



# General Assembly

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## Human Rights Council

### Nineteenth session

Agenda item 3

#### **Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development**

**Argentina<sup>\*</sup>, Armenia<sup>\*</sup>, Australia<sup>\*</sup>, Austria, Belgium, Bolivia (Plurinational State of)<sup>\*</sup>, Bosnia and Herzegovina<sup>\*</sup>, Burkina Faso, Canada<sup>\*</sup>, Chile, Colombia<sup>\*</sup>, Costa Rica, Croatia<sup>\*</sup>, Cuba, Czech Republic, Denmark<sup>\*</sup>, Dominican Republic<sup>\*</sup>, Ecuador, Finland<sup>\*</sup>, France<sup>\*</sup>, Germany<sup>\*</sup>, Greece<sup>\*</sup>, Honduras<sup>\*</sup>, Hungary, Iceland<sup>\*</sup>, Ireland<sup>\*</sup>, Israel<sup>\*</sup>, Italy, Japan<sup>\*</sup>, Latvia<sup>\*</sup>, Lithuania<sup>\*</sup>, Maldives, Mexico, Montenegro<sup>\*</sup>, New Zealand<sup>\*</sup>, Nicaragua<sup>\*</sup>, Norway, Panama<sup>\*</sup>, Paraguay<sup>\*</sup>, Peru, Portugal<sup>\*</sup>, Qatar, Romania, San Marino<sup>\*</sup>, Serbia<sup>\*</sup>, Slovakia<sup>\*</sup>, Slovenia<sup>\*</sup>, Spain, Sweden<sup>\*</sup>, Thailand, Turkey<sup>\*</sup>, Ukraine<sup>\*</sup>, United Kingdom of Great Britain and Northern Ireland<sup>\*</sup>, Venezuela (Bolivarian Republic of)<sup>\*</sup> : draft resolution**

### **19/... Rights of persons with disabilities: participation in political and public life**

*The Human Rights Council,*

*Recalling* the Convention on the Rights of Persons with Disabilities,

*Reaffirming* the universality, indivisibility, interdependence and interrelatedness of all human rights and fundamental freedoms and the need for persons with disabilities to be guaranteed the full enjoyment of their rights and freedoms without discrimination,

*Reaffirming also* all previous resolutions of the Human Rights Council on the rights of persons with disabilities, the most recent of which was resolution 16/15 of 24 March 2011, and welcoming the efforts of all stakeholders to implement these resolutions,

*Reaffirming further* the right to participate in political and public life, as set out in article 21 of the Universal Declaration of Human Rights, which states that everyone has the right to take part in the Government of his or her country directly, or through freely chosen representatives, and the right of equal access to public service, as well as, inter alia, article 25 of the International Covenant on Civil and Political Rights and, most recently and with regard to persons with disabilities, in article 29 of the Convention on the Rights of Persons with Disabilities,

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<sup>\*</sup> Non-Member State of the Human Rights Council.

*Recalling* that the above-mentioned article 29 of the Convention reaffirms the rights of persons with disabilities in their participation in political and public life and that parties to the Convention are required to 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,

*Recognizing* that progress has been made, yet deeply concerned that many persons with disabilities in all regions continue to be denied their right to participate in political and public life on an equal basis with others, and noting that the exclusion or restriction of political rights of persons with disabilities on the basis of disability constitutes discrimination contrary to the Convention on the Rights of Persons with Disabilities,

*Emphasising* that full and effective participation and inclusion in society is a general principle of the Convention on the Rights of Persons with Disabilities, and thus that participation in political and public life on an equal basis with others is closely interrelated with and interdependent on other Convention provisions, including those that require States parties to ensure non-discrimination and accessibility and to recognize legal capacity and the right to participate in the community on an equal basis with others,

*Recognizing* that women and girls with disabilities are subject to multiple forms of discrimination, including in their participation in political and public life,

1. *Welcomes* the fact that, to date, 153 States have signed and 109 States and one regional integration organization have ratified or acceded to the Convention on the Rights of Persons with Disabilities, and that 90 States have signed and 66 States have ratified or acceded to the Optional Protocol to the Convention, and calls upon those States and regional integration organizations that have not yet ratified or acceded to the Convention and the Optional Protocol to consider doing so as a matter of priority;

2. *Encourages* States that have ratified the Convention and have submitted one or more reservations to it to initiate a process to review regularly the effect and continued relevance of such reservations, and to consider the possibility of withdrawing them;

