

CONCEPT NOTE

Advancing Participation of Persons with Intellectual or Psychosocial Disabilities in Political and Public Life: A Side Event at COSP13

Date: Tuesday, 1 December 2020 at 8.30-9.45 New York time

Register for the webinar here:

https://undp.zoom.us/webinar/register/WN_FmNdetyeTdyFUg3nRgLnFw

1. Context

The genuine participation of all citizens in political processes is a cornerstone of democracy. Political participation is clearly rooted in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights, which mentions the right of every person to equal participation in public affairs, the right to vote and to be elected, and the right to access to public service.

Article 29 of the Convention on the Rights of Persons with Disabilities (CRPD) states the rights of persons with disabilities to participate in political and public life without discrimination and on an equal basis with others, and it calls upon state parties to guarantee those rights. This is a vital aspect of combatting exclusion and inequality, addressing some of the roadblocks we are facing in achieving the ambitious targets of the 2030 Agenda, and to leaving no one behind. Article 12 requires state parties to abolish discriminatory laws that deny people legal capacity on an equal basis with others and to provide access to the support people may require in exercising their legal capacity, including in exercising their political rights.

Yet, more than a decade after the CRPD entered into force, persons with intellectual or psychosocial disabilities are still often excluded from political processes. They experience multiple legal, institutional, and social barriers to exercise their rights that prevent them from voting, standing for election for public office, civic participation, or simply having a say in their own lives. Persons with intellectual and psychosocial disabilities are often denied or restricted their legal capacity based on having a medical condition or impairment or perceived as having deficient decision-making skills. Even when no legal limitations exist, other obstacles, for instance inaccessible party manifestos, no easy-read information about elections, prohibition of assistance in voting and the lack of supported decision-making policies and schemes, make the exercise of these rights very difficult.

A significant number of countries have made positive changes, and more have embarked on legal, policy and institutional reform processes to address these barriers.

To address these challenges, the United Nations Development Programme (UNDP) in partnership with the Office of the High Commissioner for Human Rights (OHCHR) and Inclusion International have recently developed a practitioners' guidance on how to advance participation of persons with intellectual or psychosocial disabilities in political and public life. The project is funded by the UN Partnership on the Rights of Persons with Disabilities Multi Partner Trust Fund (UNPRPD MPTF). The resultant guidance is designed for governments, organizations of persons with disabilities and civil society organizations, and UN staff. The guidance has been developed through focus groups with persons with intellectual or psychosocial disabilities around the world, as well as desk research on the requirements of the CRPD and other international standards. It includes a brief situation analysis, a

compilation of good practices based on CRPD provisions as well as a set of key policy recommendations addressed to relevant stakeholders. The preliminary findings of the practitioners' guidance will be presented and discussed at this event. The guidance will be launched in 2021 and will be available in Easy Read format too.

2. Objectives

The objectives of the side event are:

1. To provide a platform for governmental representatives, civil society organizations, organizations of persons with disabilities, UN agencies and programmes to share progress, challenges, and opportunities in implementing Article 29 of the CRPD.
2. To present preliminary findings of UNDP's guidance and receive participants' feedback on the preliminary findings and key policy recommendations in the guidance, to be taken into consideration when developing the final version.
3. To contribute to an ongoing discussion about critical challenges facing persons with disabilities in political and public life and how these can be addressed in the best way.

3. Format

The event will be held virtually on Zoom on Tuesday, 1 December 2020 at 8.30-9.45 a.m. (New York time). The event will be co-organized by the Danish Ministry of Social Affairs and the Interior and UNDP with the participation of Inclusion International and the UNPRPD MPTF.

The event will start with opening remarks by the co-host. This will be followed by subject experts who will each talk for about 5-7 minutes covering different issues related to the topic of political participation of persons with intellectual and psychosocial disabilities such as good practices and lessons learned related to legal capacity reform processes; supported decision-making schemes; examples of policy and institutional processes of reform. A key part of the event is to spark a debate, share knowledge and exchange views among the participants in the virtual room.

The session will be held in English only. Captioning will be available.

4. Programme

- Welcome and Introduction (moderator Ola Abualghaib, Head of the UNPRPD MPTF, Technical Secretariat)
- Opening Remarks – Anita Hørby, Head of Division, Social Law and International Relations, the Danish Ministry of Social Affairs and the Interior
- Moderator introduces panellists and objectives of the session
- Panellists/Experts Presentations:
 - Oliver Lewis, UNDP
 - Mark Mapemba, Parents of Disabled Children Association of Malawi (PODCAM), Malawi
 - Bhargavi Davar, TCI Asia-Pacific, India
 - Sif Holst, Disabled People's Organization Denmark
- Questions, Answers, and Comments
- Closing Remarks - Gaël Martin-Micallef, Administrative Officer, Elections and Political Parties Division, Secretariat of the Venice Commission at the Council of Europe