



CRPD General Comment on Article 29 – Participation in Public and Political Life

Introduction

The Irish Human Rights and Equality Commission ('the Commission') was established on 1 November 2014, as an independent public body under the IHREC Act 2014. We are Ireland's independent National Human Rights Institution ('NHRI') and National Equality Body ('NEB').

We protect and promote human rights and equality in Ireland.

We are the Independent Monitoring Mechanism for Ireland under the United Nations Convention on the Rights of Persons with Disabilities ('UNCRPD IMM'); the Independent National Rapporteur on the Trafficking of Human Beings; and will be assigned the role of the Co-ordinating National Preventive Mechanism under the Optional Protocol to the Convention against Torture, pending ratification. Alongside Northern Ireland's national human rights and equality bodies, we have a mandate to consider and report on equality and rights issues with an island of Ireland dimension. We also have legal powers under the Gender Pay Gap Information Act 2021, and a role in relation to the EU Artificial Intelligence ('AI') Act.

We welcome the opportunity to engage in the development of the General Comment on Article 29 – Participation in Public and Political Life, and we look forward to continued engagement with the Committee during the dissemination process. We note the importance of the General Comment to our role as the UNCRPD IMM in particular. Our submission is informed by our monitoring of the UNCRPD in Ireland, which draws on expertise and on-the-



ground insights of a wide range of rights-holders and civil society actors, including our Disability Advisory Committee.¹

Barriers to participation in elections and public office

The Commission has continuously expressed concerns regarding the State's fulfilment of its obligations under Article 29.² Disabled people face significant barriers in participating in political and public life both as voters, electoral candidates and representatives. Participation levels of disabled people in public representation is low, with disabled people largely underrepresented in the Irish Parliament, local Government and the European Parliament.³

We have observed and called attention to unacceptable barriers faced by disabled people in attempting to exercise their democratic right to participate in elections. We have called upon the government to ensure that all voters have access to independent voting, including by addressing information, physical and assistance barriers.⁴ We recommend that forthcoming

¹ In preparation for IHREC's official role as the IMM, a Disability Advisory Committee was established in 2019, under [the Assisted Decision-Making \(Capacity\) \(Amendment\) Act 2022](#). The Disability Advisory Committee provides advice to IHREC and its staff. It was established to ensure the direct participation of disabled people, and the organisations representing them, in monitoring how the UN Convention on the Rights of Persons with Disabilities (UNCRPD) is implemented in Ireland.

² IHREC has expressed concerns about the low representation of disabled women in political life and has recommended that the Electoral Commission be mandated to ensure the full accessibility of polling stations to ensure the full participation of disabled people. [Ireland and the International Covenant on Civil and Political Rights – Submission to the Human Rights Committee on Ireland's 5th Periodic Report](#) (2022) p. 35, 85; [Ireland and the Convention on the Elimination of All Forms of Discrimination against Women \(CEDAW\)](#) (2023) p. 47.

³ IHREC, [Ireland and the International Covenant on Civil and Political Rights – Submission to the Human Rights Committee on Ireland's 5th Periodic Report](#) (2022) p. 36.

⁴ IHREC, [Correspondence from Director Re: Accessible Voting](#) (2024). Disabled Persons Organisations have highlighted the varied barriers faced by disabled people and have provided recommendations for redress. See, for example, Voice of Vision Impairment, [Accessibility Report on Referendums of March 8th, 2024](#). We also note



General Comment outlines actions to address information, physical and assistance barriers, including the following areas:

- › **Information barriers** including through provision of accessible information on political candidates and political parties. Accessible information should provide clarity regarding the electoral process, including when and how to vote, and should be of a quality that supports voters to make an informed decision. Awareness-raising activities for disabled voters should be conducted through appropriate accessible channels, recognising the diversity of impairments and multiple impairments. Awareness-raising activities should include information regarding the right to reasonable accommodation.
- › **Physical barriers** including through accessible polling stations that remove mobility barriers and inaccessible materials used in elections. Ballot papers, polling booths, and voting options should be accessible and should cater for all disabled people, noting the diversity of impairments and recognising multiple impairments. The responsibility to provide reasonable accommodations should be understood and guaranteed. This could include private booths for voters with impaired vision or hearing and lower booths for wheelchair users. Our Disability Advisory Committee has recommended that universal design be highlighted in this General Comment, and emphasis be placed on universally accessible practices.⁵
- › **Assistance barriers** including through provision of adequate voting assistance, supported by adequate training for polling staff. The rights of people living in hospitals,

the 2024 OSCE report “[Ireland, Early Parliamentary Elections, 29 November 2024: ODIHR Needs Assessment Mission Report](#)”, which noted reports regarding polling station accessibility and insufficient accommodations to enable independent voting, largely due to attitudinal and systemic barriers.

