Article 29: Illustrative indicators on participation in political and public life

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<tr><th colspan="4">Article 29: Illustrative indicators on participation in political and public life</th></tr>
<tr><th colspan="4">Right to participation in political and public life</th></tr>
<tr><th>Attribute/type of indicator</th><th>Universal and equal suffrage</th><th>Being elected, holding office and performing public functions</th><th>Freedom of association and participation in public life and in the conduct of public affairs</th></tr>
<tr><td rowspan="3">Structure</td><td colspan="2">29.1: Legislation on political and electoral systems that are inclusive of persons with disabilities and that guarantee their rights to vote, to stand for elections, and to effectively hold office and perform all public functions at all levels and branches of government on an equal basis with others[a]
29.2: No provisions in the constitution, legislation or regulations that restrict the rights of persons with disabilities to vote, be elected and hold office and perform all public functions[b]
29.3: Accessibility standards established and applied to voting procedures, environment, facilities and materials, and all public buildings[c]
29.4: Legal requirement to collect data on the number and proportion of persons with disabilities registered to vote and 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</td><td rowspan="2">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 (see also indicator 1/4.10 on the Convention on the Rights of Persons with Disabilities)
29.10: Legislation enacted on public participation that is inclusive of persons with disabilities[d]
29.11 No provision in the constitution, legislation or regulations that restricts the right to freedom of association on the basis of disability[e]</td></tr>
<tr><td>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 to ensure inclusive practices regarding voter registration and voter education, and the recruitment and training of poll workers and staff[f]
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 for their free expression of will, and the duty to provide reasonable accommodation in all voting processes[g]</td><td>29.7 Adoption of specific measures to promote:
Participation of persons with disabilities in the activities and administration of political parties
Standing for election of candidates with disabilities
Election of candidates with disabilities
Performing by persons with disabilities of public functions and holding public service positions[h]
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</td></tr>
<tr><td colspan="3">29.12: Legal requirement to establish a marker on spending specifically directed at promoting and ensuring the exercise by persons with disabilities of the right to vote, be elected, and hold office and perform public functions, and the right to freedom of association and to participate in public and political life</td></tr>
<tr><td>Process</td><td colspan="3">29.13: Number of awareness-raising campaigns and activities that promote political and public participation of all persons with disabilities by exercising their right to vote, be elected, and hold office and perform all public functions, and their right to freedom of association and participation in public life and in the conduct of public affairs; and proportion of population who have gained access to those campaigns and activities, disaggregated by age, sex, disability and geographical location</td></tr>
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<tr><td></td><td colspan="2">29.14: Number of awareness-raising measures on the right to vote and be elected, and to 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,[i] and to foster inclusion of persons with disabilities in holding public office and performing public functions
29.15: Budget allocated to and spent on ensuring accessibility of elections, and the provision of reasonable accommodation and support measures for persons with disabilities to exercise the right to vote and be elected, and to hold office and perform public functions
29.16: Number of consultation processes undertaken on the design, implementation and monitoring of laws, regulations, policies and programmes related to the right to vote and be elected, and to hold office and perform public functions; and proportion of persons with disabilities who participated in those processes[j]</td><td>29.23: Number of civil society organizations (e.g. associations and foundations) that were registered and the number of measures to ensure that registration is simple, flexible, expeditious, accessible, non-onerous (or affordable) and/or free of charge[k] (see also indicator 1/4.15 on the Convention on the Rights of Persons with Disabilities)</td></tr>
<tr><td></td><td>29.17: Number and proportion 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, election observers and citizens carrying out election duties trained on the exercise of the right to vote of persons with disabilities and provided with voting-related information, notably on accessibility, the right to assistance by the person of the voter's choice and the duty to provide reasonable accommodation
29.19: Proportion of polling stations that are accessible to persons with disabilities
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</td><td>29.21: Number of accessibility-related measures, support measures and so forth provided to candidates with disabilities to stand for election and hold office, and to persons with disabilities to exercise public functions on an equal basis with others
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</td><td>29.24: Number of 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
29.25: Proportion of financial support allocated to and spent on organizations of persons with disabilities to strengthen their capacity to participate in public decision-making processes, out of the entire budget allocated to and spent on supporting civil society organizations[l]</td></tr>
<tr><td></td><td colspan="3">29.26: Proportion of complaints received 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 and/or duty bearer; each disaggregated by type of mechanism[m]</td></tr>
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Outcome	29.27: Voter turnout disaggregated by sex, age, disability and electoral district for national, regional and local elections[n] 29.28: Number and proportion of persons with disabilities eligible to vote who submitted complaints during electoral processes and were provided with remedies to exercise the right to vote, disaggregated by sex, age, disability and electoral district[o]	29.29: Proportion of persons who stand for election (candidates) who are persons with disabilities, disaggregated by sex, age, disability and electoral jurisdiction, at all levels of government, as compared to the proportion of persons with disabilities among the total population 29.30: Proportions of positions (by sex, age, persons with disabilities and population groups) in public institutions (national and local legislatures, public service and the judiciary) compared to national distributions (Sustainable Development Goal indicator 16.7.1)	29.31: Number of organizations of persons with disabilities, disaggregated by type of organization, constituency represented, total membership and registration status[p] 29.32: Proportion of population who believe decision-making is inclusive and responsive, by sex, age, disability and population group (Sustainable Development Goal indicator 16.7.2) (see also indicator 1/4.28 on the Convention on the Rights of Persons with Disabilities)

