**THE RIGHT TO POLITICAL PARTICIPATION OF PERSONS WITH DISABILITIES AHEAD OF THE 2024 EUROPEAN PARLIAMENT ELECTIONS**

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IFDL – Institut Français des Droits et Libertés

Damien GLAD

1. Data on persons with disabilities exercising their right to political participation

| Indicator | Answer  (Choose one of the answers provided below) | Source and brief description/assessment | |
| --- | --- | --- | --- |
| Do national disability strategies include political participation? | National disability strategies specifically address political participation | The [**Law No. 2005-102 of 11 February 2005 on equal rights and equal opportunities, and the participation and citizenship of persons with disabilities**](https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000000809647/) specifically address political participation. See, in particular, Articles [72](https://www.legifrance.gouv.fr/jorf/article_jo/JORFARTI000001677578) and [73](https://www.legifrance.gouv.fr/jorf/article_jo/JORFARTI000001099237) on exercises of the right to vote. | |
| Can persons deprived of legal capacity vote? | Full Participation | [Article 11 of **Law No. 2019-222 of 23 March 2019 on programming 2018-2022 and reform for the justice system**](https://www.legifrance.gouv.fr/jorf/article_jo/JORFARTI000038261739) repealed Article L. 5 of the Electoral Code.  As a result, adults under guardianship who were deprived of their right to vote by a court decision have regained this right. In order to vote, they must apply to be entered on the electoral roll of their local authority: the procedure is the same as other voters.  However, [Article 459](https://www.legifrance.gouv.fr/codes/article_lc/LEGIARTI000038310445/2023-09-08) of the French Civil Code, which does not recognise legal personality under equal conditions, since it provides for the possibility of forfeiture of legal capacity, thus allows a third party to take substitute decisions. While the matter is only referred to the judge in the event of disagreement, the person under guardianship or curatorship must be able to express their disagreement. It is specified that: "when the condition of the protected person does not allow them to make an informed personal decision on their own, the judge or the family council, if it has been constituted, may provide that the said protected person will benefit from the assistance of the person responsible for their protection, for all acts relating to their person or those that the judge lists". | |
| Is there a requirement under law to register to vote? | Yes for all voters | [Electoral code, Article L.9](https://www.legifrance.gouv.fr/codes/article_lc/LEGIARTI000032964777) | |
| Are alternative ways of voting available to persons with disabilities? | Yes, disability-specific alternatives | [Article L. 64 of the Electoral Code](https://www.legifrance.gouv.fr/codes/article_lc/LEGIARTI000038310572) allows people with a physical disability who are unable to insert their ballot paper into the envelope and place it in the ballot box to be assisted by a voter of their choice. This assistant may enter the polling booth and insert the envelope into the ballot box. In the case of protected adults, this carer may not be a court-appointed representative or a person taking in or caring for the person in a social, medico-social or health establishment, or working in its service ([Art. L. 64](https://www.legifrance.gouv.fr/codes/article_lc/LEGIARTI000038310572)).  If the person is unable to sign the voters' list themselves, the elector of their choice may sign in their place, with the handwritten note: "The elector is unable to sign himself". ([Art. L. 64](https://www.legifrance.gouv.fr/codes/article_lc/LEGIARTI000038310572)).  Voting by proxy is open to all voters ([Electoral code, Art. L. 71](https://www.legifrance.gouv.fr/codes/article_lc/LEGIARTI000041412363)). | |
| Is there a legislation regulating how people living in long-term institutions may vote? | No legislative provisions | The provisions of the Electoral Code ([Art. L. 64](https://www.legifrance.gouv.fr/codes/article_lc/LEGIARTI000038310572)) apply to all people with disabilities, regardless of where they live.  Since the **law of the 27th of June 1990 on the rights and the protection of persons hospitalised for mental illness**, the Code of public health provides the right to vote for people suffering from mental illness in psychiatric institutions ([Art. L. 3211-3, 7](https://www.legifrance.gouv.fr/codes/section_lc/LEGITEXT000006072665/LEGISCTA000006155032/#LEGISCTA000024316521)). | |
| Is there a legal duty to provide assistance in voting to persons with disabilities? | Yes, for all persons with disabilities | Both [**Law No. 2005-102 of 11 February for equal rights and equal opportunities, participation and citizenship of persons with disabilities**](https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000000809647/) and [**decree No. 2006-1287 of 20 October 2006**](https://www.legifrance.gouv.fr/loda/id/JORFTEXT000000243876/2020-11-24) on the Exercising of voting rights by persons with disabilities establish that polling stations and voting means should be accessible.  Electoral Code ([Art. L. 64](https://www.legifrance.gouv.fr/codes/article_lc/LEGIARTI000038310572)) also provide for the support of people with disabilities, provided that they so request. | |
| Are all persons with disabilities legally able to access complaints mechanisms if they have not been able to exercise the right to political participation? | No, only persons with legal capacity | According to the [**Art. 473 of the Civil Code**](https://www.legifrance.gouv.fr/codes/article_lc/LEGIARTI000006427839/2009-01-01), people deprived of their legal capacity are not allowed to make a complaint even if they are allowed to vote.  There is no specific complaint mechanism for persons with disabilities when they have not been able to exercise their right to vote. For municipal elections, as other voters, they may contest the regularity of the electoral process before the administrative Court, within five days after the results ([Electoral Code, Art. L.248](https://www.legifrance.gouv.fr/codes/article_lc/LEGIARTI000006353588/)). | |
| Is information on complaints mechanisms regarding political participation accessible to persons with disabilities? | No | There is no special information on complaints mechanisms. However, people with disabilities may contact the Public Defender of Rights to assert their rights.[[1]](#footnote-2) | |
| Have national courts considered cases related to the right to political participation of persons with disabilities? | No, no cases identified | No complaints have been filed regarding political participation. The Ministry of Justice has been contacted, and we are awaiting confirmation that there have been no complaints in this area. | |
