

Political participation of people with disabilities in the EU

SUMMARY

The opportunity to be involved in political life is at the heart of what it means to live in a democracy, whether by standing for elected office, joining a political party, or following political news in the media. People with disabilities are active citizens who are keen to participate given the right opportunities. However, legal, administrative, institutional and accessibility barriers can still prevent them from taking part in elections.

In order to nurture democratic societies in which all members can participate fully, the United Nations and the European Union are striving for full inclusion of people with disabilities. Through its Convention on the Rights of Persons with Disabilities, the UN promotes the political participation of people with disabilities. Through its Charter of Fundamental Rights, the EU guarantees each and every citizen the right to vote and stand as a candidate in elections to the European Parliament and the right to vote and stand as a candidate in municipal elections. The European Commission's 2021-2030 strategy for the rights of persons with disabilities commits the EU and its Member States to making those rights a reality.

With the 2024 European elections on the horizon, the European Parliament is renewing its commitment to ensuring the equal participation of people with disabilities in this major European political event.



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Background

The right to participate in political life and the opportunity to participate in political processes are essential components of active citizenship and democratic regimes. Ensuring every citizen, including people with [disabilities](#), has the right to participate is at the heart of what it means to live in a democracy.

According to the latest [data](#) from Eurostat and the European Commission, there are 87 million people aged 15 and over with disabilities in the European Union (EU-27), corresponding to 24 % of the population in this age group. This share is likely to increase with an [ageing population](#), given that people are more prone to develop disabilities with age: 48.5 % of persons with disabilities are 65 and over (compared to 17.9 % of persons aged 16-65).

Like all EU citizens, people with disabilities are entitled to participate fully in all aspects of life, including political life. Yet persons with disabilities usually face a number of challenges that hamper their daily activities. They are often denied their right to participate in the political sphere though discriminatory legal and/or administrative barriers as well as inaccessible procedures and/or information (see below).

What is political participation?

The definition of [political participation](#) encompasses the pursuit of specific objectives that consist primarily of exerting influence on political decisions at different levels of the political system. It also generally includes voluntary participation in political activities.

Voting in elections and standing for election are the two main and most direct forms of political participation. A 2011 position paper from [Inclusion Europe](#) describes the right to vote as 'the most emblematic symbol of citizenship', while noting that political participation in electoral processes also includes the opportunity to register as a candidate, to campaign, to be elected and to hold office.

The international legal and policy framework

Political participation of persons with disabilities is promoted through a legal framework at international and European level.

International human rights standard on the right to vote and to stand for election

The right to political participation, including the right to vote and to stand for election, is enshrined in several international human rights treaties.

The Universal Declaration of Human Rights, adopted by the UN General Assembly in 1948, provides the right for everyone to take part in the government of their country (Article [21](#)). The right to vote is also provided for in Article [25](#) of the International Covenant on Civil and Political Rights, adopted in 1966.

The political participation rights of persons with disabilities are also enshrined in the United Nations Convention on the Rights of Persons with Disabilities ([UN CRPD](#)), which has been [ratified](#) by the European Union and all its Member States. Article [29](#) of the CRPD sets out the framework for participation of persons with disabilities in political and public life and stipulates that state parties shall 'guarantee to persons with disabilities political rights and the opportunity to enjoy them on an equal basis with others'. This includes the right to vote and to stand as a candidate, to hold office and to perform all public functions at all levels of government. The article stresses the need to ensure that voting procedures and materials are accessible and easy to understand; to facilitate the use of new technologies to support people with disabilities; to ensure the expression of their free will; and to provide assistance in voting by a person of their choice. The article also refers to other measures aimed at ensuring that persons with disabilities can participate in public and political life without discrimination, including participation in non-governmental organisations (NGOs), associations,

political parties and organisations aimed at fostering representation of persons with disabilities at international, national and local level. Article 6 of the CRPD adopts a gender perspective; this cross-cutting article prohibits intersectional discrimination against women with disabilities in all spheres of life, including with regard to their political participation (see box below).