3. *Welcomes* the thematic study on participation in political and public life by persons with disabilities prepared by the Office of the United Nations High Commissioner for Human Rights,<sup>1</sup> and calls upon all stakeholders to consider the findings and recommendations of the study;

4. *Calls upon* States parties to ensure that persons with disabilities can effectively and fully participate in political and public life on an equal basis with others, including the right and opportunity for persons with disabilities to vote and be elected, and to participate in the conduct of public affairs;

5. *Also calls upon* States parties to adopt and implement appropriate measures to ensure that persons with disabilities can participate effectively and fully in political and public life on an equal basis with others, including by, inter alia:

(a) Providing persons with disabilities with access to the support they may require in exercising their legal capacity and, where necessary, and at their request, allowing assistance in voting by a person of their own choice;

(b) Providing reasonable accommodation and eliminating barriers that prevent or limit effective and full participation in political and public life, including physical and communication barriers, such as inaccessible polling stations or the lack of election information or materials in accessible formats;

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<sup>1</sup> A/HRC/19/36.

(c) Protecting the right to vote by secret ballot and the right to stand for elections and to effectively hold office, and to have access to public service positions, including by providing reasonable accommodation;

(d) Promoting public awareness campaigns and training programmes relevant to the exercise of political rights by persons with disabilities and ensuring an inclusive education system directed to, inter alia, the strengthening of respect for human rights, including political rights;

(e) Adopting measures to encourage the active involvement of persons with disabilities in non-governmental organizations and associations concerned with public and political life, including political parties, community-based organizations and public boards, as well as the forming and joining of organizations of persons with disabilities at the local, regional, national and international levels;

6. *Further calls upon* States parties to ensure that measures to assist persons with disabilities in their participation in political and public life are consistent with the Convention, including the general principle of inclusion in society;

7. *Urges* States parties to review any existing exclusion or restriction of political rights for persons with disabilities, including those persons with psychosocial, mental or intellectual disabilities, and to take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices that constitute discrimination against persons with disabilities;

8. *Calls upon* States parties, in adopting and implementing measures to ensure that persons with disabilities have the opportunity to participate effectively and fully in political and public life, including the conduct of public affairs on an equal basis with others, to consult closely with and actively involve persons with disabilities;

9. *Also calls upon* States and invites other relevant stakeholders, including national monitoring mechanisms, to collect appropriate information, including statistical and research data, to enable the formulation and implementation of policies related to participation in political and public life of persons with disabilities;

10. *Encourages* all relevant actors in the design of products, environments, programmes and services relating to participation in political and public life to pay due attention to universal design, which requires the consideration of the needs of all members of society in order to avoid the need for any subsequent adaptation or specialized design;

11. *Also encourages* all relevant actors in undertaking measures of international cooperation, between and among States and, as appropriate, in partnership with relevant international and regional organizations and civil society, to consider appropriate and effective measures in support of national efforts to enhance enjoyment of political rights by persons with disabilities on an equal basis with others, such as by facilitating the use of assistive and new technologies relevant to participation in political and public life;

12. *Decides* to continue to integrate the rights of persons with disabilities into its work, in accordance with Human Rights Council resolution 7/9 of 27 March 2008;

13. *Also decides* that its next annual interactive debate on the rights of persons with disabilities will be held at its twenty-second session, and that it will focus on the work and employment of persons with disabilities;

14. *Requests* the Office of the United Nations High Commissioner for Human Rights to prepare a study on the work and employment of persons with disabilities, in consultation with States and other relevant stakeholders, including the International Labour Organization, regional organizations, the Special Rapporteur on Disabilities of the Commission for Social Development, civil society organizations, including organizations of

persons with disabilities, and national human rights institutions, and requests that the study be made available on the website of the Office of the High Commissioner, in an accessible format, prior to the twenty-second session of the Human Rights Council;

15. *Encourages* organizations of persons with disabilities, national monitoring bodies and human rights institutions to participate actively in the session referred to in paragraph 13 above, as well as in regular and special sessions of the Human Rights Council and its working groups;

16. *Requests* the Secretary-General to continue to ensure that the mandate of the Office of the High Commissioner on the rights of persons with disabilities and the Committee on the Rights of Persons with Disabilities are adequately resourced for the fulfilment of their tasks;

17. *Requests* the Secretary-General and the High Commissioner to continue the progressive implementation of standards and guidelines for the accessibility of facilities and services of the United Nations system, also taking into account relevant provisions of the Convention on the Rights of Persons with Disabilities, and underlines that the Human Rights Council, including its Internet resources, should be fully accessible to persons with disabilities.

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