| Have non-judicial complaints mechanisms considered cases related to the right to political participation of persons with disabilities? | No, no cases identified | Discrimination on the grounds of disability is the leading cause of referral to the Public Defender of Rights (*Défenseur des Droits*).[[2]](#footnote-3) However, between 2020 and 2023, the Public Defender of Rights[[3]](#footnote-4) did not receive any complaints on the subject of voting rights for people with disabilities. This does not mean that there were no cases of discrimination or lack of access to the law, but they were not the subject of a complaint. | |
| Are persons with disabilities members of the current national parliament? | Some MPs identify as having a disability (official data) | People with disabilities are elected to Parliament. Both the Senate and the National Assembly has set up a “disability and inclusion” working group made up of abled and disabled members. Three MPs have a visible disability: motor or sensory. Officially, there are no statistics on the number of disabled MPs, as this would be considered discriminatory. | |
| Is data available on the number of members of municipal/regional governments who have a disability? | No data available | More and more regional and local elected representatives are disabled but there are no statistics on them, as this would be considered discriminatory. | |
| Is training for election authorities and officials on non-discrimination on the grounds of disability, accessibility and accommodation required by law? | Training not required by law, but some relevant training or guidance available | Training electoral authorities and officials in non-discrimination on the grounds of disability, accessibility and adaptation is not specifically required by law. The Ministry of the Interior provides [a practical guide](https://www.elections.interieur.gouv.fr/comprendre-elections/comment-je-vote/vote-des-personnes-en-situation-de-handicap-laccessibilite-des) for people who organise elections available on its website.  However, the Electoral Code requires that polling stations and voting techniques be accessible to disabled people, regardless of the type of disability ([Art. L.62-2](https://www.legifrance.gouv.fr/codes/article_lc/LEGIARTI000006353169) and [D. 56-1 to D. 56-3](https://www.legifrance.gouv.fr/loda/id/JORFTEXT000000243876/2020-11-24)). Polling stations must have at least one voting booth ([Art. D. 56-2](https://www.legifrance.gouv.fr/codes/article_lc/LEGIARTI000006352917)) accessible to wheelchair users. The ballot box must also be accessible ([Art. D. 56-3](https://www.legifrance.gouv.fr/codes/article_lc/LEGIARTI000006352918)). The president of the polling station must take all necessary measures to facilitate independent voting by disabled persons ([Art. D. 61-1](https://www.legifrance.gouv.fr/codes/article_lc/LEGIARTI000006352919)). | |
| Are there mechanisms in place to ensure consultation and involvement of DPOs in the development of laws and policies which affect them? | Yes, mechanisms established by law | There is a National Consultative Committee for People with Disabilities (*CNCPH*), founded by the **Orientation law of the 30th June 1975 on disabled people**. The provisions applicable to this body are codified in [Articles L. 146-1 and D. 146-1 to D. 146-1261 of the Social Action and Family Code](https://www.legifrance.gouv.fr/codes/section_lc/LEGITEXT000006074069/LEGISCTA000006157571/#LEGISCTA000006157571) (*Casf*). It is a public body, which only formulates opinions about planned laws, composed partly of associations dealing with disabled people and of Parliament representatives, representatives of specialised establishments and qualified people.  Reporting to the minister responsible for disability policy, the CNCPH must be consulted for any law relating to disability. | |
| Do national authorities provide guidelines on how to make polling stations accessible? | Yes, detailed guidance available | The Ministry of the Interior provides [a practical guide](https://www.elections.interieur.gouv.fr/comprendre-elections/comment-je-vote/vote-des-personnes-en-situation-de-handicap-laccessibilite-des) for people who organise elections, available on its website.  However, the Electoral Code requires that polling stations and voting techniques be accessible to disabled people, regardless of the type of disability ([Art. L.62-2](https://www.legifrance.gouv.fr/codes/article_lc/LEGIARTI000006353169) and [D. 56-1 to D. 56-3](https://www.legifrance.gouv.fr/loda/id/JORFTEXT000000243876/2020-11-24)). Polling stations must have at least one voting booth ([Art. D. 56-2](https://www.legifrance.gouv.fr/codes/article_lc/LEGIARTI000006352917)) accessible to wheelchair users. The ballot box must also be accessible ([Art. D. 56-3](https://www.legifrance.gouv.fr/codes/article_lc/LEGIARTI000006352918)). The president of the polling station must take all necessary measures to facilitate independent voting by disabled persons ([Art. D. 61-1](https://www.legifrance.gouv.fr/codes/article_lc/LEGIARTI000006352919)). | |
| Does the website which provides instructions for voting and information on candidates meet accessibility standards? | Yes - Website complies with the Web Accessibility Directive | [**Art. 47 of the Law No. 2005-102 of 11 February 2005 on equal rights and equal opportunities, and the participation and citizenship of persons with disabilities**](https://www.legifrance.gouv.fr/loda/article_lc/LEGIARTI000037388867/), requires accessibility for every online public communication service of the State, local governments and public institutions.  Information websites provided by the Ministry of the Interior and the Ministry for disabled people comply with the accessibility standards for administrations (*Référentiel general d’amélioration de l’accessibilité,* [RGAA](https://accessibilite.numerique.gouv.fr/)). This national standard has been adjusted to international standards, in particular with respect to guidelines from WCAG 2.0.  The RGAA applies to private providers. | |
| Are some television programmes providing instructions for voting and information on candidates subtitled? | Yes, some key programmes are subtitled | [Decree No. 2021-972 of 22 July 2021](https://www.legifrance.gouv.fr/loda/id/JORFTEXT000043850420/2021-09-22/) specifies the tasks of the Government Information Service (SIG): "*As part of these missions, the Government Information Service ensures that the main actions and means of government communication are accessible to disabled people*”. All government communication uses subtitling.[[4]](#footnote-5) The [circular No. 6375-SG of 6 October 2022](https://www.gouvernement.fr/upload/media/content/0001/04/8eaab84b4da5353bc13e111155aab0ff6fe06d7a.pdf) reaffirms the requirement for accessible government communications. There is no legal obligation for other types of programs. The main national channels must provide access (by subtitling or sign language) for the deaf or hard-of-hearing.[[5]](#footnote-6) Other television broadcasters are required to provide deaf or hard-of-hearing viewers with subtitling or sign language access to the main election news programs at peak viewing times, and to provide access to candidate debates. | |