European Convention on Human Rights and case law of the European Court of Human Rights

Council of Europe

The Council of Europe (CoE) adopted the European Convention on Human Rights (ECHR) in 1950. In [Protocol No.1](#) to the Convention, the right to free elections in Article 3 has been interpreted by the European Court of Human Rights as a right to vote and a right to stand for election ([Mathieu-Mohin and Clerfayt v Belgium](#), 1987, paragraphs 48-51; [Ždanoka v Latvia](#) [GC], 2006, paragraph 102).

Several CoE texts have underlined the need to ensure full participation of persons with disabilities in political and public life, such as Assembly [Resolution 1642 \(2009\)](#) on access to rights for people with disabilities and their full and active participation in society, Assembly [Resolution 2039 \(2015\)](#) on equality and inclusion for people with disabilities, and Committee of Ministers [Recommendation CM/Rec\(2011\)14](#) to the Member States on the participation of persons with disabilities in political and public life.

In 2017, the CoE and, in particular, its Committee on Equality and Non-Discrimination [reaffirmed](#) that persons with disabilities have the fundamental right to participate in political life, to vote and to stand as a candidate. The [report](#) recalled that 'the political rights of persons with disabilities can no longer stay on a wish list'. Furthermore, in Assembly [Resolution 2155 \(2017\)](#), the CoE reaffirmed its commitment 'to promoting political participation of persons with disabilities since it is a democratic issue and can contribute to breaking down stereotypes and combating discrimination'.

On 30 November 2016, the CoE adopted a new [strategy on the rights of persons with disabilities 2017-2023](#), which was drafted by CoE Contracting States in cooperation with civil society and other stakeholders. The main objective of this strategy is to achieve equality, dignity and equal opportunities for persons with disabilities. This includes the need to encourage accessible political campaigns in order to promote full participation in public and political life.

European Court of Human Rights

Article 3 of [Protocol No. 1](#) to the [European Convention on Human Rights](#) states that:

The High Contracting Parties undertake to hold free elections at reasonable intervals by secret ballot, under conditions which will ensure the free expression of the opinion of the people in the choice of the legislature.

The article differs somewhat from other legal provisions of the Convention, in that it requires the Contracting Parties to hold elections rather than recognising a right to free elections for individuals. The article does not specify when and under which conditions access to free elections can be restricted, thus the Contracting Parties retain a margin of discretion. Nevertheless, to respect the principle of universal suffrage, the Contracting Parties [need](#) to justify the loss of the right to vote by individuals or categories of persons.

Against this background, the [European Court of Human Rights](#) (ECtHR) has, through its case law, elucidated the scope of application of Article 3, including the fact that the European Parliament forms part of the 'legislature' within the meaning of Article 3 ([Occhetto v Italy](#), 2013). The Court has consistently assessed restrictions introduced by the Contracting States against two main criteria: whether the measure was arbitrary or lacked proportionality, and whether the restriction interfered with the free expression of the opinion of the people.¹ In fact, the discretion enjoyed by the Parties is not unlimited and cannot result in prohibiting an entire group of people from taking part in

political life, especially when members of the legislature should be elected ([Aziz v Cyprus](#) in 2004). If restrictions are introduced, they should aim to have a legitimate scope and pass a proportionality test.²