[a] Electoral legislation includes laws addressing voting rights, standing for election, and the design, procedure and monitoring of elections. Electoral legislation should include:

- Prohibition of discrimination on the basis of impairment, including the denial of reasonable accommodation
- Provision of all required accessibility features (of the built environment, information and communications)
- Entitlement to support measures, including human assistance (e.g. sign language interpretation and personal assistance), to perform public functions
- Existence of complaint mechanisms (available during and after elections processes) to enforce the rights to vote, be elected and hold office

[b] This includes any denial or restriction in law or in practice of the rights to vote, be elected, hold office and perform public functions:

- Of those currently deprived of legal capacity (in contradiction with article 12 of the Convention on the Rights of Persons with Disabilities)
- That 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" or deemed to be "insane", "incompetent" or "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 a lack of accessibility of voting procedures or denial of access to voting polls
- That amounts to indirect discrimination against persons with disabilities (e.g. exclusions based on an individual assessment of one's "capacity" to vote or due to rigid requirements for personal identification/authentication, such as written signatures or fingerprints)
- Of persons with disabilities currently residing in institutions, whether short term or long term, including those deprived of liberty in any mental health setting (in contradiction with articles 14 and 19 of the Convention)

- Through registration procedures or requirements that might directly or indirectly restrict the right to vote of persons with disabilities

[c] See also the indicators on article 9 (accessibility).

[d] Public participation legislation related to mechanisms to engage citizens in decision-making processes may, among other things:

- Require government officials to consult those affected and to take their views into consideration when making decisions
- Promote initiatives emanating from communities to be incorporated in legislation or public policy
- Provide for transparency of procedures and the right to have access to timely information in order to provide input for public processes

[e] This includes no denial or restriction in law or in practice of the right of freedom of association:

- Of those currently deprived of legal capacity (in contradiction with article 12 of the Convention on the Rights of Persons with Disabilities)
- On the basis of impairment (e.g. “insane”, “incompetent” or “incapable” persons)
- 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 Convention)
- Through requirements or procedures to register an organization that might directly or indirectly restrict the right to freedom of association of persons with disabilities

[f] This should include as a minimum:

- Accessibility of information related to political campaigns, including information on candidates’ pledges and platforms, and on the accessibility of voting places, polls, materials, instructions and communications with election officials (e.g. through sign language interpretation)
- Respect for and implementation of the principle of universal design
- Availability of formats to ensure accessibility of information and communications, such as Braille, sign language, captioning, tactile communication, Easy Read and easy-to-understand formats, pictographs, and other alternative and augmentative modes of communication, including through information and communications technology
- Consideration of further accessibility-related needs of persons with disabilities
- Appointment of disability focal points at the election management body

[g] Ensuring the possibility that a voter can be assisted by a person of their choice should not be construed as replacing, postponing or undermining the implementation of and compliance with the duty to ensure accessibility of the voting procedures, environment, facilities and materials.

[h] 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 on lists of candidates to be complied with by political parties and coalitions; and preferential State funding for candidates or for party lists that 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 of these measures should be monitored to ensure that the diverse constituencies of persons with disabilities benefit equally, particularly the most marginalized groups, and be based on parity between men and women.

[i] This applies to any candidate on the basis of actual or perceived disability, particularly for those whose disability has been disclosed (e.g. a candidate with psychosocial disabilities whose disability has been disclosed).

[j] 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 Convention on the Rights of Persons with Disabilities and general comment No. 7 (2018) of the Committee on the Rights of Persons with Disabilities, including consultation meetings, technical briefings, online consultation surveys, and 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 the provision of appropriate and accessible information
- Not withhold information or condition or prevent representatives of persons with disabilities from freely expressing their opinions
- Include both registered and unregistered organizations
- Ensure early and continuous involvement of persons with disabilities
- Cover related expenses of participants

[k] See report of the Special Rapporteur on the rights of persons with disabilities (A/HRC/31/62, para. 40); and A/70/266, para. 26.

[l] Donors to 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's members, or on account of a lack of funds for registration.
- Distribute funds equally among organizations of persons with disabilities.
- Ensure funding is not 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.

[m] In connection with the right to vote, complaints could be further categorized among those:

- Processed by (a) administrative bodies, including the election management body, (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 affecting the exercise of the right to vote
- Submitted before, after or during the electoral process (e.g. in cases of persons with disabilities contesting a lack of accessibility or assistance when attempting to vote)

[n] Where applicable, it is also important to identify the method by which votes are cast (in person at polling stations, by electronic vote, by post, by proxy, etc.)

[o] Where applicable, this indicator could also include the number of recommendations made by national and international observer groups concerning the access and inclusion of persons with disabilities, and the proportion of recommendations complied with during the electoral process.

[p] The interpretation of this indicator requires careful analysis. The increase or decrease of the number of organizations may reflect various developments (e.g. new organizations develop in areas where there were none and large organizations may be divided). It is also important to consider the total membership of organizations.