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# COMMISSION STAFF WORKING DOCUMENT

Guide of good electoral practices in Member States addressing the participation of citizens with disabilities in the electoral process

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# 1. Introduction

European Commission President von der Leyen announced when she took office that building a Union of Equality would be one of the top priorities of her Commission.<sup>(1)</sup>

The ability to participate in elections is essential to a vibrant democracy. This goes beyond simply having the right to vote; it also means being able to stand as a candidate, join a political party, get involved in the electoral process as an election official or election observer and access information. It includes being able to express your electoral preferences freely and fairly, in full secrecy. All citizens should be able to participate effectively in the political life in the EU. Every vote counts. And yet participating in political life remains a challenge for many.

In the EU, persons with disabilities still face difficulties in exercising their electoral rights. Around 27% of the EU population has some form of disability.<sup>(2)</sup> This includes persons 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.

It is the responsibility of Member States to organise national elections, in line with their international commitments. The Commission supports among others the sharing of good practices, including on accessible voting machines and specific adjustments and how to provide options for voters with disabilities. The EU also funds EU-level disability organisations to raise awareness and advocate for rights, and to improve the capacity of their member organisations.

The report<sup>(3)</sup> issued by the Commission on the 2019 elections to the European Parliament underlined that citizens with disabilities face additional barriers to exercising their electoral rights.<sup>(4)</sup> The report emphasised the importance of tackling these barriers in view of the next elections to the European Parliament.

The European Parliament has underlined the importance of supporting the voting rights of persons with disabilities. In its resolution of 26 November 2020 on stocktaking of European elections, it called on the Member States to step up exchanges of best practice to improve access to polling stations for persons with disabilities. The European Parliament pointed out that, for voters with disabilities, practical voting arrangements are just as important as access to information or to polling stations. In its Resolution of 10 March 2022 on the 2020 EU Citizenship Report, the Parliament called on the Commission and the Member States to exchange and promote best practices within the European Cooperation Network on

<sup>&</sup>lt;sup>1</sup> <u>Political guidelines for the next European Commission 2019-2024</u>.

<sup>&</sup>lt;sup>2</sup> Statistics | Eurostat (europa.eu).

<sup>&</sup>lt;sup>3</sup> Report on the 2019 elections to the European Parliament.

<sup>&</sup>lt;sup>4</sup> The Commission's report also refers to the report from the European Economic and Social Committee according to which an estimated 800 000 EU citizens from 16 Member States may have been deprived of the right to participate in the 2019 elections to the European Parliament.

Elections<sup>(5)</sup>, on how to meet the specific electoral needs of disadvantaged groups of citizens, to increase their participation in elections and to empower these groups to exercise their voting rights in the next elections to the European Parliament.

In its legislative resolution on the proposal for a Council Regulation on the election of the members of the European Parliament by direct universal suffrage<sup>(6)</sup>, the European Parliament called on Member States to ensure all citizens have access to information and voting on an equal basis, including persons with disabilities. This includes, for instance, renting adapted premises when public structures are not adapted.<sup>(7)</sup>

More recently, the European Parliament Resolution of 13 December 2022 on equal rights for persons with disabilities<sup>(8)</sup> called for amendments to the European Electoral Law and to any relevant national law to ensure that all persons with disabilities can vote and stand as candidates in elections on an equal basis with others. The Parliament stressed that decisions to deprive persons of their legal capacity due to disability taken by the Member State of origin should not make EU citizens ineligible in their Member State of residence if the law of that Member State upholds that right for all persons with disabilities without restrictions.<sup>(9)</sup>

The question of voting rights for persons with disabilities was also raised in the context of the European Parliament opinion on the electoral directives governing voting rights for mobile EU citizens. This included making electoral information

<sup>&</sup>lt;sup>5</sup> More information on European Cooperation Network on Elections (ECNE).

<sup>&</sup>lt;sup>6</sup> European Parliament legislative resolution of 3 May 2022 on the proposal for a Council Regulation on the election of the members of the European Parliament by direct universal suffrage, repealing Council Decision (76/787/ECSC, EEC, Euratom) and the Act concerning the election of the members of the European Parliament by direct universal suffrage annexed to that Decision (2020/2220(INL) – 2022/0902(APP)).

<sup>&</sup>lt;sup>7</sup> The Parliament also called 'on Member States to introduce measures to maximise the accessibility of the elections for citizens with disabilities covering, among others and where appropriate, voting information and registration, polling stations, voting booths and devices and ballot papers; recommends to implement appropriate arrangements tailored to national voting procedures to facilitate the vote of citizens with disabilities such as the possibility to choose polling stations, closed polling stations in key locations, and the use of assistive technologies, formats and techniques like Braille, large print, audio-based information, tactile stencils, easy to read information and sign language communication; calls on Member States to allow persons with disabilities to be assisted in voting by a person of their own choice, where necessary and at their request.'

<sup>&</sup>lt;sup>8</sup> European Parliament resolution of 13 December 2022 towards equal rights for persons with disabilities (2022/2026(INI)).

<sup>&</sup>lt;sup>9</sup> The Resolution also emphasised the need to guarantee the right to vote independently and in secret, to ensure that people with disabilities have equal opportunities to campaign in elections and to ensure that the polling stations are accessible to people with disabilities. European, national, regional, and local political parties must ensure that people with disabilities are better represented on electoral lists. Designated electoral authorities of the Member States were invited to collect data on the accessibility of polling stations, including indications of whether they are adapted to accommodate the needs of people with disabilities and to report this to the Commission, the Council and the European Parliament at the latest one year after an election to the European Parliament has been held.

accessible to persons with disabilities by applying the accessibility requirements as laid down in Annex I to Directive (EU) 2019/882 of the European Parliament and of the Council and by using means, modes and formats of communication that can help persons with disabilities, such as sign language, Braille, or easy-to-read format.<sup>(10)</sup>

In this opinion, the European Parliament called on Member States to make arrangements tailored to their national voting procedures to help citizens with disabilities to vote, such as enabling them to choose polling stations, setting up closed polling stations in key locations, and using assistive technologies, formats and techniques like Braille, large print, audio-based information, tactile stencils, easy-toread information and sign language communication. The Parliament also invited Member States to consider using complementary tools to facilitate voting, such as advance physical voting and proxy voting, electronic and online voting.

On 20 March 2019, the European Economic and Social Committee adopted a report<sup>(11)</sup> setting out the state of play on implementing the right of EU citizens with disabilities to vote in elections to the European Parliament. The report notes several barriers faced by persons with disabilities in exercising their electoral rights. It sets out good practices<sup>(12)</sup> on improving access to information during the pre-election period, organising voting in 'general' polling stations, ballot papers and accessibility. It also describes the solutions used in a few Member States, such as early voting in designated polling stations, postal voting, mobile ballot box voting, proxy voting and electronic voting. Finally, it describes arrangements to enable persons in hospital and long-term care institutions to vote, the right of persons with a disability to vote in countries where voting is mandatory, and procedures for when a person with disabilities lives in a different country to their country of origin.

The UN Committee on the Rights of Persons with Disabilities recommended that the EU take the necessary measures, in cooperation with its Member States and

<sup>&</sup>lt;sup>10</sup> European Parliament legislative resolution of 14 February 2023 on the proposal for a Council directive laying down detailed arrangements for the exercise of the right to vote and stand as a candidate in municipal elections by Union citizens residing in a Member State of which they are not nationals (recast) (COM(2021) 0733 – C9-0022/2022 – 2021/0373(CNS)) and European Parliament legislative resolution of 14 February 2023 on the proposal for a Council directive laying down detailed arrangements for the exercise of the right to vote and stand as a candidate in elections to the European Parliament for Union citizens residing in a Member State of which they are not nationals (recast) (COM(2021) 0732 – C9-0021/2022 – 2021/0372(CNS)).

<sup>&</sup>lt;sup>11</sup> <u>European Economic and Social Committee information report - Real rights of persons with</u> <u>disabilities to vote in European Parliament elections.</u>

<sup>&</sup>lt;sup>12</sup> Examples of best practice noted by the Report include mobile ballot boxes for people with disabilities (Bulgaria):

targeted information material drafted in plain language and Braille (videos, brochures) to support specific groups in different languages (Belgium), trial project on autonomous electronic voting for the visually impaired (Belgium), accessible polling stations and ballot boxes in hospitals, nursing homes or similar institutions (Ireland);

<sup>-</sup> Braille paper ballots (Slovakia), research into the obstacles politicians with disabilities face and what measures need to be taken in order for them to participate and carry out their duties (the Netherlands).

representative organisations of persons with disabilities, to enable everyone with any type of disability to exercise their right to vote and to stand as candidates in elections<sup>(13)</sup>.

The Commission announced in its strategy for the rights of persons with disabilities for 2021-2030<sup>(14)</sup> that it would prepare a guide of good electoral practices addressing participation of citizens with disabilities in the electoral process. This guide has been prepared in close cooperation with Member States in the framework of the European Cooperation Network on Elections. It draws from the discussions held during the high-level event on elections organised by the Commission on 23-24 October 2023<sup>(15)</sup>.

The Commission announced in its strategy for the rights of persons with disabilities its intention:

- to work with Member States, including through dedicated discussions in the European Cooperation Network on Elections and the European Parliament to guarantee political rights of persons with disabilities on an equal basis with others;
- **to discuss**, in the framework of the high-level event on elections announced in the European Democracy Action Plan (which took place on the 23 and 24 October 2023), practices on inclusive democracy with the aim that candidate lists reflect the diversity of our societies;
- to support inclusive democratic participation, including for persons with a disability, through the new Citizens, Equality, Rights and Values programme (CERV)<sup>(16)</sup>.

<sup>16</sup> Examples of projects include:

<sup>&</sup>lt;sup>13</sup> <u>Concluding observations on the initial report of the European Union</u> adopted at its 14<sup>th</sup> session in Geneva in 2015. See also <u>report issued in 2023 by the special UN rapporteur on the rights of</u> <u>persons with disabilities</u>.

<sup>&</sup>lt;sup>14</sup> Union of Equality: Strategy for the Rights of Persons with Disabilities 2021-2030.

<sup>&</sup>lt;sup>15</sup> The Commission presented on 25 November 2021 a package of measures to reinforce democracy and protect the integrity of elections. The package included a communication that announced that the Commission would continue the work of the European Cooperation Network on Elections in facilitating and improving the ability of all EU citizens to exercise their voting rights including by supporting the exchange of best practices and mutual assistance to ensure free and fair elections and by establishing common references on good practices for specific phases of the electoral cycle. It committed to running a high-level event on elections in the second half of 2023 and to bring together various authorities related to elections to tackle the challenges addressed in the package.

<sup>-</sup> The Future is Ours: Persons with Disabilities Rebuild Democracy.

<sup>-</sup> Ambitions. Rights. Belonging. Keys to inclusion of people with intellectual disabilities.

The preparation of this guide draws on the work of the Fundamental Rights Agency<sup>(17)</sup> in close cooperation with the European Commission and the Academic Network of European Disability Experts. The Network has developed <u>28 human</u> rights indicators to assess the political participation of persons with disabilities in the EU. The data is grouped into four key themes: (1) lifting legal and administrative barriers; (2) increasing rights awareness; (3) making political participation more accessible; (4) expanding opportunities for participation.

The European Cooperation Network on Elections has been closely involved in the preparation of this guide, including in the framework of a dedicated subgroup. Electoral practices designed to meet the needs of persons with disabilities have repeatedly figured in discussions between Member States in this network and have been an integral part of the Commission's efforts to help persons exercise their electoral rights<sup>(18)</sup>.

In this context, 22 Member States sent contributions on electoral frameworks and practices on the participation in elections of persons with disabilities. The survey revealed that there is a wealth of practices to help ensure that elections are accessible to everyone.

To support the preparation of this guide, a network of academics on citizenship produced a study on the participation of citizens with disabilities in elections.<sup>(19)</sup> This guide is also based on the study on political participation of persons with disabilities<sup>(20)</sup> prepared in 2018 and updated in 2021<sup>(21)</sup> by an Academic Network on European Citizenship Rights.

The Commission also conducted ad hoc consultations with groups supporting the participation of citizens with disabilities.<sup>(22)</sup>

<sup>&</sup>lt;sup>17</sup> In 2010, FRA published the report 'The right to political participation of persons with mental health problems and persons with intellectual disabilities'. In 2014, the agency developed and populated human rights indicators on the right to political participation of people with disabilities. In addition, FRA published five infographics to help raise awareness of the voting rights of people with disabilities among key actors. A paper published in 2019 analyses related legal reforms in the Member States since 2014.

<sup>&</sup>lt;sup>18</sup> On 24 January 2022, Member States discussed measures to increase the physical accessibility of polling stations, on-site support, electoral assistive tools, and alternative voting methods. On 21 September 2022, a representative of the European Disability Forum presented their 2022 European Disability Forum Report on the political participation of people with disabilities. On 12 June 2023, the European Disability Forum presented an EU-funded project that aims to increase the share of people with disabilities participating in the 2024 European elections.

<sup>&</sup>lt;sup>19</sup> Study on the participation of citizens with disabilities in elections.

<sup>&</sup>lt;sup>20</sup> Study on Political Participation of Persons with Disabilities.

<sup>&</sup>lt;sup>21</sup> Study on Political Participation of Persons with Disabilities. Update of the 2018 report.