| Do some television programmes providing instructions for voting and information on candidates have national sign language interpretation? | Yes, some key programmes have sign language interpretation | All government communication uses sign language facilities.[[6]](#footnote-7) There is no legal obligation for other types of programs. The main national channels must provide access (by subtitling or sign language) for the deaf or hard-of-hearing.[[7]](#footnote-8) Other television broadcasters are required to provide deaf or hard-of-hearing viewers with subtitling or sign language access to the main election news programs at peak viewing times, and to provide access to candidate debates. | |
| Are some television programmes providing instructions for voting and information on candidates audio described? | Yes, some key programmes have audio description | All government communication offers audio described mechanisms.[[8]](#footnote-9) There is no legal obligation for other types of programs. The main national channels must provide access (by subtitling or sign language) for the deaf or hard-of-hearing. Other television broadcasters are required to provide deaf or hard-of-hearing viewers with subtitling or sign language access to the main election news programs at peak viewing times, and to provide access to candidate debates. | |
| Were some political party manifestos provided in accessible formats during the most recent elections? | Some political parties provided accessible manifestos | The manifestos of the twelve presidential candidates (2022) were available for consultation, in text (and always in an easily-read format) and sound form, on the website of the National Commission of control of the electoral campaign for the presidential election (*CNCCEP*).[[9]](#footnote-10)  [Article 18 of the **decree of 8 March 2001**, amended by the **decree No. 2021-358 of 31 March 2021**](https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000043310862), makes it compulsory to provide an Easy to read and understand (Falc) manifesto. The obligation for election candidates to produce a version of their declaration written in a language intended for people with disabilities is now enshrined in [Article R. 38-1 of the Electoral Code](https://www.legifrance.gouv.fr/codes/article_lc/LEGIARTI000044618041/2022-01-17) and applicable to all elections since [**decree No. 2021-1740 of 22 December 2021**](https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000044546488). | |
| Are there legal accessibility standards for public and private providers of internet and web-based public information? | Yes, covering public and private | France has been working to ensure digital accessibility to accommodate individuals with disabilities. The relevant legal framework includes the [Article 47 of the Law of February 11, 2005](http://www.legifrance.gouv.fr/loda/article_lc/LEGIARTI000037388867/), which addresses equal rights and opportunities, participation and citizenship for people with disabilities.  In 2019, France adopted the European Accessibility Act, which aims to improve the accessibility of products and services across the European Union, including digital services ([**Decree of July 24, 2019 on the accessibility of online public communication services for people with disabilities**](http://www.legifrance.gouv.fr/loda/id/JORFTEXT000038811937)).  Additionally, France has incorporated the new standard [EN 301 549 v3.2.1 (2021-03)](http://www.etsi.org/deliver/etsi_en/301500_301599/301549/03.02.01_60/en_301549v030201p.pdf) under [Directive (EU) 2016/2102](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32016L2102) transposed by [Decree 2019-768 of 24 July 2019](https://www.legifrance.gouv.fr/loda/id/JORFTEXT000038811937). This new standard provides technical specifications for making web content more accessible to people with disabilities.  More generally, the implementation of digital accessibility is based on the accessibility standards for administrations([RGAA](http://www.accessibilite.numerique.gouv.fr/)). However, a website that complies with the RGAA does not necessarily comply with the technical requirements of the European standard and so with the technical obligations imposed by European Directive 2016/2102. | |
| Are there legal accessibility standards for public and private providers of media? | Yes, covering public and private | France has taken steps to address accessibility in the media sector, particularly in the context of audiovisual content. The French Audiovisual Media Services Directive ([DSMA](https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000039267553/)), which transposes the European Union’s Audiovisual Media Services Directive (AVMSD) into French Law, includes provisions related to accessibility for persons with disabilities. It outlines measures to improve accessibility such as providing access to subtitles, sign language and audio description. | |
| Are there mandatory accessibility standards for national and local authority buildings in the election context? | Yes | Since January 1, 2007, technical regulations governing the accessibility of the built environment to disabled people, issued in application of the [February 11, 2005 law on equal rights and opportunities, participation and citizenship for disabled people](https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000000809647/), have been applicable to new or renovated buildings accommodating establishments open to the public or residential premises.  A dedicated website provides full documentation for facility managers and architects planning new construction.[[10]](#footnote-11) | |
| Are there legal accessibility standards for polling stations in place? | Yes, for all polling stations | Polling stations must be accessible to all, as stipulated in [Article L.62.2 of the French Electoral Code](http://www.legifrance.gouv.fr/codes/article_lc/LEGIARTI000006353169). To this end, the president of the polling station must take all necessary measures to facilitate independent voting for people with disabilities. Polling stations must have at least one polling booth accessible to wheelchair users. The ballot box must be accessible to all voters. | |
| Is data available on the proportion of polling stations that are accessible to persons with disabilities? | Some official data available | | Polling stations are usually located in public buildings managed by local authorities (schools, town halls, communal buildings). Nearly 80% of local authorities have embarked on an accessibility programme since 2020.[[11]](#footnote-12) Local authorities are obliged to collect accessibility data by December 2023[[12]](#footnote-13) in order to feed the applications that provide information to users.[[13]](#footnote-14) Full publication of the data is scheduled for 2024, but remains inaccessible.[[14]](#footnote-15) |
| Is data available on the proportion of public buildings that are accessible for persons with disabilities? | Some official data available | | 350,000 public buildings are already accessible. 700,000 public buildings are to be made accessible by 2024.[[15]](#footnote-16)  “*Of the nearly 1,8 million of public access buildings, 900,000 are in the process of becoming accessible*” declared Carole Guéchi, Ministerial Delegate for Accessibility at the French Ministry of Ecological Transition.[[16]](#footnote-17) 942,381 public buildings are deemed compliant. |