⁵ Disability Advisory Committee Draft February 2025 Meeting Minutes.



nursing homes and other residential and institutional settings to cast their vote must be widely understood, and actions taken to enable their exercise of their rights.

IHREC's Disability Advisory Committee has highlighted the relevance of cost of disability with Article 29 fulfilment, noting that financial constraints often prevent disabled people from running for election, and the costs associated with running for election are exacerbated by the additional associated costs for disabled people.⁶ For example, in addition to usual costs which occur for electoral candidates, disabled candidates may face the additional barriers or require specific accommodations which incur associated costs.⁷ Our Disability Advisory Committee has further recommended that the General Comment draw attention to the interdependencies between Article 29 and Article 19, noting that access to supports for independent living such as personal assistance services are precursors for some people to participate in public life.⁸ IHREC has expressed significant concerns regarding the availability of Irish Sign Language interpreters,⁹ which can be a barrier to deaf candidates.

Concerns have been raised by IHREC's Disability Advisory Committee regarding the lack of emphasis placed on the representation of disabled people in public life. In the Commission's work, we have previously noted the low representation of women and minority groups holding

⁶ IHREC has highlighted the additional costs associated with disability, including for those who cannot work because of disability or health condition, the higher energy costs associated with disability, and the alarming high rates of poverty among disabled people. IHREC, [Ireland and the International Covenant on Economic, Social and Cultural Rights Submission to the Committee on Economic, Social and Cultural Rights on Ireland's fourth periodic report](#) (2024), p. 91, 102, 109; IHREC, [Policy Statement on Care](#) (2023) p. 39; IHREC, [Submission on the Review of the Education for Persons with Special Educational Needs \('EPSEN'\) Act 2004](#) (2023), p. 64.

⁷ For example, the Disability Advisory Committee referenced extra personal assistance hours and Irish Sign Language interpreters. Extra assistance or resources may also be required for people when canvassing or networking.

⁸ IHREC, [Policy Statement on Care](#) (2023) p. 14. Disability Advisory Committee draft February 2025 Meeting Minutes.

⁹ IHREC, [Ireland and the Rights of the Child](#) (2022) p. 65.



positions on public boards.¹⁰ Our Disability Advisory Committee has recommended that the General Comment should indicate the need for research and understanding regarding public representation of disabled people which would identify the supports and reasonable accommodations required for equitable participation and representation, and to address the barriers posed by ableism.¹¹ It should make visible the particular barriers faced by specific groups such as disabled Travellers, disabled members of ethnic minority groups and disabled women.¹²

We propose that the General Comment draw attention to the ways in which ableist attitudes and structural barriers to participation in public life in general further exacerbate the challenges that disabled people encounter when attempting to exercise their democratic rights. Discriminatory rhetoric and hate speech in political discourse should be regulated and monitored.¹³

Training, awareness-raising and skills building

¹⁰ IHREC, [Ireland and the International Covenant on Civil and Political Rights – Submission to the Human Rights Committee on Ireland’s 5th Periodic Report](#) (2022) p. 37.

¹¹ IHREC’s Disability Advisory Committee raised concerns regarding the ableist approach to obtaining expertise on public boards, noting their view that lived experience is given appropriate weight and that there is a tendency to defer to non-disabled people.

¹² IHREC has noted the low levels of representation of women in public life and recommended that gender quotas be applied. IHREC’s Disability Advisory Committee has recommended that a similar practice may be helpful for improved representation of disabled people. [Ireland and the International Covenant on Economic, Social and Cultural Rights Submission to the Committee on Economic, Social and Cultural Rights on Ireland’s fourth periodic report](#) (2024) p. 47.

