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**37th session of the Human Rights Council**

**Annual debate: Rights of Persons with disabilities**



**United Nations Deputy High Commissioner**

**for Human Rights**

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*Mr President, Excellencies,*

Inclusion through greater accessibility is at the very heart of the Convention on the rights of people with disabilities. These obligations extend beyond the provision of accessible wash rooms, wheel chair friendly public transport, international sign language translations and captioning - important and necessary as such measures are.

Duties under the Convention also include a responsibility to take measures that enable greater accessibility for people with cognitive, intellectual or learning disabilities. And it is this dimension that I wish in particular to respect here today.

Using everyday words and plainer language rather than jargon or acronyms, is a step without cost, that delivers greater accessibility immediately, which in a multi-lingual environment also brings added benefit. And it is a measure towards to which we all can contribute without delay.

*Mr. President*

With this in mind, and perhaps for the first time intentionally, in an official oral statement of the UN Human Rights Office, I now deliver my remarks in plain language. I must first stress however – as the Convention would have me do - that stripping down these words to straightforward language in no way erodes the importance or gravity their message, as I trust you will see.

*So, Mr President – as the person who makes this meeting work well, and to all the other* *important people here,*

If a country has promised it will do what is written down in the Convention, then it must do that. Because, when someone makes a promise, they should keep it. If they don’t, it’s not a promise anymore, it’s just pretend. And no one should pretend things, unless they are in a film or a play or joking.

This important document – which many countries all over the world now like and agree with – says we can take big steps to make things much better for people with disabilities. It says we have to, because that is the right thing to do. And we call what’s right for people with disabilities “human rights” – a name we also use to help us talk about what’s right for everyone.

I will just talk a little about what this means:

People with disabilities have a right, for example, to be treated fairly by the police, judges and lawyers. Everyone should be treated fairly – that is the rule. Everyone!

But often people with disabilities are treated very unfairly, and sometimes very cruelly, by people who should look after the law. Yet just like everyone – people with disabilities should have the chance to go to court when there is a crime against them or when they want to be sure they are being treated correctly.

In many countries, that does not happen. Many people with disabilities don’t get treated properly by the police or by people working in courts. They are not listened to. They are not given the same chance to even speak. They are not respected as people whose opinions matter. Often, they are not even believed.

Physically getting into a police station or a court room can be hard and for many people going to court costs too much money. People with disabilities also have an extra hard time getting easy-to-understand information about when to go to court. That’s not right. That’s not ok.

The good news is that many countries have promised to change this. The better news is that in some places some things are already getting better.

We can be happy that the top court of Colombia and the top court of Mexico are going to give easy-to-read versions of the decisions they make. We can be happy that in Finland the police have put up a more accessible website – using easy-to-read language, videos in sign language, some captioned, and they have a complaint form with large print. We can be happy that in Azerbaijan people with disabilities who know things about bad behaviour that a court is looking at – people who are “witnesses” – can testify from home, when that makes it easier.

The bad news is that some other countries are not doing what they promised. But these important promises are not that difficult to keep:

* Put information about how to use courts and police into easy words, pictures and into braille;
* Use sign language not just spoken words;
* Let people speak to the court from home by video, if that works better for them;
* Give people with disabilities more time and more help to get ready for court;

Those things should be free of charge to each and every adult or child with disabilities.

And on top of that, people with disabilities should have a chance to work as police and in the courts - for example, as a detective or prosecutor, judge, lawyer or a member of the jury.

Do you know that today Chile doesn’t stop blind and deaf persons from being magistrates like they used to? That Ethiopia has decided that blind persons can be judges too? That in Peru, blind persons now can get help to take the entry exam to be a judge or prosecutor. That in Germany, nearly 70 of their judges are blind persons, with some being the very top judges in the country?

That’s really good. What’s really bad, is that when we don’t change things to make the law work better for people with disabilities, things can go really wrong. It can be unfair, scary, cruel, and, for some people with disabilities, it can mean being locked up in jail when they don’t deserve to be.

*All important people here,*

This can mean life and death for people with disabilities. And I am not making a big story out of nothing. There is a group of people who know a lot about these things – called the Committee on the rights of people with disabilities. Their job is to see if things are bad for people with disabilities or if they are good. They looked at what is happening across the world and they then told everyone here that so little help is being given to make sure persons with intellectual and psychosocial disabilities are treated fairly in criminal courts, that many people with disabilities end up sentenced to death – many more than can possibly be right.

*Mr. Person who makes this meeting work well,*

Tomorrow is an important day. We call every eighth of March, International Women’s Day – and we use the day to remember we should not treat women worse than men; that actually women and men are equal.

So, we should remember too, that in many places and in many ways women and girls with disabilities have an extra tough time. When going to see the police or going to a court they face double trouble – as people with disabilities and because they are female.

You can see it very clearly for the woman or a girl with disabilities who has been hurt by a someone in sexual way or hurt by shameful behaviour by a man who should know better.

Imagine a young girl with an intellectual disability - say she is in a residential institution – if she is sexually hurt by the person whose job it is to take care of her that would be just plain wrong. It is a crime. And if our police and courts can’t reach her and support her, that is their fault, and it is never her fault.

*Important people here,*

You know that you told the people in the office where I work to write a report each year on certain sentences that are found in the Convention on the Rights of Persons with Disabilities (A/HRC/37/25); this year those sentences are found in Article 13 of the Convention.

What those sentences tell us is that is never good law to lock up people with disabilities – even if they have done a bad thing – unless there has been a very careful, big and fair process first. If a person with disabilities goes missing without explanation – you have to try to find them – that’s the law. If he or she has been hurt by someone in a residential unit on purpose – we call that torture – and we have to punish the person who did it and do things to make the hurt person feel better.

You can’t hide these wrong things just because the people who do the wrong things are doctors, or nurses or psychiatrists or lawyers or police – no medicine or treatment or institution can make those bad things ok. They are not ok.

So, many countries have made good promises to people with disabilities. That’s great. But all of us should work to keep those promises – we should do better and do it quickly.

Important people here, at least once a year we will meet to talk about these things in this room again so that we don’t forget what we should do. And, please, if your own big bosses have not yet said “yes” to the promises in the Convention on the Rights of Persons with Disabilities (CRPD) and to that other bit that we call an “Optional Protocol”, could you please tell them they should? And they should get also stop disagreeing – as many still do – with certain bits of the Convention. Please, support all of the Convention and keep all of its promises.

I am going to stop speaking now.

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