

LAUNCH EVENT

16 May 2022
14:00-16:00 CET

The EU elections and persons with disabilities

6th EDF Human Rights Report
on political participation



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ELECTION-WATCH.EU



Information and Housekeeping Rules

- 2 hours online conference, with break
- The event is being live-streamed
- International Sign Language Interpretation
- Live captioning in English (in Zoom or through the link provided in the chat)
- For technical questions, please use the chat-box
- For questions to the speakers, please use the Q&A function

Moderation by:

Catherine Naughton, Director
European Disability Forum



Welcome remarks by:

Pat Clarke, Vice President
European Disability Forum

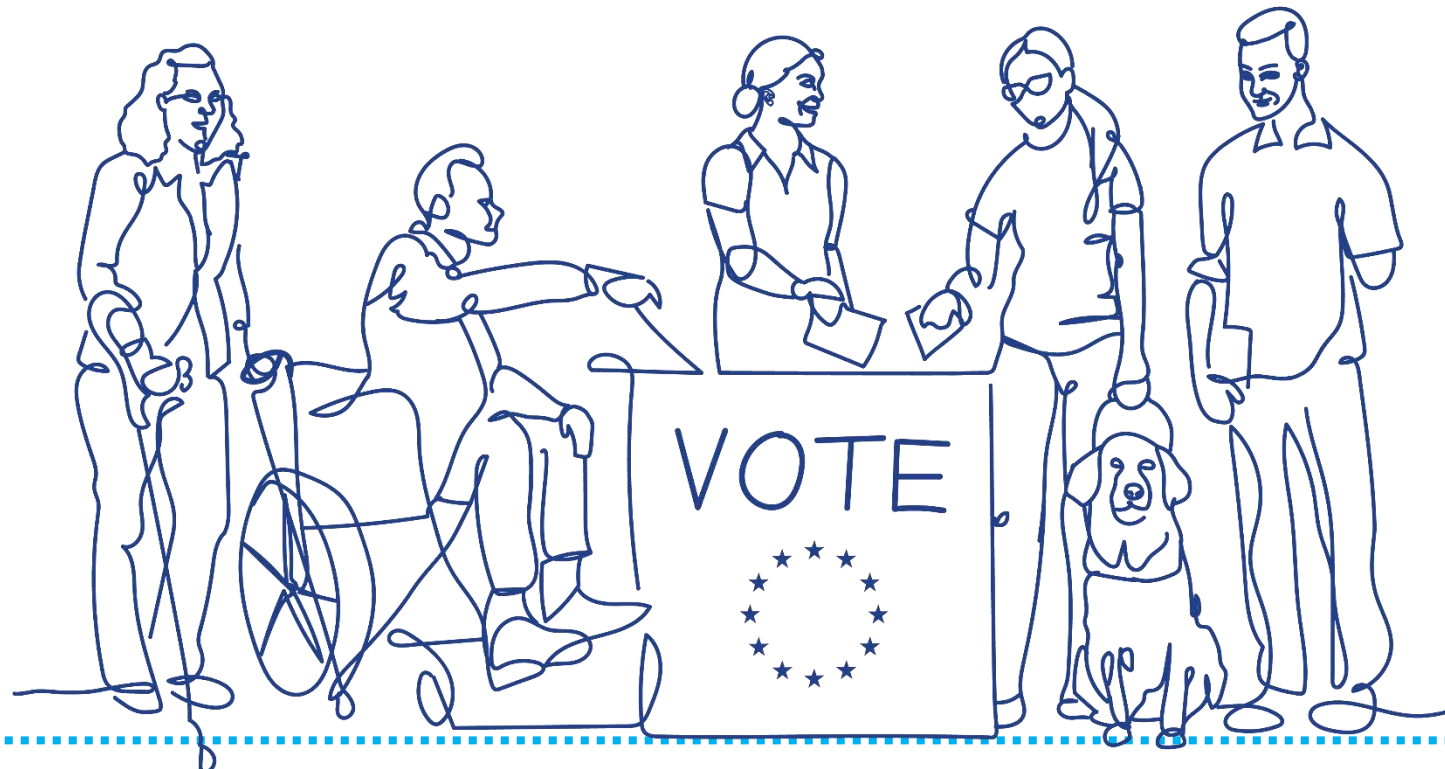


Video message by:

Roberta Metsola, President
of the European Parliament



1. The EU elections and the right to vote and stand for election of persons with disabilities



1. The EU elections and the right to vote and stand for election of persons with disabilities



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European Parliament Elections