<sup>&</sup>lt;sup>22</sup> Meetings with the European Disability Forum (EDF) on the political participation of people with disabilities took place on 16 May and 10 June 2022 and 18 April and 2 May 2023. EDF participated in the meeting of the European Cooperation Network on Elections of 21 September 2022. Meetings with representatives of the Organización Nacional de Ciegos Españoles took place on

In parallel to this guide, the Commission has prepared a compendium of e-voting practices, as announced in the European Democracy Action Plan<sup>(23)</sup> and the strategy for the rights of persons with disabilities. More specifically, the compendium<sup>(24)</sup> looks into issues of accessibility in the voter-facing elements of voting machines used in polling stations and the interface of online voting, which is also a useful voting method for persons with a disability.

# 2. Key issues faced by citizens with disabilities

It is the Member States' responsibility to set out the eligibility criteria and the assessment procedures to recognise disability status. They are also responsible for defining who is eligible to vote and stand in elections, in compliance with EU law and relevant international standards. Citizens with disabilities face multiple legal, administrative and institutional barriers to getting actively involved in democratic life. Citizens with intellectual impairments face particularly significant hurdles in exercising their political rights, given an array of legal and administrative barriers. Other characteristics, such as age and gender, and factors such as socio-economic status and low economic means also affect the levels of political participation of citizens with disabilities. Despite significant efforts made at different levels to tackle these issues, such as a review of the regulatory framework, increasing the accessibility of election materials and facilities, much work remains to be done to support the exercise of democratic and electoral rights of citizens with disabilities<sup>(25)</sup>.

The main concerns reflected in the existing literature and by stakeholders are related to the following barriers:

- **Physical barriers** (including inaccessible polling stations, insufficient arrangements to vote for persons living in residential or long-term care institutions, hospitals or persons who cannot leave their homes, mobility barriers and inaccessible materials used in elections, such as ballot papers, polling booths or voting machines, limited options for voting).
- Information barriers (including lack of access to political candidates and party information, lack of knowledge of the electoral process – where, when and how to vote).
- Assistance barriers (including limited voting assistance, lack of training for polling staff on how to provide assistance and limitations in who is afforded assistance).

<sup>10</sup> November 2022 (Commissioner Dalli), 25 November 2022 (DG JUST) and 7 February 2023 (DG JUST). An ad-hoc meeting of the Disability Platform took place on 17 November 2023.

<sup>&</sup>lt;sup>23</sup> European Democracy Action Plan.

<sup>&</sup>lt;sup>24</sup> Compendium of e-voting and other ICT practices.

<sup>&</sup>lt;sup>25</sup> <u>Study on political participation of persons with\_disabilities.</u>

• **Societal barriers** (including stereotypes about citizens with disabilities, attitudes and opinions of carers/assistants and the availability of and access to support networks).<sup>(26)</sup>

# 3. EU framework

# 3.1. Treaties

Article 10 of the Treaty on the functioning of the European Union (TFEU) provides that in 'defining and implementing its policies and activities, the Union shall aim to combat discrimination based on [...] disability'.

Under Article 19(1) TFEU, 'without prejudice to the other provisions of the Treaties and within the limits of the powers conferred by them upon the Union, the Council, acting unanimously in accordance with a special legislative procedure and after obtaining the consent of the European Parliament, may take appropriate action to combat discrimination based on [...] disability'.

Under Article 19(2) TFEU '[...] the European Parliament and the Council, acting in accordance with the ordinary legislative procedure, may adopt the basic principles of Union incentive measures, excluding any harmonisation [...], to support action taken by the Member States in order to contribute to the achievement of the objectives referred to in paragraph 1'.

3.2. The United Nations Convention on the Rights of Persons with Disabilities

The EU is a party to the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD). Consequently, within the scope of the Union's competences, the provisions of that convention form an integral part of the EU legal order.

Under Article 29 of the UNCRPD, States Parties must ensure, among others, that voting procedures, facilities, and materials are appropriate, accessible, easy to understand and use.

The UNCRPD contains obligations for States Parties to protect the right of persons with disabilities to vote by secret ballot in elections and public referendums without intimidation, to stand for elections, to effectively hold office and perform all public functions at all levels of government, and to facilitate the use of assistive and new technologies where appropriate.

Member States are also requested to ensure that persons with disabilities can freely express their will as electors. To this end, and where necessary, Member States must allow a person of their own choice to provide voting assistance, and at their request.

General Comment No 2 on Article 9 of the United Nations Convention on the Rights of Persons with disabilities, adopted by the Committee on the Rights of Persons with

<sup>&</sup>lt;sup>26</sup> Study on participation of citizens with disabilities in elections.

Disabilities<sup>(27)</sup> on 11 April 2014, states that it is also important that political meetings and materials used and produced by political parties or individual candidates participating in public elections are accessible.

# 3.3. EU Charter of Fundamental Rights

Article 21 of the EU Charter of Fundamental Rights ('Charter') prohibits discrimination on any ground, including disability.

Article 26 of the Charter, on the integration of persons with disabilities, states that the EU recognises and respects the right of persons with disabilities to benefit from measures designed to ensure their independence, social and occupational integration, and participation in the life of the community. As highlighted by the EU Court of Justice in *Glatzel*<sup>(28)</sup>, cases can be taken to the Court based on Article 26 for the interpretation and review of the legality of legislative acts of the EU which implement the principle laid down in that article, namely the integration of persons with disabilities.

Article 39 and Article 40 of the Charter concern the right to vote and to stand as a candidate at elections to the European Parliament and at municipal elections.

Article 53 of the Charter establishes that the rights set forth therein shall be interpreted in accordance with international law and by international agreements to which the Union or all the Member States are party. This includes the European Convention of Human Rights (ECHR) and UNCRPD. In particular the right to non-discrimination enshrined in Article 21 of the Charter should be interpreted by taking into account the caselaw of the European Court of Human Rights.

# 3.4. EU electoral law

In terms of the procedure for electing Members of the European Parliament, Article 223(1) TFEU provides, first, that it is for the European Parliament to draw up a proposal to lay down the provisions necessary for the election of its members by direct universal suffrage in accordance with a uniform procedure in all the Member States or in accordance with principles common to all Member States. Second, it specifies that it is for the Council of the EU to lay down those provisions.

The 1976 Electoral Act<sup>(29)</sup> sets out the common principles applicable to the election of the Members of the European Parliament by direct universal suffrage.

Article 8(1) of that act provides that, subject to the other provisions, 'the electoral procedure shall be governed in each Member State by its national provisions'.

<sup>&</sup>lt;sup>27</sup> <u>The Convention established the CRPD Committee, an independent body supervising the application</u> <u>of that treaty</u>.

<sup>&</sup>lt;sup>28</sup> <u>C-356/12, *Glatzel*.</u>

<sup>&</sup>lt;sup>29</sup> <u>Act concerning the election of the members of the European Parliament by direct universal suffrage.</u> <u>Consolidated text</u>.

On 3 May 2022, the European Parliament adopted a draft legislative act which would repeal the Electoral Act and replace it with a new Council regulation on the election of members of the European Parliament by direct universal suffrage<sup>(30)</sup>. This would include measures to enable persons with disabilities to participate in the electoral process on an equal basis with others, including persons deprived of their legal capacity<sup>(31)</sup>. It also proposed to set out obligations for Member States to make appropriate arrangements to help persons with disabilities exercise their right to vote, either independently and in secret, or with assistance from a person of their choice.

Interinstitutional discussions on this text are ongoing.

3.5. Voting rights of mobile EU citizens

Under Articles 20(2)(b) and 22 TFEU, nationals of EU Member States have: (a) the right to vote and stand as candidates in elections to the European Parliament and (b) the right to vote and stand as candidates in municipal elections in their Member State of residence. These two rights are also granted under the Charter.<sup>(32)</sup>

Articles 20 and 22 TFEU provide that EU citizens residing in a Member State of which they are not a national ('mobile' EU citizens) can exercise these rights under the same conditions as nationals of that State. As a result, national laws outlining the conditions to exercise the right to vote under a purely national dimension should also apply to mobile EU citizens with reference to municipal and elections to the European Parliament.

Directive 93/109/EC<sup>(33)</sup> and Directive 94/80/EC<sup>(34)</sup> lay down the arrangements for exercising the right to vote and stand as a candidate in elections to the European Parliament and municipal elections for mobile EU citizens.

<sup>&</sup>lt;sup>30</sup> Proposal for a COUNCIL REGULATION on the election of the Members of the European Parliament by direct universal suffrage, repealing Council Decision 76/787/ECSC, EEC, Euratom and the Act concerning the election of the members of the European Parliament by direct universal suffrage annexed to that Decision.

<sup>&</sup>lt;sup>31</sup> 'Every Union citizen from 16 years of age, including persons with disabilities regardless of their legal capacity, shall have the right to vote in elections to the European Parliament without prejudice to existing constitutional orders establishing a minimum voting age of 18 or 17 years of age.'

<sup>&</sup>lt;sup>32</sup> As a result, any limitation should comply with Article 52 of the EU Charter of Fundamental Rights, and, notably, should be provided for by law and respect the essence of those rights and freedoms. Additionally, limitations may be made only if they are necessary and genuinely meet objectives of general interest recognised by the EU or the need to protect the rights and freedoms of others, subject to the principle of proportionality.

<sup>&</sup>lt;sup>33</sup> <u>Council Directive 93/109/EC of 6 December 1993 laying down detailed arrangements for the exercise of 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. Consolidated text.</u>

<sup>&</sup>lt;sup>34</sup> <u>Council Directive 94/80/EC of 19 December 1994 laying down detailed arrangements for the exercise of the right to vote and to stand as a candidate in municipal elections by citizens of the Union residing in a Member State of which they are not nationals. Consolidated text.</u>

On 25 November 2021, the Commission adopted a package of measures to reinforce democracy and protect the integrity of elections. This included two recast legislative proposals laying down detailed arrangements regarding the electoral rights of mobile EU citizens.<sup>(35)</sup>

These initiatives update, clarify, and strengthen the rules to tackle the difficulties faced by mobile EU citizens, including citizens with disabilities. The aim is to ensure broad and inclusive participation in elections, support these groups of persons in the exercise of their rights and protect the integrity of elections. These initiatives also request Member States to make electoral information accessible to mobile EU citizens with disabilities by using appropriate means, modes and formats of communication. They envisage that mobile EU citizens will have equal access to remote and electronic voting possibilities, under the same conditions as nationals of that Member State. Interinstitutional discussions on these texts are ongoing.

#### 3.6. Transparency of political advertising

In its proposal on the transparency and targeting of political advertising<sup>(36)</sup>, part of the same legislative package, the Commission was also mindful of the need to make transparency notices that will accompany political advertisements accessible to persons with disabilities.

Interinstitutional discussions on this text are ongoing.

#### 3.7. Other texts of EU law

Other relevant texts of EU law include Directive (EU) 2019/882<sup>(37)</sup> (European Accessibility Act) on the accessibility requirements for products and services, Directives 2014/24/EU<sup>(38)</sup> and 2014/25/EU<sup>(39)</sup> of the European Parliament and of the Council on public procurement, Directive (EU) 2016/2102<sup>(40)</sup> (Web Accessibility Directive) and Directive 2010/13/EU<sup>(41)</sup> (Audiovisual Media Services Directive).

<sup>&</sup>lt;sup>35</sup> Democracy and electoral rights (europa.eu).

<sup>&</sup>lt;sup>36</sup> <u>Proposal for a Regulation of the European Parliament and of the Council on the transparency and targeting of political advertising.</u>

<sup>&</sup>lt;sup>37</sup> Directive (EU) 2019/882 of the European Parliament and of the Council of 17 April 2019 on the accessibility requirements for products and services.

<sup>&</sup>lt;sup>38</sup> Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC.

<sup>&</sup>lt;sup>39</sup> Directive 2014/25/EU of the European Parliament and of the Council of 26 February 2014 on procurement by entities operating in the water, energy, transport and postal services sectors and repealing Directive 2004/17/EC.

<sup>&</sup>lt;sup>40</sup> Directive (EU) 2016/2102 of the European Parliament and of the Council of 26 October 2016 on the accessibility of the websites and mobile applications of public sector bodies.

<sup>&</sup>lt;sup>41</sup> Directive 2010/13/EU of the European Parliament and of the Council of 10 March 2010 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (Audiovisual Media Services Directive)

Article 3(1) of the European Accessibility Act defines persons with disabilities as persons 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. The Commission proposed to use the same definition in its proposal on the European Disability Card and the European Parking Card for persons with disabilities<sup>(42)</sup>.

# 4. International standards applicable to the EU Member States

In addition to the UNCRPD, to which both the EU and its Member States are Parties, EU Member States have committed to upholding several international standards related to the electoral rights of persons with disabilities.

The European Convention for the Protection of Human Rights and Fundamental Freedoms ('Convention')<sup>(43)</sup>, which enshrines the right to free elections, is also relevant in the context of the electoral rights of persons with disabilities.

Resolution 2155(2017) of the Parliamentary Assembly of the Council of Europe on the political rights of persons with disabilities calls on Member States to take concrete and specific measures to facilitate access to voting and participation in elections for persons with disabilities.<sup>(44)</sup>

The European Court of Human Rights (ECtHR) considered the compatibility of the provisions on elections of the European Convention of Human Rights with the disenfranchisement of persons placed under guardianship in several cases. In the Alajos Kiss v. Hungary case<sup>(45)</sup> and more recently in the case Anatoliy Marinov v. Bulgaria<sup>(46)</sup>, the ECtHR concluded that an indiscriminate removal of voting rights, without an individualised judicial evaluation and solely based on a mental disability necessitating partial guardianship, cannot be considered compatible with the legitimate grounds for restricting the right to vote. It did not find any violation of the Convention in cases Strøbye and Rosenlind v. Denmark<sup>(47)</sup> and Caamaño Valle v.