¹³ For example, we have called on the Electoral Commission in Ireland to be responsible for monitoring and addressing discriminatory rhetoric. IHREC, [Ireland and the International Covenant on Civil and Political Rights – Submission to the Human Rights Committee on Ireland’s 5th Periodic Report](#) (2022) p. 83.



IHREC's Disability Advisory Committee has raised serious concerns regarding dignity and respect for disabled people when accessing their rights to engage in public and political life and has linked this to limited knowledge and understanding of the obligations of public bodies under the UNCRPD.¹⁴

We propose the General Comment stress the role of adequate training, guidance and tools for public bodies and officials with responsibility for ensuring access to voting and should highlight the importance of ensuring that relevant public bodies and staff members receive adequate training, education and the tools required to ensure that they are equipped to provide access to accessible participation.¹⁵

Our Disability Advisory Committee has raised concerns regarding the supports and tools that should be available to disabled voters for example, and the limited understanding among polling station officials regarding how to use them or indeed voters' rights to access them. The Disability Advisory Committee recommends that the General Comment should provide clarity regarding the rights to seek and receive assistance and indicate the need for adequate training and capacity building to enable this, the right to privacy,¹⁶ and the risks of coercion of some voters.¹⁷

¹⁴ Disability Advisory Committee draft February 2025 Meeting Minutes.

¹⁵ IHREC has written guidance for local government officials on protecting the right vote for disabled people, as it relates to their obligations under the [Public Sector Equality and Human Rights Duty](#).

¹⁶ Disability Advisory Committee Draft February 2025 Meeting Minutes. The Committee provided the example of the specific need for appropriate assistance for people who are unable to hold pen or people with speech impediments.

¹⁷ Ibid. Specific concerns were raised by the Committee regarding the exploitation of people with intellectual disabilities or people who are perceived to have a limited capacity.



Participation of disabled people, including through their representative organisations, in public life and in implementation of Article 29

In the provision of training and development of guidance, as well as in the development of policy and practice to implement Article 29, disabled people are best placed to inform local authorities regarding what provisions are required to enable their active participation. The participation of disabled people is made possible through the active support and involvement of Disabled Persons Organisations, and by providing an enabling environment for such organisations to establish and function at community, regional and national level, for example by providing sustainable core funding, capacity-building and training.¹⁸

We have previously noted the lack of participation with disabled people and Disabled Persons Organisations in the decision-making processes around legislation and enforcement. To this end, we have recommended that disabled people and their representative organisations are involved in all stages of policy changes that will affect them.¹⁹ We recommend that this point is emphasised in the General Comment, urging officials to engage with local and national Disabled Persons Organisations in design and implementation of policy solutions.

We further recognise the role that Disabled Persons Organisations play in raising awareness among disabled people of their rights and supporting the State to develop policy solutions to enable disabled people to exercise their rights. We propose that the General Comment emphasise the importance of providing adequate resources for community organisations and Disabled Persons Organisations working to dismantle barriers to political participation for

¹⁸ Committee on the Rights of Persons with Disabilities, [General comment No. 7 \(2018\) on the participation of persons with disabilities, including children with disabilities, through their representative organizations, in the implementation and monitoring of the Convention](#), at paras. 60-64.

¹⁹ IHREC, [Ireland and the International Covenant on Economic, Social and Cultural Rights Submission to the Committee on Economic, Social and Cultural Rights on Ireland's fourth periodic report](#) (2024) p. 17.



structurally vulnerable groups.²⁰ We have expressed concern regarding inadequate resourcing of Disabled Persons Organisations, sometimes ineligible for funding due to requirements related to minimum turnover, charitable status, previous grant awards, and the age of the organisation. This poses a significant barrier to the active participation of Disabled Person's Organisations and in turn disabled people in collective participation in public affairs.²¹

We propose that the General Comment highlights the intersections between Article 29 and Article 4(3), clarifying that disabled people, including children, are best placed to inform the development, implementation and monitoring of policy decisions, including those that seek to rebalance power dynamics. It should further be clarified that meaningful participation requires transparency, the provision of appropriate and accessible information and early and continuous involvement. Inclusive participatory processes should meet obligations under Article 9 (Accessibility) to ensure the participation of all impairment groups including people who are non-verbal, including through provision of independent advocacy and communication devices.²²

²⁰ Ibid, p. 60. Committee on the Rights of Persons with Disabilities, [General comment No. 7 \(2018\) on the participation of persons with disabilities, including children with disabilities, through their representative organizations, in the implementation and monitoring of the Convention](#).