1. Political participation of persons with disabilities in practice
   1. Positive and negative key development as regards political participation of persons with disabilities

**France** has taken steps to promote the political participation of persons with disabilities through legislation and policy initiatives. These may include measures to ensure accessibility, reasonable accommodations, and inclusive representation.

In **France**, the governance of disability policy has been strengthened. This governance is based on a follow-up committee to the national conference on disability, on the Interministerial Committee on Disability (*CIH*), which meets twice a year under the chairmanship of the Prime Minister, and on the National Advisory Committee on Disability (*CNCPH*), which has been reorganised for the 2020-2023 term and again for the 2024-2027 term.

In 2020, the functioning of the CNCPH was changed, with first of all a majority college representing people with disabilities and their families, whose governance was ensured by at least 50% people with disabilities and parents of people with disabilities. A second college was made up of 24 qualified persons, including disabled people. In August 2023, the CNCPH was again restructured to give more seats to people with disabilities. The college of disabled people's associations represents 60% of the Council, while 20% comes from family associations and 20% is allocated to stakeholders (trade unions and employers' organisations, local authorities, the national solidarity fund for autonomy, the National Assembly, the Senate and the Economic, Social and Environmental Council).

In **France**, there is also a monitoring committee to measure the impact of the work of the CNCPH, which represents people with disabilities and contributes to the development of public policies on disability. The Interministerial Committee on Disability (*CIH*) ensures that national measures are implemented at local level by the sub-prefects responsible for disability, in close collaboration with the senior officials responsible for disability and inclusion in each ministry.

In **France**, a second positive development is the repeal of Article L.5 of the Electoral Code, which provided that the guardianship judge could suspend the voting rights of a protected adult. This article introduced discrimination, within the meaning of Article 2 of the International Convention, against people under guardianship. This is undeniable progress, restoring one of the fundamental rights of people living with an intellectual or mental disability under guardianship.

