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| **Article 29 - List of illustrative indicators on Participation in political and public life** | | | |
| **Right to Participation in political and public life** | | | |
| **Attributes/**  **Indicators** | **Universal and equal suffrage** | **Being elected, holding office and performing public functions** | **Freedom of association and participation in public life and in the conduct of public affairs** |
| **Structure** | 29.1 Legislation on political and electoral systems which are inclusive of persons with disabilities and guarantees their right to vote and to stand for elections, to effectively hold office and perform all public functions at all levels and branches of government on an equal basis with others.[[1]](#endnote-1)  29.2 No provisions in the constitution, legislation or regulations which restrict the rights of persons with disabilities to vote and to be elected and hold office and perform all public functions.[[2]](#endnote-2)  24.3 Accessibility standards established and applicable voting procedures, voting environment, facilities and materials and to all public buildings.[[3]](#endnote-3)  29.4 Legal requirement to collect data on the number and proportion of persons with disabilities registered to vote, exercising the right to vote, including on related complaints and on the number and proportion of persons with disabilities holding office and performing public functions. | | 29.9 Legislation enacted to ensure right to freedom of association inclusive of persons with disabilities, notably by the development of organizations of persons with disabilities, including protection against intimidation, harassment and reprisals, particularly when expressing dissenting opinions.  29.10 Legislation enacted on public participation[[4]](#endnote-4) that is inclusive of persons with disabilities.  29.11 No provision in the constitution, legislation or regulations, which restrict the right of freedom of association on the basis of disability,[[5]](#endnote-5) in particular to women and children with disabilities. |
| 29.5 Existence of a national plan by the election management body to ensure accessibility of voting procedures, environment, facilities and materials,[[6]](#endnote-6) and inclusive voter registration, voter education, poll worker and staff training and recruitment, and accessible election compliant resolutions mechanisms.  29.6 Legislation and regulations enacted that ensure the right of persons with disabilities to vote through secret ballot on their own, and the right to be assisted by a person of their choice with full respect of their free expression of will, including the duty to provide reasonable accommodation.[[7]](#endnote-7) | 29.7 Existence of legislative provisions on specific measures, including affirmative actions, to promote the inclusion of persons with disabilities in the administration of political parties, the standing for election and the election of candidates with disabilities and their performance of all public functions, and in public service positions,[[8]](#endnote-8) mandating and/or encouraging inclusion of diverse constituencies of persons with disabilities, targeting most marginalized groups.[[9]](#endnote-9)  29.8 Existence of legal provisions to ensure entitlement to and availability of support measures for candidates with disabilities to stand for elections and hold office effectively, on equal basis with others. |
| 29.12 Legal requirement to establish a marker on spending specifically directed to promote and ensure the exercise by persons with disabilities of right to vote, be elected, hold office and perform public functions, and the right to freedom of association and to participate in public and political life. | | |
| **Process** | 29.13 Awareness raising campaign and activities that promotes political and public participation of all persons with disabilities by exercising the rights to vote, to be elected and hold office, and perform all public functions, and to freedom of association and participation in public life and in the conduct of public affairs, designed with the meaningful consultation with organizations of persons with disabilities, and people with disabilities themselves, as well as their families. | | |
| 29.14 Existence of awareness raising measures on the right to vote and be elected, hold office and perform public functions by persons with disabilities targeting political parties to put forward candidates with all types of disabilities and the population at large to combat disability-based stereotypes and prejudices against any candidate, and to foster inclusion of persons with disabilities in political and public life,  29.15 Budget allocated to ensure accessibility of elections, provision of reasonable accommodation and support measures to persons with disabilities to exercise the right to vote and be elected, hold office and perform public functions.  29.16 Consultation processes undertaken to ensure active involvement of persons with disabilities, including through their organizations, in the design, implementation and monitoring of laws, regulations, policies and programs, related to the rights to vote, be elected, hold office and perform public functions.[[10]](#endnote-10) | | 29.22 Regulations and measures to ensure registration systems of civil society organizations (e.g. associations, foundations, etc.) that are simple, flexible, expeditious, fully accessible, non- onerous (or affordable) and/or even free of charge.  29.23 Training activities delivered to organizations of persons with disabilities to strengthen their capacity to participate in all phases of policymaking and in political and public life.  29.24 Percentage of financial support allocated to organizations of persons with disabilities for strengthening their capacity to participate in decision-making processes, out of all budget allocated to support CSOs.[[11]](#endnote-11) |
| 29.17 Number and percentage of persons with disabilities registered to vote in electoral registries, disaggregated by sex, age, disability and electoral jurisdiction.  29.18 Number and proportion of public servants, poll workers, citizens carrying out election duties and election observers who have received training on the exercise of the right to vote of persons with disabilities and to provide them with voting related information, notably on accessibility, assistance by person of her choice, and reasonable accommodation.  29.19 Number of persons with disabilities assisted by a person of their choice, or by election officials in terms of accessibility and/or provided with reasonable accommodation of any kind to exercise the right to vote. | 29.20 Number of accessibility related measures provided, support measures, etc., for candidates with disabilities to stand for elections and hold office, and for persons with disabilities to exercise public functions on equal basis with others.  29.21 Number of persons with disabilities performing public functions as part of the Election Management Body, and as observers and other positions during electoral processes, disaggregated by age, sex, disability and function. |
| 29.25 Number of received complaints on the right of persons with disabilities to participation in political and public life, investigated, and adjudicated and the proportion of these complied with by the government.[[12]](#endnote-12) | | |
| **Outcome** | 29.26 Voter turnout disaggregated by sex, age, disability and electoral district for national, regional and local elections.[[13]](#endnote-13)  29.27 Number and percentage of persons with disabilities eligible to vote, who submitted complaints during electoral processes and were provided remedies to exercise the right to vote, disaggregated by sex, age, disability and electoral district.[[14]](#endnote-14) | 29.28 Proportion of persons who stand for elections (candidates) that are persons with disabilities, disaggregated by sex, age, disability, electoral jurisdiction, at all levels of government as compared to the proportion of persons with disabilities among the population (based on SDGs 16.7.1)  29.29 Proportion of persons holding elected public office in both legislative and executive branches of different levels of government (national, regional and local), who are persons with disabilities, disaggregated by sex, age, disability and electoral district, as compared to the proportion of persons with disabilities among the population (based on SDGs 16.7.1)  29.30 Proportion of persons holding public service positions[[15]](#endnote-15) who are persons with disabilities, disaggregated by sex, age, disability and agency/ministry,[[16]](#endnote-16) as compared to the proportion of persons with disabilities among the population (based on SDGs 16.7.1) | 29.31 Number of organizations of persons with disabilities, disaggregated by kind of organization, constituency(ies) represented, total membership and registration status.[[17]](#endnote-17)  29.32 Proportion of population who believe decision making is inclusive and responsive, by sex, age, disability and population group (SDG indicator 16.7.2) |