- <sup>43</sup> European Convention on Human Rights (coe.int).
- <sup>44</sup> The political rights of persons with disabilities: a democratic issue.
- <sup>45</sup> Case of Alajos Kiss v. Hungary.
- <sup>46</sup> Case of Anatoliy Marinov v. Bulgaria.
- <sup>47</sup> Case of Strøbye and Rosenlind v. Denmark.

<sup>&</sup>lt;sup>42</sup> Proposal for a Directive of the European Parliament and of the Council establishing the European Disability Card and the European Parking Card for persons with disabilities. The CJEU has covered the concept/definition of disability in several cases, such as: Case C-13/05, Chacón Navas v Eurest Colectividades SA, ECLI:EU:C:2006:456; Case C-303/06, Coleman v Attridge Law, ECLI:EU:C:2008:415; Joined Cases C-335/11 and C-337/11, HK Danmark, acting on behalf of Jette Ring v Dansk almennyttigt Boligselskab and HK Danmark, acting on behalf of Lone Skouboe Werge v Dansk Arbejdsgiverforening, acting on behalf of Pro Display A/S (Ring and Skouboe Werge), ECLI:EU:C:2013:222; Case C-363/12, Z v A Government department, The Board of management of a community school, ECLI:EU:C:2014:159; Case C-354/13, FOA acting on behalf of Karsten Kaltoft, ECLI:EU:C:2014:2463; Case C-395/15, Daouidi v Bootes Plus SL and Others, ECLI:EU:C:2016:917; Case C-270/16, Ruiz Conejero, ECLI:EU:C:2018:17; Case C-406/15 Milkova, ECLI:EU:C:2017:198.

Spain<sup>(48)</sup> where disenfranchisement of persons under guardianship was based on thorough and individualised judicial evaluations. The ECtHR also found that it could not be excluded that the authorities' failure to provide wheelchair users with appropriate access to polling stations might affect their right to respect for private and family life as enshrined in Article 8 of the Convention.<sup>(49)</sup>

The Venice Commission issued a Revised Interpretative Declaration to the Code of Good Practice in Electoral Matters on the Participation of Persons with Disabilities in Elections<sup>(50)</sup>. This declaration completes the five principles underlying Europe's electoral heritage: universal, equal, free, secret, and direct suffrage to ensure that persons with disabilities are able to exercise their right to vote on an equal basis with others.

One of the activities of the Office for Democratisation and Human Rights (ODHIR) of the Organization for Security and Cooperation in Europe (OSCE) is to observe elections. ODHIR election observation missions assess the accessibility of information materials, candidate lists, ballot papers and polling stations. The ODHIR has increasingly referred to the UNCRPD in its election observation reports, in addition to the OSCE Copenhagen Document and Council of Europe standards such as the Code of Good Practice in Electoral Matters issued by the Venice Commission and the revised interpretative declaration on the participation of persons with disabilities in elections and the implications of the ECtHR case law.<sup>(51)</sup>

# 5. Environments supporting participation in elections

To support electoral participation of persons with disabilities, a multifaceted approach is necessary in order to increase the overall accessibility of the environment, services, and information that persons with disabilities interact with.

The following points present good electoral practices of Member States. Annex I, which has been developed on the basis of these good practices provides a practical checklist of the different points to be addressed.

5.1. Developing specific policies

Specific policies need to be developed with different entities involved, including competent authorities at national, regional and local level, equality bodies and election authorities.

Several Member States have developed such policies. For instance, in the Netherlands, in 2021 and 2022, the Ministry of the Interior and Kingdom Relations

<sup>&</sup>lt;sup>48</sup> Case of Caamaño Valle v. Spain.

<sup>&</sup>lt;sup>49</sup> Case of Mółka v Poland, 2006.

<sup>&</sup>lt;sup>50</sup> <u>Revised Interpretative Declaration to the Code of Good Practice in Electoral Matters on the</u> <u>Participation of People with Disabilities in Elections</u>.

<sup>&</sup>lt;sup>51</sup> For more information, see the <u>article Elections</u> of the Organization for Security and Co-operation in Europe (OSCE).

created an accessible voting action plan, in collaboration with disability organisations and other interest groups, the Association of Dutch municipalities, the Dutch Association for Citizens' Interests, the Electoral Council and the Ministry of Health, Welfare and Sports. The aim of the plan was to improve the accessibility of polling stations, to provide information about voting that is easier to understand for everyone, to better inform members of the polling station about accessibility, and to encourage political parties to speak and write in simple language in their election campaign.

Malta outlined actions to support candidates with disabilities in local, national and EU elections in its National Strategy on the Rights of Disabled Persons for 2021-2030. Representatives from the Electoral Commission, political parties, and candidates with disabilities are working closely with the Committee on the Rights of Persons with Disabilities to design and implement supportive legislative and policy measures by 2026.

Much of the work done by election authorities revolves around the stage of planning elections. Through comprehensive planning and specific policies and measures, these authorities can help ensure elections are inclusive and help increase the participation of persons with disabilities, especially where this is a cross-cutting goal, integrated in the operational plans for elections.

#### 5.2. Awareness raising and changing attitudes

Member States have taken different approaches to support the electoral rights of persons with disabilities participating in the electoral process. In several Member States, several authorities at different levels, including equality bodies and election authorities, work to increase participation in elections and awareness of political processes among persons with disabilities. This involves organising meetings, running specific information campaigns, producing communication kits, voting preparation educational sheets, and booklets with easy-to-read language, pictures, and diagrams.

In its National Strategy on the rights of persons with disabilities, *An equitable Romania, 2022-2027*<sup>(52)</sup>, Romania committed to running an information campaign for persons with disabilities regarding participation in elections and referendums, in collaboration with representative disability organisations. It can be useful to raise awareness using video materials designed for persons with disabilities, as found in in Finland.<sup>(53)</sup>

Ireland's newly established Electoral Commission, entitled An Coimisiún Toghcháin, has a new voter education and awareness function – working to increase participation in, and promote awareness of Irish democratic processes. As part of its

<sup>&</sup>lt;sup>52</sup> <u>Strategia națională "O Românie echitabilă", 2022-2027 – Autoritatea Națională pentru Protecția Drepturilor Persoanelor cu Dizabilități (gov.ro)</u>.

<sup>&</sup>lt;sup>53</sup> See for example <u>Yle broadcasts municipal election debate in 'Easy Finnish'</u>.

public engagement remit, it will encourage the electoral participation of underreached groups such as persons with disabilities.<sup>(54)</sup>

Other entities carry out awareness raising activities. For instance, the European Disability Forum coordinates an EU-funded project, Disability Rights in the European Elections (DREE), which aims to increase the political participation of persons with disabilities in the 2024 European elections. Together with seven national member associations, the DREE project empowers and mobilises persons with disabilities to become voters, candidates, and advocates.<sup>(55)</sup>

In 2011, Inclusion Europe carried out the project *Accommodating Diversity for Active Participation in European Elections*, funded under the Fundamental Rights and Citizenship programme, which raised awareness of the obstacles to the accessibility of elections for persons with disabilities in Europe. It also developed a national guide<sup>(56)</sup> entitled *Voting for All!*, Recommendations for Accessible Elections in Europe<sup>(57)</sup>, and a collection of good practices for accessible elections in Europe<sup>(58)</sup> published in English, French and Czech. For the next elections to the European Parliament, Inclusion Europe will conduct an awareness campaign focusing on women with intellectual disabilities and political participation. The campaign will include a series of interviews with self-advocates, women with disabilities in politics, to listen to their feedback on the importance of voting and getting elected for women with disabilities. It will promote videos on voting, on the issue of guardianship and will raise awareness about elections among persons with disabilities by running a communication campaign.

5.3. Cooperation with organisations supporting the rights of persons with disabilities

In most Member States, organisations supporting the rights of persons with disabilities are involved in all phases of the electoral cycle, through close dialogue and cooperation with the relevant authorities. For instance, these organisations are included in the process of discussing and designing new rules on assisted voting or in evaluating the rules on assistance in relation to specific elections.

In Croatia and Spain, disability organisations are involved in joint projects to support voters with visual impairments by producing sound recordings of the list of candidates or to support voters with audiovisual impairments. They provide this support through translators who accompany them from home to the polling station and back, by providing sign language interpretation or other specific interpretation and by assisting them in filling out the ballots.

Disability organisations can also help prepare official electoral materials and training, including election-specific information in plain language, as done in Lithuania,

<sup>&</sup>lt;sup>54</sup> Ireland's Statutory, Independent Electoral Commission.

<sup>&</sup>lt;sup>55</sup> Disability Rights in the European Elections (DREE).

<sup>&</sup>lt;sup>56</sup> Creating successful campaigns for more accessible elections (inclusion-europe.eu).

<sup>&</sup>lt;sup>57</sup> <u>Recommendations for Accessible Elections in Europe</u>.

<sup>&</sup>lt;sup>58</sup> <u>Good Practices for Accessible Elections in Europe</u>.

Luxembourg and Portugal, and easy-to-understand poll cards, as in Hungary. They also carry out their own initiatives to promote accessibility in elections. For example, they distribute information on the accessibility of polling stations and provide training to election officials on accessibility. The Finnish Ministry of Justice supports the provision of election information for the visually impaired together with the Finnish Federation of the Visually Impaired. In Spain, the accessible voting procedure for persons with visual disabilities using the Braille reading-writing system is implemented in cooperation with ONCE (the national organisation of the Spanish blind<sup>(59)</sup>). Cooperation between Spanish authorities and disability organisations to remove the obstacles faced during the electoral processes has also led to the use of accessible signage at polling stations and an easy-to-read manual for members of polling stations.

In several Member States, the accessibility of polling stations is assessed against checklists created jointly by competent authorities and disability organisations or developed by such organisations themselves. Such organisations may also support the authorities by preparing questionnaires, as they do in Latvia, guidelines, as they do in Belgium and Romania, and by issuing recommendations, collecting and submitting feedback on the accessibility of polling stations and election materials. They can also be involved in inspecting polling stations to ascertain whether they are accessible, as they do in Lithuania.

Other Member States such as Croatia, Ireland, Romania, and Spain have formalised their cooperation with disability organisations, either by concluding specific agreements or by setting up working groups.

As a result of the agreement signed in 2021 between the Spanish Ministry of the Interior and the association *Plena Inclusión España* (Full Inclusion Spain), a pilot project<sup>(60)</sup> for accessible signage was launched during the latest local elections in 2023.<sup>(61)</sup> This involved distributing posters to promote cognitive accessibility (for persons with intellectual disabilities and older persons) in polling places in the city of Madrid, a project which also featured the collaboration of the Government Delegation in Madrid. The project, also implemented in the latest parliamentary elections, consisted of a total of seven pictograms designed by *Plena Inclusión* to facilitate access to the polling place, and a guide<sup>(62)</sup>. It is envisaged that this project will be extended to other cities in future calls for proposals.

#### 5.4. Increasing accessibility and usability of buildings

Most Member States have adopted specific requirements to ensure that persons with disabilities can access buildings. Buildings are required to be used safely and without obstructed access by persons with physical impairments. An accessible building

<sup>&</sup>lt;sup>59</sup> ONCE website.

<sup>&</sup>lt;sup>60</sup> <u>Accessibility</u>. Elecciones Generales Julio 2023.

<sup>61 28</sup> May 2023.

<sup>62</sup> Guía para señalizar los colegios electorales.

means it is conveniently, safely, and independently usable by everyone, including persons with disabilities or groups who need special tools or technical arrangements. Buildings and infrastructure must have at least one path accessible, that provides safe and comfortable access for persons with reduced mobility.

#### 5.5 Training and specific support for election officials

In several Member States, guidelines and handbooks for polling station officials, usually prepared in collaboration with disability organisations, provide information on how to make it easier for persons with disabilities to vote, including reception and assistance to voters with disabilities, tailored to their type of disability. Polling station officials are also trained on how to connect with persons with disabilities and help them exercise their voting rights, independently or assisted.<sup>(63)</sup> Denmark also prepares quizzes for election officials to test their knowledge on how to assist voters. In the Netherlands, persons with disabilities can volunteer and manage polling stations.<sup>(64)</sup> Croatia provides training for electoral officials on how to assist voters with disabilities and publishes specific information on voting procedures for persons with disabilities to distribute to election committees.

Spain provides specific support for persons with visual, hearing, or intellectual impairments, which is publicly funded. This includes easy-to-read manuals and a free magnetic induction loop service at the polling station for persons with hearing impairments (hearing aid users) who have been appointed members of the polling station (both full and alternate members). It also arranges a free sign language interpreting service for persons with hearing impairments who have been appointed as polling station officials and for persons with visual and cognitive impairments, at their request.<sup>(65)</sup>

# 6. Outreach to persons with disabilities during the electoral cycle

#### 6.1. Accessibility of official communications

Most Member States (including Austria, Belgium, Bulgaria, Czechia, France, Germany, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, the Netherlands, Portugal, Romania, Spain, Sweden) prepare and distribute voter education materials and provide electoral information, including for specific groups of voters, such as persons with disabilities. They provide information on elections in various formats such as video, audio, large print, leaflets, handouts and brochures in easy-to-read language, Braille and 'daisy audio books'.

<sup>&</sup>lt;sup>63</sup> For instance in Belgium, Estonia, Croatia, Cyprus, Denmark, Ireland, Lithuania, Portugal, Romania, Spain, Sweden.

<sup>&</sup>lt;sup>64</sup> <u>Accessible and inclusive elections in the Netherlands</u>.

<sup>&</sup>lt;sup>65</sup> These services can be requested from the Area Electoral Board, in writing and within seven days of the notification of their appointment.

