



Guideline

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Promoting the Electoral Rights of Persons with Disabilities through UN Electoral Assistance

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**GUIDELINE ON
Promoting the Electoral Rights of Persons with Disabilities
through UN Electoral Assistance**

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A. PURPOSE

1. This guideline outlines how the United Nations shall promote the electoral rights of persons with disabilities through electoral assistance in order to ensure consistency and coherence across the UN system.

B. SCOPE

2. This guideline applies to all entities of the United Nations system that provide UN electoral assistance. For the purpose of this guideline, United Nations and UN are understood to refer to the entire UN system, that is, all UN departments, funds, programmes, entities, trust funds, commissions, peacekeeping missions, special political missions, peacebuilding missions, and other bodies.

C. RATIONALE

3. The UN Focal Point for Electoral Assistance, the Under-Secretary-General for Political Affairs, (hereafter "the Focal Point") is the system lead in the development, issuance and dissemination of UN electoral policy. UN electoral policy is defined as the normative framework and prescriptive guidance that apply to all UN entities providing electoral assistance. This guideline has been developed as part of the efforts of the Focal Point to develop a set of UN system-wide electoral policy documents. This guideline focuses on how to promote the electoral rights of persons with disabilities within the framework of UN electoral assistance and thereby increase their participation and representation in electoral processes and political life.

D. GUIDELINE

4. Background and International Normative Framework

4.1. The United Nations Convention on the Rights of Persons with Disabilities (CRPD)¹ does not include a specific definition of disability or persons with disabilities. However, Article 1 of the CRPD states that persons with disabilities include “those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others.” According to the World Disability Report conducted by the World Health Organization and the World Bank in 2010, over a billion people or about 15 per cent of the world’s population are estimated to be living with a disability.² The Secretary-General’s 2011 report “Mainstreaming disability in the development agenda” names disability as a “global concern,” whereas “as a result of global trends in population ageing and a global increase in chronic health conditions, the incidence of impairment and disability among the general population is expected to increase”.³ The report also points out that disability is experienced “disproportionately by those living in developing countries.” Moreover, post-conflict countries can show above-average percentages of persons with disabilities due to disabling injuries sustained during armed conflicts.

4.2. The Universal Declaration of Human Rights ranks the right to vote and to be elected among the fundamental human rights. It highlights the inclusive character of elections by establishing that “everyone has the right to take part in the government of his country, directly or through freely chosen representatives.”⁴ The International Covenant on Civic and Political Rights (ICCPR) highlights the “right and the opportunity” by every citizen “to vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage.”⁵ Political rights have also been set down in a number of other international human rights conventions.⁶

4.3. In the last decade, a series of evolving UN documents on the rights of persons with disabilities have been adopted. The most extensive recent recognition of these rights is provided in the United Nations Convention on the Rights of Persons with Disabilities (CRPD), which was adopted on 13 December 2006 and entered into force on 3 May 2008 (for some relevant sections, see Annex A). Additionally, an Operational Protocol was adopted.

4.4. The CRPD aims to “promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities, and to promote respect for their inherent dignity” (Article 1). It embodies a paradigm shift from a charity or medical approach to one which is firmly rooted in human rights. According to this approach, commonly referred to as the social model of disability, disability is not a condition that is inherent in the person but an evolving concept that results from the interaction between an individual’s personal condition mixed with environmental factors (such as negative attitudes or inaccessible buildings) which together lead to disability.⁷

¹ <http://www.un.org/disabilities/convention/conventionfull.shtml>.

² World Disability Report (2011), p. 29.

³ http://whqlibdoc.who.int/publications/2011/9789240685215_eng.pdf.

⁴ E/CN.5/2012/6.

⁵ http://www.ohchr.org/EN/UDHR/Documents/UDHR_Translations/eng.pdf.

⁶ Article 25, para b. <http://www2.ohchr.org/english/law/pdf/ccpr.pdf>.

⁷ See, e.g., the International Convention on the Elimination of All Forms of Racial Discrimination, the International Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families.

⁷ For a detailed discussion of the legal implications of CRPD see the “Thematic study by the Office of the United Nations High Commissioner for Human Rights on participation in political and public life by persons with disabilities” (A/HRC/19/36), <http://www.ohchr.org/EN/Issues/Disability/Pages/ThematicStudies.aspx>.

