

Inclusion
International



INCLUSIVE CIVIC ENGAGEMENT

An Information Toolkit for
Families and People with
Intellectual Disabilities

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Introduction

This toolkit has been developed as part of an Inclusion International project, *Accessing the Ballot Box*, funded by the UN Democracy Fund. The project was designed to address the limited political participation of people with intellectual disabilities in **Kenya, Zanzibar** and **Lebanon**.

It sought to identify and challenge the barriers people with intellectual disabilities face in exercising their right to civic engagement and political participation and increase the awareness and knowledge of project stakeholders (people with intellectual disabilities, their families and representative organizations, service providers and governments) on building inclusive democratic processes.

The main objectives of the project were to:

- establish a **baseline understanding** of the political participation of people with intellectual disabilities in Kenya, Lebanon and Zanzibar;
- **increase the awareness and knowledge** of people with intellectual disabilities, their families and representative organizations and governments about the right to political participation
- provide **tools** to initiate positive change.

The project did this through

- collection and analysis of data
- development of tools and publications on the right to political participation
- workshops and train-the-trainer programmes.

While the project was focused in those three countries, the tools and resources have been designed to be applicable in ALL countries. The limited political participation of people with intellectual disabilities is a result of a number of factors – law, policy and practice. Even in countries where no legal prohibition exists, our data suggests that political participation remains low.

Political participation is not simply the act of casting a ballot on election day. Political participation – happens before, during and after elections. To increase political participation and to help shape inclusive civic engagement, our focus, too, must extend beyond the ballot box to look at what inclusive political participation means and how people with intellectual disabilities can access the ballot box.

This information toolkit is designed to explore how to support people to access the ballot box before during and after elections and to support people with intellectual disabilities and their families, governments and partners to ensure people with intellectual disabilities are able to exercise their right to political participation.



We gratefully acknowledge the UN Democracy Fund for its support project, *Accessing the Ballot Box*.

Global Reality

- There is a systemic exclusion of people with intellectual disabilities, in particular women with intellectual disabilities, from political participation.
- People with intellectual disabilities are often denied their right to vote and engage in democratic processes.
- The CRPD recognizes the Right to Participation in Political and Public Life
- Even where legal prohibitions restricting voting are not in place, people with intellectual disabilities and their families report low levels of political participation. Unfortunately, political participation is frequently associated with policies, legislation, politicians, politics and can be overwhelming and intimidating to many people with intellectual disabilities and their family members. This can lead to feeling disenfranchised.
- People with intellectual disabilities and their families report having to fight for and struggle for access to basic supports and services – to attend school, to get a job, to live in the community. Unless and until these issues are addressed, people with intellectual disabilities are vulnerable to continued low levels of political participation. Accessing the ballot box is as much about building inclusive communities as it is about improving electoral laws, policies and practices.

"I couldn't understand what was on the tv, so I couldn't vote" a self-advocate highlighting that the election materials weren't in plain language and that she didn't understand what the candidates were saying therefore she couldn't vote.

Why Political Participation Matters for People with Intellectual Disabilities

- Historical exclusion has meant people with intellectual disabilities have been silenced and cannot have a say in how society is organized.
- Allows people with intellectual disabilities to raise issues that are important to them.
- Able to influence policies and agendas that take into account their interests
- Play a part in creating a society that is responsive to their needs and interests.
- Allows them to be recognized as members of the community and as equal citizens before the law.

The International Federation of Electoral Services highlights that ongoing participation and inclusion in the mainstream of society, ensures the equal rights of people with intellectual disability, promotes equity, eradicates stereotypes, barriers are broken and public perception is transform.

It also helps in

- More inclusive Government Policies.
- Empower Organizations of People with Disability as effective civil society leaders.
- Greater Inclusion for All citizens.
- Opening to address Barriers for Wider Population. In many countries government perceive advocacy as a “threat” to the government in general.
- It creates a road for governments to engage with civil society.

“It’s important to be involved so I can get what I need to be involved in the community”

Taking part in political and public life is about being included in society and having the voices of people with intellectual disabilities and their families heard.

