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OSCE / ODIHR Expert Seminar

**Our right to participate - promoting the participation of
Persons with Disabilities in political and public life**

31 October 2016

**Parliament of Finland, The Little Parliament annex
building, Helsinki**

**11.10 – 12.45 Panel discussion: What are the main
challenges to the Political Participation of Persons with
Disabilities in the OSCE region?**

Ms Mechthild Rawert, member of the Bundestag and of the Parliamentary Assembly of the Council of Europe, Committee on Equality and Non-Discrimination, rapporteur for a report on “the political rights of persons with disabilities: a democratic issue”

Your Excellencies,

Ladies and Gentlemen,

It is a great honour for me to be here with you today and I would like to thank the organisers for inviting me to present our on-going work on this issue at the Parliamentary Assembly of the Council of Europe.

I have been appointed rapporteur for a report on “the political rights of persons with disabilities: a democratic issue” by the PACE Committee on Equality and Non-Discrimination. I am now in the process of finalising my research and preparing a draft report to present to the Committee for adoption in January next year. A plenary debate is foreseen at the PACE Standing Committee in March 2017. I look forward to the discussions today, which I am sure will feed into the report.

Too often, persons with disabilities face limitations and difficulties to vote, be elected and participate in political life. They are also not always visible on the political stage or taken into consideration in voting processes.

My departure point has been the following question: can we speak about a full and inclusive democracy if a part of the population does not have access to vote or cannot stand for elections? Or is simply not visible in elected bodies?

How can we, as politicians and citizens, tolerate to leave out from elections a part of the population and allow having them treated as second class citizens?

With this report, my objective is to raise awareness among parliamentarians and the general public on the need to step up efforts so as to support and encourage the effective political participation of persons with disabilities.

I therefore first decided to investigate the situation in Council of Europe member States and tried to look for good practices to promote and interesting experiences to share.

[Steps in the preparation of the report]

In order to carry out an overall evaluation of the situation, I sent a questionnaire to the national parliaments of the Council of Europe member and observer States. I received 42 replies, which is a very high number for this kind of queries. We asked questions on the link between the right to vote and legal capacity, the number of ministers with disabilities, the number of members of parliament with disabilities and legislation in place. I also had a question about concrete measures taken so as to ensure the participation of persons with disabilities in public and political life. I asked as well whether campaign material was systematically accessible to persons with disabilities, such as easy to read versions, braille or with subtitles.

Some of the replies presented concrete measures taken so as to facilitate the political participation of persons with disabilities such as the type of ballot papers, arrangements made to make polling stations accessible and ensuring accessible information material during electoral campaigns. I also received information about the legislation in force. The replies received allowed me to have an overview of the situation with regard to the link between legal capacity and the right to vote.

I received information about the number of members of parliament with disabilities in current or past legislatures in several Council of Europe member States, as an example 9 MPs in Poland and 11 MPs in Croatia, but some parliaments replied that they did not collect this kind of information.

The collection of information was not limited to the replies received to the questionnaire. Two weeks ago, the PACE Sub-Committee on disability and inclusion held a hearing on legal capacity and the right to vote. We had on this occasion the pleasure of having with us Mr Milan Šveřepa, Director of the NGO Inclusion Europe, and Mr Alfredo Ferrante, Chairperson of the Council of Europe Ad Hoc Committee on the Rights of Persons with Disabilities. I intend to advocate in my report for the separation from the right to vote

and legal capacity, as required by the United Nations Convention for the Rights of Persons with Disabilities.

In the framework of the preparation of the report, I have met with parliamentarians with disabilities, researchers and NGO representatives. I am thrilled to be with you today with so many experts on this question and consider this conference as a next step and an excellent opportunity to exchange.

[Fact-finding visit to Vienna]

Last week, I went on a fact-finding visit to Vienna where I talked to the Disability Ombudsperson, parliamentarians with disabilities and spokespersons on disability of parliamentary groups and NGO representatives, notably the ones in charge of the monitoring of the implementation of the UN Convention on the Rights of Persons with Disabilities. I also met with researchers at the Fundamental Rights Agency who shared with me their latest findings.

It was a powerful and inspiring visit and I came back with the conviction that we can all do more.

Ensuring the political participation and representation of persons with disabilities is not out of reach. It is our responsibility as politicians to push forward and ensure full and inclusive political participation becomes a reality for all.

I look forward to a more diverse political landscape, which will contribute to deconstructing stereotypes and contribute to building a more open and tolerant society.

[Main challenges and preliminary recommendations]

This session is dedicated to the main challenges faced by persons with disabilities with regard to political participation.

I would like to outline five of them along with some recommendations.

First, accessibility

Ensuring accessibility is a preliminary condition for effective political participation.

We have the duty to ensure that polling stations are made accessible to all and that information on political programmes are available in accessible formats. Information on electoral programmes and on voting procedures should also be made accessible and easy to understand.

Second, diversity

The diversity of disabilities calls for a diversity of measures. I will present general recommendations in my report but keep in mind that adjustments should be made so as to encompass the diversity dimension.

Third, ensuring assistance

Assistance in voting is provided in many Council of Europe member States. It can be assistance by one of the polling station officers or a person accompanying a voter. The

expression of free choice can be supported, not influenced. The provision of assistance should be ensured in a way that would not affect the decision process.

Fourth, legal capacity

I am convinced that the right to vote should not be linked to legal capacity. I intend to propose to call on Council of Europe member States in the resolution I will prepare to take every measure to ensure they are not correlated. We cannot deprive citizens of their right to choose and participate.

Last but not least, awareness-raising and actions by political parties

We need to focus on raising awareness among parliamentarians, political parties and the general public. Political participation of persons with disabilities is not a special right or a new right. It has to become completely part of our political landscape. I wish there was in fact no need to call for actions to facilitate and encourage political participation and representation.

Let me insist on the fact that political parties play a crucial role with regard to the political participation of persons with disabilities and their representation in institutions. They are the gate keepers to the elections and to access parliament.

The political parties are the ones which put forward candidates, decide a place on a list and can influence on whether or not someone is on an eligible position. More therefore needs to be done by political parties themselves. They need to be more open and demonstrate a concrete commitment to make political life more diverse and representative of the population.