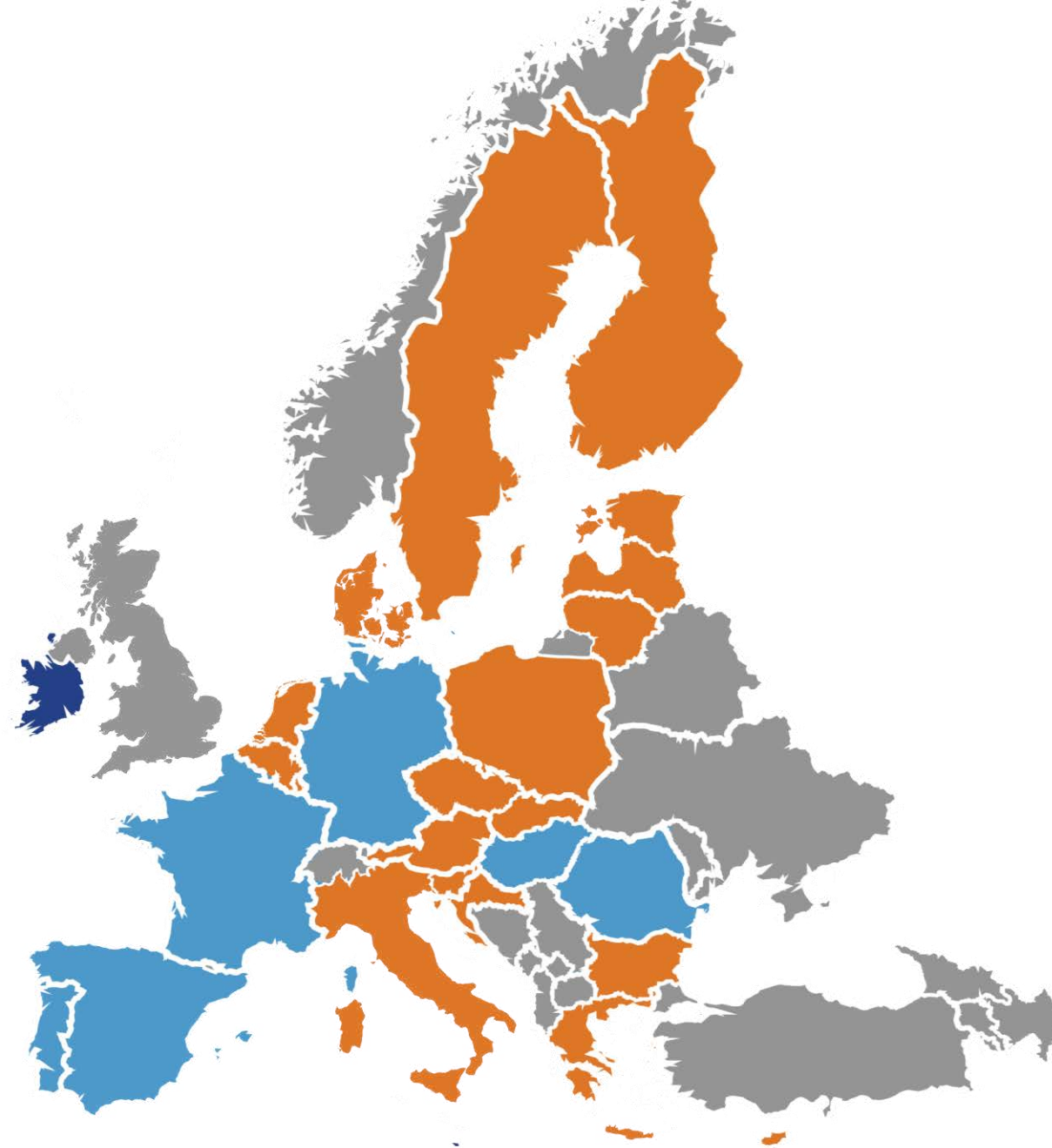


- Up to 750 Members (705)
- No central Electoral Management Body
- 27 de facto separate elections
- Citizens' right to vote and stand where they reside
- Proportional representation – list system & Single Transferable Vote (STV)
- Variety of practices (age, citizens, mandatory)

Electoral systems

Application of the different electoral systems across EU Member States for European Parliament elections

- Casting a preferential vote (19)
- Closed lists with order of candidates determined by political parties (6)
- Single-transferable vote (2)



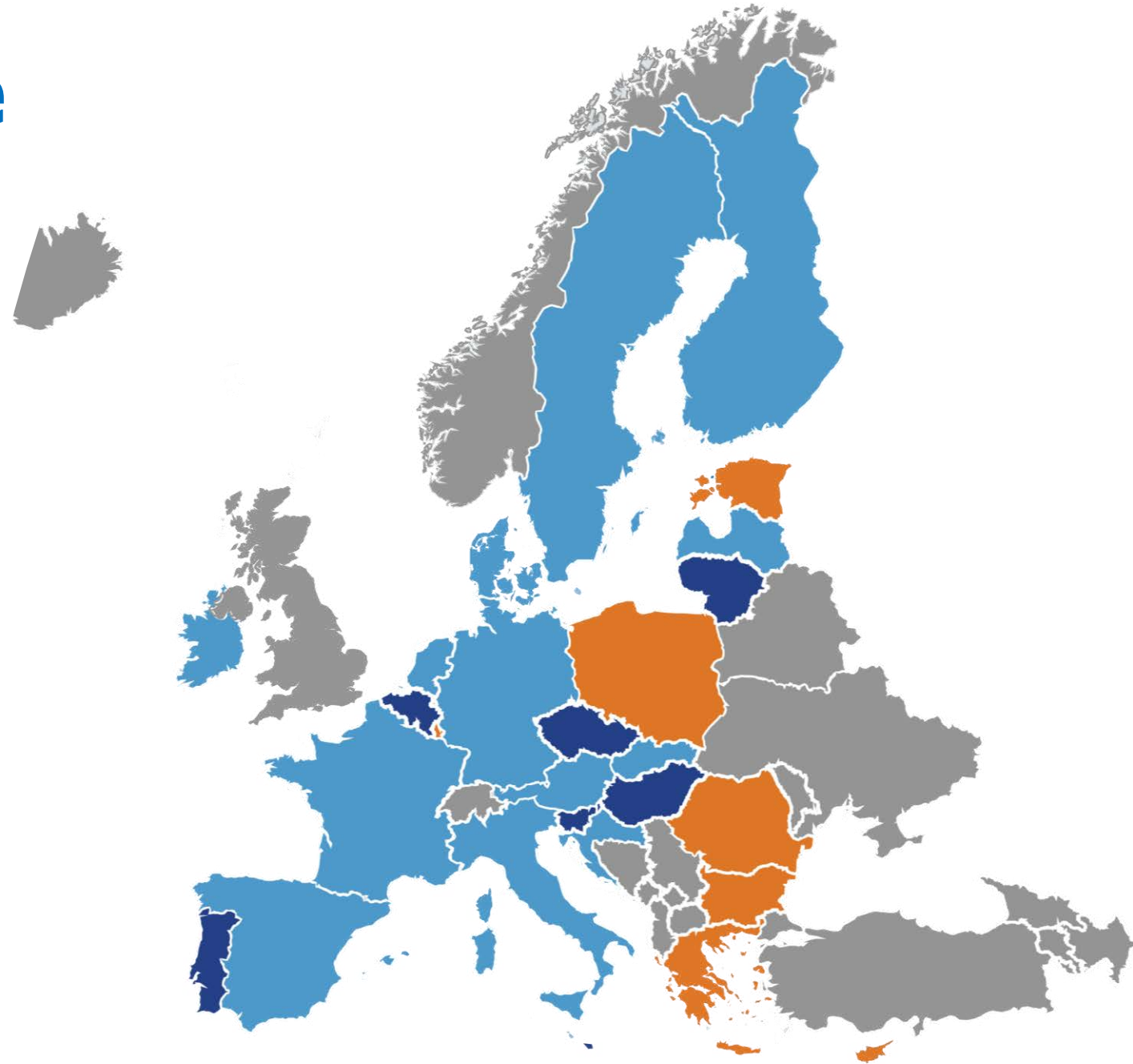
Voter Registration

- No centralised population & voter register at EU level
- Passive voter registration
- Centralised voter registration at country level
- Missing disaggregated voter data (example women with disabilities)