Government officials that understand the challenges of people with intellectual disability are better equipped to respond to those needs through policy, legislation and practices. They can become champions of the cause and contribute to building systems that are more inclusive for everyone.

Engaging people with intellectual disabilities in the electoral process has been shown to result in democracies that were more inclusive and reflective of the needs of persons with disabilities

What does Political Participation Mean?

Political participation is broadly understood to mean being involved in processes and strategies that are related to civic, political and public life. In many countries, political participation is framed as civic engagement. Political participation establishes the foundation for inclusion in all aspects of society.

Political participation has to do with having a say on how you want your country to be, what is important for you as a citizen. This includes voting and being involved in electoral processes but also includes being involved in civil society organizations and efforts to hold governments to account on their commitments to the rights of persons with disabilities.

These efforts may include:

- Being involved in parallel reports submitted to UN treaty bodies
- Participating in government representation committees
- Engaging in coalitions and efforts to advance the rights of persons with intellectual disabilities
- Engaging with elected officials and government representatives

WHAT IS INCLUSIVE POLITICAL PARTICIPATION

The right to vote is a necessary condition for a healthy democracy. The implications and impact of this right reach far beyond the ballot box and cannot be confined to election day. In a 2005 article, Inclusion International leaders, Diane Richler and Roberto Leal Ocampo, affirmed that “Including these citizens [people with intellectual disabilities] only on Election Day is an insufficient test of democracy”.

Inclusion International’s research and efforts in the Americas in the 90s and 2000s demonstrated that engaging people with intellectual disabilities in the electoral process built democracies that were more inclusive and reflective of the needs of persons with disabilities.

In advance of the 2001 elections in Nicaragua, with support from the International Foundation for Electoral Systems (IFES), more than 200 observers were trained to monitor the elections. The monitors devised a methodology to monitor more than simple participation on election day. They monitored participation of persons with disabilities throughout the electoral process: before (to review and influence party platforms);



during (to cast a vote); and, after (to participate in the formulation of public policy and monitor public institutions through social audits and other mechanisms.¹

In Panama, efforts to promote citizen participation and engagement in advance of the election, including public awareness forums and pre-election forums with Presidential candidates, led to commitments by presidential candidates to policies that would enhance the full participation of persons with disabilities and their families in all aspects of their communities and to the creation of a national Secretariat for the Social Integration of People with Disabilities (SENADIS).

Voting is an important element of political participation. However, only by supporting people who have an intellectual disability and their families to engage in the electoral process before, during and after elections can they be assured of enjoying “political rights on an equal basis with others” as guaranteed by Article 29 of the CRPD.

AN INCLUSIVE ELECTORAL PROCESS

BEFORE

- to review and influence party platforms;
- to ensure disability is included in government agendas/priorities

DURING

- Cast a vote; accessibility of electoral process

AFTER

- to participate in the formulation of public policy and monitor public institutions through social audits and other mechanisms

¹ R. Leal and D. Richler. *Elections: An Opportunity for Inclusion*.



CRPD Article 29

PARTICIPATION IN POLITICAL AND PUBLIC LIFE

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

- (a) Ensure that persons with disabilities can effectively and fully participate in political and public life on an equal basis with others, directly or through freely chosen representatives, including the right and opportunity for persons with disabilities to vote and be elected, inter alia, by:
 - (i) Ensuring that voting procedures, facilities and materials are appropriate, accessible and easy to understand and use;
 - (ii) Protecting the right of persons with disabilities to vote by secret ballot in elections and public referendums without intimidation, and to stand for elections, to effectively hold office and perform all public functions at all levels of government, facilitating the use of assistive and new technologies where appropriate;
 - (iii) Guaranteeing the free expression of the will of persons with disabilities as electors and to this end, where necessary, at their request, allowing assistance in voting by a person of their own choice;

- (b) Promote actively an environment in which persons with disabilities can effectively and fully participate in the conduct of public affairs, without discrimination and on an equal basis with others, and encourage their participation in public affairs, including:
 - (i) Participation in non-governmental organizations and associations concerned with the public and political life of the country, and in the activities and administration of political parties;
 - (ii) Forming and joining organizations of persons with disabilities to represent persons with disabilities at international, national, regional and local levels.

