

## **INTERNATIONAL DISABILITY ALLIANCE (IDA)**

Member Organisations:

Disabled Peoples' International, Down Syndrome International, Inclusion International,  
International Federation of Hard of Hearing People,  
World Blind Union, World Federation of the Deaf,  
World Federation of the DeafBlind,  
World Network of Users and Survivors of Psychiatry,  
Arab Organization of Disabled People, European Disability Forum,  
Latin American Network of Non-Governmental Organizations of Persons with  
Disabilities and their Families, Pacific Disability Forum

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### **IDA submission to the Human Rights Committee on the right to vote of persons with disabilities in Angola, 107th session**

#### **ANGOLA**

Angola has neither signed nor ratified the Convention on the Rights of Persons with Disabilities or its Optional Protocol.

#### **Articles 2, 16, 25, 26 ICCPR**

There is an exclusion from the right to vote and stand for election inscribed in Angola's Constitution and Electoral Law which is directed at persons with psychosocial disabilities.

*Constitution (January 2010)*

- Article 154, section 1 states, "The following shall be ineligible for election as Members: d) **individuals legally defined as incapacitated.**"

*Electoral Law (2004)*

- Article 12 states, "The following persons do not enjoy active electoral capacity...b) those **notoriously recognised as demented** when interned in a medical establishment or when so declared by a doctor's certificate, even if not interdicted by a judgement."

### **Proposed Recommendations to the Government:**

- Take steps to remove provisions from the Constitution and Electoral Law that exclude from the right to vote and to stand for election: persons with disabilities "legally defined as incapacitated" 'Article 154(1)), and "notoriously recognised as demented" (Article 12) respectively, which is violation of Article 25, ICCPR and Article 29, CRPD and contrary to the latest international standards on political participation.
- Take steps to remove derogatory language to refer to persons with disabilities in the law and government policies and programmes, and eliminate the medical/welfare model of disability, and introduce a human rights based approach to disability.
- Reform the law in accordance with Article 16, ICCPR and Article 12 of the Convention on the Rights of Persons with Disabilities (CRPD) to guarantee the equal recognition before the law of persons with disabilities, including the adoption of measures to ensure that having a disability does not directly or indirectly disqualify any person from exercising his or her legal capacity autonomously, and to ensure that persons with disabilities have access to support that they may need to exercise legal capacity on an equal basis with others, respecting the will and preferences of the person concerned.
- Take steps to accede to the Convention on the Rights of Persons with Disabilities and its Optional Protocol.