On this subject, Sophie Cluzel, the former Minister for disabled people declared: *“This law implements the commitment made by the President of the Republic to restore full citizenship to people with disabilities. We are putting an end to the cruellest form of discrimination, which required people to demonstrate their ability to exercise a right that is both unconditional and inalienable. Associations, families and disabled people have been calling for this for years. This recognition obliges each and every one of us to support people in exercising their right as citizens.*”[[17]](#footnote-18)

Previously, 300,000 people under guardianship were deprived of their right to vote by decision of the judge until the [law of 23 March 2019 on programming 2018-2022](https://www.legifrance.gouv.fr/loda/id/JORFTEXT000038261631) and reform for the justice system. This decision enables protected adults to exercise their full citizenship. For example, 3,000 adults under guardianship voted in the last European elections from 23 to 26 May 2019.

In **France**, on 27 January 2022, the CNCPH launched the Observatory for the accessibility of electoral campaigns 2022 to monitor the campaigns of candidates in the presidential elections on 10 and 24 April and the legislative elections on 12 and 19 June 2022. This observatory is part of the CNCPH's mission to monitor the accessibility of campaigns. The main observation is that the accessibility rules are not being complied with to the same extent, thus excluding many people from this debate and from their access to information. The CNCPH has noted a lack of information on accessibility of posters, poor accessibility of meeting broadcasts, a delay in making political statements available in easy-to-read and easy-to-understand formats, websites with little or no compliance with the RGAA, campaign clips with little or no accessibility and content on social networks with very poor accessibility.[[18]](#footnote-19)

According to the Interministerial Committee on Disability (*CIH*), 56% of speeches were translated into LSF and subtitled. 86% of ministerial publications for the general public published on the internet were accessible. 67% of the infographics and other visual communication documents published by the ministries on their social networks and websites should be accessible by the end of 2023.[[19]](#footnote-20)

However, on 9 March 2022, hundreds of disabled people and their families demonstrated across France to urge the presidential candidates to make disability a "real priority". According to an IFOP survey carried out for the APF France Handicap association, 67% of people with disabilities said they were quite sure they would vote in the presidential election, and 17% were almost certain to do so.[[20]](#footnote-21) In the same survey, 93% of disabled people questioned felt that their polling station was accessible.[[21]](#footnote-22)

In **France**, efforts have been made to make electoral processes more inclusive, such as providing accessible voting booths, information, and materials, as well as training election officials on how to assist voters with disabilities. However, not all polling stations and election campaigns are systematically accessible to all disabled people, whatever their disability. Since 2020, however, the accessibility of public access buildings (*ERP*) has increased. In September 2023, nearly 157,885 ERPs were listed, compared with just 12,264 in October 2021.[[22]](#footnote-23) However, the obstacle of the accessibility of public institutions, such as the National Assembly remains.[[23]](#footnote-24)

The main legal obstacle that also remains, despite the law of 23 March 2019, is the [Article 459 of the Civil Code](https://www.legifrance.gouv.fr/codes/article_lc/LEGIARTI000038310445), which does not recognise legal personality under equal conditions, since it provides for the possibility of forfeiture of legal capacity, thus allowing a third party to take substitute decisions. The matter is only referred to the judge in the event of disagreement, but the person under guardianship or curatorship must be able to express their disagreement.

There are also legislative obstacles in **France**, such as [Article L.200 of the Electoral Code](https://www.legifrance.gouv.fr/codes/article_lc/LEGIARTI000006353475), which prevent people under guardianship from standing in local and national elections. The low level of participation by people with disabilities in public and political life is due to a lack of information among the people concerned. Even today, some people under guardianship are unaware that they once again have the right to vote. Information is poorly conveyed, particularly to people living in institutions. And when they simply don't take the step of registering to vote, they encounter administrative difficulties in obtaining information, registering and being fully supported in their efforts.[[24]](#footnote-25)

In **France**, according to some researchers, the obstacle of the electoral processes remains.[[25]](#footnote-26) The State stubbornly refuses to allow people with disabilities to vote remotely or electronically, even though the procedure for voting by proxy can be complex, particularly for people who are frail, ageing or have mental or cognitive disability. Accessibility is uncertain and depends on the involvement of local elected representatives. Despite the creation of the CNCPH, disabled people play little part in the preparation of laws and public policies that affect them, particularly in municipal and intermunicipal committees responsible for accessibility issues.

Finally, to date, disabled people do not receive any help to run a campaign, while elected disabled people do not have any specific facilities to facilitate the exercise of their mandate.[[26]](#footnote-27) This right to compensation is not enshrined in the General Code of Local Authorities or in the regulations governing national mandates. There is no requirement for the equipment provided to elected representatives to be transcribed in Braille, for example, even though this may fall within the scope of the 2005 law, which defines the notion of "reasonable accommodation", particularly in terms of employment. While sign language interpreting is systematic in government communications, it is almost non-existent at regional and local level. On the other hand, [Article L.2123-18-1 of the General Code for Local Authorities](https://www.legifrance.gouv.fr/codes/article_lc/LEGIARTI000028059422) provides for the reimbursement of specific travel, support and technical assistance expenses for disabled elected representatives at the expense of the municipality. In practice, this is counterproductive and discriminatory, as the beneficiaries have to limit their activities and travel so as not to exceed the budget set by the local authority.[[27]](#footnote-28) To be fully effective, there should be a national fund rather than a measure based on the municipal budget.