In 2010, in [Alajos Kiss v Hungary](#), the ECtHR found a violation of Article 3 because restrictions to the right to vote should be based on an individual judicial evaluation of the capacities and needs of the person concerned. Therefore, depriving an entire category of persons of the right to vote only because they are under partial guardianship for a mental disability would de facto result in a blanket and automatic restriction. Moreover, restricting the right to vote for individuals belonging to a vulnerable group such as people with a mental disability could result in their social exclusion and 'such prejudice may entail legislative stereotyping' (paragraph 42). Similarly, in [Anatoliy Marinov v Bulgaria](#) in 2022 the ECtHR ruled in favour of the applicant, who had been prevented from exercising his right to vote in the 2017 Bulgarian parliamentary elections because he was under partial guardianship due to a mental disorder. The ECtHR found a violation of Article 3 and pointed to the lack of individual evaluation, and the fact that the decision to remove the applicant's voting rights was not proportionate and was automatically taken without balancing the competing interests at stake. Moreover, the Court pointed out the lack of distinction between individuals under total or partial guardianship. Conversely, in other cases (e.g. [Caamaño Valle v Spain](#), 2021) the Court found no violation of Article 3 when the disenfranchisement decision was individualised, proportionate and taken with the legitimate aim of ensuring that the concerned individual was capable of taking conscious and judicious decisions when participating in public affairs.³

Along similar lines, the [Venice Commission](#), in its 2020 [Report on Electoral Law and Electoral Administration in Europe](#), recognised that a blanket and indiscriminate removal of voting rights from people with disabilities under guardianship is against international standards and could not be considered proportionate to the aim pursued. An individual judicial assessment is required to ascertain whether or not the person is capable of taking a conscious and judicious decision. Moreover, the same report acknowledges that the Committee on the Rights of Persons with Disabilities goes a step further in the sense that it 'considers that any exclusion of the right to vote on the basis of a perceived or actual psychosocial or intellectual disability (often linked with the loss of legal capacity) constitutes discrimination on the basis of disability, including a restriction pursuant to an individualised assessment. Having found the assessment of individuals' capacity to be discriminatory in nature, the Committee maintains that this measure cannot be deemed to be legitimate.' Therefore, it recommends the adoption of measures that enable persons with disabilities to participate fully in public life, including by exercising their right to vote ([CRPD/C/10/D/4/2011](#), [CPRD/C/GC/6, 2018](#)).

As regards the European elections more specifically, the ECtHR ruled in 2021 on the case [Toplak and Mrak v Slovenia](#); the case did not touch upon a disenfranchisement decision but on access to polling stations. The Court acknowledged the importance of including people with disabilities in political life which, among other things, requires accessible voting procedures. It then went on to recognise that 'assistance to people with disabilities may take a variety of forms' and that Contracting States should carefully consider the needs of people in vulnerable situations. The Court concluded that 'the decision as to whether voting machines should be used for that purpose is to be made primarily by the national authorities'.

EU legal framework

At EU level, the right of EU citizens to vote in European and municipal elections is grounded in Articles [39\(1\)](#) and [40](#) of the Charter of Fundamental Rights of the European Union, and in Article [20\(2\)\(b\)](#) of the Treaty on the Functioning of the European Union (TFEU).

Articles 39(1) and 40 of the EU Charter of Fundamental Rights recognise the right of every EU citizen to vote and to stand as a candidate in the European Parliament elections and in municipal elections (respectively) in the Member States in which they reside under the same conditions as a national of

that Member State (principle of non-discrimination on grounds of nationality within the scope of application of the Treaties). Additionally, Article [21\(1\)](#) recognises the right to be free from discrimination, including on the grounds of disability. Article [26](#) recognises and respects the right of persons with disabilities to benefit from measures to ensure their independence, social and occupational integration and participation in the life of the community.

Article [20\(2\)\(b\)](#) of the Treaty on the Functioning of the European Union is key in this context:

Citizens of the Union shall enjoy the rights and be subject to the duties provided for in the Treaties. They shall have, inter alia:

the right to vote and stand as candidates in elections to the European Parliament and in municipal elections in their Member State of residence, under the same conditions as nationals of that State.

The above-mentioned rights are further elaborated on in Article [22](#) TFEU and detailed in secondary legislation. Council Directive [93/109/EC](#) outlines arrangements for exercising the right to vote and to stand as a candidate in elections to the European Parliament for EU citizens living in a Member State of which they are not a national. Council Directive [94/80/EC](#) lays down such arrangements with regard to voting and standing as a candidate in municipal elections.

