

Everyone Must Respect Fundamental Accessibility Rights of Persons with Disabilities

September 8, 2020

According to recent media reports, persons with mobility issues are facing difficulty in casting their ballots at certain polling locations in the province. The New Brunswick Human Rights Commission is concerned over these allegations and reminds all stakeholders that persons with disabilities have a basic human right to access public buildings that offer a public service such as voting in elections. More specifically, we must ensure that all persons with disabilities can fulfill their democratic right to vote; and participate in the political process equally with other citizens of the province, as guaranteed under the Canadian Charter of Rights and Freedoms.



The electoral process, while it must comply with the provincial Elections Act, must additionally be compliant with the Human Rights Act (HRA), which is fundamental law of the province, with quasi-constitutional status, that supersedes all other provincial legislations. Moreover, an accommodation must respect the dignity and privacy of persons with disabilities. For example, curbside voting provides a form of accommodation, but it risks breaching privacy and confidentiality, and may cause affront to a person's dignity and self-respect.

With over 160,000 persons with disabilities in New Brunswick*, governments at all levels must ensure compliance with human rights obligations, and specifically those impacting persons with disabilities. As such, it is crucial that the planning, development, and implementation stages of government programs, policies, legislations, and services consider these obligations so that all New Brunswickers can experience equality and dignity in their every day life. Everyone in New Brunswick has a responsibility to ensure that all New Brunswickers have an inclusive participation in the political, economic, and social life of the province.

Claire Roussel-Sullivan
Chair