What does CRPD Article 29 Mean

- Voting materials, facilities and procedures are accessible;
- People with intellectual disabilities are able to vote in secret on the day of elections;
- People with intellectual disabilities are supported to obtain identity cards and birth certificates in order



to fulfil requirements for voter registration;

- Voting information such as the location of polling stations and the candidates is available in accessible formats;
- Voting assistance is provided by a person of one's choosing;
- People with intellectual disabilities are able to hold public office;
- People with intellectual disabilities are free to participate in civil society organizations which are concerned with the public and political life of a country as well as the administration of political parties; and that
- People with intellectual disabilities can form or join organizations which represent people with disabilities at local, regional, national and international levels.
- NOT JUST ABOUT VOTING



Barriers faced by people with intellectual disability in accessing political participation

BARRIERS	WHAT WE KNOW
<p>Census information is not reliable.</p>	<p>Statistics on the number of people with disability is very important.</p> <p>Not been counted makes them invisible to government and society.</p>
<p>Identification cards/birth certificates are not universal for all citizens.</p>	<p>ID cards/birth certificates not available for people with disability.</p> <p>Families are reluctant to pay the cost of the ID card for their member with a disability. (they see no use for it since many will not even have access to an education or other services).</p> <p>Travelling distance and times that offices are open coincide with parents time of work or household chores. Identification of disability in these documents is an obstacle to voting rights.</p>
<p>Formal and informal denial of the legal capacity of adults with intellectual disabilities</p>	<p>It is assumed that people with intellectual disabilities lack the capacity to make decisions be personal, health related or financial.</p> <p>Legislation around “legal capacity” is an obstacle for many to exercise their right to make decisions.</p>



This includes not been able to vote for their candidate of their choosing let alone stand for election to public office. For this reason, they are denied the right to participate in the public and political life of a country. For example, in about 13 European countries, once one has been accorded the status of incapacity, this impacts on their right to vote.

Discriminatory laws and policies that prevent people with intellectual disabilities from participating in political and public life

For example, “unsoundness of mind” provisions which are present in a lot of African, MENA, Latin American and Asian countries. These prevent people with intellectual disabilities from making and exercising many activities that have legal implications like signing contracts, opening bank accounts and participation in elections to name a few.

Problems with accessibility also create a barrier for people with intellectual disabilities who want to exercise their right to political participation

In most countries, polling stations are not accessible and the voting materials and ballots are not available in accessible formats. Article 29 (a) (i) imposes a duty on states to ensure that all “voting procedures, facilities and materials are appropriate, accessible and easy to understand and use.”

Social and cultural norms

Operate based on an assumption that people with intellectual disabilities cannot and should not even be making decisions as important as voting. In some countries, women with intellectual disabilities are denied the right to participate in any democratic processes simply because they are women.

Lack of up to date knowledge on the rights of people with intellectual disabilities

Many people in government are not aware that people with intellectual disabilities have a right to participate in political and public life. Without this knowledge, they will not take any measures to ensure that people with intellectual disabilities do participate.



Inadequacy of community structures in addressing the issues around the right to participate in public and political processes of people with intellectual disabilities.

There are underlying social and cultural causes of the denial of the right to political participation and what is required is a multi-layered response. Unfortunately, it is this response that is not always present to address the issues.

Voting and other political rights are not high ranking on the priority list of families of people with intellectual disabilities.

This in turn means that there will be very little if any advocating for these rights and this contributes to their being ignored by government officials and society at large. This is a situation which is not only unfortunate but also unacceptable given the importance of political rights to people with intellectual disabilities.

Exclusion from schools and communities

The exclusion people with intellectual disabilities in their communities has significant implications for their exclusion from political participation.

