sense, participation is a theme that runs throughout the whole Convention. Full and effective participation and inclusion in society are included in the list of general principles that guide the interpretation and implementation of the entire Convention. Persons with disabilities and their representative organizations should be involved in the development and implementation of legislation and policies to implement the Convention, as well as in decision-making processes affecting their lives and their full participation and inclusion in society.

Madame President,

The study prepared by my Office provides a number of positive examples of the efforts undertaken by States to remove the barriers that prevent or limit the equal and effective participation of persons with disabilities in political life and in the conduct of public affairs and ensure that they can exercise their voting rights on an equal basis with others. However, it also shows that in many countries, persons with disabilities continue to encounter a number of legal, physical and communication barriers, ranging from laws restricting the capacity of persons with psychosocial or intellectual disabilities to vote and be elected to inaccessible polling stations, from the lack of voting procedures, facilities and materials in accessible formats to the lack of alternative ways of voting for those persons with disabilities who are unable to exercise their right to vote independently.

The Convention on the Rights of Persons with Disabilities provides a road map to improve this unacceptable situation. Universal ratification and effective implementation of the Convention will contribute to ensuring the equal and effective enjoyment of political rights by all persons with disabilities. As the principal UN human rights institution, the Council is perfectly positioned – and indeed expected – to highlight obstacles and identify possible measures to strengthen the political participation of all persons with disabilities in line with the Convention. My Office stands ready to assist you in your efforts to make the equal and effective participation of our fellows with disabilities in political and public life a reality.

I wish you a productive discussion.

Thank you.