The right to vote of persons with disabilities

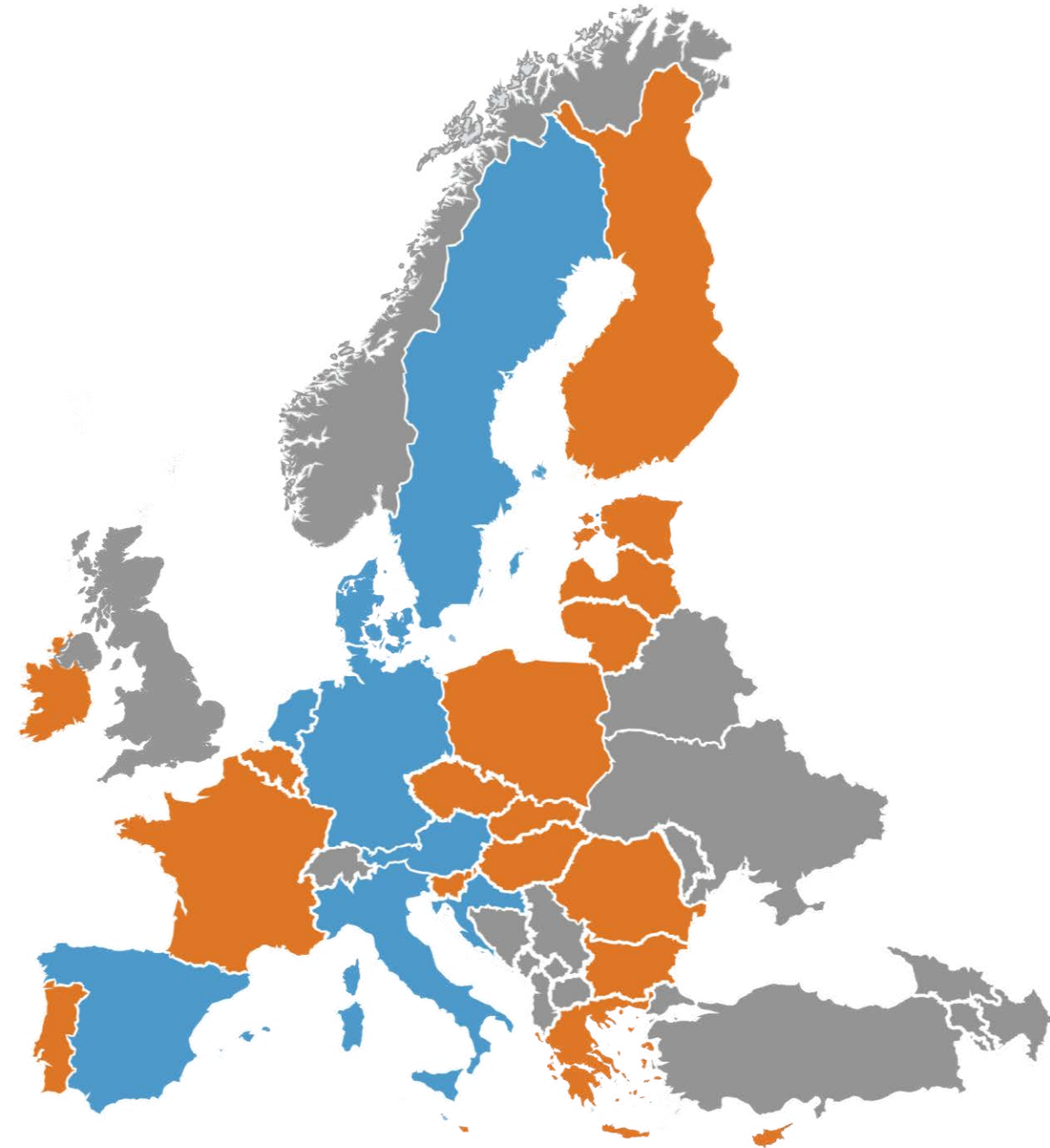
- Countries denying the right to vote to persons under guardianship (7)
- Countries upholding the right to vote without exemptions (13)
- Countries with a possibility of restricting the right to vote (7)



The right to stand as a candidate

The right to stand as candidate to European Parliament elections for persons with disabilities

- Countries with limitations to the right to stand as candidate (19)
- Countries upholding the right to stand as candidate without restrictions (8)



Different ways of voting

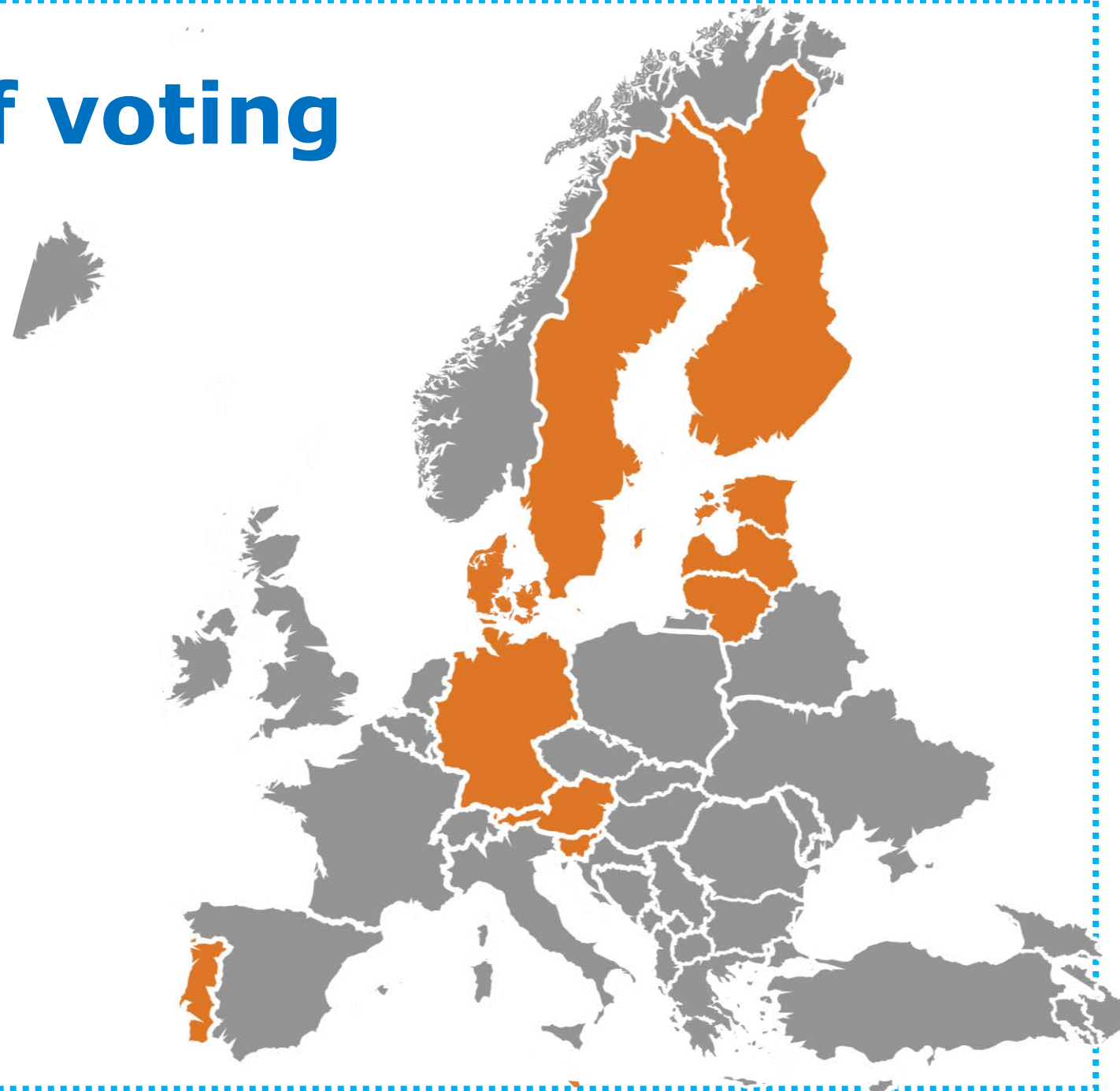
- Marking the ballot (X, \checkmark , O, stamp)
- Choosing the ballot of a party
- Choosing a candidate of choice (circle, write number or name)
- Placing the ballot in the ballot box