SUMMARY OF BARRIERS TO POLITICAL PARTICIPATION

Overall, the barriers to political participation can be summarized into 8 key areas:

1. Denial of Legal Capacity
2. Discriminatory Laws and Policies
3. Problems with Accessibility
4. Social and Cultural Norms
5. Lack of Knowledge on the Rights of People with Intellectual Disabilities
6. Lack of Adequate Community Structures to Address the Right to Political and Civic Participation
7. Political and Civic Activities are Low on the Priority List of Families
8. Exclusion from education and communities contributes to exclusion from political participation

"People in line were calling me names and telling me this is not my place" self-advocate describing his experience of voting.

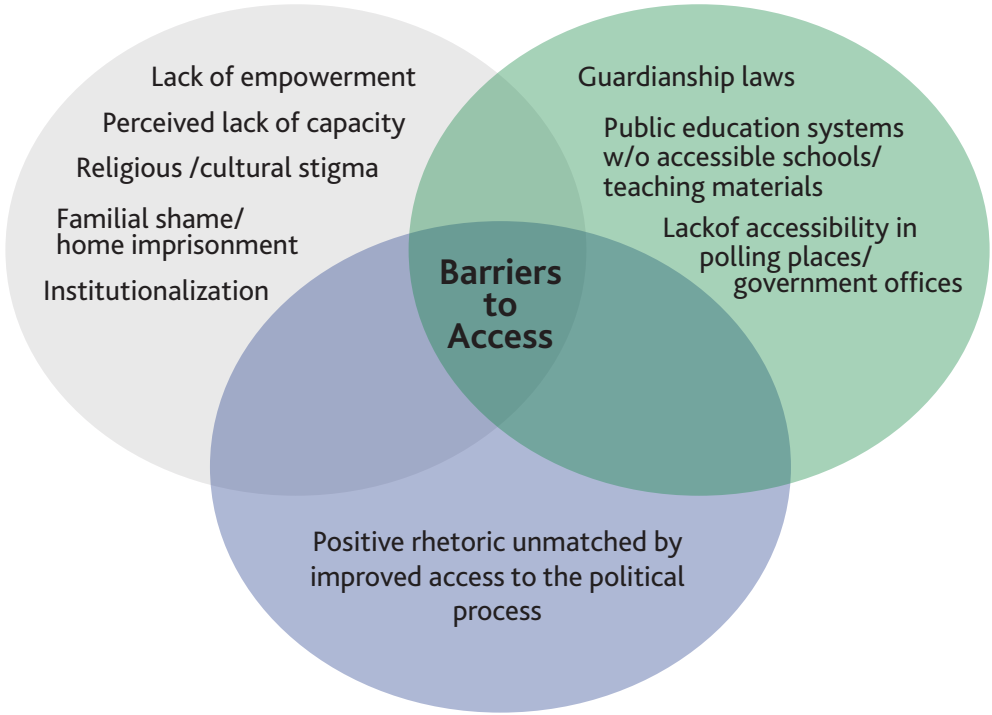
“Our laws are not strong enough to protect us” Self-advocate describing his experience of being denied his right to vote. Despite being legally allowed to vote, a policeman at a voting station told him he was not allowed to vote because he had an intellectual disability

The International Foundation for Electoral systems developed the following diagram that captures the inter-connection between societal stigma, discriminatory legal frameworks and tokenism that result in access barriers.

Figure 3: Barriers Encountered by Persons with Disabilities

Societal Stigma

Discriminatory Legal Framework and Infrastructure



Tokenism/Patronizing Approaches

Making It Happen: Building Inclusive Political Participation

ADVOCACY

Make your voice heard. The public and governments need to hear from individuals and groups to know this is an issue. You can:

- Participate in events on civic engagement and political participation
- Share information
- Raise awareness on rights
- Identify barriers
- Recommend solutions

"If you get quiet they forget; it's not yet systemized."

GET INFORMED AND DOCUMENT THE ISSUE

Conduct an analysis on whether or not your country is compliant with Article 29 of the UN Convention on the Rights of Persons with Disabilities. Check the resource section for some tools on how to do this.

BUILDING PARTNERSHIPS

People with intellectual disabilities and their families cannot do this alone. Partner with other groups involved in political participation issues.