²¹ Ibid.

²² The meaningful participation of disabled persons in processes involving them is beneficial to the decision-making processes due to their lived experience and expertise, and their knowledge of the rights to be implemented. Their participation gives them recognition as rights holders who can play an active role in their communities and society. IHREC, [Submission on the General Scheme of the Mental Health \(Amendment\) Bill](#) (April 2022) p. 23; Committee on the Rights of Persons with Disabilities, General comment No. 7 (2018) on the participation of persons with disabilities, including children with disabilities, through their representative organizations, in the implementation and monitoring of the Convention, CRPD/C/GC/7 (9 November 2018) para. 74. This point has been echoed by the UN Special Rapporteur on the Rights of Persons with Disabilities, who noted that involvement of "persons with disabilities in decision-making processes [is] important, not only



Intersectionality and data

We have noted that the participation level of women including disabled women is low in public and political life.²³ Collection of appropriately disaggregated data is critical to ensuring visibility of under-represented groups including, for example, to understanding the gendered nature of the challenges experienced by disabled people in participating in public and political life is a precursor to protecting this right. We propose that the General Comment would highlight the intersectional nature of the barriers that can prevent participation in public and political life. We propose that the General Comment would identify and call for actions that respond to the gendered nature of these barriers, and that would highlight the critical role of disaggregated data and research. The interdependence between Article 29 and Article 31 is relevant in this regard.²⁴

Our Disability Advisory Committee has further emphasised the importance of highlighting the intersecting barriers faced by disabled people from other structurally marginalised groups, including disabled migrants.²⁵

Participation of disabled people in emergencies and the response to emergencies

because they result in better decisions and more efficient outcomes, but also because they promote citizenship, agency and empowerment.” Human Rights Council, Report of the Special Rapporteur on the rights of persons with disabilities, A/HRC/43/41, 17 December 2019, para 46.

²³ IHREC, [Ireland and the International Covenant on Civil and Political Rights – Submission to the Human Rights Committee on Ireland’s 5th Periodic Report](#) (2022) p. 35.

²⁴ The General Comment could reiterate that the collection of data relating to people with disabilities is not optional. Article 31 requires that States Parties collect appropriate statistical data relating to people with disabilities, and maintain data and statistics to facilitate CRPD implementation, and its monitoring.

²⁵ Disability Advisory Committee, Draft February 2025 Meeting Minutes.



We have observed and expressed concern regarding the participation of disabled people in domestic emergency response, including the response to the Covid-19 pandemic. The very limited participation of disabled people and Disabled Persons Organisations in the development and oversight of the Covid-19 response was particularly concerning. The State's response to the pandemic also demonstrated a lack of human rights and equality expertise in decision-making structures, and in the systems that implement and scrutinise those decisions.²⁶

More recently, our Disability Advisory Committee has stressed the detrimental impact of under-representation of disabled people in emergency planning, and its linkages to invisibility of disabled people and their particular experiences and requirements in emergency response. It was recommended that disabled people should be represented on the national coordinating structures for emergency planning and response and recognised as knowledge bearers and not just service users.²⁷

We propose that the General Comment should emphasise the importance of meaningful and sustainable participation of disabled people in emergency planning mitigation and response. The General Comment should also highlight the inter-dependency of this right with the Article 4(3) and the right of disabled people to participate in decision-making, including throughout their representative organisations.

²⁶ IHREC, [Ireland and the International Covenant on Civil and Political Rights](#) (2022) p. 22. Early on in the onset of the Covid-19 public health emergency in Ireland, Disabled Persons Organisation issued a statement regarding participation in the Government's emergency response planning. The Independent Living Movement of Ireland noted that "voluntary bodies working with or on behalf of disabled people are always the 'go-to' sole authorities when arrangements, services or, in this instance, measures are being designed to support and protect us". It went on to state that "Disabled people and their representative Disabled People's Organisations (DPOs) should always form part of any panel or advisory group set up to advise on measures which affect us directly". [Disabled People must not be an afterthought in planning emergency responses to Covid19.](#)

²⁷ Disability Advisory Committee, Draft February 2025 Meeting Minutes.