Different ways of voting

Early in-person voting

- Countries offering on-site in-person early voting (11) - Austria, Denmark, Estonia, Finland, Germany, Latvia, Lithuania, Malta, Portugal, Slovenia and Sweden



Different ways of voting

In-country postal voting

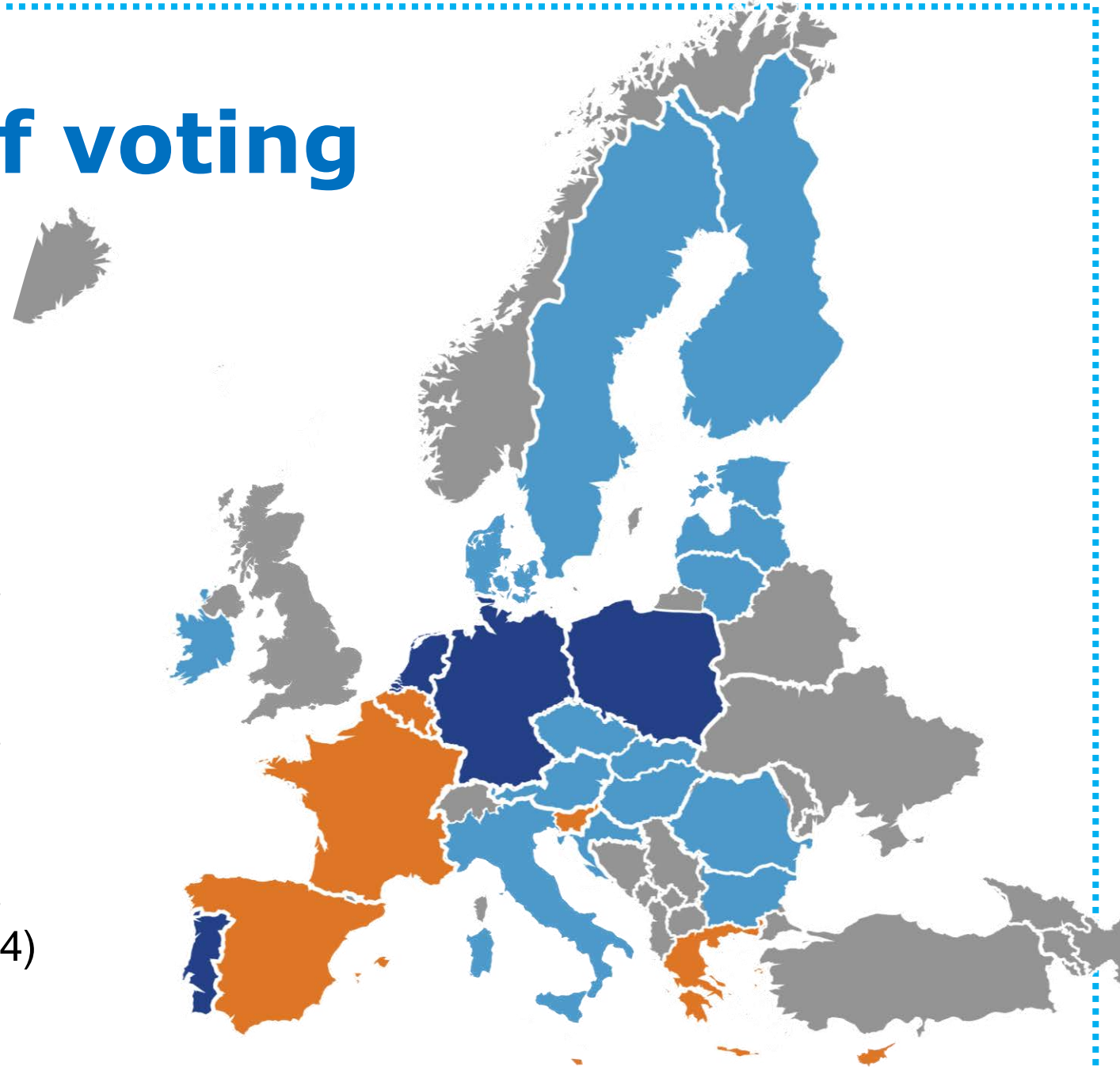
- Countries allowing in-country postal voting (9) - Austria, Germany, Spain, Finland, Ireland, Lithuania, Luxembourg, Poland, and Slovenia