- Work with others who have expertise in the issue and help raise their awareness about disability issues.
- Or,
- Start a group focused on disability rights and political participation.

Meet with elected officials and government representatives to raise awareness about the issues and engage them in finding solutions. Elected officials are members of our communities and have been elected by fellow-citizens to represent them. They have a responsibility to listen to their constituents, hear their hopes and aspirations,

"We (families impacted by disability) aren't a big visible presence. . . There aren't as many people with disabilities in the province as there are farmers or business people. There are a lot of good causes and limited funds. But our visit with [our elected official] made me think that if every politician could meet a family in this way, we really could raise awareness of the issues,"

MAKING SYSTEMIC CHANGE

Systemic change is needed to secure sustainable change and increase political participation. These changes will take time and taken collectively can feel overwhelming. Start by identifying one or two key priorities and move from there.

Other key issues that need to be addressed include:

- Recognizing Legal Capacity
- Amending Discriminatory Laws and Policies
- Improving Accessibility: Beyond Physical Access to Include accessible materials in the form of plain language
- Educating the Public About the Rights of People with Intellectual Disabilities
- Training Government Officials About the Rights of People with Intellectual Disabilities
- Putting in Place Structures to Assist People with Intellectual Disabilities to Participate
- Training families on the importance of participating in the political and civic life of a country
- Addressing root causes of exclusion – in particular access to inclusive education and being supported to live and be included in the community.

See also II's Guide to electoral reform.

Resources for taking ACTION

CRPD COMPLIANCE CHECK LIST

Does your country guarantee the participation of people with intellectual disabilities in its political and civic activities?

- Are there provisions in the law preventing people with intellectual disabilities from voting in elections?
- Are people with intellectual disabilities in your country supported to obtain birth certificates and identity cards to enable them to register to vote in elections?
- Is voting information about the political parties, candidates and polling stations made available to people with intellectual disabilities in accessible formats?
- Does the law in your country prevent people with intellectual disabilities from standing for or holding public office?
- Are voting materials, facilities and procedures in your country accessible to people with intellectual disabilities?
- Do election officials in your country allow people with intellectual disabilities to vote in secret and if they need assistance, to be assisted by a person of their choice?
- Are people with intellectual disabilities in your country free to participate in civil society organizations which are concerned with public and political life of the country?
- Are people with disabilities in your country free to participate in civil society organizations which deal with the administration of political parties?
- Can people with intellectual disabilities in your country join or form their own organizations which represent people with disabilities at the local, regional, national and international levels?

INDICATORS FOR POLITICAL PARTICIPATION

Using the list of indicators for political participation, you can identify opportunities in your country to move forward with a strategic plan around political participation for people with intellectual disability, their families and their organizations in the Country.

SOCIETAL STIGMA

INDICATOR	YES	NO	NOT SURE	PRIORITY LOW/MEDIUM/HIGH	STRATEGY PROPOSED
Families, self-advocates and their organizations need to understand the issue around political Participation					
Many adults with intellectual disabilities are informally and formally denied of their legal capacity. Because of perceived lack of capacity.					
Religious/ social/ cultural stigma: adults with intellectual disabilities are not viewed as decision makers by their families or their communities.					
People with intellectual disability is assumed that they could – or should – vote;					



SOCIETAL STIGMA

INDICATOR	YES	NO	NOT SURE	PRIORITY LOW/MEDIUM/HIGH	STRATEGY PROPOSED
Women with disabilities face additional disadvantages because of their gender.					
Familial shame/home imprisonment is common when a child is born with a disability.					
Institutionalization for people with disability is common on my country.					
You can add more if needed					

DISCRIMINATORY LEGAL FRAMEWORK AND INFRASTRUCTURE

INDICATOR	YES	NO	NOT SURE	PRIORITY LOW/MEDIUM/HIGH	STRATEGY PROPOSED
We have legislation that promotes substitution on decision making like guardianship or other forms.					
Legislation denies the right to vote on the basis of incapacity, “unsoundness of mind” provisions, and guardianship orders that strip an individual of the right to exercise their legal capacity.					