In **France**, despite efforts, accessibility remains a significant challenge. Physical barriers in polling stations, information in non-accessible formats, and inadequate transportation can hinder the participation of persons with disabilities.[[28]](#footnote-29) Persons with disabilities may face social stigma and discrimination, which can impact their willingness to engage in political processes. Negative attitudes from both the public and political institutions may discourage active participation. Limited awareness and understanding of the rights and capabilities of persons with disabilities contribute to their exclusion from political participation yet.

* 1. Political participation: Promising practices

On 03 December 2020, to mark the International Day of Disabled Persons, **French** Prime Minister Jean Castex launched an assessment of public policies and the stereotypes and prejudices that hamper access to the law for disabled people. This evaluation mission was entrusted to the French National advisory committee for Human Rights (*Commission Nationale Consultative des Droits de l'Homme, CNCDH*), the only French human rights institution accredited to the United Nations.

Appointed as the independent national rapporteur on the effectiveness of the rights of people with disabilities, the French National advisory committee for Human Rights has been asked by the public authorities themselves to assess the current state of affairs and make recommendations and suggestions for improvement. One of the issues addressed was the participation of people with disabilities in political life.[[29]](#footnote-30) Despite noting that a dynamic is underway and observing a number of good practices at local level, the French National advisory committee for Human Rights has above all highlighted the many obstacles that still prevent disabled people from campaigning, being elected and finally exercising their mandate. As this is a permanent mandate, the French National advisory committee for Human Rights will continue its observations, particularly during the forthcoming European elections.

This evaluation mission entrusted to the French National advisory committee for Human Rights is part of a positive dynamic launched in 2017 with several reports. In 2017, the Secretary of State for People with Disabilities and the Fight against Exclusion commissioned Josef Schovanec, a philosopher with autism spectrum disorder, to carry out a study on "the professional future of people with autism"[[30]](#footnote-31) to prepare the 4th Autism Plan, which began in 2018. This is an example of the involvement of a concerned person in the development of a public policy. It should be also noted that there is no longer a secretariat of state but a ministry dedicated to people with disabilities.

In addition, in **France**, Parliamentary reports have followed, notably in 2021. For example, MPs Carine Radian and Thierry Michels wrote a report entitled "*Towards full citizenship for people with disabilities: Representation and participation in shaping public policy for an inclusive society*". In particular, these parliamentarians have recommended extending the remit of the National Advisory Council for Disabled People (*Conseil National Consultatif des Personnes Handicapées*) "*to include forward planning and evaluation, consolidating its legitimacy through greater representation of disabled people, strengthening its interaction with all stakeholders at local and national level, and providing it with adequate human and technical resources.*"[[31]](#footnote-32)  At the same time, Jacqueline Dubois MP presented an information report on the implementation of the recommendations of the CRPD of enquiry into the inclusion of disabled students in schools and universities in France in June 2021.[[32]](#footnote-33) Finally, we have to consider the creation of disability working groups in both the National Assembly and the Senate.

All these initiatives, in addition to the annual national disability conferences and the interministerial work led by the interministerial disability committee, can be considered to be a good practice overall, as they reflect a growing awareness of the need to better include people with disabilities in the development of public policies.

Moreover, in **France**, during the presidential elections in April 2022, associations and town halls organised awareness-raising and simulation workshops to familiarise new voters with the voting process, particularly adults under guardianship or curatorship. For example, the town hall of Cholet participated to the « taking action to promote social and community integration in Maine et Loire » device:[[33]](#footnote-34) first-time voters were able to discover the council chamber and to meet the two municipal deputies responsible for citizenship and disability. They also took part in a voting simulation and a training session to explain each candidate’s programme in simple terms.[[34]](#footnote-35) At the same time, educational tools developed by associations to inform disabled voters have been widely distributed to town halls and social and medico-social establishments.[[35]](#footnote-36)

Since the 2019 European elections, there has been a proliferation of educational materials.[[36]](#footnote-37) The accessibility of election campaigns has been improved, particularly since the 2020 municipal elections. A number of good practices have been identified, including the dematerialisation of election propaganda, the requirement that election forms be compatible with screen-reading software, the availability of propaganda in easy-to-read standards and personalised support in some local authorities. These good practices are still in place at local level, and there are more and more of them,[[37]](#footnote-38) but they need to be extended to the whole of **France**, particularly in the overseas territories.