With regard to certain groups of persons with mental health problems and intellectual disabilities, in the past, “established mental incapacity” had been potential grounds for denying a person the right to vote or to hold office.⁸ However, the legal landscape has changed profoundly since then.

4.5. CRPD and particularly Article 29 do not foresee any reasonable restriction, nor does it allow any exception for any group of persons with disabilities from the equal and effective enjoyment of political rights, including the right to vote and be elected. Therefore, it has been argued that “any exclusion or restriction of the right to vote on the basis of a perceived or actual psychosocial or intellectual disability would constitute ‘discrimination on the basis of disability’ within the meaning of Article 2 of the Convention.”⁹ This argument has been bolstered by recent developments in the jurisprudence of international and regional human rights mechanisms.¹⁰

4.6. Concerning the political rights of persons with disabilities, the CRPD is most explicit in Article 29, giving States Parties the responsibility to “guarantee to persons with disabilities political rights and the opportunity to enjoy them on an equal basis with others.” This affirmation of not only the “right,” but also the “opportunity,” sets up a duty on States Parties to guarantee, through the adoption of positive measures, that all eligible persons have the actual opportunity to exercise their political rights including voting rights.

4.7. In broader terms, Article 29b calls upon States Parties to “to promote actively an environment in which persons with disabilities can effectively and fully participate in the conduct of public affairs, without discrimination and on an equal basis with others” including their participation in associations concerned with public and political life such as political parties and their “forming and joining organizations of persons with disabilities to represent persons with disabilities at international, national, regional and local levels.”

4.8. The Optional Protocol to the CRPD furthermore establishes a complaints mechanism. It gives the Committee on the Rights of Persons with Disabilities the competence to “receive and consider communications from or on behalf of individuals or groups of individuals (...) who claim to be victims of a violation (...) of the provisions of the Convention” by a State Party that is party to the optional protocol.¹¹

5. Principles and Key Concepts related to the Electoral Rights of Persons with Disabilities in UN Electoral Assistance

5.1. In furtherance of its aim to facilitate and promote credible electoral processes, the UN “continues to prioritize assistance to making election processes inclusive, with attention to ensuring that (...) underrepresented groups are able to take part in the political life of their country.”¹² The UN policy directive on “Principles and Types of UN Electoral Assistance” includes persons with disabilities as one “underrepresented or marginalized group” in electoral processes. Moreover, the Secretary-General’s Policy Committee has required electoral needs assessments to ensure that “priority is given to the promotion of the participation and representation of (...) persons with disabilities.”¹³

⁸ General Comment No. 25 on “The right to participate in public affairs, voting rights and the right of equal access to public service” (1996) by the United Nations Human Rights Committee (HRC), <http://www.unhcr.ch/tbs/doc.nsf/0/d0b7f023e8d6d9898025651e004bc0eb>.

⁹ A/HRC/19/36, para 29.

¹⁰ A/HRC/19/36, para 31.

¹¹ For the Optional Protocol see <http://www2.ohchr.org/english/law/disabilities-op.htm>. A list of Member States having signed and ratified CRPD and its Optional Protocol can be accessed at <http://www.un.org/disabilities/countries.asp?navid=12&pid=166>.

¹² Report of the Secretary-General: Strengthening the role of the United Nations in enhancing the effectiveness of the principle of periodic and genuine elections and the promotion of democratization, A/66/314, 19 August 2011.

¹³ Policy Committee Decision No. 2011/23, Annex A.

In accordance with the principle of national ownership, the responsibility for organizing, conducting and ensuring credible electoral processes primarily lies with Member States. On this basis, UN electoral assistance should focus on assisting Member States in the development of policies and the implementation of appropriate measures, as described in section D3 below, to promote the participation and representation of persons with disabilities in electoral processes. This may include positive measures specific to electoral events, temporary special measures, and longer-term programmes.