As mentioned, the right to political participation is enshrined in the CRPD, to which the EU is a party in its capacity as a regional integration organisation. Since the EU and its 27 Member States are Parties to the CRPD, they are bound by its obligations, and the UN Convention provides the '[global frame of reference](#)'. To the degree that EU legislation does not harmonise the respective procedures, EU Member States are free to design and apply their own procedural electoral laws. Nevertheless, when doing so they must respect general principles of EU law, including the CRPD and the Charter.

Barriers to political participation of persons with disabilities

The fact that disability has a significant impact on political participation is known as the '[disability gap](#)'. According to a [study](#) based on the data from the European Quality of Life Survey 2012 ([EQLS](#)), severe impairment 'decreased voting probability by eight percentage points in comparison to people without impairments'. Moreover, the degree of disability increases the rate of persons reporting difficulties voting in elections. A 2014 study conducted by the Fundamental Rights Agency ([FRA](#)) confirms that 'significant challenges to the realisation of the right to political participation for persons with disabilities remain'. In [2019](#), in a new study, the FRA again reported that little progress had been made.

By observing elections and reviewing legislation, the OSCE Office for Democratic Institutions and Human Rights ([ODIHR](#)) has identified numerous barriers that hinder political participation of persons with disabilities. Similar barriers were also noted by the European Economic and Social Committee (EESC) in its information report on '[The real right of persons with disabilities to vote in European Parliament elections](#)'. Across the EU, three main types of barriers hinder political participation of persons with disabilities: legal and administrative barriers, accessibility and institutional barriers (see Table 1 below).

Table 1 - Main barriers to political participation of persons with disabilities

	Barriers to political participation
Legal and administrative barriers	<ul style="list-style-type: none"> • Guardianship or interdiction regimes resulting in legal disenfranchisement • Legal and administrative restrictions during naturalisation procedures • Lack of voting mechanisms for individuals living in institutions • Inadequate remedies • Requirements to register to vote
Accessibility	<ul style="list-style-type: none"> • Physical barriers to polling stations • Physical barriers that impede access to buildings where political activities take place • Lack of reasonable accommodation • Inaccessible voting information • Lack of accessibility of websites concerning political activities • An absence of standards and guidelines for measuring accessibility
Institutional barriers	<ul style="list-style-type: none"> • Insufficient political will • Inadequate data • Lack of gender mainstreaming • Insufficient financial support to account for the additional resources that individuals with disabilities might need in order to campaign effectively

Source: [EU-CITIZEN](#), 2019.

Legal and administrative restrictions to political participation

Only six EU Member States (Austria, Croatia, Italy, Latvia, the Netherlands and Sweden) explicitly guarantee equal voting rights for all, regardless of 'legal capacity'. Conversely, 14 Member States link the right to political participation to the legal capacity of the individual, often through automatic or quasi-automatic exclusion of individuals under partial or plenary guardianship regimes. As a result, according to the above-mentioned [EESC](#) report, 400 000 persons with disabilities were denied the right to vote in the 2019 European elections, which is not in compliance with the CRPD (see above).

This situation is exacerbated by the additional difficulties faced by people with disabilities in accessing remedies and [complaint](#) mechanisms in case of denial of their rights. Administrative difficulties faced by people with disabilities include the risk that administrative requirements for [naturalisation](#) may prejudice persons with certain disabilities, barriers to [registering](#) to vote and the lack of voting mechanisms for persons with disabilities living in [institutions](#).

Accessibility barriers

Article [29](#) of the CRPD requires state parties to ensure that 'voting procedures, facilities and materials are appropriate, accessible and easy to understand and use'. Nevertheless, making voting procedures, facilities and election material more accessible remains a key issue in numerous Member States, as inaccessibility relates to technologies and information but also to polling stations and buildings where political activities take place.

