

Article 29:

List of illustrative indicators on participation in political and public life

ADVANCE VERSION

© 2020 United Nations

The *Human Rights Indicators on the Convention on the Rights of Persons with Disabilities (CRPD)* are a component of the [SDG-CRPD Resource Package](#) developed by the Office of the United Nations High Commissioner for Human Rights (OHCHR). This is an advance version of the SDG-CRPD Resource Package. A final version will be issued upon completion of OHCHR review processes.

The *Human Rights Indicators on the CRPD* were produced with the financial support of the European Union. Its contents are the sole responsibility of OHCHR and do not necessarily reflect the views of the European Union.



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	<p>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.ⁱ</p> <p>29.2 No provisions in the constitution, legislation or regulations which restrict the rights of persons with disabilities to vote, be elected and hold office and perform all public functions.ⁱⁱ</p> <p>29.3 Accessibility standards established and applied to voting procedures, voting environment, facilities and materials and to all public buildings.ⁱⁱⁱ</p> <p>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.</p> <p>29.5 Adoption of a national plan by the election management body to ensure accessibility of voting procedures, environment, facilities, materials and complaint mechanisms, and inclusive practices regarding: voter registration and voter education, recruitment and training of poll workers and staff.^{vi}</p> <p>29.6 Legislation and regulations enacted that ensure the right of persons with disabilities to vote through secret ballot on their own, the right to be assisted by a person of their choice with full respect of their free expression of will, and the duty to provide reasonable accommodation in all voting processes.^{vii}</p>	<p>29.7 Adoption of specific measures to promote:</p> <ul style="list-style-type: none"> • the participation of persons with disabilities in the activities and administration of political parties; • the standing for election of candidates with disabilities; • the election of candidates with disabilities; and • their holding by persons with disabilities of public functions and public service positions.^{viii} <p>29.8 Existence of legal provisions to ensure entitlement to, and availability of support measures for candidates with disabilities to stand for election and hold office effectively, on an equal basis with others.</p>	<p>29.9 Legislation enacted to ensure the right to freedom of association inclusive of persons with disabilities, notably by promoting the development of organizations of persons with disabilities, including protection against intimidation, harassment and reprisals, particularly when expressing dissenting opinions. (idem 1/4.10)</p> <p>29.10 Legislation enacted on public participation that is inclusive of persons with disabilities.^{iv}</p> <p>29.11 No provision in the constitution, legislation or regulations, which restrict the right of freedom of association on the basis of disability.^v</p>
	<p>29.12 Legal requirement to establish a marker on spending specifically directed to promote and ensure the exercise by persons with disabilities of the 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.</p>		

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
Process	<p>29.13 Awareness raising campaigns and activities that promote political and public participation of all persons with disabilities by exercising their right to vote, be elected, hold office, perform all public functions, and their freedom of association and participation in public life and in the conduct of public affairs.</p> <p>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 candidates,^{ix} and to foster inclusion of persons with disabilities in holding public office and performing public functions.</p> <p>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.</p> <p>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 programmes, related to the right to vote, be elected, hold office and perform public functions.^x</p> <p>29.17 Number and proportion of persons with disabilities registered to vote in electoral registries, disaggregated by sex, age, disability and electoral jurisdiction.</p> <p>29.18 Number and proportion of public servants, poll workers, election observers and citizens carrying out election duties trained on the exercise of the right to vote of persons with disabilities and been provided voting related information, notably on accessibility, right to assistance by person of the voter’s choice, and the duty to provide reasonable accommodation.</p> <p>29.19 Proportion of polling stations that are accessible to persons with disabilities.</p> <p>29.20 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.</p>	<p>29.21 Number of accessibility related measures, support measures, etc., provided to candidates with disabilities to stand for election and hold office, and to persons with disabilities to exercise public functions on equal basis with others.</p> <p>29.22 Number of persons with disabilities performing public functions as part of the Election Management Body, as observers and in other positions during electoral processes, disaggregated by sex, age, disability and function.</p>	<p>29.23 Regulations and measures to ensure registration systems of civil society organizations (e.g. associations, foundations, etc.) that are simple, flexible, expeditious, accessible, non- onerous (or affordable) and/ or free of charge.^{xi} (idem 1/4.15)</p> <p>29.24 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.</p> <p>29.25 Proportion of financial support allocated to organizations of persons with disabilities to strengthen their capacity to participate in public decision-making processes, out of all budget allocated to support CSOs.^{xii}</p>
	<p>29.26 Proportion of received complaints on the right of persons with disabilities to participate in political and public life that have been investigated and adjudicated; proportion of those found in favour of the complainant; and proportion of the latter that have been complied with by the government; each disaggregated by kind of mechanism.^{xiii}</p>		

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
Outcome	<p>29.27 Voter turnout disaggregated by sex, age, disability and electoral district for national, regional and local elections.^{xiv}</p> <p>29.28 Number and proportion 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.^{xv}</p>	<p>29.29 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 SDG 16.7.1)</p> <p>29.30 Proportions of positions (by sex, age, persons with disabilities and population groups) in public institutions (national and local legislatures, public service, and judiciary) compared to national distributions (SDG indicator 16.7.1)</p>	<p>29.31 Number of organizations of persons with disabilities, disaggregated by kind of organization, constituency represented, total membership and registration status.^{xvi}</p> <p>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) (idem 1/4.31)</p>