5.2. In the design and provision of electoral assistance, the below are some key concepts and principles that are important to keep in mind:

- **Accessibility:** A lack of access for persons with disabilities leads to exclusion from society whereas ensuring access can enable them to fully participate on equal basis with others. Article 9 of the CRPD requires States Parties to take “appropriate measures” to ensure access for persons with disabilities to different aspects of public life, including the “identification and elimination of obstacles and barriers to accessibility.” Closely connected to accessibility is the concept of “reasonable accommodation” (Article 2 of the CRPD), referring to “necessary and appropriate modification and adjustments not imposing a disproportionate or undue burden, where needed in a particular case, to ensure to persons with disabilities the enjoyment or exercise on an equal basis with others of all human rights and fundamental freedoms.” National authorities should make those accommodations that can reasonably be made and continue to make progress towards the ultimate objective of universal access to all aspects of the electoral process for persons with disabilities. The concept of “reasonable accommodation” shall be at the core of any disability-related UN electoral assistance and will help to ensure that it complies with the principles of cost-effectiveness and sustainability;
- **Disability and diversity:** Electoral assistance providers must remain constantly aware of the variety and heterogeneity of disabilities, including intellectual impairments, and the fact that they require a variety of responses. For example, voters who are facing physical barriers may be well aware of the voting procedures to be followed but have no reasonable way to reach their registration or polling location; conversely, voters who are hearing-impaired might face no problems traveling to their assigned registration or polling location, but are not reached by the voter education and information messages spread by radio or through word of mouth. Voters who are blind or have visual impairments may require information in audio format. Persons with intellectual disabilities may need information in easy-to-understand language. When providing electoral assistance, care should be taken to consider needs beyond some “classic” groups of disabled persons such as blind or deaf people and to ensure human rights-based approaches;
- **Inclusion of disabled persons’ groups:** “Nothing about us without us” has become a slogan associated with the CRPD, which expresses in more popular language the provision of Article 4.3 of the Convention, which states that “in the development and implementation of legislation and policies to implement the present Convention, and in other decision-making processes concerning issues relating to persons with disabilities, States Parties shall closely consult with and actively involve persons with disabilities, including children with disabilities, through their representative organizations.” Disabled persons’ organizations (DPOs) should therefore be consulted regularly in the process of designing and providing electoral assistance to ensure that the concerns and needs of persons with disabilities are addressed, rather than merely assuming that taking a certain step will meet those needs or concerns. Such consultations should also happen during Needs Assessment Missions according to the provision of the Policy Guideline on United Nations Needs Assessment Missions, the formulation of the particular electoral assistance project and the different steps of the implementation process;

- Equality between men and women: States Parties to CRPD recognize that “women and girls with disabilities are subject to multiple discriminations” (para 6) and commit to “take measures to ensure the full and equal enjoyment by them of all their human rights and fundamental freedoms.” Persistence of certain cultural, legal and institutional barriers make women and girls particularly vulnerable to violations of their political and electoral rights. Women with any form of disability are doubly vulnerable: they are often among the most marginalized of society and risk invisibility even among those promoting the rights of persons with disabilities and/or those promoting gender equality. In line with CRPD’s emphasis on incorporating a “gender perspective in all efforts to promote the full enjoyment of human rights and fundamental freedoms by persons with disabilities” (Preamble, para s), the specific needs of women with disabilities shall be mainstreamed in the design of all disability-related electoral assistance, including special measures to reinforce their rights in accordance with the UN Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) as well as CEDAW general recommendation 25.

6. Implementation activities

6.1. In furtherance of the principle of universal and equal suffrage, UN electoral personnel should, to the extent possible, undertake the following actions in the context of UN electoral assistance:

6.2. Overall measures:

- Before carrying out a needs assessment or designing an electoral assistance project, check whether the respective UN Member State has ratified the Convention on the Rights of Persons with Disabilities and its Optional Protocol.¹⁴ If so, the Member State has the obligation to implement its provisions including Article 29. In cases, where a Member State has not ratified the Convention, UN electoral assistance providers should encourage national authorities to implement the provisions of Article 29 nevertheless;¹⁵
- Sensitize electoral authorities, legislators, relevant government officials, journalists, civil society organisations (including DPOs) of the main electoral implications of the Convention on the Rights of Persons with Disabilities;
- Bearing in mind the “reasonable accommodation” principle, encourage EMBs to develop policies or take actions to enhance the full participation of persons with disabilities at all stages of the electoral process as voters and candidates to the extent possible given the country context;
- Ensure coherence and coordination of all UN electoral assistance efforts with relation to persons with disabilities.

6.3. Legal Framework

- Advise national authorities to consult with DPOs when designing the legal framework for an electoral process, to ensure that fundamental concerns of persons with disabilities are well understood and reflected;
- Encourage legislators to ensure that electoral rights for persons with disabilities are protected and promoted in electoral reform processes in the spirit of Article 29 of the CRPD;

¹⁴ This can be done at <http://www.un.org/disabilities/countries.asp?navid=12&pid=166>.