Different ways of voting

Mobile ballot boxes

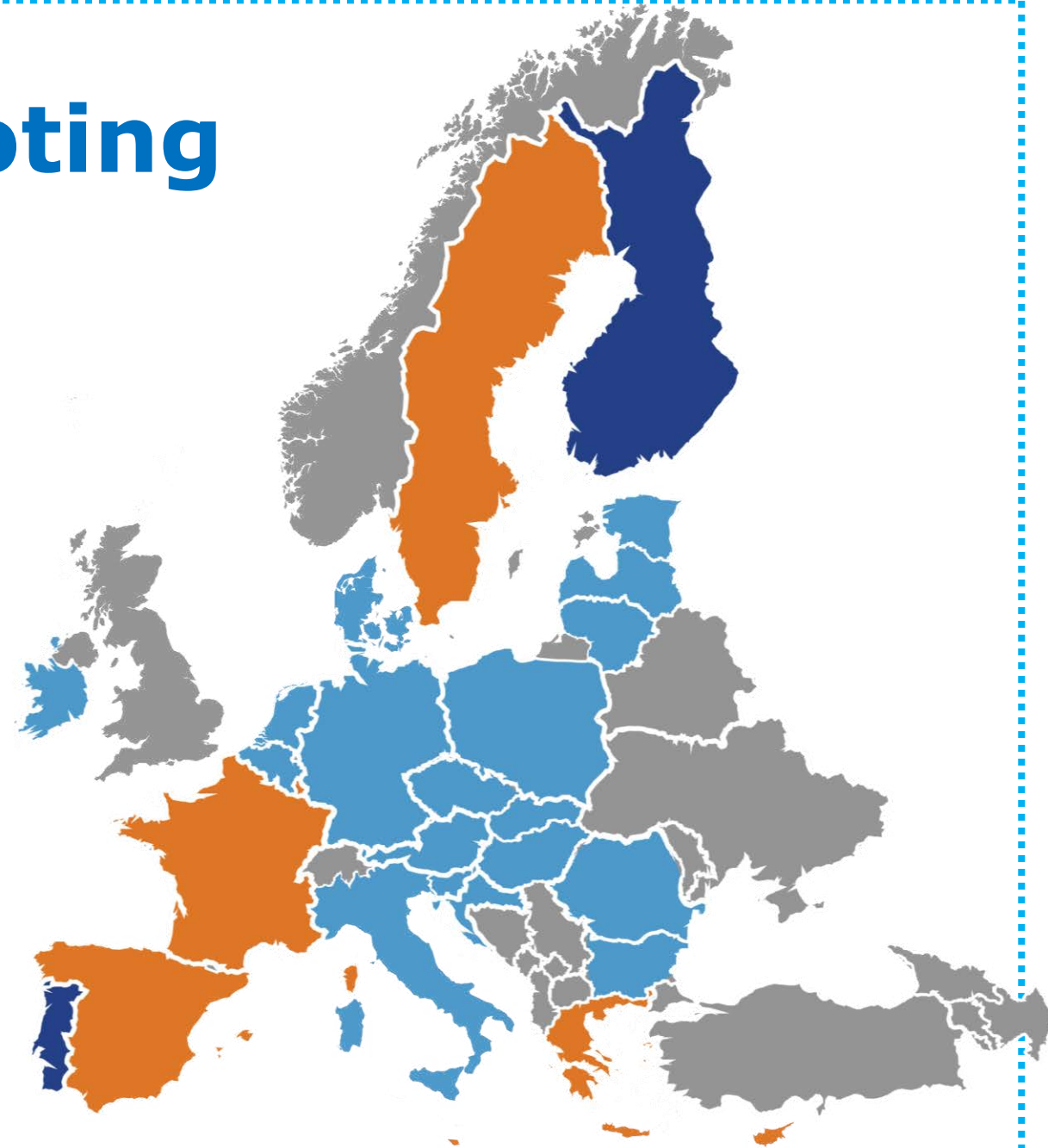
- Countries in which mobile ballot boxes are not available (8)
- Countries in which mobile ballot boxes are available (15)
- Countries in which mobile ballot boxes are only available in certain locations (4)



Different ways of voting

Change or choose polling stations

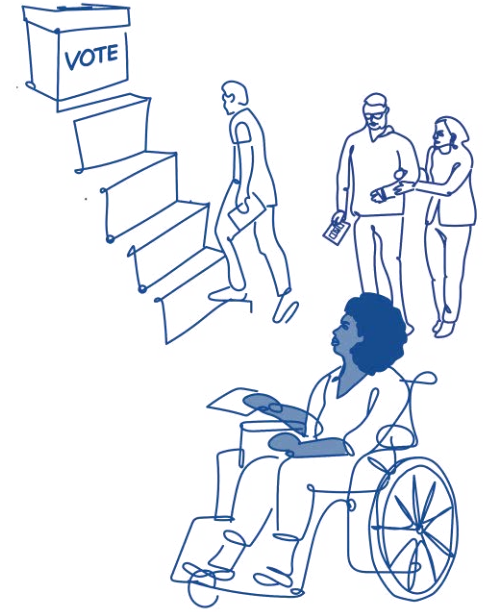
- EU Member States not allowing persons with disabilities to choose or change polling stations (7)
- EU Member States allowing persons with disabilities to choose or change polling stations (18)
- EU Member States only allowing persons with disabilities to choose or change polling stations for early in-person voting (2)



Way forward

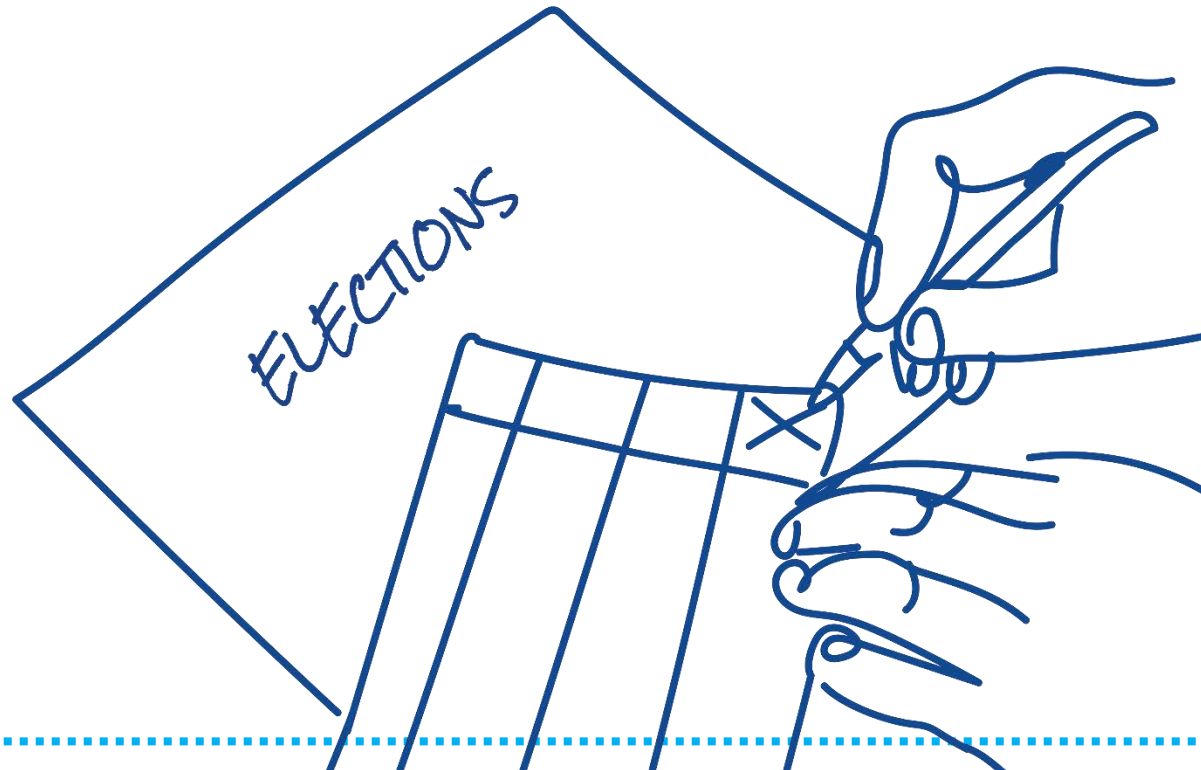


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- Reference for upcoming electoral reform debates
- Electoral reform advocacy at European and national level
- Contribute to EU participatory electoral reform process
- Preparation for the European Parliament Elections 2024