**ANNEX**

1. Electoral legislation should include

   * the prohibition of discrimination on the basis of impairment including the denial of reasonable accommodation;
   * the provision of all required accessibility features (of the build environment, information and communication)
   * the entitlement to support measures, including human assistance (e.g. sing language interpretation, personal assistance), to perform public functions
   * the existence of complaint mechanisms to enforce the right to vote (during and after elections processes) and be elected and hold office

   Electoral legislation includes laws addressing voting rights, requirements to run for elections, design and development of elections, as well as monitoring through election observers. [↑](#endnote-ref-1)
2. This includes no denial nor restriction in law or practice to the right to vote and be elected, hold office and perform public functions:

   * of those **currently** deprived of legal capacity in contradiction with Article 12 of the CRPD.
   * due to direct or indirect discrimination on the basis of impairment (e.g. legal provisions excluding from registration of voters and/or candidates or from taking office, persons “declared to be of unsound mind”, “insane and incompetent persons”, “incapable persons”; “due to physical unfitness”; “knowing how to fluently write, read and speak the official language”; lack of accessibility of voting procedures or by denial of access to voting polls).
   * which indirectly discriminates against persons with disabilities (e.g. based on individual assessment of an alleged capacity to vote; strict requirement for personal identification/authentification, e.g. written signature, fingerprints, etc.)
   * of persons with disabilities currently residing in institutions (short- or long-term, including those deprived of liberty in any mental health setting) in contradiction with Articles 14 and/or in contradiction with Article 19 of the CRPD.
   * through registration procedure or requirement that might directly or indirectly restrict the right to vote of persons with disabilities.

   [↑](#endnote-ref-2)
3. See also indicators under Article 9 (Accessibility). [↑](#endnote-ref-3)
4. Public participation legislations relate to mechanisms to engage citizens in decision making processes and, among other things, may:

   require government officials to consult those affected and to take their views into consideration when making decisions

   promote initiatives emanating from the communities to be incorporated in legislation or public policy

   provide for transparency of procedures and the right to access information timely in order to provide input in public process. [↑](#endnote-ref-4)
5. This includes no denial nor restriction in law or practice to the right of freedom of association:

   * of those **currently** deprived of legal capacity in contradiction with Article 12 of the CRPD.
   * on the basis of impairment (e.g. “insane and incompetent persons”, “incapable persons”, etc.)
   * of persons with disabilities currently residing in institutions in contradiction with Article 19 of the CRPD.
   * through requirements or procedures of registration of organisations that might directly or indirectly restrict the right of freedom of association to persons with disabilities.

