

**“Disability ≠ Inability”**  
**Equality and Human Rights of Persons with Disabilities**  
**Enhancing Co-ordinated Response**

A Side Event at the ninth session of the Conference of the States Parties to the  
UN Convention on the Rights of Persons with Disabilities  
New York, 14 June 2016

Marja Ruotanen, Director of Human Dignity and Equality,  
Council of Europe

1. The Council of Europe is the Continent’s leading human rights organisation. Persons with disabilities are entitled to have access and enjoy the full range of human rights safeguarded by the European Convention on Human Rights, the European Social Charter and most importantly the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) as well as all other international human rights instruments. These include civil, political, economic, social and cultural rights.
2. Achievements towards guaranteeing such rights in the Council of Europe member States are considerable. They include changes in legislation, service provision, physical environment and progress towards challenging stereotypes and changing attitudes.
3. However, challenges remain, notably the implementation gap between standards and the reality in the member States.

4. To the persons with disabilities in their everyday life such challenges mean that too many are still institutionalised against their wish, deprived of the right to vote, exposed to higher risks of violence and abuse compared to the rest of the population, deprived of their right to enjoy arts or take part in sports, and discriminated when it comes to having access to mainstream education and employment.
5. While it is easier to recognise and work towards removing legal or physical barriers, it is much harder to tackle our assumptions, our prejudices and our stereotypes.
6. It is in this context that we are preparing our new Council of Europe strategy on the rights of persons with disabilities for the years to come. The guiding principle for the preparation of the new strategy is our human rights-based approach, working for and with persons with disabilities, to shift the focus from disability to ability.

7. Five rights based priority areas for action are identified in addition to cross-cutting issues that need to be considered in all the Council of Europe work and activities. They include:

- a. Equality and non-discrimination
- b. Awareness raising
- c. Accessibility
- d. Equal Recognition before the law
- e. Freedom from exploitation, violence and abuse

8. All five areas are anchored in the European Convention on Human Rights, other Council of Europe standards protecting the rights of persons with disabilities and most important, they are all connected to relevant Articles of the UNCRPD.

9. 42 Council of Europe member states have ratified the UNCRPD and 31 its optional Protocol thus making them widely accepted legally-binding instruments. The Council of Europe will continue to strive for the efficient and full implementation of the UN CRPD commitments entered into by member States.

10. Article 32 of the UN CRPD recognizes the importance of international co-operation in support of the national implementation of the Convention. It is with this in mind that in the process of preparing the new Strategy, the Council of Europe has made sure it aligns its work and activities in this field, building on the added value of the Council of Europe and benefiting from the meaningful participation of representative organisations of persons with disabilities and other relevant stakeholders. This will ensure the effective implementation of the UNC RPD and Council of Europe standards at the national and local level in the member states.
11. Whether it is about collecting reliable data, or providing independent expertise and targeted analysis, or providing advice and training, you can count on the Council of Europe expertise to improve the everyday life of persons with disabilities.
12. We are working very closely with government representatives and all stakeholders to make sure that the future strategy is what it should be: a strategic document, a flexible policy instrument and framework that can be adapted by each individual member state, taking account specific developments at national level, their legislation and policies. Its main aim should be to provide political decision-makers with a roadmap for innovative disability legislation, policy and practice, based on the UN CRPD.

13. In this process, we will make sure to take into account some fundamental basic needs such as:

- a. The need to provide benchmarks to ensure compliance and respects for the commitments taken by member States;
- b. The need to foster partnerships, co-operation, co-ordination and synergies with all relevant stakeholders;
- c. The need to engage at all times with persons with disabilities;
- d. The need to monitor implementation of existing commitments;
- e. The need for targeted technical co-operation to support member States.

14. We must strive to meet the needs of every person with a disability, without exception and regardless of the age, origin, nature or severity of the disability.

15. I consider today's event a very valuable opportunity to have your inputs, ideas, suggestions on whether we are going in the right direction. It very important for us to working together with all of you because only together can we bring about positive change and achieve our common goal, which is the full enjoyment of human rights for all and by all.

Thank you!