

# Voting and participating in the electoral process

Spain (Ministry of Interior) - ROYAL DECREE 1612/2007 ON AN ACCESSIBLE VOTING PROCEDURE FOR PEOPLE WITH VISUAL DISABILITIES & ROYAL DECREE 422/2011 ON THE CONDITIONS FOR THE PARTICIPATION OF PERSONS WITH DISABILITIES IN POLITICAL AND ELECTORAL PROCESSES

Citizens with disabilities regularly encounter barriers that prevent them from voting and participating in electoral processes. To assist its citizens, Spain introduced two important regulations that eliminate a number of these barriers.

## IN BRIEF

With its two regulations of 2007 and 2011, Spain has introduced for the first time a voting procedure for blind electors as well as basic conditions of accessibility and non-discrimination for persons with disabilities to participate in elections and political life. This latter legislation is a broader policy framework aimed at improving the implementation of participatory rights. It provides, for example, free sign language interpretation to members of polling stations and establishes that political parties need to ensure that their election materials are accessible to persons with disabilities.

## FACTS & FIGURES

- Initial Year: 2007
- Since 2008 special voting procedures have been in place for blind electors.
- In 2011, 21,434 buildings with polling stations were accessible; 8,726 provided free transport services; and 1,367 accessible voting kits and 81 support measures were provided.

## INNOVATION

### Regulating electoral accessibility

While many accessibility measures were already being undertaken based on protocols, their legal regulation constitutes a new step in the process of ensuring the full exercise of the rights of citizens with disabilities.

### Cooperating with the disability sector

A range of disability organizations is involved in implementation of the regulations, such as providing for sign language interpretation. Inductive Loops are provided for persons with hearing impairments, as well as accessible documents.

### Consistent reporting

Following each election, evaluation reports on accessibility – prepared with input from provincial level election officials, disabled people organizations, and other stakeholders – are sent to the Central Electoral Commission; to the Ministry of Health, Social Services, and Equality; and to the National Disability Council.

## CONTEXT

The Spanish legal framework reflects a concept of accessibility, which originates from the social model of disability and which recognizes people with disabilities as active subjects and citizens with rights. Royal Decree 1612/2007, providing for an accessible voting procedure for people with visual disabilities, is the result of a legal mandate included in the amendment of the Electoral Act. Disability organizations were invited to participate in the drafting process by the Ministry of the Interior and the Ministry of Health. Royal Decree 422/2011 implements Law No. 51 of 2003, which contained a mandate for the government to establish the basic conditions of accessibility and non-discrimination to be met by environments, products, and services necessary for the participation of people with disabilities in political and electoral processes.

*“Full participation in political life implies rights and obligations. Persons with disabilities should be assisted to participate in the whole process, including as a member of a polling station.”*

—Ignacio Tremiño, Ministry of Health, Social Services, and Equality

## KEY FEATURES

Under Royal Decree 1612/2007, voters with visual impairments have to inform the Minister of Interior of their special needs. The voter then receives documentation in braille and can use a standardized ballot. The Ministry has also to provide accessible information on candidates. Royal Decree 422/2011 provides that premises of polling stations, websites with electoral information, all institutional information and procedures, as well as spaces of election campaign must be accessible; and that deaf members of polling stations must receive free sign language interpretation. In addition, candidates, political parties, etc. shall ensure that their election campaign activities, election

materials, public activities, websites, printed documentation, and the like are all accessible. To evaluate the implementation, the Ministry prepares a report after each national election.

### OUTCOME, IMPACT AND EFFECTIVENESS

- In 2011 over 200 accessibility improvements of polling stations were carried out (ramps, signage, etc.).
- In 2011 a substantial improvement in ensuring access to the exercise of the fundamental right to vote for persons with disabilities was reported by the Ministry.
- Of the total budget of €124,838,130 available for the Parliamentary Elections of November 2011, €508,415 was spent on accessibility.

### TRANSFERABILITY, SCALABILITY AND COST-EFFICIENCY

These policies are readily transferable to other countries. To date, Costa Rica has requested information about both regulations and about their implementation.

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### SOURCES

Royal Decree 1612/2007, of 7<sup>th</sup> December: <http://bit.ly/1tQdzNC>

Royal Decree 422/2011, of 25<sup>th</sup> March: <http://bit.ly/1qHKjsm>

Ministry of Interior, Evaluation Report, 2012: <http://bit.ly/1tQ5qKY>

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