

“What is love?”: This was the question asked by a judge to one of our members in court to decide if he would allow him to get married.

“Why does voting matter to you?” was another question asked by a judge to a person with an intellectual disability to assess her ability to vote.

These are just some of the examples of the blatant discrimination many people with intellectual disabilities face in Europe. I would like to talk to you about 3 forms of discrimination that constitute a priority in our actions.

The first is the deprivation of legal capacity and its effects on the loss of control over one’s life as I mentioned earlier. It has been repeatedly denounced by our organisation on the behalf of the 7 million people with intellectual disabilities and family members that we represent in our network of 71 members coming from 38 countries. This outdated practice also reflects the stereotypes attached to intellectual impairment and prevents people from enjoying their rights in many aspects of life such as employment, social protection, health, political life, family life, affective life.

The second is institutionalisation which isolates more than a million people with disabilities in Europe, especially those with an intellectual disability, and condemns them to a life excluded from society. It denies all children living in institutions the right to grow up in their families and to attend mainstream education. It denies people their choice on where they want to live and with whom. It denies them the respect of a private life and the right to found a family.

Finally, the lack of understandable information and communication strongly affects people with intellectual disabilities and prevents them from participating in the society and from accessing services. This point is well reflected by the petition 1132/2016 submitted by Austria that you will discuss today and shows how this failure affects people with intellectual disabilities in many ways. The petition submitted by Ireland shows the contradiction of the farming regulations that are not communicated in an accessible format but still expected to be understood and respected by all.

We are especially concerned with the situation of people with complex support needs, children and women with intellectual disabilities who often face multi or intersectional discrimination.

We fight these stereotypes and discriminatory practices by promoting the notion of empowerment and self-determination that we implement through our actions. To achieve this goal, we created the European Platform of self-advocates in 2000. This platform is composed of people with intellectual disabilities who want to be heard and participate in decision-making. Many of them work with policy and law-makers, teachers, health professionals, services providers, scholars to raise awareness about empowerment and inclusion of people with intellectual disabilities. For example, our member in Hungary work with police officers that provide them with a better knowledge on how to support victims with intellectual disabilities. The 2012/29/EU Directive on the protection of victims of crime in this way include many relevant specific articles for people with disabilities such as: the right

to understand and to be understood (article 3), individual assessment taking into account personal characteristics of the victims (article 22)..

We, as a platform strongly advocate to end the guardianship model known as “substitute decision making” and instead to promote supported decision-making to empower people with disabilities in their own life. Many of our projects and events are often organised with self-advocates to promote this change. For instance, a project called Topside + was aimed to develop peer support and peer training. People with intellectual disabilities were trained to provide support to their peers on taking their own decisions, taking control over their lives and becoming more active citizens. This initiative is an example on how support decision making can be achieved and improve independent living skills.

We also promote the widespread use of easy-to-read and to understand written and oral information. This is to ensure all written and oral information as well as participatory processes are made accessible to all people. We developed European guidelines on easy-to-read format and actively took part in the campaign, among other organisations to ensure the adoption of a strong European accessibility act that you adopted in September. Every 2 months, we publish an easy-to-read newsletter called “Europe for us” to inform our members of our actions and to keep them informed on the European level. Our events such as the Leadership Training and Hear our Voices are also an opportunity for self-advocates to develop their advocacy skills and participate in public life through meetings with policy-makers in an accessible format.

The EU has a key role to play in all of these critical areas of the UNCRPD that has been ratified and must be implemented, both at European and national level. They are all enshrined in the European Disability Strategy that is currently intensely discussed in view of the 2020-2030 Strategy.

The EU should be more ambitious in promoting the UNCRPD values in the European key policies such as the disability strategy. It means including clear targets on closing institutions. It means recognising the effect of the deprivation of legal capacity on all the priority areas.

In addition, the EU must be an example for all Members to follow in the implementation of the Convention. It means for instance to make EU institutions websites official interactions but also the whole policy-making processes from beginning to end (public consultation, drafting, adoption, monitoring) entirely accessible to all. Some petitions today have been addressed by people with learning disabilities and attest of a good inclusiveness of such procedure. It is important to make sure that this inclusion is present at each step of the procedure to make sure that no one is left behind. All the initiatives inviting EU citizens to have a say must be accessible for all.

And then, I would finally ask you, not as judge but as concerned citizen: “What are you willing to do to create a more inclusive society?”