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***Closing Conference  
'Social Rights of Persons with Disabilities'***

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**Keynote speech by Dunja Mijatović**  
Council of Europe Commissioner for Human Rights

*Excellencies,  
Ladies and Gentlemen,*

It is a real pleasure to be here with you today. I have already met with some of you in the past days, and I am very happy to meet others thanks to this event.

This is the second country visit as Commissioner for Human Rights where I deal with the rights of persons with disabilities. This is hardly by coincidence. On the one hand, it points to the prevalence of problems in this area in different European countries. On the other hand, it shows my personal interest in this topic, and it reflects my decision to make it one of the priority themes for my mandate.

I very much welcome the fact that Armenia has ratified most major human rights instruments related to the rights of persons with disabilities. It has notably ratified the UN Convention on the Rights of Persons with Disabilities. But it would also do well by ratifying the Optional Protocol which allows for individual complaints under the Convention. Thirty-seven of the 47 Council of Europe member states have already either signed or ratified it. Another good mechanism could be created by ratifying the Additional Protocol to the European Social Charter providing for a system of collective complaints, which would allow the civil society in Armenia to bring complaints to the European Committee of Social Rights.

Also at the national level, Armenia has carried out several wide-ranging reforms, making important steps towards inclusive education and de-institutionalisation. This was often done with the generous financial and technical assistance from the European Union and other donors, of which this project is one inspiring example.

However, it appears that much more remains to be done. During my current visit, I am interested to hear about the perspectives of adopting legislation protecting the rights of persons with disabilities and their social inclusion, which I understand is currently in Parliament, as well as a comprehensive anti-discrimination law. It seems to me that adopting these texts would go a long way in helping to promote the rights of persons with disabilities in Armenia.

Three key issues seem to me to particularly stand out in the Armenian context, from what I have learned so far. One is the **regime for legal incapacitation**. To me, the complete taking away of someone's legal capacity is a very dehumanising act, one that takes away from that person the very right to make even the most basic decisions about their life. I believe that it is important to include persons with disabilities in all decision-making processes that concern them. They should enjoy legal capacity on an equal basis with others, if necessary by receiving the supports they need to do so. In Albania, I criticised the practice of depriving persons with disabilities of their legal capacity and placing them under plenary guardianship. It seems that these recommendations may resound well also in the Armenian context.

The other issue is **de-institutionalisation**. I firmly believe that persons with disabilities should be able to fully enjoy their rights, including social rights, by living independently as part of the community, and receive services to which they are entitled there. Residential institutions should be phased out.

The third issue I specifically would like to mention is the **inclusive education** for children with disabilities. Staying outside of mainstream schools prevents children from receiving quality education and deprives them of equal opportunities in later life.

The figures available for Armenia are concerning, with less than 20% of children with disabilities completing secondary education, compared to 84% of the overall population. I welcome the Armenian government's commitment to include all children with disabilities in mainstream education by 2025. But this is hardly just Armenia's problem – inclusive education for children with disabilities is a big challenge in many member states of the Council of Europe.

Sometimes, the issue boils down to the relatively straightforward – technical – issue of physical accessibility. In Albania, for instance, I have called on the authorities to make public buildings, especially schools, accessible for persons with disabilities, and to ensure the adequate accessibility of any new construction.

But inclusive education goes beyond simple access, or being physically present in the same class with other children. It is also about the opportunity to follow the same academic curriculum; to fully take part in the same activities; to socialise with other children and to learn life skills; to use adapted teaching materials; and to enjoy the support of trained, caring and motivated staff.

And then, perhaps the most challenging, is the issue of attitude. Advocating for inclusive education is sometimes misunderstood as a measure of “tolerance”, “mercy”, or “charity”. But there is nothing charitable, within the proper meaning of the word, about protecting the rights of children with disabilities. This is about our own ability, as the society, to look at all children as being equal in rights, and being **subjects** of those rights rather than **objects** of mercy. Wrong attitudes, stereotypes, discrimination and prejudice are often born out of the simple lack of knowledge. That is why I think that more attention should be devoted to increasing public awareness on the realities faced by children with disabilities in their access to education, so that the idea of inclusive education can find its proper place in the public imagination.

Let me conclude with my heartfelt congratulations and words of encouragement for all those who have completed the training organised by this project. I take this opportunity to recognise your important role as members of the civil society, who work tirelessly defending human rights and dignity of those you represent. You are uniquely well positioned to identify their needs and singularly well placed to devise solutions. Human rights mechanisms and institutions like my office rely on you to transmit this knowledge. I sincerely hope that the new skills that you have acquired thanks to this project will allow you to be even more effective in your important work.

Thank you.