1. [www.defenseurdesdroits.fr/demander-de-laide-au-defenseur-des-droits-146](http://www.defenseurdesdroits.fr/demander-de-laide-au-defenseur-des-droits-146) [↑](#footnote-ref-2)
2. We contacted the Public Defender of Rights directly before formulating this response. See also: [www.defenseurdesdroits.fr/](http://www.defenseurdesdroits.fr/) [↑](#footnote-ref-3)
3. The Public Defender of Rights was contacted by e-mail. [↑](#footnote-ref-4)
4. [www.gouvernement.fr/accessibilite-de-la-communication-de-l-etat](http://www.gouvernement.fr/accessibilite-de-la-communication-de-l-etat) [↑](#footnote-ref-5)
5. [www.arcom.fr/assistance/accessibilite](http://www.arcom.fr/assistance/accessibilite) [↑](#footnote-ref-6)
6. [www.gouvernement.fr/accessibilite-de-la-communication-de-l-etat](http://www.gouvernement.fr/accessibilite-de-la-communication-de-l-etat) [↑](#footnote-ref-7)
7. [www.arcom.fr/assistance/accessibilite](http://www.arcom.fr/assistance/accessibilite) [↑](#footnote-ref-8)
8. [www.gouvernement.fr/accessibilite-de-la-communication-de-l-etat](http://www.gouvernement.fr/accessibilite-de-la-communication-de-l-etat) [↑](#footnote-ref-9)
9. [www.cnccep.fr/candidats.html](http://www.cnccep.fr/candidats.html) [↑](#footnote-ref-10)
10. [www.accessibilite-batiment.fr](http://www.accessibilite-batiment.fr) [↑](#footnote-ref-11)
11. [www.ecologie.gouv.fr/politique-laccessibilite#scroll-nav\_5](http://www.ecologie.gouv.fr/politique-laccessibilite#scroll-nav_5) [↑](#footnote-ref-12)
12. [www.ecologie.gouv.fr/donnees-daccessibilite](http://www.ecologie.gouv.fr/donnees-daccessibilite) [↑](#footnote-ref-13)
13. <https://acceslibre.beta.gouv.fr/> [↑](#footnote-ref-14)
14. [www.data.gouv.fr/fr/datasets/accessibilite-des-etablissements-recevant-du-public-erp-pour-les-personnes-en-situation-de-handicap/](http://www.data.gouv.fr/fr/datasets/accessibilite-des-etablissements-recevant-du-public-erp-pour-les-personnes-en-situation-de-handicap/) [↑](#footnote-ref-15)
15. [www.ecologie.gouv.fr/ladap-agenda-daccessibilite-programmee](http://www.ecologie.gouv.fr/ladap-agenda-daccessibilite-programmee) [↑](#footnote-ref-16)
16. France, Destombes, C., L’accessibilité universelle, un parcours, *Club Santé Social*, 6 February 2023, available at: [www.lagazettedescommunes.com/850600/laccessibilite-universelle-un-parcours/](http://www.lagazettedescommunes.com/850600/laccessibilite-universelle-un-parcours/) [↑](#footnote-ref-17)
17. # France, Ministry of solidarities and families (*Ministère des solidarité et des familles*), Droit de vote des personnes protégées : la reconnaissance de leur pleine citoyenneté, 26 March 2019, available at: https://handicap.gouv.fr/droit-de-vote-des-personnes-protegees-la-reconnaissance-de-leur-pleine-citoyennete

    [↑](#footnote-ref-18)
18. https://cncph.fr/releve2/ [↑](#footnote-ref-19)
19. France, Interministrial Committee on disability (*Comité interministériel du handicap*), Dossier de presse, 2023, p. 23, available at: [www.gouvernement.fr/dossier-de-presse/comite-interministeriel-du-handicap-cih-2023](http://www.gouvernement.fr/dossier-de-presse/comite-interministeriel-du-handicap-cih-2023) [↑](#footnote-ref-20)
20. France, APF France Handicap, Présidentielle 2022 et handicap : résultats de l'enquête menée avec l'Ifop, 11 March 2022, available at:

    [www.apf-francehandicap.org/actualite/presidentielle-2022-et-handicap-resultats-de-enquete-menee-avec-ifop-52063](http://www.apf-francehandicap.org/actualite/presidentielle-2022-et-handicap-resultats-de-enquete-menee-avec-ifop-52063) [↑](#footnote-ref-21)
21. France, APF France Handicap, Présidentielle 2022 et handicap : résultats de l'enquête menée avec l'Ifop, 11 March 2022, available at:

    <https://www.apf-francehandicap.org/sites/default/files/118661_-_presentation_-_def.pdf> [↑](#footnote-ref-22)
22. France, Interministrial Committee on disability (*Comité interministériel du handicap*), dossier de presse, 2023, p. 23 available at: [www.gouvernement.fr/dossier-de-presse/comite-interministeriel-du-handicap-cih-2023](http://www.gouvernement.fr/dossier-de-presse/comite-interministeriel-du-handicap-cih-2023) [↑](#footnote-ref-23)
23. France, Hussonnois-Alaya, C., L’Assemblée nationale est-elle adaptée? *BFMTV*, 30 June 2022, available at: www.bfmtv.com/politique/l-assemblee-nationale-est-elle-adaptee-aux-personnes-en-situation-de-handicap\_AN-202206300453.html [↑](#footnote-ref-24)
24. France, Braconnier, C., Dormagen J.-Y. (2007), La démocratie de l’abstention. Aux origines de la démobilisation électorale en milieu populaire, *Gallimard*. [↑](#footnote-ref-25)
25. France, Baudot P.-Y., Bouquet, M.-V., Braconnier, C. *et al.* (2020),« Les politiques publiques façonnent-elles les listes électorales ? Le cas des personnes handicapées en 2017 »*, Revue française de* *science politique*, p. 747-772, available at: www.cairn.info/revue-francaise-de-sciencepolitique-2020-6-page-747.htm*.* [↑](#footnote-ref-26)
26. France, Desjeux, C., Pasco, L. (2021), Mandat électoral. Difficultés et obstacles pour candidater, être élu et exercer un mandat électoral quand on est en situation de handicap, recherche exploratoire – rapport 2021. Also see: France, Thompson, Y., Pourquoi y a-t-il si peu de personnes en situation de handicap en politique ? *FranceInfo*, 2 July 2020, available at :