¹⁵ For those countries which have ratified or acceded to the ICCPR, it may be argued that similar obligations derive from article 2(1), 25 and 26 of the ICCPR.

- Advise national authorities to identify the legal, physical and communication barriers that prevent or limit the participation of persons with various types of disabilities, in particular women, in the different stages of the electoral process on an equal basis with others, and to look for effective measures for their removal. Share observations concerning such barriers with legislators, electoral authorities and government officials;
- Make national authorities aware of the possibility to include alternative ways of voting in election laws. For persons confined to their homes or living in institutions, postal voting, proxy voting (“assistance in voting by a person of their own choice,” Article 29 of the CRPD) or mobile voting in hospitals, homes for the elderly and other institutions, may enable them to exercise their right to vote. Other options could include telephone voting, electronic voting, advance voting or curbside voting. Alternative means of voting should only be used in cases where it is not possible, or it is extremely difficult for persons with disabilities to vote in polling stations like everyone else.¹⁶ The appropriateness of these measures should always be assessed against the general obligation to include persons with disabilities in all aspects of society and to promote their independence, autonomy and dignity. The use of any alternative forms of voting should also be weighed against any potential risks of abuse in terms of electoral integrity, voter secrecy, and family voting.

6.4. Technical advice to electoral authorities:

- Article 29 of the CRPD underlines the necessity to ensure “that voting procedures, facilities and materials are appropriate, accessible and easy to understand and use.” In order to achieve these goals, the following measures may be implemented:
- Provide relevant and appropriate advice to the electoral management body (EMB) on ways to facilitate the participation of persons with different kinds of disabilities in all aspects of an electoral process – from voter and candidate registration to voting, observing the electoral process and serving as a poll worker or other electoral official, considering the differential needs of women and men;
- Assist the EMB in developing a culture of respect for the electoral rights of persons with disabilities and encourage the inclusion of disability information in civil or voter registration processes to facilitate the provision of improved voter services to persons with disabilities;
- In accordance with CRPD, encourage EMBs to consider “the availability and use of new technologies, including information and communication technologies, mobility aids, devices and assistive technologies” (Article 4) to reach out to persons with disabilities;
- Assist electoral officials to consider developing a website with relevant electoral information in fully accessible format¹⁷ and encourage implementing partners to ensure that any websites they support are also accessible;
- Support electoral officials in the development (preferably in conjunction with DPOs) of guidelines for selection of accessible registration and polling locations;

¹⁶ See also A/HRC/19/36, paras 57-58.

¹⁷ The World Wide Web Consortium’s guidelines and additional information on web accessibility are available through <http://www.w3.org/standards/webdesign/accessibility>.

- Advise national authorities on the requirements of persons with disabilities, so that they can enjoy an actual opportunity to run as candidates for public offices on equal terms with other citizens. Such requirements may include, e.g., the use of assistive and new technologies or the help of personal assistants;¹⁸
- Provide relevant and appropriate advice to national authorities on particular concerns of women with disabilities and ways to facilitate their participation in all aspects of the electoral process;
- Advise national authorities on the requirements of persons with disabilities in the procurement and management of electoral premises and materials. As appropriate and feasible in the country context, bearing in mind that the principle of “reasonable accommodation” disallows a “disproportionate or undue burden” (Article 2 of the CRPD), encourage national authorities to take measures that could include, e.g.:
 - providing persons with disabilities with a list of accessible polling stations;
 - privacy measures for persons in wheelchairs when voting, such as the use of appropriate screens or adjustable voting desks;
 - appropriate layout, construction or refurbishment of and adequate equipment in electoral premises. Depending on the context, this could include, e.g., locating registration and polling stations on the ground floor, wheelchair-accessible ingress/egress, proper lighting, availability of magnifying glasses in polling stations;
 - appropriate and accessible voter information and voter materials, such as the use of large-print, sign language, Braille, audio, video with subtitles, easy-to-understand versions;
 - processes to facilitate independent voting by blind voters.
- Advise national authorities on possibilities of collecting disaggregated statistical and research data on the political participation of persons with disabilities;
- Given the principle of engagement, UN personnel shall encourage meetings between DPOs and electoral authorities on special challenges persons with disabilities may face in order to exercise their electoral rights. EMBs should be encouraged to continue consulting with DPOs, inter alia, as a standard procedure;