Websites providing information on elections must comply with international accessibility requirements, such as Web Content Accessibility Guidelines<sup>(66)</sup>. Websites are gradually becoming more accessible in all the Member States. In some cases, voters can report shortcomings in the accessibility of such content via a contact form, as in Germany.

Some Member States are also working on specific digital formats, such as videos and apps to help include persons with disabilities and remove barriers. In other countries, such as Czechia, leaflets include QR codes that refer to sample ballots and videos in sign language for the hearing impaired. Finland opens an elections phone helpline and WhatsApp service before every election. Greece provides a *'Know where to vote'* online service where voters can fill in a form with basic personal information and automatically receive information about the polling station they will vote at, including the address and an access map to the polling station. In Lithuania, election-related videos prepared or ordered by the Central Election Commission are broadcast on national TV channels and news portals and translated into sign language.

In several Member States, such as France and Greece, media broadcasters are encouraged to make all their programmes on elections accessible: TV news, debates between candidates, programmes and documentaries on election campaigns and candidates. They can achieve accessibility by adding subtitling (simultaneous for live transmissions) and sign interpretation. The French media regulator published a guide with concrete examples aiming at improving the visual guality of sign language interpretation.<sup>(67)</sup> French television service providers with an average annual audience of over 2.5% of the total audience are required to give access to all election news programmes to persons with hearing impairments by providing subtitling or sign language. For the French presidential election, all candidates must provide accessible TV spots, with subtitles at least with subtitles even if some candidates also provide sign language.<sup>(68)</sup> An independent authority in charge of setting the campaign rules in the media checks this obligation.<sup>(69)</sup> Other French television service providers are required to facilitate access (by subtitling or sign language) for persons with hearing impairments to the main election news programmes at peak viewing times and must make debates between candidates accessible. Candidates invited to speak on television platforms may also check with the channels that they actually provide these accessibility features.<sup>(70)</sup>

Several Member States (such as Estonia, Germany, Hungary, and Lithuania) share information on the accessibility of polling stations through digital map applications, on

<sup>&</sup>lt;sup>66</sup> WCAG 2 Overview of the Web Accessibility Initiative (WAI) - W3C.

<sup>&</sup>lt;sup>67</sup> Guide de mise en image de la Langue des signes française.

<sup>&</sup>lt;sup>68</sup> <u>Présidentielle 2022 : comment l'Arcom renforce l'accessibilité de la campagne électorale</u>.

<sup>69</sup> Autorité de régulation de la communication audiovisuelle et numérique.

<sup>&</sup>lt;sup>70</sup> <u>Le vote des personnes en situation de handicap</u>: l'accessibilité des opérations de vote. Les élections en France.

the websites of election authorities, or on the notification of the election sent to voters.

In Germany, the information provided to voters on the location of polling stations contains several pictograms describing the set-up of the polling station and includes telephone numbers.

The Netherlands provides an online tool<sup>(71)</sup> to locate accessible polling stations for persons with disabilities. The tool has different search criteria including visual aids, auditory aids, acoustics suitable for the hearing impaired and other accessible facilities.

France also uses outdoor information panels to indicate the location and opening hours of polling stations, which must comply with specific requirements to ensure the readability and visibility of the information.

In Spain, polling stations must be properly signposted, including a mention of the accessible facilities available and the opening hours.

In Hungary, voter information campaigns include individual voter notifications and tailored messages for persons with disabilities. They provide poll cards in easy-to-understand language and accompanying easy-to-read material, at the request of the voter.

The Netherlands provides municipalities and other partners with a digital toolkit containing several communication tools for voters with disabilities. It provides information on which facilities are available in the polling station, so that voters can cast their vote independently. It also provides information about elections in accessible language and in sign language via a dedicated website. The toolkit also contains a digitally accessible version of the voting ballot, for example. For all communication materials on the elections, it emphasises visual communication as far as possible and use of clear language. In collaboration with interest groups, communication materials have been developed and made available for persons with a disability. This includes instructions on how to vote using a voting template, a flyer and an election newspaper for voters with a (mild) cognitive disability, an infographic on aids in the polling station, informative videos in sign language, a digitally accessible version of the voting ballot and a proof of proxy available online, information on the accessibility facilities in voting stations on a dedicated website. In addition, some municipalities organise a test vote in the run-up to the election to give voters the opportunity to 'practice' casting their vote, and to enable them to vote independently on election day.

Spain provides a free customer service telephone number for persons who plan to use the accessible voting procedure - Braille reading-writing system. This telephone service also provides information on the electoral candidates and other aspects of the voting procedure.

<sup>&</sup>lt;sup>71</sup> The website <u>Alle stembureaus in Nederland</u> contains information about the locations of polling stations and the extent to which they are (extra) accessible.

Sweden provides a 'speaking' website for persons with visual impairments and persons with difficulties reading text (for example, persons with dyslexia) so that they can listen to information read aloud.

# 6.2. Accessibility of political advertising

In France, candidates are invited to make available all election campaign documents (e.g. leaflets) simultaneously in printed paper form, on a website (meeting legal accessibility requirements<sup>(72)</sup>) and in an accessible format with probative value, in line with the accessibility criteria of the 2005 Equal Rights and Opportunities Act. It must also be available in an easy-to-read and intelligible version. This material must be available as of the start of the election campaign until the closure of the polls.<sup>(73)</sup>

In several Member States, such as Hungary and Spain, sponsors must ensure that political advertising is accessible. In Lithuania, starting with 2019, for each election, the Central Election Commission informs candidates that they should consider the needs of voters with disabilities in the preparation of their election materials.

In Spain, political organisations are required to ensure that their public activities are accessible to persons with disabilities and to provide accessible information, whenever possible. This includes webpages, printed materials in formats accessible to persons with disabilities, telephone assistance services and audio-visual formats. Publicly owned national television and radio stations are required to make available free spaces for the political advertising of candidates, political parties, federations, coalitions, and groups of voters, which meet the specific accessibility needs of persons with disabilities.

For the 2019 elections to the European Parliament, the German Association for the Blind and Visually Impaired tested the usability and readability of the materials used in the election campaign for users of a screen reader. They ranked the materials against set criteria and sent the results of this assessment to the political parties running for election.<sup>(74)</sup>

# 7. Universal design and reasonable accommodation in the electoral cycle - procedures, facilities and materials

#### 7.1. Registration procedures

The use of registration procedures in the electoral process, regardless of their purpose, provides critical opportunities for facilitating interactions between persons with disabilities and competent authorities, including through different accessible

<sup>&</sup>lt;sup>72</sup> RGAA: référentiel général d'amélioration de l'accessibilité, décret No 2009-546 du 14 mai 2009 modifié en septembre 2019.

<sup>&</sup>lt;sup>73</sup> Le vote des personnes en situation de handicap: l'accessibilité des opérations de vote. Les élections en France.

<sup>&</sup>lt;sup>74</sup> <u>Certificate Ceremony - German Association for the Blind and Visually Impaired.</u>

tools and means, such as accessible paper and digital forms. Where registration is done in-person, accessibility of venues and information is paramount.

In most Member States, voter registration in national elections is automatic. Two Member States, Cyprus and Ireland, use active voter registration, while others use online tools to register the preference or right to a specific voting procedure, such as postal voting or mobile voting. To facilitate the use of these tools, Member States have implemented accessibility requirements and ensured that online content is accessible from a range of devices. They have also developed simplified forms in clear and user-focused language. In Cyprus, offices of the District Administrations which handle applications of registration in the electoral rolls are accessible to persons with disabilities. The provision of accessible information on voter registration, as done by several Member States such as Luxembourg, is also key to facilitating this process.

In some Member States, candidates may benefit from specific support, such as small grants for sign interpretation and transportation, which can facilitate the submission of documents where this is done only in person. In other Member States, such as Romania<sup>(75)</sup>, candidates could also gather support signatures through electronic means.

7.2. Increasing the accessibility of polling stations, polling booths and ballot boxes

Most Member States have adopted multiple requirements to ensure that persons with disabilities can vote at the polling station. The requirements cover different aspects of the voting process and interactions with voters with disabilities in the voting premises, election materials, and election staff<sup>(76)</sup>. This includes arriving at and entering the polling station, voter identification, signing on an electoral roll, either by hand or electronically, entering a polling booth, voting on paper-based ballots or on voting machines, inserting the paper-based ballot in a ballot box and exiting the polling station. Several Member States have provided detailed guidelines and checklists, often developed jointly with disability organisations, which cover criteria ranging from the accessibility by public transport to whether there are ramps and queue-jumping policies. For instance, Malta facilitates voting by persons with disabilities by allowing them priority at the queue (at a specific time bracket) at their respective polling station.

In some Member States, such as Austria<sup>(77)</sup> and Hungary, each municipality must provide at least one barrier-free polling station. In other Member States, it is

<sup>&</sup>lt;sup>75</sup> In the case of parliamentary elections.

<sup>&</sup>lt;sup>76</sup> Austria, Belgium, Bulgaria, Germany, Denmark, Estonia, France, Finland, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, the Netherlands, Poland, Portugal, Romania, Spain, Sweden and Slovenia.

<sup>&</sup>lt;sup>77</sup> Under the 2023 Voting Rights Amendment Act (*Wahlrechtsänderungsgesetz* 2023), as of 2024, all polling stations must meet the framework conditions of § 6 '*Bundes-Behindertengleichstellungsgesetz*' (Federal Act on Equal Opportunities for Persons with

mandatory to make all polling stations accessible, such as in France, the Netherlands, Spain, and Slovenia. Other Member States, such as Greece, are seeking, under the National Action Plan for Persons with Disabilities, to create a register of accessible buildings at municipality level (first degree of local government), which will also be used as polling stations. In other Member States, such as Ireland, election officials are required to make the arrangements needed to ensure polling stations are accessible, which includes providing at each polling station an appropriate table and chair, located so as to ensure voting secrecy and provide a more convenient position for voters who are wheelchair users, who have a physical disability, a visual impairment or older voters.

In several Member States, parking spaces next to the polling stations must comply with strict requirements in terms of signage and surface, such as Belgium, Luxembourg and the Netherlands. Polling stations must be accessible by public transport. Persons with disabilities, including wheelchair users, must be able to enter, move around and exit polling stations under normal operating conditions, if necessary, by making temporary or permanent arrangements (as in Belgium, Germany, Denmark, Estonia, France, Finland, Ireland, Lithuania, Luxembourg, the Netherlands, Romania, Sweden and Slovenia). This includes priority use of single-storey buildings, wide door openings that are either automatically or easily operated, ramps with low inclination, continuous handrails, flat manoeuvring areas in front of the doors, sufficiently wide corridors, unobstructed routes, adequate lighting, chairs in the waiting area, adapted signage, guide paths, colour coding signs and other suitable means to guide visually impaired voters. Other Member States, such as France, Denmark, Luxembourg, the Netherlands and Spain also allow persons with disabilities to enter with their guide dogs and assistance dogs.

Some Member States, such as Belgium, Spain<sup>(78)</sup> and Romania<sup>(79)</sup>, set out the technical specifications of polling booths by law. Polling booths must be designed to meet the needs of persons with disabilities, in particular wheelchair users. In Luxembourg, France, and Italy, for instance, one of the cabins to be set up at each polling station must be designed for disabled access. This means that they must have a minimum size, be placed in an area that allows sufficient rotation space and be provided with specific features, such as horizontal support bars, tables or shelves at a certain height or adjustable with sufficient leg room, and sufficient lighting. Some Member States, such as the Netherlands, also make reading magnifiers with lighting

Disabilities). Under this provision, all polling stations should be accessible to people with disabilities without barriers, subject to technical feasibility. In any case, every building in which a polling station is set up must make at least one polling station with voting booths accessible to people with disabilities. From 2028, all polling stations in Austria (including voting booths) must be barrier-free, without exception.

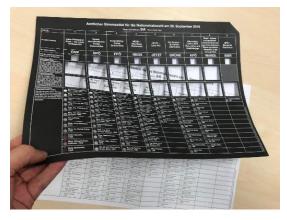
<sup>&</sup>lt;sup>78</sup> Under Order INT/511/2022 of June 3, which modifies the provisions of Royal Decree 605/1999 of April 16 on complementary regulation of electoral processes polling booths must be fully accessible.

<sup>&</sup>lt;sup>79</sup> Decision of the Permanent Electoral Authority no 44/2016 on the minimum set of conditions to be met by the locations where polling stations operate and their minimum equipment.

available. Other tools used to vote, such as pens or pencils, must be easily accessible to persons with disabilities.

The accessibility of ballot boxes is also important where voters need to insert their ballots in the ballot box themselves. The ballot box must be easily distinguishable and placed in an area that allows unobstructed access and sufficient manoeuvring space. The slot of the ballot box and the controls of electronic voting machines must be placed at a certain height. A step must be made available for persons unable to reach the slot of the ballot box while also complying with safety requirements. In France, for instance, the law requires that the ballot box in each polling station must also be accessible for wheelchair users.

In some Member States (such as Estonia), polling stations are equipped with tables and screens enabling voters to fill in the ballot paper while sitting or in a wheelchair. Magnifying glasses are provided to assist voters in completing the ballot paper and reading the list of candidates. Remote sign language translation services are available, enabling voters speaking sign language to communicate more easily with members of the voting district committee. In France, in order to allow blind or visually impaired persons to sign in the right place on the electoral rolls or attendance sheets, use of a signature aid with a contrasting colour (a window on a small, plasticised ruler) is recommended.



Ballot Paper template used in Austria.