The lack of both accessible information and communication and facilitator measures as regards participation in political life for persons with disabilities is widespread in the EU. For example, the information on elections and political campaigns is not always provided in an accessible form for persons with visual impairments (including in large print, plain text, easy-to-read formats and in sign language). Similarly, the accessibility of [websites](#) remains a real issue. According to the [EESC](#) report, persons with disabilities have very limited sources of information in eight Member States.

Polling stations often present significant accessibility barriers or a lack of easy-to-read signs. For example, not all Member States have legislation in place for accessibility of all [public buildings and polling stations](#).

Institutional barriers

Persons with disabilities also face institutional barriers to participating in political and public life. The lack of political will to facilitate and include underrepresented voters is one dimension of these institutional barriers. Deeply rooted [stereotypes](#) and restrictive [legal capacity laws](#) contribute to increasing the difficulties persons with disabilities encounter when seeking to participate in political life. [Age](#) and [gender](#) (see box below), associated with [socio-economic difficulties](#), also affect the level of political participation of persons with disabilities.

Lastly, insufficient [financial support](#) to account for the additional resources that persons with disabilities might need to participate in political life effectively reveals inadequate will on the part of some EU Member States. According to the [OSCE](#), increasing the support and funding for political participation for people with disabilities has a role to play in including people with disabilities, and particularly in ensuring that they have opportunities to stand as candidates in elections.

Women with disabilities in political life

The [proportion](#) of women with disabilities (26.1 %) is higher than that of men with disabilities (21.8%) in all EU Member States. Women with disabilities are a heterogeneous group; they have different types of impairments (physical, psychosocial, intellectual, etc.), with or without functional limitations. This diversity is also expressed through multiple and intersecting identities, varying according to ethnic, religious or racial origins, migratory origin, sexual orientation and gender identity, age, etc.

As a result, women with disabilities face a lot of [discrimination](#) with regard to their participation in society in general and in [politics](#) in particular. With regard to their participation in political life, they face the [intersectional](#) discrimination [experienced](#) by women and even more so by women with disabilities.

Looking towards the 2024 European elections

First promising initiatives

In spite of the existing barriers, there have been several initiatives at EU level to promote the political participation of persons with disabilities.

In 2017, the European Disability Forum published a [Manifesto on the European Elections 2019](#), which was adopted by the [4th European Parliament of Persons with Disabilities](#), calling for a 'fully accessible and inclusive European Elections'.

The 2018 Commission [recommendation](#) on enhancing the European nature and efficient conduct of the 2019 elections to the European Parliament stressed the need, inter alia, to promote the electoral rights of EU citizens residing in another Member State (so-called 'mobile EU citizens'), of underrepresented groups and of persons with disabilities. To do so, the Commission invited the competent national authorities to meet and to exchange best practices and practical measures.

According to the barriers identified by its initial report in 2019, the EESC calls for the amendment of the [1976 Electoral Act](#). On the basis of Article 29 CRPD (see above), the EESC states that [clarification](#) is needed on the principles of universality, directness and secrecy of elections. The EESC advises Member States to dismantle the existing barriers and to implement common standards for persons with disabilities to vote. The EESC also proposes introducing a ban on deprivation of the right to vote in European Parliament elections on the grounds of disability or health. Providing accessible information about elections and voting procedures for persons with disabilities should be required, and – in the absence of accessible polling stations – providing alternative forms of voting. Moreover, facilitator measures should be taken to promote the possibilities for persons with disabilities to vote.

independently. Persons needing significant support – for example, those who are visually impaired or with limited manual dexterity – should have the possibility to freely choose an assistant. In another opinion, the EESC calls for the implementation of [a new EU disability strategy](#) ensuring political participation for all citizens with disabilities in their national, regional and local electoral processes.