    [www.francetvinfo.fr/politique/parlement-francais/assemblee-nationale/enquete-pourquoi-y-a-t-il-si-peu-de-personnes-en-situation-de-handicap-en-politique\_5226568.html](http://www.francetvinfo.fr/politique/parlement-francais/assemblee-nationale/enquete-pourquoi-y-a-t-il-si-peu-de-personnes-en-situation-de-handicap-en-politique_5226568.html). [↑](#footnote-ref-27)
27. See examples on [www.scrutinclusif.fr](http://www.scrutinclusif.fr). [↑](#footnote-ref-28)
28. France, DREES, La handicap en chiffres – Edition 2023, 21 April 2023, available at: https://drees.solidarites-sante.gouv.fr/publications-communique-de-presse/panoramas-de-la-drees/le-handicap-en-chiffres-edition-2023. [↑](#footnote-ref-29)
29. France, CNCDH, Report “Public policies on disability”, 5 December 2023, p. 103-111, available at: [www.cncdh.fr/actualite/la-cncdh-presente-le-rapport-les-politiques-publiques-du-handicap](http://www.cncdh.fr/actualite/la-cncdh-presente-le-rapport-les-politiques-publiques-du-handicap) [↑](#footnote-ref-30)
30. France, Schovanec, J., Le devenir professionnel des personnes autistes, 16 March 2017, available at:

    [www.vie-publique.fr/rapport/36414-le-devenir-professionnel-des-personnes-autistes](http://www.vie-publique.fr/rapport/36414-le-devenir-professionnel-des-personnes-autistes) [↑](#footnote-ref-31)
31. France, Radian, C., Michels, T., Report « Vers la pleine citoyenneté des personnes handicapées : Représentation et participation à la construction des politiques publiques pour une société inclusive», 19 June 2021, p. 13, available at: [www.vie-publique.fr/rapport/269566-citoyennete-des-personnes-handicapees](http://www.vie-publique.fr/rapport/269566-citoyennete-des-personnes-handicapees). [↑](#footnote-ref-32)
32. France, Dubois, J., « Rapport d’information sur la mise en œuvre des recommandations de la commission d’enquête sur l’inclusion des élèves handicapés dans l’école et l’université de la République », 23 June 2021, available at: [www.assemblee-nationale.fr/dyn/15/dossiers/commission\_eleves\_handicapes](http://www.assemblee-nationale.fr/dyn/15/dossiers/commission_eleves_handicapes). [↑](#footnote-ref-33)
33. Initiated by a departmental association of parents and friends of mentally disabled people: [www.adapei49.asso.fr/etablissements/formation-et-accompagnement-professionnel-t4/apics-e49](http://www.adapei49.asso.fr/etablissements/formation-et-accompagnement-professionnel-t4/apics-e49) [↑](#footnote-ref-34)
34. France, Orenstein, A., « Des mairies apprennent le fonctionnement du vote aux handicapés mentaux avant leur première présidentielle », *RadioFrance,* 28 March 2020, available at: www.franceinter.fr/societe/des-mairies-apprennent-le-fonctionnement-du-vote-aux-handicapes-mentaux-avant-leur-premiere-presidentielle. [↑](#footnote-ref-35)
35. France, Handéo, Guide Vote&Handicap, available at : [www.handeo.fr/publications/guides-de-sensibilisation/guide-vote-handicap](http://www.handeo.fr/publications/guides-de-sensibilisation/guide-vote-handicap) ; France, L’association, Nous aussi, Le guide « Le vote pour tous », available at : <https://nous-aussi.fr/posts/le-guide-%22le-vote-pour-tous%22>*.*  [↑](#footnote-ref-36)
36. France, Ministry of solidarities and families (*Ministère des solidarité et des familles*), Tout savoir sur l'accessibilité des élections pour les personnes en situation de handicap,5 April 2020, available at :

    <https://handicap.gouv.fr/tout-savoir-sur-laccessibilite-des-elections-pour-les-personnes-en-situation-de-handicap> [↑](#footnote-ref-37)
37. France, Handéo, Guide Vote&Handicap, available at : [www.handeo.fr/publications/guides-de-sensibilisation/guide-vote-handicap](http://www.handeo.fr/publications/guides-de-sensibilisation/guide-vote-handicap); France, L’association, Nous aussi, Le guide « Le vote pour tous », available at : <https://nous-aussi.fr/posts/le-guide-%22le-vote-pour-tous%22>*.*  [↑](#footnote-ref-38)