

## **Submission to the Call for Input**

### **“Breaking the Glass Ceiling: Equal Participation of Persons with Disabilities in Political Life”**

Issued by: The UN Special Rapporteur on the Rights of Persons with Disabilities

**Submitted by:**

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## **Introduction**

**Your Excellency,**

It is with deep respect and gratitude that I submit this contribution to inform your report to the 61st Session of the Human Rights Council. I am MONIRUL Islam, a human rights defender from Bangladesh and the founder of MindfulRights—a solo, unregistered initiative dedicated to addressing some of the most neglected human rights issues in my country, including mental health rights, digital and privacy rights, mob violence and other topics.

This submission focuses specifically on the equal participation of persons with psychosocial and intellectual disabilities in political life in Bangladesh.

Although Bangladesh ratified the Convention on the Rights of Persons with Disabilities (CRPD) in 2007 and enacted the Rights and Protection of Persons with Disabilities Act (2013) and the Mental Health Act (2018), persons with psychosocial and intellectual disabilities remain effectively excluded from equal participation in political life due to a combination of legal, structural, and attitudinal barriers.

### **1. Data and Monitoring on Representation**

- To the best of available information, there is no official data on the political participation or representation of persons with psychosocial or intellectual disabilities in Bangladesh.
- No publicly known individuals with psychosocial or intellectual disabilities currently hold public office in Bangladesh while being open about their conditions.

- Publicly available information does not indicate the existence of any dedicated monitoring framework or mechanism within the Election Commission to assess participation levels of these groups.

In essence, there appears to be no known data collection tool or institutional mechanism that systematically captures the political participation of persons with psychosocial or intellectual disabilities in Bangladesh.

## **2. Legal Restrictions on Standing for Election or Holding Office**

Bangladesh’s legal framework includes explicit disqualifications that disproportionately affect persons with psychosocial and intellectual disabilities.

Article 66(2)(a) of the Constitution of Bangladesh disqualifies from election to the National Parliament any person “declared by a competent court to be of unsound mind.” It states:

“(2) A person shall be disqualified for election as, or for being, a member of Parliament who –  
(a) is declared by a competent court to be of unsound mind.”

Article 122(2)(c) further excludes from voter registration any person “declared by a competent court to be of unsound mind.” It states:

“(2) A person shall be entitled to be enrolled on the electoral roll for a constituency delimited for the purpose of election to the Parliament, if he –  
...  
(c) does not stand declared by a competent court to be of unsound mind.”

While these clauses appear in the Constitution, parallel provisions are also found in other election-related laws, including the Voter Rolls Act, 2009, and the various laws governing local government elections—including those to city corporations, municipalities, sub-district councils, and the lowest tier of local government, the union councils.

These laws contain similar language barring individuals declared “of unsound mind” both from being enrolled as voters and from standing for public office.

As a result, this exclusion extends across all major levels of elections in Bangladesh, from the national to the local level.

This restriction contradicts Article 12 (Equal Recognition before the Law) and Article 29 (Participation in Political and Public Life) of the CRPD. To date, there is no known legislative initiative to amend or repeal these provisions to bring them into conformity with CRPD standards.

### 3. Stigma and Ableist Attitudes

Deeply entrenched social and cultural attitudes underpin the legal and practical exclusion of persons with psychosocial and intellectual disabilities in Bangladesh:

- In public and political discourse, mental illness is often equated with incapacity or instability, reinforcing harmful stereotypes.
- Public figures who disclose a mental health condition risk ridicule, character attacks, or loss of credibility, discouraging openness or self-identification.
- Persons with psychosocial disabilities are frequently viewed primarily as patients rather than citizens with equal rights, and their decision-making capacity is often questioned by families, communities, and officials.
- There is limited, if any, tradition of self-representation by persons with psychosocial or intellectual disabilities within political parties, government advisory bodies, or parliamentary committees.
- Media portrayals often employ stigmatizing language—such as “pagol” (mad) or “unstable”—which undermines public confidence in the leadership ability of persons with psychosocial disabilities.
- Even within the broader disability rights movement, psychosocial and intellectual disabilities remain underrepresented compared to physical or sensory impairments.

These pervasive attitudes create a chilling effect, discouraging individuals with psychosocial disabilities from political engagement due to fear of stigma, ridicule, or unwanted disclosure of confidential health information.

### 4. Structural, Financial, and Institutional Barriers

Beyond stigma, multiple systemic barriers further restrict participation:

- **Guardianship and substituted decision-making:** Persons declared “of unsound mind” may be placed under guardianship, effectively stripping them of legal agency, including the right to vote or hold office.
- **Economic marginalization:** High unemployment and poverty among persons with psychosocial disabilities make it financially difficult to contest elections or maintain political visibility.

- **Intersectional discrimination:** Women, rural residents, and those from low-income backgrounds who also have psychosocial disabilities face compounded exclusion due to overlapping stigma.
- **Confidentiality concerns:** Fear of public disclosure of a mental health condition, which may lead to reputational harm or harassment, is likely to deter individuals from seeking nomination or office.

## 5. Emerging and Positive Measures

At present, there is no publicly available evidence of sustained, large-scale initiatives in Bangladesh that have demonstrably increased the political representation of persons with psychosocial or intellectual disabilities.

However, the growing recognition of mental health within national policy discussions could provide a platform for future inclusion - if accompanied by reforms that recognize full legal capacity and guarantee reasonable accommodation in the political process.

## 6. Conclusion

Persons with psychosocial and intellectual disabilities in Bangladesh remain legally and socially excluded from political life.

Outdated laws equating disability with incapacity, pervasive stigma, and the absence of institutional accommodation collectively deny these individuals the opportunity to participate in decisions that shape their lives.

True inclusion requires more than access to the ballot box—it demands recognition of legal capacity, reform of discriminatory laws, and transformation of societal attitudes.

Bangladesh has taken initial steps toward disability inclusion through its domestic laws, but these efforts must be extended to ensure that persons with psychosocial and intellectual disabilities can vote, stand for election, and hold public office on an equal basis with others, in full compliance with the CRPD.