6.5. Training and capacity development:

- Assist EMBs in ensuring that adequate training is given to electoral personnel in facilitating the participation of persons with different kinds of disabilities in all phases of the electoral process. This could include training of individuals taking part in any assessment of the accessibility of registration and polling locations, the existence of accessible information material as well as the standard training for registration and poll workers;
- Work with EMBs to raise awareness among their staff on the full electoral rights of persons with disabilities on the basis of Article 29 of the CRPD and the other elements of the international human rights framework that are relevant for mainstreaming the full participation of persons with disabilities;
- Assist the EMBs in ensuring that persons with disabilities who are working for the electoral management body in any capacity are able to take part in any

¹⁸ For more details see A/HRC/19/36 para 42 ff.

relevant training and capacity development activities – e.g.; by ensuring that activities take place in accessible facilities where available, that sign language interpretation is provided where necessary, etc.

6.6. Civic and voter education

When providing or supporting civic and voter education, UN electoral assistance should target the following main objectives in relation to persons with disabilities:

- Strengthen persons with disabilities' awareness of their rights, as well as their responsibilities (e.g., to abide by relevant electoral legislation). This may entail the production of materials in various accessible formats (audio, subtitled video, sign language, materials in easy-to-understand language, large print, Braille) depending on context and the expressed needs of the target populations;
- Encourage the general population's awareness of the political rights of persons with disabilities as important parts of a truly inclusive electoral process;
- Civic voter education programs targeted at persons with disabilities should be carried out by persons with disabilities whenever possible and appropriate;
- Similarly, organizations involved in conducting civic/voter education for persons with disabilities should be seriously considered in the allocation of funding.

6.7. Security support:

- Sensitize security forces, e.g. through the design of training programs, to the special needs of persons with disabilities, and particularly of women with disabilities, during the exercise of their electoral rights. As such, security forces should be capable of providing a secure environment for the enjoyment of these rights during the electoral process.

6.8. Mobilization and coordination of financial resources for electoral support:

- Highlight to donors to the extent possible any financial requirements to ensure the fulfilment of the electoral rights of persons with disabilities.

6.9. Engagement with political parties:

- When engaging with political parties, UN assistance should raise political parties' awareness on the electoral rights of persons with disabilities, remind them of their responsibility to engage with them and to encourage their participation in electoral processes, including as candidates and party agents;
- Assist political parties in an inclusive, impartial and transparent fashion in understanding how to reach out to as many persons with disabilities as possible in their activities and include them as candidates on voting lists.

6.10. Engagement with the media:

- Encourage the media including local media such as community radio or television stations to provide electoral information to persons with disabilities in an accessible way, for example through special programs in easy or sign language or with subtitles.

6.11. Engagement with domestic observation:

- Encourage DPOs to consider gaining accreditation as domestic observers;
- Offer training and other support to DPOs involved in observing elections on par with that provided to other domestic observation groups;
- Raise domestic observer groups' awareness of the relevant parts of the CRPD, highlighting Article 29;
- Encourage domestic observer groups to develop contacts with DPOs to understand their concerns and needs.

6.12. Engagement with Civil Society/ Disabled Persons Organizations:

- Meet regularly with DPOs and encourage implementing partners to do the same;
- Alert DPOs to UN funding opportunities (e.g., UN Democracy Fund, UN Voluntary Fund for Disabilities, UN Partnership to Promote the Rights of Persons with Disabilities Fund, Quick Impact Projects, etc.) that could support activities to encourage and facilitate the political participation and representation of persons with disabilities;
- Support the organization of awareness-raising events in conjunction with DPOs, e.g. to commemorate International Day of Persons with Disabilities (3 December).

E. TERMS AND DEFINITIONS

CRPD:	United Nations Convention on the Rights of Persons with Disabilities
DESA:	United Nations Department of Economic and Social Affairs
DPA/EAD:	Department of Political Affairs, Electoral Assistance Division
DPO:	Disabled Persons Organization
EMB:	Electoral Management Body
HRC:	United Nations Human Rights Committee
ICCPR:	International Covenant on Civil and Political Rights
OHCHR:	Office of the High Commissioner for Human Rights
UNDP:	United Nations Development Programme