7.3 Increasing the accessibility of paper ballots

In Austria, Denmark<sup>(80)</sup>, Hungary, Luxembourg<sup>(81)</sup>, Germany, Slovenia, Ireland, Portugal and Spain, polling stations must be provided with special templates for paper-based ballots, including in Braille. In the Netherlands and Malta, these templates are also accompanied by audio support or by explanatory material on paper, as in Portugal and Spain, which explain how to use the stencil, how the ballot

<sup>&</sup>lt;sup>80</sup> Only at referendums, where you can only vote "Yes" or "No".

<sup>&</sup>lt;sup>81</sup> In collaboration with the Centre pour le développement des compétences relatives à la vue (CDV), the government will provide voters with visual disabilities with a tactile voting model on polling day. This tactile voting model will be available at each polling station and can also be ordered by the voter directly from the CDV to be made available to the voter when they have opted to vote by post.

paper is structured, which candidates and parties are running for election and which hole in the stencil to use for each candidate.

In Ireland, use of the Braille template is supported by a telephone line which voters can call to hear the layout of the ballot paper and the order of candidates. In Austria, following recent legislative changes, the ballot paper was improved by adding a bevel on one side for persons with visual impairments and it also plans to bring in a voting card template. Czechia provides QR codes on the voting instructions attached to mailed ballots, with the QR codes leading to a video in sign language. Assistive tools, such as reading magnifiers, are made available to voters with disabilities in several Member States, such as Belgium and the Netherlands.

In Denmark, voters in need of assistance to cast their vote on their own may use technical aids such as a thicker black pen that helps the voter see where to mark the ballot paper, a magnifying glass that enlarges the ballot paper and makes it easier to read, and a LED-lamp for better light, which is helpful for anyone with reduced vision. The voter can control the brightness, colour and light output of the lamp. These tools are complemented by a CCTV (closed circuit television), which is a special type of magnifying glass, that magnifies the ballot paper on a screen and where the voter can adjust the magnification and contrast. Furthermore, there must be an adjustable table, which enables voters in a wheelchair to fill in the ballot paper.



Ballot paper folders used in Lithuania.

Lithuania makes available paper folders marked in Braille, in which voters may place the standard paper-based ballots. In Malta, each polling station is equipped with an audio playback device reading the ballot content. In the Netherlands, citizens voting from abroad use a reduced ballot. They can choose if they want to receive the voting ballot by post or by e-mail. A document with the parties and candidates is sent along with the voting ballot. Large format lists of candidates are posted at all polling stations.

In the Netherlands, voters with cognitive disabilities can receive (outside of the voting booth) an explanation of how the ballot paper works. Many municipalities and civil society organisations organise voting training courses before the elections. In addition, voters with a cognitive disability can view explanations on a website.<sup>(82)</sup>

<sup>&</sup>lt;sup>82</sup> How does voting work?

In the Netherlands, a new voting ballot is being designed. This voting ballot will also better meet the needs of persons with disabilities. The font is larger and easier to read. Logos of political parties are added, to make parties more visible and findable. For the new ballot paper, a universal template is also being developed for persons with a visual impairment. The aim is for the municipality to have at least one template, supported with a soundbox. Romania has also looked at how to simplify paper-based ballots by reducing them to a single sheet of paper, which could improve overall accessibility, including for voters with visual impairments.<sup>(83)</sup>

#### 7.4. Increasing the accessibility of voting machines

For the local elections in 2018 and the federal elections in 2019, Belgium developed a pilot project to complement electronic voting computers with an audio module to enable persons with visual impairments to vote independently. This pilot project was developed in close cooperation with disability organisations and associations representing the visually impaired. For logistical reasons this project could not be deployed on a large scale.

In Bulgaria, voting machines have become mandatory in polling stations in the country and abroad where there are at least 300 voters. The interface consists of a touch screen. After a voter casts a vote, the device prints a piece of paper as proof for the voter to verify. This also enables a manual vote count to be held in the event that electronically stored votes are lost. The Bulgarian election code requires voting machines are designed, implemented and maintained in a way that shall ensure, among others, easy and intelligible access to the mechanisms and methods of machine voting, including simplified access for voters with visual or motor impairments.

Since the entry into force of the amending Act ZVDZ-C on 20 May 2017, voting machines for voters with disabilities are no longer used in elections and referendums in Slovenia.<sup>(84)</sup> The legislation was amended to ensure that all polling stations are fully accessible to persons with disabilities. Also, the legislature followed examples from other countries<sup>(85)</sup> and enabled persons with disabilities to vote by post in addition to voting at polling stations.

#### 7.5. Complementary voting methods

Several Member States allow voters who are unable to turn up at a polling station on election day to vote in advance, either from their home, from a hospital (as in Denmark, Malta and Portugal) or from a polling station opened ahead of the election

<sup>&</sup>lt;sup>83</sup> <u>Comparative study regarding methods, procedures and technical instruments used by other states</u> to ensure the accessibility of electoral processes for individuals with disabilities, drawn up by the Permanent Electoral Authority.

<sup>&</sup>lt;sup>84</sup> The legislature took into consideration the extent of the use of voting machines in each election, the cost to the budget of using voting machines, and regulations in other EU Member States.

<sup>&</sup>lt;sup>85</sup> Voting by post as prescribed by Austrian legislation.

day (as in Austria, Denmark, Germany, Estonia, Finland, Latvia, Lithuania, Malta, Portugal, Slovenia and Sweden).

Persons with disabilities have the option to vote at an accessible polling station in several Member States, such as Austria, Belgium, Denmark, Germany, Hungary, Ireland, Italy, Latvia, Lithuania, and Romania<sup>(86)</sup>. In the Netherlands, voters are not assigned to a polling station. With their voting pass they can vote at any polling station in their municipality. Special polling stations are organised in hospitals and/or other care institutions in Member States, such as Croatia, Estonia, Ireland, Malta, and the Netherlands.

Curb-side voting, which is voting from outside the polling station, either on the ground floor or from the entrance to the polling station, is available in some Member States (such as Croatia, Denmark, Czechia, Slovenia and Sweden).

Mobile voting, which means that ballot boxes are brought to the voter's location (home, hospital, or any other location) by an official of the administration in charge of organising the election, is a method used in several Member States (such as Austria, Bulgaria, Czechia, Denmark, Estonia, Croatia, Hungary, Italy, Ireland, Latvia, Lithuania, Portugal, Romania, Slovenia and Sweden). Some Member States, including Finland, Luxembourg<sup>(87)</sup>, Italy (some municipalities), Portugal, and Poland, even provide voters, including persons with disabilities, with free transport to the polling stations under specific conditions. Belgium also provides support for transportation to polling stations.

Persons with disabilities may receive assistance during the voting process in every Member State. There are some differences in who may assist the voter and the conditions the voter must fulfil. In most Member States, such as Austria, Belgium, Denmark, Germany, Hungary, Spain, Slovenia and Sweden voters with disabilities can be assisted by any person they trust, without restrictions.

Voting by post, either within the country or from abroad, is available in 20 Member States. In-country postal voting practices vary across the EU. Only some Member States, such as Germany and Spain allow all voters to vote by post. In Member States, such as Austria, Ireland, Lithuania, the Netherlands and Slovenia this method is limited to specific groups, such as voters with disabilities or voters abroad.

Online voting is available in Estonia, where voters can choose whether to go to a polling station on election day or cast their vote on a website during the election period. The Estonian Election Act requires that the voting application must provide support to persons with visual impairments. This requirement is fulfilled in practice by enabling this group to exercise their right to vote without assistance.

<sup>&</sup>lt;sup>86</sup> Presidential elections.

<sup>&</sup>lt;sup>87</sup> Users of the Adapto special transport service who hold an Adapto card can travel to the polling station using the Adapto service. Journeys to and from the polling station will not be deducted from the quota of annual Adapto journeys from which they benefit. To request such a service, users can call the mobiliteit.lu service on 2465-2465, or make a reservation using the adapto.lu mobile application by selecting "Elections/Wahlen".

In France, online voting is used to elect representatives of French citizens living abroad during legislative elections and consular elections. To vote online, French voters must be officially resident abroad and registered on a consular electoral list. They must also be on the list with a valid email address and telephone number to receive their username (by email) and their password (by SMS). No other formality is required.<sup>(88)</sup> For the 2022 presidential elections, French voters abroad were able to vote online for five consecutive days. The website of the Ministry of Europe and Foreign Affairs posted a series of questions and answers specifically related to online voting.

In 2023, Germany used online voting for its social policy elections, a vote to choose the council overseeing national health and pension insurance funds. About 22.3 million had the option to vote either online or with traditional postal ballots over a 51-day voting period.<sup>(89)</sup>

Proxy voting is used in Belgium, France, the Netherlands and Poland. In Belgium and Poland, proxy voting is available to voters who are unable to reach a polling station due to certain illnesses or infirmities, ill health or old age, which could include persons with disabilities. All voters are able to vote by proxy in France and the Netherlands. Swedish voters may vote by courier, whereas another person transports vote prepared by the voter to the polling station the.

#### 7.6. Access to electoral dispute resolution

Several Member States have made specific arrangements for persons with disabilities to access the justice system, such as providing information in accessible formats, or making available specific formats, including digital methods to submit complaints.<sup>(90)</sup> The accessibility of election dispute resolution also involves ensuring that mechanisms for submitting complaints are accessible and that the venues for hearings or resolutions are also accessible.

As part of its national strategy on the rights of persons with disabilities, Romania committed to publish templates in accessible formats for requests and complaints related to electoral rights. Lithuania implemented an accessible information system for the management of election disputes, which may be used by voters to submit complaints. In Spain, voters may submit complaints regarding polling places that fail to comply with the legal accessibility requirements. In Ireland, returning officers deal with any issues arising around venue accessibility, and they have responsibility for conducting electoral events in each constituency.

7.7. Collecting data on the participation of persons with disabilities in elections

It is important to collect statistics on the participation of citizens with disabilities in elections to check how effectively they can exercise their electoral rights. This can

<sup>&</sup>lt;sup>88</sup> Présentation du vote par internet. Ministère de l'Europe et des Affaires étrangères.

<sup>&</sup>lt;sup>89</sup> Online Voting Powers Social Elections in Germany.

<sup>&</sup>lt;sup>90</sup> The 2022 EU Justice Scoreboard.

help evaluate the measures put in place for persons with disabilities and could result in more efficient solutions. Similarly, disaggregated data on disabilities is useful to feed into EU and national awareness-raising campaigns about elections, increasing their reach and efficacy.

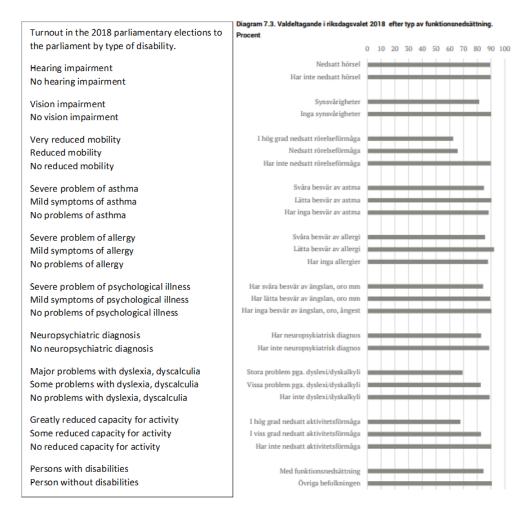
The registration processes used in elections, including voter registration, candidate registration, granting access to special voting procedures or recording voter presence at the polling station can provide the opportunity for authorities to collect information about in which constituencies voters with disabilities live, how many voters with disabilities there are in different constituencies and what sort of accommodations they need in order to participate on an equal basis with other voters.

Collecting statistical data disaggregated by type of disability or conducting surveys on several factors related to persons with disabilities and accessibility at the polls can help election authorities distribute their resources more efficiently. Pooling resources and data from all relevant authorities, including by combining statistical information with administrative data on disability and inclusion, gives a more accurate image of the support that persons with disabilities need to exercise their electoral rights effectively.

Any processing of personal data must take place in full compliance with the General Data Protection Regulation (GDPR). Health data, such as personal data on person's disability, is a special category of personal data enjoying special protection under that Regulation.

For instance, Romania aggregates data on the participation of persons with disabilities in elections by comparing the number of persons who have a disability certificate and the number of voters. This is based on a formalised agreement between the Permanent Electoral Authority and the National Authority for the Rights of Persons with Disabilities, and it ensures compliance with the data protection requirements.

Sweden collects statistical data on the participation of persons with disabilities in elections (as shown in the figure below).



Several Member States, such as Hungary and Spain, collect data on voters who request access to special voting arrangements. Since 2016. Lithuania has been operating an electronic register of persons entitled to vote at home, including voters with disabilities and over the age of 70. In Luxembourg, the collection of such data is particularly relevant as participation in elections is compulsory for all registered voters until the age of 75. Luxembourg also runs surveys to collect data on several factors related to persons with disabilities and the accessibility of elections.

#### 7.8. Monitoring and assessing the accessibility of elections

The period after an election is usually spent looking at the performance in delivering smooth and credible elections and evaluating how the rules were implemented and the resources used. Several Member States (Lithuania, Romania and Sweden) require in particular election authorities to assess how the electoral process was conducted. Ireland's new electoral commission has a legislative remit to conduct post-electoral event reviews. These reviews will examine returning officers' and presiding officers' (who supervise polling stations at a poll) support in facilitating voting by blind, incapacitated, and illiterate voters at polling stations. Spain prepares questionnaires to evaluate the compliance of the electoral process. It appoints accessibility managers for the elections at each governmental delegation (19) and sub-delegation (52), who are responsible of accessibility in every electoral process,

act as interlocutors of the Ministry of the Interior and carry out swift follow-ups of all incidents related to election accessibility. The Netherlands conducts similar assessments and post-election surveys. In the Netherlands, voters can use the hotline 'Unlimited Voting' (*Meldpunt Onbeperkt Stemmen*) to report positive or negative experiences and make suggestions to improve the accessibility of elections.