2. Equal access to EU elections. secrecy of the vote, and free choice of assistance



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Alejandro Moledo,
EDF Head of Policy

Equal access to elections

1. Accessibility

2. Reasonable accommodation:

- Alternative and advance means of voting
- Assistive tools

3. Free choice of assistance

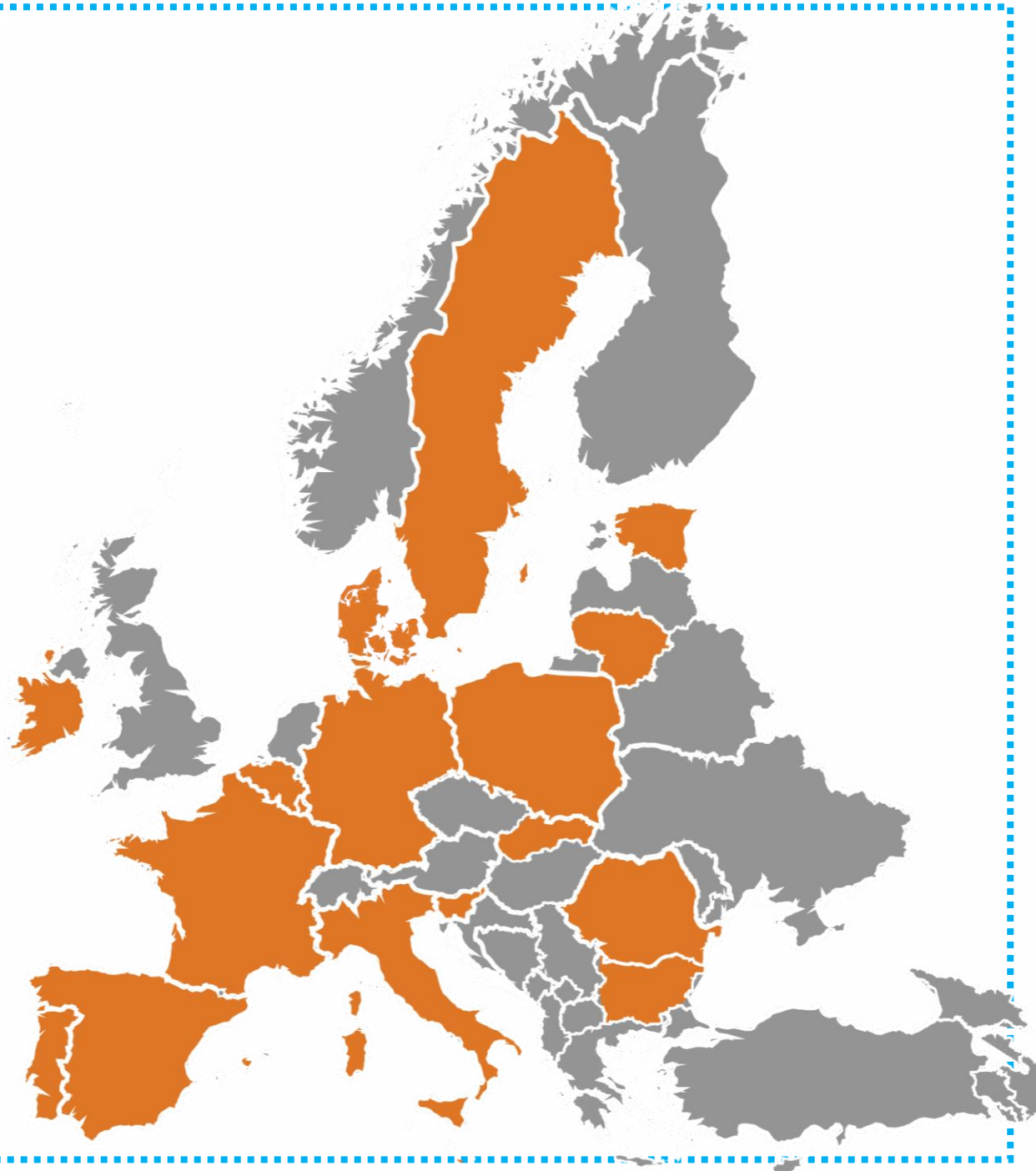
Accessibility: ballot papers and casting the vote

- Challenges:
- Legibility and understandability of ballot papers
- Required tasks
- Accessible Internet voting in Estonia
- Inaccessible electronic voting machines in Belgium and Bulgaria

Accessibility of polling stations

EU Members with direct and indirect legal obligations to ensure the physical accessibility of polling stations

- Countries with direct and indirect legal obligations to ensure the physical accessibility of polling stations (18)



Accessibility: election information

- Elections Management Bodies: different level of accessibility in their communications
- 12 Member States produce information for persons with disabilities
- Few countries inform about the accessibility of polling stations
- General lack of accessible formats (easy to read, sign language, Braille, etc.)