   [↑](#endnote-ref-5)
6. This must include:

   Accessibility of information from political campaigns including platforms of candidates, accessibility of voting places, polls, materials, instructions, communication with elections officials (e.g. through sign language interpretation), etc.

   The respect and implementation of the principle of universal design;

   Availability of formats to ensure accessibility to information and communication: Braille, sign language interpretation, captioning, tactile communication, easy to read easy to understand format, pictograph, and other alternative and augmentative modes of communication, including through ICTs.

   Consideration of further accessibility related needs of persons with disabilities. [↑](#endnote-ref-6)
7. By ensuring the measure that a voter can be assisted by a person of their choice should not be construed as replacing, postponing nor undermining implementation and compliance with the duty to ensure accessibility of voting procedures, voting environment, facilities and materials. [↑](#endnote-ref-7)
8. This includes for example:

   reserved seats for persons with disabilities in parliament;

   mandatory quotas of persons with disabilities as public officials within the public sector;

   mandatory quotas of persons with disabilities to be included lists of candidates to be complied with by political parties and coalitions; preferential state funding for candidates or for party lists with include persons with disabilities

   awareness-raising and other promotion measures on the contributions of persons with disabilities in political and public life.

   measures benefiting campaign opportunities, such as preferential media access and incentives for the media to include candidates with disabilities. [↑](#endnote-ref-8)
9. All such measures need to be monitored to ensure that people with all types of disabilities benefit equally. [↑](#endnote-ref-9)
10. This indicator requires observing concrete activities undertaken by public authorities to involve persons with disabilities in decision-making processes related to issues that directly or indirectly affect them in line with article 4.3 of the CRPD, including consultation meetings, technical briefings, online consultation surveys, call for comments on drafts legislations and policies, among other participatory methods. In this regard, States must

    ensure that consultation processes are transparent

    ensure provision of appropriate and accessible information

    not withhold information, condition or prevent organizations of persons with disabilities from freely expressing their opinions.

    include both registered and unregistered organizations.

    ensure early and continuous involvement.

    cover related expenses of participants (e.g. transport and other expenses to attend meetings and technical briefings). [↑](#endnote-ref-10)
11. Funding of organizations of persons with disabilities should:

    avoiding third-party intermediation;

    prioritizing resources to organizations of persons with disabilities that focus primarily on advocacy for disability rights;

    allocating specific funds for organizations of women with disabilities and of children with disabilities

    include self-advocacy organizations representing persons with disabilities in different, often loosely and/or locally formed, networks and platforms, especially those composed by persons with intellectual disabilities, and those that have not gained a legal status due to laws that deny the legal capacity of their members and hinder registration or are not registered for any other reason, such as lack of funds.

    distributing funds on an equal basis among organizations of persons with disabilities, including sustainable core institutional funding, not being limited to project-based funding;

    respect and ensure the autonomy of organizations of persons with disabilities in deciding their advocacy agenda, despite the funding received;

    adopting and implementing application processes for funding in accessible formats. [↑](#endnote-ref-11)
12. In this regard, in connection with the right to vote, complaints could be distinguished among those:

    processed by: a) administrative bodies, including the Election Management Body (EMB); b) National Human Rights Institution; and c) the judiciary;

    related to: a) voter registration and eligibility; and b) accessibility and other issues on the concrete exercise of the right to vote;

    those submitted during the electoral process (e.g. cases of persons with disabilities attempting to vote, complaining of lack of accessibility or assistance). [↑](#endnote-ref-12)
13. Where applicable, it is also important to identify the method in which votes are cast (e.g. in person in polling station, by electronic vote, by post, by proxy-a person voting on one’s behalf, etc.) [↑](#endnote-ref-13)
14. Where applicable, this indicator could also include the number of recommendations from national and international observer groups on access for and inclusion of persons with disabilities and the proportion of this that are complied with for and during the electoral process. [↑](#endnote-ref-14)
15. This includes both appointed officials (e.g. ministries) as well as public servants. [↑](#endnote-ref-15)
16. The information to report against this indicator pertaining to the Election Management Body is of particular interest. [↑](#endnote-ref-16)
17. The interpretation of this indicator requires careful analysis. The increase or decrease of number of organizations may reflect different developments. For instance, new organizations develop in areas where there was none; large organizations might divide, etc. It would be important to also consider the total membership of organizations. [↑](#endnote-ref-17)