In France, the accessibility of elections is monitored during the election and assessed after the election. The monitoring during the election is conducted by an independent body, the National Consultative Council for Persons with Disabilities, and by civil society organisations. Their assessments are published online<sup>(91)</sup>. After the election, the ministry of Interior, in charge of organising elections, and the national Committee for Persons with Disabilities assess together with civil society organisations and political parties what worked in the organisation of elections and what could be improved before the next election.

The Commission also issues a report after each election to the European Parliament, which covers the issues faced by persons with disabilities.

# 8. Final considerations

Equality and non-discrimination and the integration of persons with disabilities are core values of the EU and constitute fundamental rights provided under the EU Charter of Fundamental Rights. In March 2021, to foster a Union of equality, the Commission presented a new ambitious Strategy for the rights of persons with disabilities for 2021-2030. The Strategy aims to improve the lives of persons with disabilities, including to ensure they can participate in elections on an equal basis.

While Member States have increasingly recognised and addressed the importance of ensuring equal access to elections to citizens with disabilities, the EU has also adopted several pieces of accessibility legislation and standards that can be useful as references when incorporating accessibility features into various stages of electoral processes.

This guide of good electoral practices has been prepared to support Member States' exchanges of good practices and expertise and more generally to support their efforts to ensure that citizens with disabilities can exercise their electoral rights effectively.

Key measures taken by Member States include<sup>(92)</sup>:

• Methods for early voting and alternative voting procedures, including advance voting in person, postal voting, online voting, mobile voting, curb-side voting, changing or choosing polling stations, assisted voting by a person freely chosen by the voter;

<sup>&</sup>lt;sup>91</sup> Observatoire de l'accessibilité des campagnes électorales et des scrutins de 2022.

<sup>&</sup>lt;sup>92</sup> Most of the measures are beneficial for the access to elections of all groups, including older people.

- Making specific voting arrangements to ensure persons living in residential or long-term care institutions, hospitals or persons who cannot leave their homes do not lose their right to vote, with particular emphasis on closed residential institutions;
- Making available a wide array of assistive tools such as Braille, QR codes, large print, audio and easy-to-read guides, Braille envelopes, tactile stencils, magnifying glasses, extra lighting, writing utensils and stamps;
- Standards for the provision of human support, through telephone or sign interpretation, and the provision of accessible transport to the polling station;
- Simplified procedures to request accommodation.

More support could be provided for practices that focus on ensuring that persons with disabilities have independence and secrecy when they vote, for example by using a Braille template that can be placed over the ballot paper to cast the vote. This could complement practices enabling voters to be assisted by other persons in casting their vote.

National authorities may also consider further taking into account the specific needs of citizens living with mental health conditions that may affect their experience of voting including depression and anxiety, whether long-term or temporary<sup>(93)</sup>.

Accessibility goes beyond practical measures. It includes the social environment where persons engage with the electoral process. Further research is needed on this phenomenon. Further work and policy measures could also be considered on how polling station staff can support citizens with disabilities (beyond assisting them when asked), and how they can create an inclusive environment. Examples includes language guidance (as highlighted in France's guidance for media) when communicating with citizens with disabilities as voters or candidates, actions to create a social environment to support political participation, especially for political candidates<sup>(94)</sup>, and the creation of networks, mentoring schemes and outlets that inform citizens with disabilities of these opportunities and support their electoral participation.

Clear language and accessible communication materials is also important to combat misinformation and disinformation, as people with disabilities may be particularly at risk. The COVID-19 pandemic led to changes in voting procedures, such as increasing the use of postal voting or remote voting options, which may have led to the development of practices supporting electoral accessibility for persons with disabilities.

Awareness-raising campaigns and other sensitisation actions regarding the electoral rights of persons with disabilities could be further developed in order to support general awareness among electoral officials, election observers, political parties, and the public in general. There is a level of awareness in official documents, as multiple examples show guidance on the use of specific language and categories,

<sup>&</sup>lt;sup>93</sup> See for instance Ireland's recent Electoral Reform Act (2022).

<sup>&</sup>lt;sup>94</sup> See Romania's proposal for legislative amendments to provide financial support.

including guidance for election organisers, which seems preferable. This includes providing information on what type of disabilities fall under the category 'citizens with disabilities' and developing this information in cooperation with representative organisations of persons with disabilities (as done in Belgium, Finland and Latvia).

Effective training courses cover aspects such as giving an overview of the electoral rights of persons with disabilities, accessible voting practices and venues, reasonable accommodations available to persons with disabilities, how to support voters with disabilities and contingency plans if issues arise. In addition, training could include a self-assessment diagnostic, testing and certification, to identify blind spots or lack of understanding of the information. A good example of this comes from Denmark, where election officials (and others) take a quiz to check their knowledge of the information.

Whenever possible, measures being implemented could ensure that citizens living with disabilities have an electoral experience that is as comparable as possible to that of other citizens. This could go beyond simply enabling access in some form. Examples include having an automatic electoral register (such as in most Member States) so that 'opting in' for voting is not required or simplified registration procedures, such as in Ireland; providing more accessibility measures in polling stations rather than alternative forms of voting (such as postal voting) that do not give a sense of participation in public life to the same extent. This may also include recreating a polling-station atmosphere within other settings, such as enabling citizens with disabilities who live in assisted care to vote on a set day in their own environment (for example the 'closed polling stations' in Poland).

Current datasets do not specifically cover the issues that citizens with disabilities might face when exercising their electoral rights. Collecting more statistical information about citizens with disabilities (as in Sweden and Romania) would give authorities a better understanding of how electoral experiences might vary based on forms of disabilities and how this information could be used to co-design research projects that tailor data collection to them. Good examples include piloting new voting tools/technologies using citizens with different accessibility needs, to explore potential unintended consequences or unmet needs; designing quantitative instruments that enable aggregation and analysis of findings on the basis of different types of disabilities, using qualitative research findings that give in-depth insights into persons' lived experience to understand better how they would like to participate in public and political life. Any processing of personal data for statistical purposes must take place in full compliance with the GDPR.

To meet the needs of citizens with a disability in an electoral context efficiently, standard measures could be used to assess both the extent to which there are inequalities in access to the vote and the effectiveness of any solutions taken to reduce those inequalities.

Representative organisations of persons with disabilities could be consulted when measures aimed at supporting participation in elections of persons with disabilities are being prepared.

Recommendations addressing inclusive and resilient electoral processes in the Union, including measures to promote accessibility of elections for persons with disabilities, will be issued by the Commission in December 2024.

Further discussions on the topic of disability-inclusive elections will be conducted in the framework of the European Cooperation Network of Elections.

Annex 1 - Framework for enabling persons with disabilities to access election	ons
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When?	What?
Before the elections	<ul> <li>Develop disability action plans, including checklists for accessible elections and involve representative organisations of persons with disabilities in the preparation of such plans.</li> <li>Ensure that persons with disabilities have access to electoral information, in multiple and accessible modes and formats.</li> <li>Ensure that election authorities' websites are accessible.</li> <li>Conduct awareness-raising activities, training and education activities, including in cooperation with representative organisations of persons with disabilities.</li> <li>Choose polling station premises that are accessible, including by using checklists developed together with representative organisations of persons with disabilities.</li> <li>Design ballot papers to be easy to read and use assistive tools.</li> <li>Design accessible polling stations, going beyond physical accessibility.</li> <li>Ensure that voting machines are equipped with software that can easily incorporate accessibility features.</li> <li>Design voting booths and ballot boxes that are accessible to a wide range of voters.</li> <li>Purchase tools to improve accessibility, such as magnifying glasses, lamps, tactile and/or Braille templates for paper-based ballots, tactile stickers for ballot boxes, large grip pens, large printouts, audio files (i.e. DAISY <sup>(95)</sup>), video files with full transcription, captioning, sign language interpretation.</li> <li>Provide complementary voting methods and other specific arrangements, including postal and online voting, advance voting, mobile voting, curb-side voting, proxy voting and the option to choose another polling station.</li> <li>Mainstream disability considerations in manuals for election officials.</li> <li>Consult representative organisations of persons with disabilities when preparing election rules and involve them in developing codes of conduct, including inclusive practices for compiling candidate lists.</li> </ul>
During the elections	<ul> <li>Provide training to election officials on how to help persons with disabilities in the voting process.</li> </ul>

<sup>&</sup>lt;sup>95</sup> European Inclusive Publishing Forum.

When?	What?
After the elections	<ul> <li>Raise awareness among electoral and other relevant authorities.</li> <li>Disseminate electoral information in multiple and accessible modes and formats.</li> <li>Make electoral debates and events accessible.</li> <li>Support accessibility of political advertising, including in cooperation with representative organisations of persons with disabilities and providing training to media providers.</li> <li>Support candidates with disabilities, including by providing sign language interpreters, and conduct debates in accessible formats.</li> <li>Help persons with disabilities to participate as election officials, including by providing access to sign language interpretation.</li> <li>Support participation of voters, including by providing voting assistance by a person of their choice and implementing queue jumping policies.</li> <li>Announce election results in accessible formats.</li> <li>Ensure that election dispute resolution procedures are accessible to persons with disabilities.</li> <li>Support observation of elections by persons with disabilities and observe the accessibility of elections.</li> <li>Collect data on the participation of persons with disabilities in elections.</li> <li>Evaluate the accessibility of electoral websites, including in cooperation with representative organisations of persons with disabilities.</li> <li>Review legal, institutional, and administrative barriers.</li> <li>Review the accessibility of electoral websites, including in cooperation with representative organisations of persons with disabilities access to the documents they need.</li> <li>Reinforce partnerships between election authorities, representative organisations of persons with disabilities and other stakeholders, to address identified gaps related to the overall accessibility of the electoral environment.</li> </ul>

# Annex 2 – Examples of checklist to assess the accessibility of polling stations

# a) Estonia

Criteria assessed	Yes	No
Public transport and parking		
The building where the polling station is located can be accessed by		
public transport		
The building has parking spaces for vehicles of persons with disabilities		
Obstacle-free access from the parking area to the main entrance of the		
building		

Access route and entry to the building       Image: constraint of the second seco		
The entry to the building is accessible by a ramp         The ramp has handrails and a level anti-slip surface         The ramp has sufficient width (minimum 1.1 m)         Wheelchair users can cross the door threshold of the building independently         The outer door of the building opens automatically or can be opened easily         The outer door is open, i.e. the door is not locked, or does not require a door phone to open         Access route to the polling place in the building         The polling place is on the same floor as the main entrance of the building         The route from the main entrance to the polling place has sufficient width (minimum 1.5 m)         The access route to the polling place is free of obstacles, including door thresholds, that impede wheelchair access         The inner doors of the building open automatically or can be opened easily         The route to the polling place is free of obstacles, including door thresholds, that impede wheelchair access         The route to the polling place is signposted         The route to the polling place is signposted         The route to the polling place is signposted         The route to the polling station         The route is sufficient space to move wheelchairs and other mobility aids in the polling station has seats for voters who need to rest	Access route and entry to the building	
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the polling station	Movement in the polling station	
The polling station has seats for voters who need to rest		
The polling station has sufficient lighting	The polling station has seats for voters who need to rest	
	The polling station has sufficient lighting	

b) Finland<sup>(96)</sup>

Arriving at the polling station	Yes	No
Is the polling station easily accessible and is there a public transport		
stop close to the polling station?		
Can escort traffic (e.g. taxis for persons with disabilities) get close to		
the entrance?		
Are there accessible parking spaces near the polling station (width		
3 600 mm and length 5 000 mm)?		
Is the route to the entrance signposted?		
Is the route to the entrance easy to see, smooth, hard surfaced and		
non-slippery?		
Are the gradients of the passage no more than 5% (1:20)?		
Entrance		
Are there clear signs for accessible routes at the polling station?		

<sup>&</sup>lt;sup>96</sup> Invalidiliitto, 'Äänestyspaikkojen esteettömyyden tarkistuslista'.

Arriving at the polling station	Yes	No
Is there a ramp with a slope of up to 8% and a width of at least 900 mm		
alongside the entrance staircase?		
Do the stairs and ramps have handrails on both sides?		
Is there a platform in front of the front door at least 1 500 mm x 1 500		
mm?		
Is there at least 400 mm of free space on the opening side of the front		
door that a wheelchair user needs when opening the door?		
Is the width of the entrance door at least 850 mm and the height of the		
threshold not more than 20 mm?		
Is the door automatic opening or otherwise light (maximum opening		
force 10 N, i.e. 1 kg)?		
Are there gaps of no more than 10 mm x 30 mm in the mud mat or		
grate at the entrance, and is the level difference caused by the mat or		
grate no more than 20 mm?		
Is the depth and width of the wind cabinet at least 1 500 mm if both		
doors open away from the windbreaker?		
Is the width of the wind cabinet at least 1 500 mm and the depth at		
least 2300 mm if one of the doors opens inside the cabinet?		
Polling station		
Does the polling station have at least one polling booth where you can		
fill in the ballot paper at the table while sitting?		
Is there knee room under the voting booth table (height 750-800 mm)		
with minimum dimensions of 800 mm width, 600 mm depth and 670		
mm height?		
Or are there height-adjustable tables at the polling station?		
Do the voting booths have glare-free and adequate (500-750 lux on the		
writing level) lighting?		
Are there seats at the polling station where voters can rest if they need		
to?		
Is there an election assistant at both the advance polling station and the		
actual polling station?		
If there are assistive device users among election officials, the polling		
station must be equipped with an accessible toilet.		