DISCRIMINATORY LEGAL FRAMEWORK AND INFRASTRUCTURE

INDICATOR	YES	NO	NOT SURE	PRIORITY LOW/MEDIUM/HIGH	STRATEGY PROPOSED
People with intellectual disability attend education in regular schools, with peers of their same age and receive the support they need.					
People with intellectual disability attend education schools only for people with disability.					
People with intellectual disability do not receive any education.					
The public education system has no accessible schools and/or teaching material that is accessible to people with disability.					
Government offices, polling stations and other places (transportation) lack accessibility for people with disability.					
Election materials, ballots are inaccessible to people with intellectual disability.					
You can add more if needed					

TOKENISM/PATRONIZING APPROACHES

INDICATOR	YES	NO	NOT SURE	PRIORITY LOW/MEDIUM/HIGH	STRATEGY PROPOSED
<p>There is a positive rhetoric in government officials but it is unmatched by improved access for people with disability to the political process</p>					
<p>Lack of current knowledge – The UN Convention on the Rights of Persons with Disabilities (CRPD) is still new and there is not a lot of awareness among electoral officials, governments and communities about the right of people with disabilities to vote and engage in political processes.</p>					
<p>Civil society organizations of people with disability and their families are promoted and funded with resources provided by the government.</p>					



TOKENISM/PATRONIZING APPROACHES

INDICATOR	YES	NO	NOT SURE	PRIORITY LOW/MEDIUM/HIGH	STRATEGY PROPOSED
<p>The majority of civil society organizations of people with disability and their families are funded with resources from international funders/agencies, fundraising.</p>					
<p>You can add more if needed</p>					



COMMUNITY CAPACITY

INDICATOR	YES	NO	NOT SURE	PRIORITY LOW/MEDIUM/HIGH	STRATEGY PROPOSED
In my country (because of it been a new and emerging democracy), the majority of the population lack experience in different forms of political participation.					
We need to understand the multiple and layered efforts needed to address these underlying structural and social causes for people with intellectual disability not participating in political processes.					
Civil society organizations (CSOs) of people with intellectual disabilities and their families have to develop the organizational strategies to influence policy and legislation; develop good practices of support; and, build public awareness.					
You can add more if needed					



MAP PLANNING AS A PROCESS:

MAP has 4 points:

1. Identify where you want to be in 10 years
2. Recognise the barriers and obstacles
3. Set a plan of Action
4. Be willing and ready to Develop a plan

DOCUMENT THE ISSUE: WRITING A BRIEFING NOTE

A briefing note is a short paper prepared on any topic to quickly inform the reader about a certain topic or issue. Drafting country-level briefing notes may seem like a daunting task. Where do I begin? Where do I find the information? How do I write the briefing notes? These are some of the many questions which may pop up in your mind. The good news is it need not be a difficult task at all. Any task when looked at holistically may seem difficult and tiring at first, but once it is broken down into several stages, it will no longer appear as difficult. The same is true when it comes to drafting country-level briefing notes. The following is a checklist of some of the key stages to follow when drafting country-level briefing notes.

- Be clear about the topic or the purpose of the briefing note. For example, the purpose of a briefing note on article 29 of the CRPD might be to assess a country's level of compliance with the right to civic and political participation for persons with disabilities.
- Draft an outline by breaking down the topic into sub-headings. Possible sub-headings may include the following:
 - **Topic:** What is the purpose of the briefing note?
 - **Background:** What does the topic mean? Why is it important? What does the law of the country say?
 - **Key Issues:** What are some of the key issues that need to be addressed in that country?
 - **Recommendations:** How can these issues be addressed?

- Do some further reading on the topic to allow you to flesh out your outline. Refer to various sources such as legal sources including the Constitution of a country and the relevant laws, reports by NGOs on the topic, academic articles and any other relevant sources.
- Flesh out your outline by filling in the information you find during the course of your reading under the relevant sub-headings.
- Refine the writing by ensuring that the briefing note is clear and makes sense.
- Revise your briefing note in order to correct any mistakes you may have made along the way.