F. REFERENCES

Normative or superior references

United Nations Convention on the Rights of Persons with Disabilities

Related guidance

Policy Directive: Principles and Types of UN Electoral Assistance, FP/01/2012

Policy Guideline: United Nations Electoral Needs Assessments, FP/02/2012

Thematic study by the Office of the United Nations High Commissioner for Human Rights on participation in political and public life by persons with disabilities (2011), A/HRC/19/36

"Including the Rights of Persons with Disabilities in United Nations Programming at Country Level", Guidance Note for United Nations Country Teams and Implementing Partners (including Annexes), issued by United Nations Development Group and the Inter-Agency Support Group for the CRPD Task Team, July 2010

Human Rights in UNDP: Practice Note

United Nations Convention on the Elimination of all Forms of Discrimination against Women

Additional Resources

The joint CRPD Secretariat manages the UN's web page on the CRPD in all six UN languages, which includes the list of current signatures and ratifications and a CRPD Basics Power Point presentation that will be useful in briefing staff and interlocutors, <http://www.un.org/disabilities>.

A handbook for parliamentarians has been developed by the UN Department of Economic and Social Affairs (UN-DESA), the Office of the United Nations High Commissioner for Human Rights (OHCHR), and the Inter-Parliamentary Union (IPU), <http://www.un.org/disabilities/default.asp?id=212>.

The UNDP Electoral Assistance Implementation Guide includes guidance on addressing disability issues in the context of UNDP electoral assistance projects, <http://www.beta.undp.org/content/dam/aplaws/publication/en/publications/democratic-governance/dg-publications-for-website/undp-electoral-assistance-implementation-guide/UNDP-Electoral-Assistance-Implementation-Guide.pdf>.

The "World Disability Report" published jointly by the World Bank and the World Health Organization contains a.o. a section on "Political Participation", http://www.who.int/disabilities/world_report/2011/report.pdf.

The ACE Project, a joint project of various election entities including UNDP, DPA/EAD, and DESA, includes a piece on elections and disability, <http://aceproject.org/ace-en/focus/disability>.

The European Agency for Fundamental Rights (FRA) has issued a guide on: "The right to political participation of persons with mental health problems and persons with intellectual disabilities", http://fra.europa.eu/fraWebsite/attachments/Report-vote-disability_EN.pdf.

The International Foundation for Electoral Systems (IFES) has developed a website focusing on facilitating the electoral rights of persons with disabilities, www.electionaccess.org.

The University of Minnesota (USA) has developed a human rights training tool, including group exercises, focusing on the implementation of the CRPD; Chapter 3 covers Article 29, <http://www1.umn.edu/humanrts/edumat/hreduseries/TB6/html/CH3.html>.

Outside the Box (UK) has developed a toolkit for peer training about elections by and for people with disabilities,

http://www.otbds.org/index.php/project/view_details/27/.

The Equal Opportunities Centre for Disabled Persons (Denmark) has developed a report detailing "how knowledge of democracy and elections can be communicated so that people with learning disabilities can learn about it",
<http://www.cih.dk/index.php?id=1484>.

The resource tool "Disability Rights, Gender, and Development. A Resource Tool for Action" by UNDESA, UNFPA and Wellesley Centers Women provides a gender perspective on persons with disabilities,
<http://www.un.org/disabilities/documents/Publication/UNWCW%20MANUAL.pdf>

G. MONITORING AND COMPLIANCE

7. The Focal Point is tasked with ensuring coordination within the United Nations system with regard to electoral assistance and will therefore help to ensure that the principles outlined in this document are adhered to.

8. Managers of UN electoral assistance programs and projects will also be responsible to ensure compliance with this directive by all UN electoral staff under their supervision.

H. DATES

9. This policy became effective on the date of signature. It shall be reviewed every two years or as necessary.

I. CONTACT

10. Policy and Institutional Memory Team, Electoral Assistance Division, Department of Political Affairs.

J. HISTORY

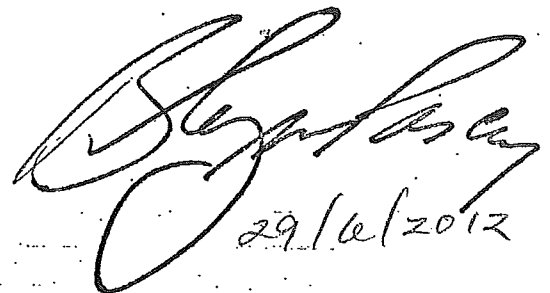
11. Drafted by the Policy and Institutional Memory Team of the Electoral Assistance Division of the Department of Political Affairs on 25 June 2012.