#### Annex 3 – Example of general recommendations for polling station officials

Spain

As a member of a polling station, keep in mind that persons with disabilities are autonomous and independent and must be treated as such.

Act naturally and respectfully. Do not assume that a person needs help simply because they have a disability. If the environment is accessible, persons with disabilities usually manage without difficulty.

Be guided by common sense and by the principle of equality and non-discrimination. Ask if your help is needed only if the voter with a disability seems to need it. If that person accepts it, ask them specifically how you can help before acting.

At the request of voters with disabilities, and only when they request it, at the entrance to the polling place, the representative of the administration or security staff

may accompany them to the corresponding polling station.

When communicating with persons with hearing impediments, speak straight ahead, don't move your head. Don't talk from behind, crouched down or when writing. Don't shout, just speak normally, at your normal pace of conversation, with nothing in your mouth, and don't block your face from view. If necessary, use writing, natural gestures or attract attention with a light touch on the arm.

For visually impaired voters, you can offer your arm for support. If so, adapt your pace to theirs and be mindful of the environment so that they can walk comfortably. Guide dogs and assistance dogs for persons with disabilities will always be admitted, they must stay with their owner and must not be disturbed or distracted.

Always check that the person with a disability has understood what you are trying to communicate.

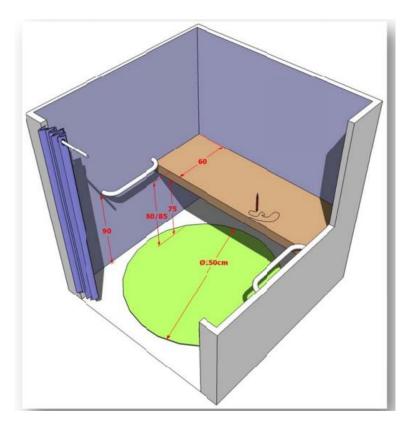
#### Annex 4 – Example of how to provide access to polling station premises<sup>(97)</sup>

<sup>&</sup>lt;sup>97</sup> <u>Accessibilite\_des\_bureaux\_de\_vote.</u>



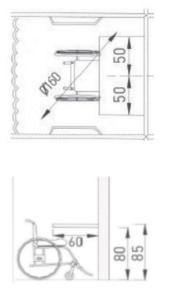
Annex 5 – Example of how to design an accessible polling station<sup>(98)</sup>

Annex 6 – Examples of adapted voting booths<sup>(99)</sup>



<sup>98</sup> Accessibilite des bureaux de vote.

<sup>99</sup> Accessibilite\_des\_bureaux\_de\_vote.



# Annex 7 – Concept of disability used by Member States in the context of elections

Member States differ in their approach to the concept of disability in the context of elections. This is sometimes linked to how they define who is entitled to vote and stand as candidates in elections, or how they define who is eligible to use special voting arrangements. Member States may also refer to disability in other contexts, such as social and fundamental rights, which could be relevant in the context of elections.

Several Member States use operational definitions that account for the ability of the voters to exercise their right to vote on their own. Austria defines as voters with disabilities persons who may reasonably need assistance in filling in an official ballot paper, be it with the help of another person or certain assistive devices such as templates. Czechia refers to disability as one of the criteria for providing assistance or other specific support to voters. Denmark mentions persons with disabilities in the context of different voting options available to voters who are unable to vote at the polling station or at the specific polling station they are assigned to. In a similar vein, Estonia makes provision for voters unable to express their voting option on a ballot paper or at the polling station due to a physical disability. Spain applies a more nuanced approach, making provision for different types of disabilities, either physical (such as hearing and visual) or intellectual impairments<sup>(100)</sup>.

For Croatia, an assessment of disability (physical disability such as blindness, low vision, damage to the upper extremities or other impairments that prevent the voter from voting independently) is only needed if a person's capacity to vote independently is in question.

Hungary defines voters with disabilities as voters who have significantly limited or no sensory abilities, especially vision and hearing, or significantly limited or no locomotor

<sup>&</sup>lt;sup>100</sup> In 2018, in Spain, Article 3 of the Electoral Law was amended.

abilities or mental capacity, or who have considerably limited communication abilities, and this puts them at a permanent disadvantage in terms of actively participating in social life.

Latvia mentions voters with physical disabilities who cannot reach the polling station. The Netherlands mentions voters with a physical disability in its requirement to equip polling stations in a way that enables voters with a physical disability to cast their vote by themselves as much as possible or get help from a polling station member.

In Portugal, for the purposes of the obligation to provide priority service to persons with disabilities, with regard to all public and private organisations that provide inperson service to the public, a person with a disability or incapacity is legally defined as someone who, due to a congenital or acquired loss or impairment of bodily functions, including psychological functions, has specific difficulties which, in combination with environmental factors, limit or hinder their activity and participation on equal terms with other persons and who has a degree of incapacity equal to or greater than 60%, recognised in a Multipurpose Certificate<sup>(101)</sup>. Portugal provides voters with a disability with priority or assistance at the polling station. A voter affected by a manifest illness or physical disability, who the polling station finds is unable to perform the necessary steps for voting, will vote accompanied by another voter of his/her choice, who guarantees that the vote corresponds to the will of the voter and who is bound by absolute secrecy. If the polling station considers that the illness or physical disability is not manifest, it requires that a certificate attesting to the impossibility of voting be presented at the time of voting, issued by the doctor who exercises powers of health authority in the area of the municipality and authenticated with the seal of the respective service. To this end, the health centres must remain open on election day during the time the polling stations are functioning. Without prejudice to the polling station's conclusions on the admissibility of the vote. any of its members or the delegates of the political parties or coalitions may register a written protest. Voters who are visually impaired may, if they so wish, ask the polling station to provide them with a Braille ballot that will enable them to carry out the legally prescribed voting procedures on their own. The electoral legislation only categorises as unable to vote persons with severe psychosocial disabilities who are admitted to a psychiatric facility or declared as such by a medical board. Persons who manifestly present a serious mental impairment, even if not registered as such, when committed in a psychiatric institution or declared as such by a board of doctors, and persons who are deprived of their political rights by a final court decision have no active electoral capacity.

Slovenia mentions a range of disabilities in its election laws and sets out the voting options available to voters.

Other Member States, for various reasons, do not connect the term specifically to electoral participation and use generic definitions or definitions established for other legal purposes. For Greece, this is linked to social security and to its upcoming National Action Plan for Persons with Disabilities, the Disability Register and Digital

<sup>&</sup>lt;sup>101</sup> Decree-Law n.º 58/2016, of 29 August.

Disability Card. France uses a broad definition of disability, which is defined as any limitation of activity or restriction of participation in society experienced in their environment by a person due to a substantial, lasting or permanent impairment of one or more physical, sensory, mental, cognitive or psychic functions, a multiple disability or a disabling health condition. Ireland uses a definition in the context of elections that is largely drawn from the UNCRPD definition, indicating that disability means a substantial restriction in the capacity of the person to carry out a profession, business or occupation in the State or to participate in social or cultural life in the State by reason of an enduring physical, sensory, mental health or intellectual impairment.

Lithuania defines disability as a long-term deterioration to health, participation in social life and a decrease in activity due to the disruption of a person's body structure and functions and the interaction of adverse environmental factors. Starting with 2024, this definition will be changed and disability will be understood as a long-term functional impairment (congenital and/or acquired), which, due to environmental factors, prevents a person from fully and effectively participating in society on an equal basis with other persons. Luxemburg uses the UNCRPD definition.

In Romania, the concept of disability is not included in the electoral legislation as such, but in specific legislation on the rights of persons with disabilities. It is based on the UNCRPD concept which defines persons with disabilities as persons whose social environment is not adapted to their physical, sensory, psychic, mental and/or associated impairments, and totally prevents or limits their access with equal opportunities to the life of society, requiring protective measures to support their social integration and inclusion. The law on presidential elections also refers to persons with reduced mobility, which encompasses persons with physical disabilities, and as a criterion for being able to vote at any accessible polling station.

Belgium does not define disability or distinguish between mental or physical disability. Germany has a legal framework that is the reference for all disability policies. In Sweden, there are no specific criteria defining what constitutes a disability, as different kinds of disabilities affect persons in different situations.

## Annex 8 –EU law and EU standards with relevance in the context of election accessibility for persons with disabilities

Directive (EU) 2019/882<sup>(102)</sup> (European Accessibility Act) on the **accessibility requirements for products and services** promotes full and effective equal participation by improving access to mainstream products and services that, by design or adaptation, meet the specific needs of persons with disabilities. Annex I to this Directive lays down the specific accessibility requirements for products and services. Annex II provides examples of practical solutions that help countries meet these accessibility requirements. These solutions cover the provision of information,

<sup>&</sup>lt;sup>102</sup> Directive (EU) 2019/882 of the European Parliament and of the Council of 17 April 2019 on the accessibility requirements for products and services.

user interface and functionality design, packaging and instructions of products, the provision of services and specific services, which could also be helpful in making e-voting solutions accessible.<sup>(103)</sup>

For products and services not covered by the European Accessibility Act, following these accessibility requirements would still help improve accessibility across the EU.

**Directives 2014/24/EU**<sup>(104)</sup> and **2014/25/EU**<sup>(23, 105)</sup> of the European Parliament and of the Council on public procurement, defining procedures for the procurement of public contracts and design contests for certain supplies (products), services and works, establish that, for all procurement designed to be used by the public, whether general public or staff of the contracting authority or entity, the technical specifications must (except in duly justified cases) follow the accessibility criteria for persons with disabilities or design for all users. These Directives also require that, where mandatory accessibility requirements are adopted by a piece of EU law, technical specifications must follow these requirements in terms of providing access to persons with disabilities and design for all users.

**Directive (EU) 2016/2102**<sup>(106)</sup> (Web Accessibility Directive) sets out accessibility principles for websites and mobile applications run by public sector bodies. These principles are:

- information and user interface components must be presentable to users in ways they can perceive;
- operability, meaning that user interface components and navigation must be operable;
- understandability, meaning that information and the operation of the user interface must be understandable; and
- robustness, meaning that content must be robust enough to be interpreted reliably by a wide range of users, including assistive technologies.<sup>(107)</sup>

<sup>&</sup>lt;sup>103</sup> Annex 2 to the Directive provides examples that could be relevant to voting procedures.

<sup>&</sup>lt;sup>104</sup> Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC. Consolidated text.

<sup>&</sup>lt;sup>105</sup> Directive 2014/25/EU of the European Parliament and of the Council of 26 February 2014 on procurement by entities operating in the water, energy, transport and postal services sectors and repealing Directive 2004/17/EC. Consolidated text.

<sup>&</sup>lt;sup>106</sup> <u>Directive (EU) 2019/882 of the European Parliament and of the Council of 17 April 2019 on the accessibility requirements for products and services</u>.

<sup>&</sup>lt;sup>107</sup> Those principles of accessibility are translated into testable success criteria, such as those forming the basis of European Standard EN 301 549 V3.2.1 (2021-03) 'Accessibility requirements suitable for public procurement of ICT products and services in Europe'. This provides a common methodology to test the conformity of content on websites and mobile applications with those principles. This European standard was adopted on the basis of mandate M/554 issued by the Commission to the European standardisation organisations.

The Directive also requires each website and mobile application to provide a detailed, comprehensive, and clear accessibility statement on how their websites and mobile applications comply with this directive.<sup>(108)</sup>

For many Member States, the adoption of the Directive meant bringing in new national laws on web accessibility. Without the Directive, national-level action alone would not have reached the level of web-accessibility-related activity, including awareness raising within the public sector, as demonstrated in Member State accessibility monitoring reports. The review of technological advances showed that automated or efficient and easy-to-implement means using artificial intelligence and machine learning is increasingly used in tools providing digital access, improving accessibility for some types of content that are currently out of the scope of the Directive.

**Directive 2010/13/EU**<sup>(109)</sup> recognises that the right of persons with an impairment and of the elderly to participate and be integrated in the social and cultural life of the EU is linked to the provision of accessible audiovisual media services. Therefore, Member States must, without undue delay, ensure that media service providers under their jurisdiction actively make content accessible to persons with disabilities, in particular persons with a visual or hearing impairment. Media service providers must meet the accessibility requirements through a progressive and continuous process, while taking into account the practical and unavoidable constraints that could prevent full accessibility, such as programmes or events broadcast in real time.

To measure the progress made by media service providers in making their services progressively accessible to persons with visual or hearing disabilities, Member States must require media service providers established on their territory to report to the national regulatory authorities on a regular basis. Member States must also encourage media service providers to develop accessibility action plans in respect of continuously and progressively making their services more accessible to persons with disabilities. These action plans must be communicated to national regulatory authorities or bodies. Each Member State must also designate a single, easily accessible, including by persons with disabilities, and publicly available online contact point for providing information and receiving complaints on any of the above accessibility issues.

<sup>&</sup>lt;sup>108</sup> Commission Implementing Decision (EU) 2018/1523 of 11 October 2018 establishing a model accessibility statement in accordance with Directive (EU) 2016/2102 of the European Parliament and of the Council on the accessibility of the websites and mobile applications of public sector bodies (OJ L 256, 12.10.2018, pp. 103-107).

<sup>&</sup>lt;sup>109</sup> Directive 2010/13/EU of the European Parliament and of the Council of 10 March 2010 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (Audiovisual Media Services Directive) (codified version). Consolidated text

**European Standard EN 301 549**<sup>(110)</sup> specifies the functional accessibility requirements applicable to ICT products and services, and a description of the test procedures and evaluation methodology for each accessibility requirement in a form that is suitable for use in public procurement in Europe. This document is designed to be used with web-based technologies, non-web technologies and hybrids that use both. It covers software, hardware and services. It is designed for use by both providers and procurers, but expected to be of use to many others as well.

