

IN FOCUS

Inclusive Democracies Require Voting Rights for People with Disabilities

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December 3, 2011 was the [International Day of Persons with Disabilities](#) -- a day that marked the pursuit of full participation and inclusion of persons with disabilities in society. This post was a part of a blog series that reflects on OSF's work to advance the rights of persons with disabilities around the world.

In early September, I had the honor of co-hosting a reception at Human Rights Watch to call attention to the right to political participation by people with disabilities. During this reception, a young Peruvian woman with Down Syndrome, Maria Alejandra Villanueva, recounted her personal story of being excluded from voting based on her disability.

Maria Alejandra's story was compelling. When she was a girl, Maria Alejandra watched with interest as her family members talked about their preferred candidates and went to the polls to cast their ballots. During elections, she painted her fingertip with a black pen, saying that she had also voted. At 18, Maria Alejandra began to exercise her civic duty, and voted in every election, selecting her preferred candidates with care.

This all changed in 2010 when Maria Alejandra went to renew her national identity document. During the interview, government employees addressed all questions to her mother, ignoring Maria Alejandra. She recounted how she felt invisible and discriminated against. When the employee asked Maria Alejandra's mother to sign for her, she protested, explaining that Maria Alejandra had voted in prior elections. "Now she won't vote," the official responded. Maria Alejandra and her mother objected, and they were sent to a complaints booth where they were told that government regulations only allow people with physical disabilities, not intellectual disabilities, to vote. In addition, they counseled her mother to place Maria Alejandra under guardianship.

With the support of the Peruvian Human Rights Ombudsman's Office, Maria Alejandra filed a complaint with the National Identification Registry charging that the order violated Peru's Constitution and the UN Convention on the Rights of Persons with Disabilities (CRPD), which Peru ratified in 2008. Just before the registration period for the 2011 presidential elections closed, the Ombudsman's office called Maria Alejandra to inform her that she had nine days to re-register for inclusion in the voting rolls.

While Maria Alejandra triumphed in her struggle to regain the right to vote, her efforts did little to address the exclusion of more than 23,000 other Peruvians with disabilities whose names had been removed from the voter registration rolls.

Hearing of Maria Alejandra's story, the Open Society Foundations' Disability Rights Initiative invited Maria Alejandra to speak at a plenary session at the CRPD Conference of State Parties. Maria Alejandra's powerful first-person account—on a panel of States' representatives and CRPD Committee members—helped raise governments' awareness of the unlawful policies, based on prejudice and discrimination that are obstacles to the right of the disabled to political participation.

Following her return to Peru, the Peruvian Down Syndrome Society launched a media campaign highlighting Maria Alejandra's testimony at the United Nations. She was invited to a meeting with the president of the National Identification Registry. Last month, citing the CRPD, the Registry issued an Executive Resolution that all persons with disabilities not under guardianship would be reinstated in the electoral rolls.

While this was a victory for Maria Alejandra, it is only a partial victory for persons with disabilities in Peru. In its Executive Resolution, the National Identification Registry failed to cite CRPD Article 29, which provides unequivocally that all persons with disabilities have the right to political participation. This right, linked with Article 12 on the right to equal recognition before the law, and the CRPD's general principles of non-discrimination and full and effective participation in society require that the government remove the caveat that only those not under guardianship may vote.

Regrettably, such restrictions on the right to vote and to equal recognition before the law -- particularly for those with intellectual disabilities and psychosocial (mental health) disabilities -- is more the norm than the exception worldwide.

The International Day of Persons with Disabilities provides an occasion to think about all those who have been disenfranchised on the basis of their disability. Building inclusive, vibrant democracies depends on the active engagement of all citizens in public life. Policies that limit the participation in political processes of people with disabilities are anathema to this goal. In our work to promote open and inclusive societies around the globe, we should be vigilant to safeguard the right to civic participation of all in the political process, especially those who are particularly disadvantaged due to state-sanctioned discrimination and prejudice.

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RESOURCES FOR FUNDERS:

- Visit the website of the Open Society Foundations:
<http://blog.soros.org/2011/11/inclusive-democracies-require-voting-rights-for-people-with-disabilities/>.
- Visit the website of the Disability Rights Fund (<http://www.disabilityrightsfund.org/>) and the Disability Funders Network (<http://www.disabilityfunders.org/>).
- Visit the International Disability Alliance – network of NGOs:
<http://www.internationaldisabilityalliance.org/>
- United Nations Disability Agenda: <http://www.un.org/disabilities/index.asp>
- OHCHR web page regarding disability: <http://www2.ohchr.org/english/issues/disability/>
- Join IHRFG's Disability Rights Working Group by contacting [Catherine Townsend](#) or [Diana Samarasan](#).