12. Consulted with members of the Inter-Agency Coordination Mechanism for UN Electoral Assistance (ICMEA) prior to adoption.

SIGNED:

**B. Lynn Pascoe
Focal Point for Electoral Assistance
United Nations**

DATE:



29/6/2012

ANNEX A:

Extracts from the United Nations Convention on the Rights of Persons with Disabilities¹⁹
(adopted 2006, entered into force 2008)

Article 29:

States Parties shall guarantee to persons with disabilities political rights and the opportunity to enjoy them on an equal basis with others, and shall undertake:

a) To ensure that persons with disabilities can effectively and fully participate in political and public life on an equal basis with others, directly or through freely chosen representatives, including the right and opportunity for persons with disabilities to vote and be elected, inter alia, by:

- i. Ensuring that voting procedures, facilities and materials are appropriate, accessible and easy to understand and use;*
- ii. Protecting the right of persons with disabilities to vote by secret ballot in elections and public referendums without intimidation, and to stand for elections, to effectively hold office and perform all public functions at all levels of government, facilitating the use of assistive and new technologies where appropriate;*
- iii. Guaranteeing the free expression of the will of persons with disabilities as electors and to this end, where necessary, at their request, allowing assistance in voting by a person of their own choice;*

b) To promote actively an environment in which persons with disabilities can effectively and fully participate in the conduct of public affairs, without discrimination and on an equal basis with others, and encourage their participation in public affairs, including:

- i. Participation in non-governmental organizations and associations concerned with the public and political life of the country, and in the activities and administration of political parties;*
- ii. Forming and joining organizations of persons with disabilities to represent persons with disabilities at international, national, regional and local levels.*

Several other elements of the CRPD are relevant to electoral assistance:

Article 4: General obligations

1. States Parties undertake to ensure and promote the full realization of all human rights and fundamental freedoms for all persons with disabilities without discrimination of any kind on the basis of disability. To this end, States Parties undertake:

- (a) To adopt all appropriate legislative, administrative and other measures for the implementation of the rights recognized in the present Convention;*

¹⁹The full English-language text of the Convention is available at <http://www.un.org/disabilities/default.asp?id=259>, while other versions (including both official and unofficial translations as well as sign language and audio versions) are available at <http://www.un.org/disabilities/default.asp?navid=14&pid=150>.

- (b) *To take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices that constitute discrimination against persons with disabilities;*
...
- (d) *To refrain from engaging in any act or practice that is inconsistent with the present Convention and to ensure that public authorities and institutions act in conformity with the present Convention;*
...
- (f) *To undertake or promote research and development of universally designed goods, services, equipment and facilities, as defined in article 2 of the present Convention, which should require the minimum possible adaptation and the least cost to meet the specific needs of a person with disabilities, to promote their availability and use, and to promote universal design in the development of standards and guidelines;*
- (g) *To undertake or promote research and development of, and to promote the availability and use of new technologies, including information and communications technologies, mobility aids, devices and assistive technologies, suitable for persons with disabilities, giving priority to technologies at an affordable cost;*
- (h) *To provide accessible information to persons with disabilities about mobility aids, devices and assistive technologies, including new technologies, as well as other forms of assistance, support services and facilities;*
- (i) *To promote the training of professionals and staff working with persons with disabilities in the rights recognized in the present Convention so as to better provide the assistance and services guaranteed by those rights.*
...

3. *In the development and implementation of legislation and policies to implement the present Convention, and in other decision-making processes concerning issues relating to persons with disabilities, States Parties shall closely consult with and actively involve persons with disabilities, including children with disabilities, through their representative organizations.*

Article 8: Awareness-raising

1. *States Parties undertake to adopt immediate, effective and appropriate measures:*
- (a) *To raise awareness throughout society, including at the family level, regarding persons with disabilities, and to foster respect for the rights and dignity of persons with disabilities;*

Article 35: Reports by States Parties

1. *Each State Party shall submit to the Committee, through the Secretary-General of the United Nations, a comprehensive report on measures taken to give effect to its obligations under the present Convention and on the progress made in that regard, within two years after the entry into force of the present Convention for the State Party concerned.*
2. *Thereafter, States Parties shall submit subsequent reports at least every four years and further whenever the Committee so requests.*