It draws heavily from the <u>Web Content Accessibility Guidelines v2.1</u>, published by the W3C and known as WCAG 2.1. These WCAG are internationally recognised requirements for producing web content. They are considered to be best practice and are very widely used. However, **EN 301 549 v2.1.2 and v3.2.1 each include requirements that are not part of WCAG 2.1**. EN 301 549 also includes requirements that are not relevant to the Web Accessibility Directive, for example accessibility requirements of computer hardware systems.<sup>(111)</sup>

**European Standard EN 17210**<sup>(112)</sup> on the accessibility and usability of the built environment describes basic, minimum functional requirements and recommendations for an accessible and usable built environment. It follows 'Design for All'/'Universal Design' principles, which facilitate equitable and safe use for a wide range of users, including persons with disabilities. These functional accessibility and usability requirements and recommendations are relevant to the design, construction, refurbishment or adaptation, and maintenance of built environments, including outdoor pedestrian and urban areas.

Additional reference documents include:

 <u>Commission staff working document evaluation</u>, review of the application of Directive (EU) 2016/2102 of the European Parliament and of the Council of 26 October 2016 on the accessibility of the websites and mobile applications of public sector bodies (Web Accessibility Directive);

<sup>&</sup>lt;sup>110</sup> Web Accessibility Directive: Standards and harmonisation. This standard is currently under revision, following the adoption by the Commission of standardisation mandate M/587 (COMMISSION IMPLEMENTING DECISION of 14.9.2022 on a standardisation request to the European standardisation organisations as regards the accessibility requirements of products and services in support of Directive (EU) 2019/882 of the European Parliament and of the Council; see <u>eNorm Platform (europa.eu)</u>), aimed at supporting the implementation of the European Accessibility Act. The deadline for the adoption of the revised standards is 15 September 2025.

<sup>&</sup>lt;sup>111</sup> Web Accessibility Directive: Standards and harmonisation. This standard is currently under revision, following the adoption by the Commission of standardisation mandate M/587 (COMMISSION IMPLEMENTING DECISION of 14.9.2022 on a standardisation request to the European standardisation organisations as regards the accessibility requirements of products and services in support of Directive (EU) 2019/882 of the European Parliament and of the Council, aimed at supporting the implementation of the European Accessibility Act. The deadline for the adoption of the revised standards is 15 September 2025.

<sup>&</sup>lt;sup>112</sup> EN 17210:2021 contributes to an accessible and usable built environment.

- <u>Study underpinning the review of the application of the Web Accessibility</u> <u>Directive;</u>
- <u>European Economic and Social Committee</u>, The real right of persons with disabilities to vote in European Parliament elections;
- <u>European Disability Forum Human Rights report on political participation of persons with disabilities;</u>
- <u>AVA Accessible Voting Awareness-Raising report</u> on the Accessibility of Elections for Blind and Partially Sighted Voters in Europe produced by the European Blind Union.

#### Annex 9 - Outcomes of a focus group on election accessibility for persons with disabilities organised by the Commission on 7 September 2023

On 7 September 2023, the Commission organised a focus group with stakeholders working on the rights for persons with disabilities.

Concerns were raised on the access to the electoral process by persons with intellectual disabilities and about the tests being conducted in this context. Other accessibility barriers mentioned included the lack of easy-to-read information, the lack or insufficient support for candidates with disabilities and elected officials, including in terms of sign language interpretation, insufficient training for election officials on how to help persons with disabilities to vote, inaccessible polling stations, lack of transport to polling stations and insufficient alternative options to voting at the polling station.

Some participants highlighted that the lack of awareness about disability rights and accessibility in electoral processes may result in both attitude and environmental barriers, which can impact policy changes or initiatives to improve the participation rate. It was mentioned that low awareness stems from several issues, including a lack of voting data with detail on disability, a lack of training for electoral officials and low levels of involvement of disability organisations in reforming electoral practices.

Reference was made to environmental barriers, which include lack of access to information and communication on elections and political parties, inaccessible polling stations (both physical and otherwise) and voting materials, insufficient alternative and advanced voting methods, limited availability of assistive technologies and a lack of practical and financial support for persons with disabilities, both as voters and as candidates. No Member State provides specific support to candidates with disabilities or public funds to cover their costs of campaigning. This puts the financial and logistical burden of accessibility solely on the shoulders of the would-be candidates.

Stakeholders also mentioned challenges related to the linguistic needs persons with hearing impairments face in carrying out an elected term of office. Reasonable accommodation, including sign language interpretation services, could be provided by political parties, national parliaments and the European Parliament.

## Annex 10 – Availability of assistive tools, accessible voting booths and ballot boxes<sup>(113)</sup>

Member State	Templates <sup>(114)</sup>	Magnifiers <sup>(115)</sup>	Adequate lighting <sup>(116)</sup>	Audio description <sup>(117)</sup>	Sign language available at the polling station	Large printouts <sup>(118)</sup>	Braille ballots <sup>(119)</sup>	Accessible voting booths <sup>(120)</sup>	Accessible ballot boxes <sup>(121)</sup>
Austria	Yes	No	Yes	No	No	No	No	Yes	Yes
Belgium	Yes	Yes	Yes	Yes	No	Yes	No	Yes	Yes
Bulgaria	No	No	No	No	No	No	No	Yes	Yes
Cyprus	No	No	No	No	No	Yes	No	Yes	Yes
Czechia	No	No	No	Yes	No	No	No	Yes	Yes
Germany	Yes	No	Yes	No	Yes	No	No	Yes	Yes
Denmark	No	Yes	Yes	No	No	No	No	Yes	Yes
Estonia	No	Yes	Yes	No	Yes	No	No	Yes	Yes
Greece	No	No	No	No	No	No	No	Yes	Yes
Spain	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes

<sup>&</sup>lt;sup>113</sup> The table was prepared together with Member States and reflects the best information available at the time of the publication.

<sup>&</sup>lt;sup>114</sup> Requirement to provide templates otherwise known as tactile stencils.

<sup>&</sup>lt;sup>115</sup> Requirement to provide magnifiers to voters.

<sup>&</sup>lt;sup>116</sup> Requirement to provide adequate lighting in the polling booth.

<sup>&</sup>lt;sup>117</sup> Requirement to ensure that audio information about the candidates can be accessed from the polling station either using a personal device or an assistive device provided by the election officials.

<sup>&</sup>lt;sup>118</sup> Requirement to make available large printouts of the ballot or of the candidate list at the polling station.

<sup>&</sup>lt;sup>119</sup> Requirement to ensure that ballots also include information in Braille format.

<sup>&</sup>lt;sup>120</sup> Requirement to ensure that voting booths follow accessibility standards.

<sup>&</sup>lt;sup>121</sup> Requirement to ensure that accessibility of ballot boxes is ensured.

Member State	Templates <sup>(114)</sup>	Magnifiers <sup>(115)</sup>	Adequate lighting <sup>(116)</sup>	Audio description <sup>(117)</sup>	Sign language available at the polling station	Large printouts <sup>(118)</sup>	Braille ballots <sup>(119)</sup>	Accessible voting booths <sup>(120)</sup>	Accessible ballot boxes <sup>(121)</sup>
Finland	Yes	Yes	Yes	No	No	No	No	Yes	Yes
France	No	No	Yes	Yes	No	Yes	No	Yes	Yes
Croatia	Yes	No	Yes	Yes	Yes	No	No	Yes	Yes
Hungary	Yes	No	No	No	No	Yes	Yes	Yes	Yes
Ireland	Yes	No	Yes	No	No	Yes	Yes	Yes	Yes
Italy	No	No	No	No	No	No	No	Yes	Yes
Lithuania	Yes	Yes	Yes	Yes	Yes	No	No	Yes	Yes
Luxembourg	Yes	No	Yes	No	No	No	Yes	Yes	Yes
Latvia	No	No	No	Yes	No	No	No	Yes	Yes
Malta	Yes	No	Yes	Yes	No	No	Yes	Yes	Yes
The Netherlands	Yes	Yes	Yes	No	Yes	Yes	No	Yes	Yes
Poland	Yes	No	Yes	No	No	No	No	Yes	Yes
Portugal	Yes	No	No	No	No	No	Yes	Yes	Yes
Romania	No	No	No	No	No	No	No	Yes	Yes
Sweden	No	Yes <sup>(122)</sup>	No	No	No	No	Yes <sup>(123)</sup>	Yes	Yes
Slovenia	Yes	No	Yes	No	No	Yes	No	Yes	Yes
Slovakia	No	No	No	No	No	No	No	Yes	Yes

<sup>&</sup>lt;sup>122</sup> Magnifiers are provided at many polling stations as established by local authorities.

<sup>&</sup>lt;sup>123</sup> Braille ballots for major political parties can be ordered in advance by voters.

# Annex 11 - Complementary voting options available for persons with disabilities in EU Member States<sup>(124)</sup>

Country	Mobile voting <sup>(125)</sup>	Curb-side voting <sup>(126)</sup>	Choosing polling stations <sup>(127)</sup>	Advance voting <sup>(128)</sup>	Postal voting <sup>(129)</sup>	Assisted voting <sup>(130)</sup>	Proxy voting <sup>(131)</sup>	Internet voting <sup>(132)</sup>
Austria	Yes	No	Yes	No	Yes	Yes	No	No
Belgium	No	No	Yes	No	Yes <sup>(133)</sup>	Yes	Yes	No
Bulgaria	Yes	No	Yes	No	No	Yes	No	No
Cyprus	No	No	No	No	No	Yes	No	No
Czechia	Yes	Yes	Yes	No	No	Yes	No	No
Germany	No	No	Yes	No	Yes	Yes	No	No
Denmark	Yes	Yes	Yes	Yes	No	Yes	No	No
Estonia	Yes	No	Yes	Yes	No	Yes	No	Yes
Greece	No	No	No	No	No	Yes <sup>(134)</sup>	No	No
Spain	No	Yes	No	No	Yes	Yes	No	No

<sup>128</sup> Early voting for persons unable to go to a polling station on election day.

<sup>131</sup> The possibility to delegate the voting right to another person.

<sup>&</sup>lt;sup>124</sup> The table was prepared together with Member States and reflects the best information available at the time of the publication.

<sup>&</sup>lt;sup>125</sup> Voting from home, hospitals or residential settings.

<sup>&</sup>lt;sup>126</sup> Voting from the immediate vicinity of the polling station

<sup>&</sup>lt;sup>127</sup> The possibility to go to an accessible polling station, when the polling station to which a voter is assigned to is not accessible.

<sup>&</sup>lt;sup>129</sup> Refers only to in-country postal voting.

<sup>&</sup>lt;sup>130</sup> The possibility of receiving voting assistance from another person.

<sup>&</sup>lt;sup>132</sup> The possibility to cast a vote over the internet.

<sup>&</sup>lt;sup>133</sup> For citizens abroad.

<sup>&</sup>lt;sup>134</sup> Free choice of assistant is not available.

Country	Mobile voting <sup>(125)</sup>	Curb-side voting <sup>(126)</sup>	Choosing polling stations <sup>(127)</sup>	Advance voting <sup>(128)</sup>	Postal voting <sup>(129)</sup>	Assisted voting <sup>(130)</sup>	Proxy voting <sup>(131)</sup>	Internet voting <sup>(132)</sup>
Finland	Yes	Yes	No	Yes	Yes <sup>(135)</sup>	Yes	No	No
France	No	No	No	No	Yes <sup>(136)</sup>	Yes	Yes	Yes <sup>(137)</sup>
Croatia	Yes	Yes	No	No	No	Yes	No	No
Hungary	Yes	No	Yes	No	Yes	Yes	No	No
Ireland	Yes	No	Yes	No	Yes	Yes	No	No
Italy	Yes	No	Yes	No	No	Yes	No	No
Lithuania	Yes	No	Yes	Yes	Yes <sup>(138)</sup>	Yes	No	No
Luxembourg	No	No	Yes	No	Yes	Yes	No	No
Latvia	Yes	No	Yes	Yes	No	Yes	No	No
Malta	No	No	No	Yes	No	Yes <sup>(139)</sup>	No	No
The Netherlands	No	No	Yes	No	No	Yes	Yes	No
Poland	No	No	Yes	No	Yes	Yes	Yes	No
Portugal	Yes	No	No	Yes	No	Yes	No	No
Romania	Yes	No	Yes	No	Yes <sup>(140)</sup>	Yes	No	No
Sweden	Yes	Yes	No	Yes	Yes <sup>(141)</sup>	Yes	Yes	No

<sup>135</sup> For citizens abroad.

<sup>136</sup> For citizens abroad, voters serving a prison sentence and those at detention facilities.

- <sup>137</sup> For citizens abroad.
- <sup>138</sup> For citizens abroad.
- <sup>139</sup> Free choice of assistant is not available.

<sup>140</sup> For citizens abroad.

<sup>141</sup> For citizens abroad.

Country	Mobile voting <sup>(125)</sup>	Curb-side voting <sup>(126)</sup>	Choosing polling stations <sup>(127)</sup>	Advance voting <sup>(128)</sup>	Postal voting <sup>(129)</sup>	Assisted voting <sup>(130)</sup>	Proxy voting <sup>(131)</sup>	Internet voting <sup>(132)</sup>
Slovenia	Yes	Yes	Yes	Yes	Yes	Yes	No	No
Slovakia	Yes	No	Yes	No	No	Yes	No	No