The EU committed to facilitating the exercise of EU citizens' electoral rights in its [European disability strategy 2010-2020](#). However, according to the European Parliament, in 2020 more than half of the Member States [deprived](#) mentally or intellectually disabled persons of their voting rights, as stated in Article [21\(1\)](#) of the Charter of Fundamental Rights and repeatedly reaffirmed by the Court of Justice of the European Union.⁴ According to Parliament, the [post-2020 European disability strategy](#) must include clearly designated priority areas covering all provisions of the CRPD and provide a common definition of the concept of 'disability' at EU level.

Preparing the 2024 European elections

The [strategy for the rights of persons with disabilities 2021-2030](#), put forward in March 2021, announced that the Commission, in cooperation with the Member States, will develop a guide to good electoral practice, addressing participation of people with disabilities in the framework of the [European cooperation network on elections](#). A few months later, in September 2021, a [subgroup](#) was created to [prepare](#) this guide.

In November 2021, ahead of the 2024 European elections, the European Commission put forward the [proposal](#) for the revision of Council Directive [93/109/EC](#) (recast) on the right to vote and stand as a candidate in elections to the European Parliament for citizens of the Union residing in a Member State of which they are not nationals (EU mobile citizens). The proposal requires Member States to take specific measures to ensure that information on the registration process, the date of elections, rules on candidates' rights, incompatibilities, etc. is accessible to people with disabilities and older persons 'by using appropriate means, modes and formats of communication' (Article 12).

The [proposal](#) was part of a broad package of proposals aimed at regulating [online political advertising](#) and [European political parties and foundations](#), and ensuring that EU mobile citizens do vote and stand as candidates in [municipal elections](#). This latter proposal also introduces a specific provision (Article 12(4)) requiring Member States to ensure that information is communicated to people with disabilities and older people using the 'appropriate means, modes and formats'. The package of proposals fits with Commission President von der Leyen's priority for a [new push for European democracy](#).

In its position paper on the proposals regarding EU mobile citizens, the [European Disability Forum](#) (EDF) stressed, among other things: the need to ensure that mobile EU citizens with disabilities benefit from the same specific arrangements to facilitate their voting rights as those put in place for nationals with disabilities; and the need to reinforce the proposed requirement for accessible information by referring to the [European Accessibility Act](#). It also proposes more detailed amendments (see page 12 of the position paper).

In May 2022, the European Parliament adopted a legislative [resolution](#) proposing to repeal the 1976 European Electoral Act and replace it with a new Council regulation on the election of the Members of the European Parliament (MEPs) by direct universal suffrage. The aim is to harmonise a number of rules applicable to European elections, which are currently a combination of the common principles under the European Electoral Act and the different national rules implementing them. Among the [novelties](#), Article 8 (on postal voting) of the draft legislative act proposes to impose on Member States an obligation to provide for postal voting and the possibility to allow advance physical voting, proxy voting, electronic and internet systems for voting. The draft legislative act also proposes to introduce relevant provisions on exercising the right to vote by persons with disabilities, as Member States would be required to ensure that persons with disabilities have equal

access to electoral materials, voting facilities and polling stations (Article 7) and that postal voting is also accessible to them (Article 8).

The European Disability Forum [welcomed](#) the proposal and stressed its commitment to ensuring full participation of persons with disabilities in European elections. It highlighted the need to ensure, inter alia, that persons with disabilities can vote and be elected regardless of being under guardianship, and that they have full access to the electoral process.

In May 2022, EDF issued the 6th edition of its [Human Rights Report](#) which focused on the rights of persons with disabilities to vote and to stand as candidates in the European elections. The report looked at the legal and practical barriers still existing in some Member States and preventing persons with disabilities from exercising the same political rights as other EU citizens. At the launch event for the report, some [key elements](#) were also stressed. For instance, persons with disabilities under guardianship still face restrictions on voting and they can even be automatically denied the right to vote in some Member States. In addition, only a limited number of Member States (eight) allow persons with disabilities to stand for office with no limitations. On the positive side, it was stressed that most Member States have introduced alternative/advance means of voting, such as early in-person voting, postal voting, mobile ballot boxes, or internet voting, and that 18 Member States have introduced measures to improve accessibility to voting stations.