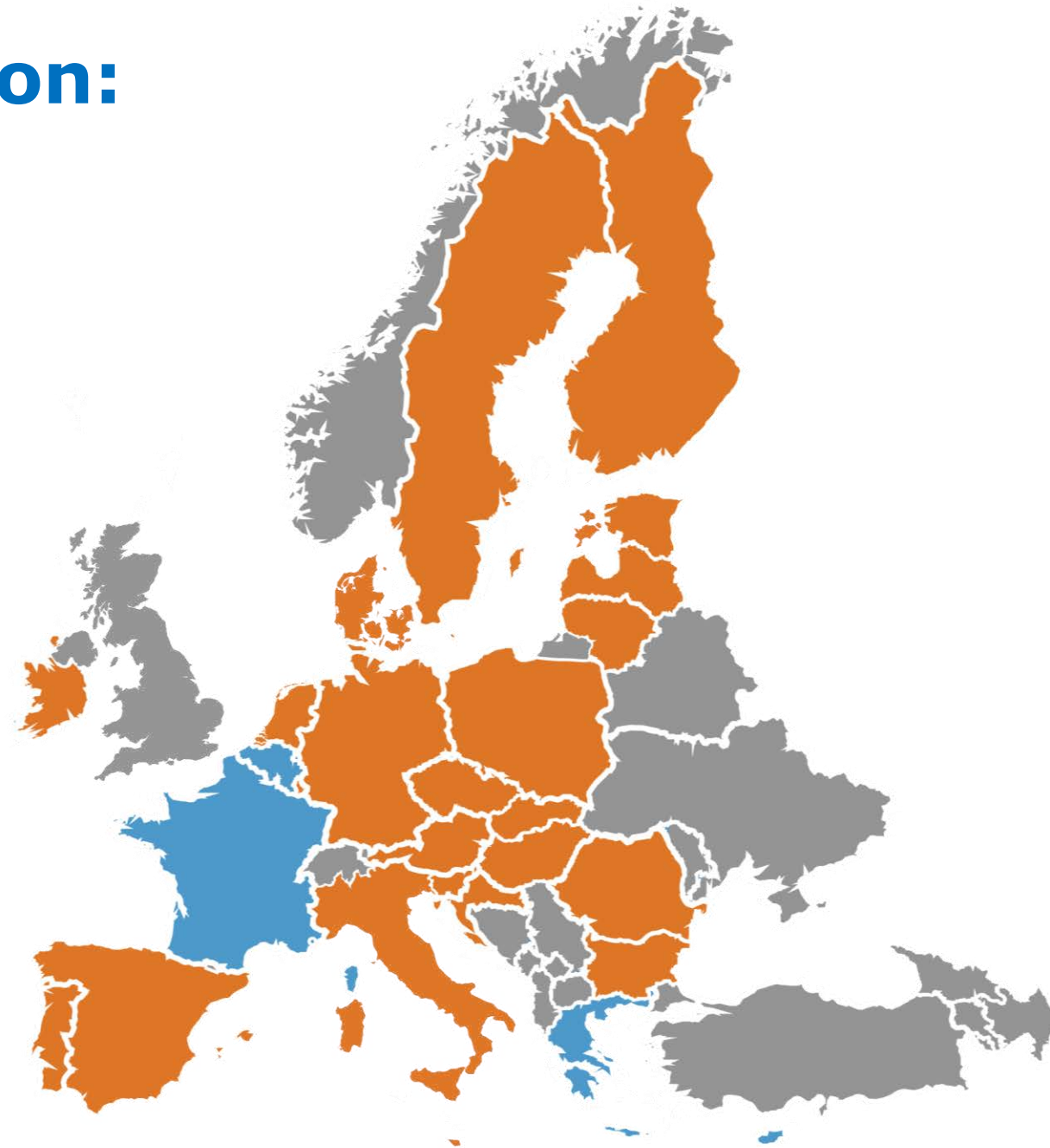
Accessibility: political parties and public media

- No rules for political parties to be accessible –some political parties do provide accessible formats
- There are legal requirements in some EU countries as for the accessibility of public media.
- The Audiovisual Media Services Directive obliges public and commercial TV channels to make their services progressively accessible
- Good practices in some countries' audiovisual media

Reasonable accommodation: alternative and advance means of voting

EU Members States having alternative and
advance means of voting available to
persons with disabilities Countries with
alternative and/or advance means of voting

- Countries with alternative and/or
advance means of voting (23)
- Countries with no alternative or
advance means of voting (4)



Reasonable accommodation: alternative and advance means of voting

- Changing polling station
- Setting polling stations in key locations
- In-person early voting
- Mobile ballot box: to vote at home, in residential institutions/hospitals, or outside the polling station
- Transportation to the polling station

Reasonable accommodation: Assistive tools

Most EU countries provide assistive tools

- Braille, large print and audio guides
- Tactile ballot sleeves and stencils
- Magnifying glasses, lamps, writing utensils
- Information in easy-to-read and sign language
- Support while voting

No assistive tools in Bulgaria, Cyprus, Greece, Italy, Romania, Slovakia or Slovenia.



Secrecy of the vote

Depends on accessibility and provision of reasonable accommodation

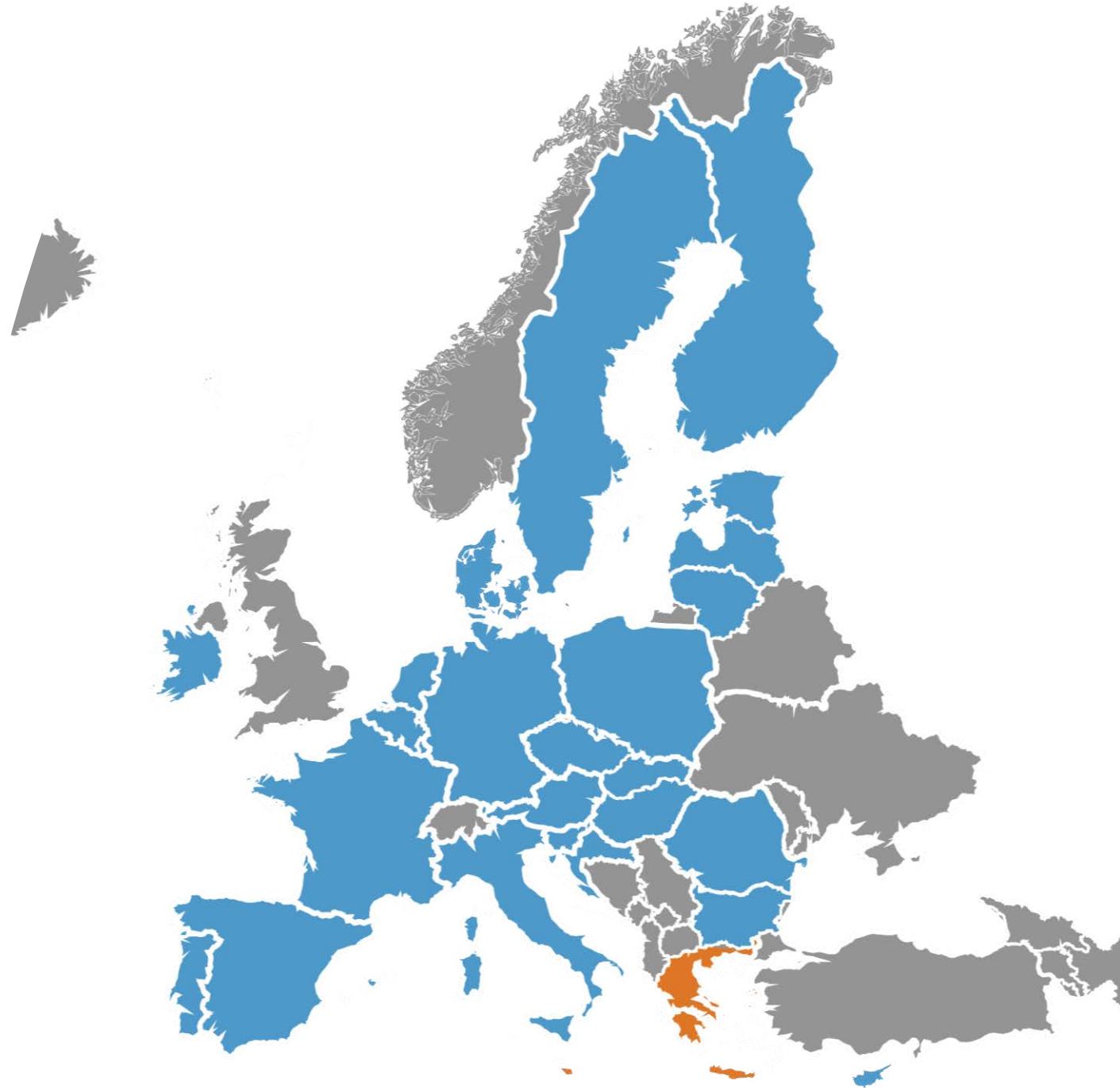
Particularly worrying are the cases of Bulgaria, Greece, Malta and Cyprus:

- voting in residential institutions
- lack of assistive tools to vote independently
- certain reasonable accommodation may compromise the secrecy of the vote
- Lack of free choice of assistance

Free choice of assistance

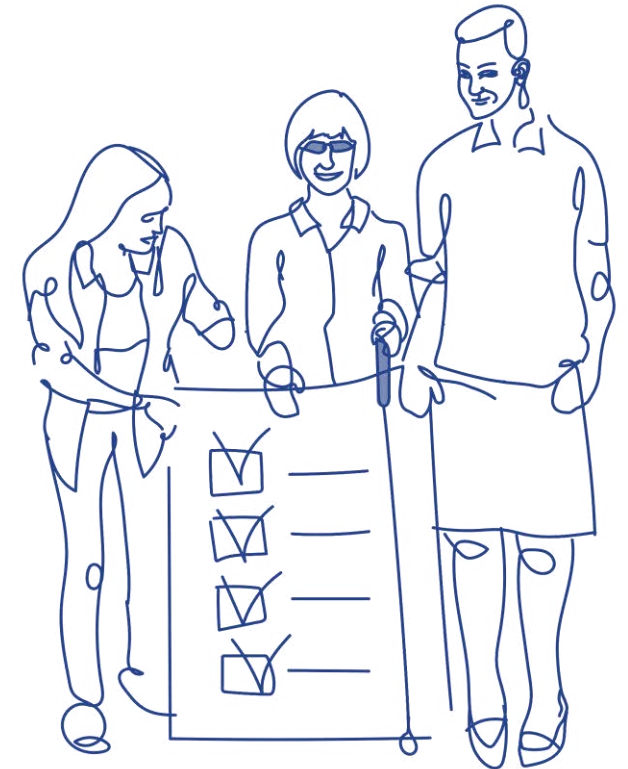
EU Member States in which persons with disabilities can ask for the person of their choice to assist them at the polling station

- Countries limiting assistance to election officials (2)
- Countries allowing free choice of assistance (25)



EDF recommendations

- Guaranteeing the right to vote and stand for election, regardless of legal capacity status.
- Maximising accessibility to the proceedings, facilities and materials of the elections.
- Providing reasonable accommodation so that persons with disabilities can vote independently and secretly.
- Ensuring the free choice of assistance.
- Cooperating with DPOs to assess and define how to solve the legal and practical barriers



Q&A

Break Time

Remarks by:

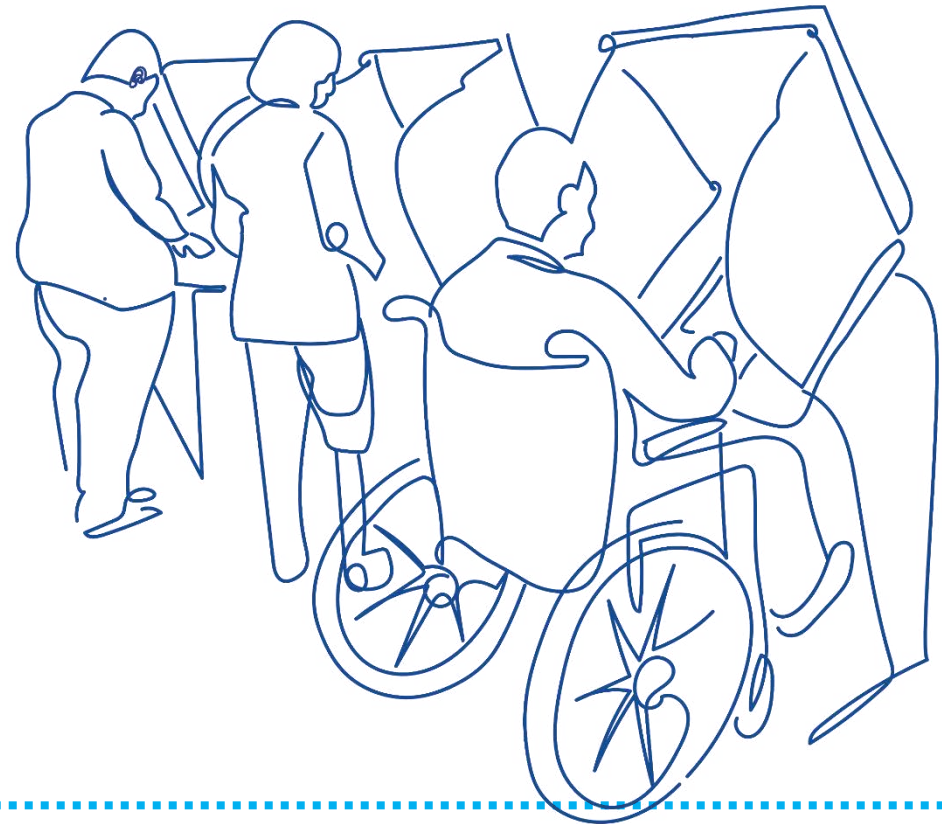
Irena Moozova

Director for Equality and Union citizenship in the Directorate-General for Justice and Consumers (DG JUST)

Chair of the European Cooperation Network on Elections



Panel discussion Cases bringing change



Panel discussion Cases bringing change with



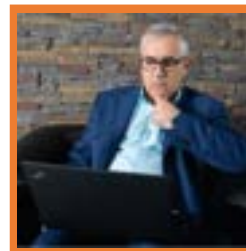
Dovile Juodkaite
Lithuanian Disability Forum



Cyril Desjeux,
Scientific Director Handéo, France



Thorkild Olesen
Disabled Peoples Organisation Denmark



Rui Coimbra
Cerebral Palsy – European
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Jurij Toplak
professor at Alma Mater
Europaea and visiting
professor at the Fordham
Law School in New York,
Slovenia.



Video message by:

MEP Doménech Ruiz Devesa



Now available on EDF's website

<https://www.edf-feph.org/publications/human-rights-report-2022-political-participation-of-persons-with-disabilities/>



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ISSUE 6 - 2022

HUMAN RIGHTS REPORT ON POLITICAL
PARTICIPATION OF PERSONS WITH DISABILITIES



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Thank you for your attention

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