- i Electoral legislation includes laws addressing voting rights, standing for election, the design, procedure and monitoring of elections. 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 built environment, information and communications)
 - the entitlement to support measures, including human assistance (e.g. sign language interpretation, personal assistance), to perform public functions
 - the existence of complaint mechanisms (available during and after elections processes) to enforce the right to vote, be elected and hold office
- ii This includes any denial or restriction in law or practice of 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).
 - which amounts to direct or indirect discrimination on the basis of impairment (e.g. legal provisions excluding persons from voter registrations or from running for or taking office, including: persons “declared to be of unsound mind”, persons deemed to be “insane”, “incompetent”, “incapable”; or exclusion on account of physical or “mental” “unfitness” or related to the ability to write, read, and speak the official language; or due to lack of accessibility of voting procedures or denial of access to voting polls).
 - which amounts to indirect discrimination against persons with disabilities (e.g. exclusions based on individual assessment of one’s “capacity” to vote; or due to rigid requirements for personal identification/ authentication, e.g. written signature, fingerprints, etc.)
 - of persons with disabilities currently residing in institutions, whether for short- or long-term, including those deprived of liberty in any mental health setting (in contradiction with Articles 14 and 19 of the CRPD)
 - through registration procedures or requirements that might directly or indirectly restrict the right to vote of persons with disabilities.
- iii See also indicators under Article 9 (Accessibility).
- iv Public participation legislation 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.
- v 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”; “incompetent” or “incapable” persons, etc.)
 - of persons with disabilities currently residing in institutions whether for short- or long-term, including those deprived of liberty in any mental health setting
 - of persons with disabilities currently residing in institutions, whether for short- or long-term, including those deprived of liberty in any mental health setting (in contradiction with Articles 19 and 14 of the CRPD).
 - through requirements or procedures of registration of organizations that might directly or indirectly restrict the right of freedom of association of persons with disabilities.
- vi This should include as a minimum:
- Accessibility of information related to political campaigns including information on candidates’ pledges and platforms, 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 of information and communication: Braille, sign language, captioning, tactile communication, easy to read and 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
 - Appointment of disability focal points at the election management body
- vii By ensuring the possibility that a voter can be assisted by a person of their choice should not be construed as replacing, postponing or undermining implementation and compliance with the duty to ensure accessibility of voting procedures, voting environment, facilities and materials.
- viii This includes for example:
- 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;
 - 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;
 - reserved seats for persons with disabilities in parliament;
 - mandatory quotas of persons with disabilities as public servants within the public sector.
- All these measures should be monitored to ensure that the diverse constituencies of persons with disabilities benefit equally, particularly most marginalised groups, and be based on parity between men and women.
- ix This applies to any candidate on the basis of actual or perceived disability, particularly for those whose disability has been disclosed, e.g. candidate with psychosocial disabilities whose disability has been disclosed.

- ^x This indicator requires verifying 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 and [general comment no. 7](#) of the CRPD Committee, including consultation meetings, technical briefings, online consultation surveys, calls for comments on draft legislation and policies, among other methods and mechanisms of participation. In this regard, States must
- ensure that consultation processes are transparent and accessible;
 - 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.

^{xi} See [A/HRC/31/62](#), para 40; [A/70/266](#), para 26.

^{xii} Funding of organizations of persons with disabilities should:

- avoid third-party intermediation;
- prioritize resources to organizations of persons with disabilities that focus primarily on advocacy for disability rights;
- allocate specific funds for organizations of women with disabilities and of children or youth with disabilities
- include self-advocacy organizations representing persons with disabilities in formal or informal networks and platforms, particularly those composed by persons with intellectual disabilities. These organizations should have access to funding even where their legal status and registration have been hindered due to restriction or denial of legal capacity of the organization members, or on account of lack of funds for registration.
- distribute funds equally among organizations of persons with disabilities;

- not be limited to project-based funding but also include sustainable core institutional funding;
- respect and ensure the autonomy of organizations of persons with disabilities in deciding their advocacy agenda, independent of the funding received;
- adopt processes for funding applications in accessible formats.

^{xiii} In connection with the right to vote, complaints could be further categorized among those:

- processed by: a) administrative bodies, including the Election Management Body (EMB); b) National Human Rights Institutions and/or equality bodies; and c) the judiciary;
- related to: a) voter registration and eligibility; and b) accessibility and other issues impacting the effective exercise of the right to vote;
- submitted before, after or during the electoral process (e.g. cases of persons with disabilities attempting to vote, contesting lack of accessibility or assistance).

^{xiv} Where applicable, it is also important to identify the method by which votes are cast (e.g. in person in polling stations, by electronic vote, by post, by proxy, etc.)

^{xv} Where applicable, this indicator could also include the number of recommendations made by national and international observer groups concerning the access for, and inclusion of persons with disabilities, and the proportion of recommendations complied with during the electoral process.

^{xvi} The interpretation of this indicator requires careful analysis. The increase or decrease of number of organizations may reflect various developments. For instance, new organizations develop in areas where there were none; large organizations may divide, etc. It would be important to also consider the total membership of organizations.