European Parliament position

In December 2017, Parliament adopted a [resolution](#) on the 2017 EU citizenship report in which, inter alia, it pointed to the situation of voters with disabilities and asked the Commission to take action to prevent any form of discrimination. In its [resolution](#) of 29 November 2018, Parliament called on the EU to remove barriers to the right to vote for women with disabilities.

In line with the findings of the Commission's [report](#) on the 2019 European elections, Parliament's [resolution](#) of 26 November 2020 taking stock of the 2019 European elections welcomed the increased turnout in 2019 (50.6 %), the highest since the 1994 European elections, as well as the higher participation of younger generations and the improved gender balance among MEPs. However, Parliament regretted the fact that an estimated 800 000 citizens with disabilities were unable to vote in the European elections because of their disabilities or mental health problems. It thus called on the Member States to share best practices to overcome the challenges people with disabilities face, such as accessing polling stations or accessing relevant information.

In March 2022, Parliament adopted a [resolution](#) on the EU Citizenship Report 2020. Parliament regretted that 'stateless persons with long-term residency status are not fully involved in democratic participation and, in particular, are deprived of the right to participate in municipal and/or European elections'. It stressed the need to increase and facilitate citizens' democratic participation, including by removing any obstacle to vote for mobile EU citizens, and in particular for persons with disabilities. It also called for better and easily accessible information for citizens, including through 'a fully accessible, single EU-wide information platform'. Finally, Parliament called on Member States to share best practices, including through the EU cooperation network on elections, to identify and address the specific electoral needs of people with disabilities.

In May 2022, Parliament adopted a legislative [resolution](#) proposing to repeal the European Electoral Act and replace it with a new Council regulation that would further harmonise the rules applicable to European elections. One of the aims of the resolution was to increase voter turnout in European elections by improving accessibility requirements for people with disabilities.

In its [resolution](#) of 13 December 2022, Parliament recalled that millions of EU citizens with disabilities could not cast their ballot in European elections due to technical barriers or the lack of appropriate 'arrangements that fail to meet the needs resulting from one or several disabilities'; persons with disabilities under total or partial guardianship were denied the right to vote in 14 Member States and these persons could stand as candidates in European elections in seven

Member States only. Parliament called on the EU and its Member States to ensure that persons with disabilities have equal opportunities to vote, campaign, and stand as candidates in elections. In particular, Parliament pointed to the need to ensure adequate access to polling stations and to increase representation of people with disabilities on electoral rolls.

MAIN REFERENCES

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Lecerf M., [European disability policy: From defining disability to adopting a strategy](#), EPRS, June 2017.

ENDNOTES

¹ [Guide on Article 3 of Protocol No. 1 to the European Convention of Human Rights: Right to free elections](#), August 2022.

² For a more detailed summary of the existing case law, see: [Persons with disabilities and the European Convention on Human Rights](#), European Court of Human Rights, Press Unit, April 2023.

³ In relation to *Caamaño Valle v Spain*, it is worth noting the dissenting opinion of Judge Lemmens, who argued that the approach taken by the Court contradicted the position of the CRPD Committee on Article 29 CRPD. This article guarantees the right of persons with disabilities to 'effectively and fully participate in political and public life on an equal basis with others' and, according to the CRPD Committee, 'all persons with disabilities, without exception, should have the right to vote, and no one should be deprived of that right on the basis of any perceived or actual intellectual disability'.

⁴ Judgments of 11 April 2013 in [Joined Cases C-335/11 and C-337/11](#), paragraphs 29 and 30; of 18 March 2014 in [Case C-363/12](#), paragraph 73; and of 22 May 2014 in [Case C-356/12](#).

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