



## POSITION PAPER

### Participation of People with Disabilities in Elections

#### Executive summary

This paper has been commissioned by the Zimbabwe Election Support Network (ZESN), in response to a documented exclusion of people with disabilities (PWDs) in participating in election and governance processes, both as voters and as candidates. In conformity with the major objective of ZESN, which is to promote democratic processes in general and free and fair elections in particular in Zimbabwe, this paper is meant to propose measures to facilitate the participation of people with disabilities in elections as voters as well as candidates for elective office and also as polling officials, election observers, party agents, media monitors and other election related duties.

In addition to a raft of other provisions, participation of PWDs is informed by

Section 22 (1) of the Constitution of Zimbabwe<sup>1</sup>, which obliges the State and all institutions and agencies of government at every level to recognise the rights of persons with physical or mental disabilities, in particular their right to be treated with respect and dignity.

**The United Nations Convention on the Rights of Persons with Disabilities<sup>2</sup>, which Zimbabwe signed on 23 in September, 2013 and is now on the verge of domesticating, provides explicitly for this right in Article 29 on Participation in political and public life.**

The United Nations Convention on the Rights of Persons with Disabilities<sup>2</sup>, which Zimbabwe signed on 23 in September, 2013 and is now on the verge of domesticating, provides explicitly for this right in Article 29 on Participation in political and public life. The article provides that: State 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:

- 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;

In line with the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD), the position paper recognises the importance for PWDs of their individual autonomy and independence, including the freedom to make their own choices.

It also recognises the valued existing and potential contributions made by PWDs to the overall well-being and diversity of their communities.

It also concedes that the promotion of the full enjoyment by PWDs of their human rights and fundamental freedoms and of full participation by persons with disabilities will result in their enhanced sense of belonging and in significant advances in the human, social and economic development of society and the eradication of poverty.

**It also recognises the valued existing and potential contributions made by PWDs to the overall well-being and diversity of their communities.**



## Introduction (Historical Perspective and Context Analysis)

Although, according to the World Report on Disability<sup>3</sup>, the population of PWDs is over 1 billion (c 15% of the global population) with the prevalence estimated to be higher in developing countries, a survey on the living conditions of PWDs conducted by the Ministry of Health and UNICEF in 2013<sup>4</sup> revealed that the prevalence of disability in Zimbabwe is 7%, which put the disability population at that time at 900 000.

An analysis of the participation of people with disabilities in political processes will reveal that traditionally, PWDs have always participated in the elections as voters and not as election candidates.

It is only in October 2013, when two senators with disabilities, Senators Nyamayabo Mashavakure (male) and Anna Shiri (female) were voted for to represent disability interests in the upper house through an electoral college of Disabled Persons Organisations (DPOs), that interest in political representation was sparked among PWDs. Senators Watson Khupe and Rejoice Timire were declared elected as Senators with disabilities following the July 30 2018 harmonised elections and they work under the aegis of the Special Advisor on disability issues in the President's Office, Honourable Senator Dr Joshua T Malinga. The 26-member President's Advisory Committee (PAC) also has a visually impaired female advisor on disability issues, Elissa Ravengai in its midst.

The Disabled Persons Bill-2019 has been drafted, circulated for input among Disabled Persons Organisations (DPOs) and may be presented to Parliament before the end of the year. The Bill seeks to repeal the Disabled Persons Act (Chapter 17:01) and provide for the rights of PWDs as provided for in the UNCRPD.

Participation in political and public life provided for in Article 29 of the UNCRPD is captured in its entirety in the Bill, which also states that the Minister shall take necessary measures to ensure that at least 5 percentum of positions for decision making bodies such as public commissions, boards of public entities and other related institutions are held by persons with disabilities.

At an operational level, it is critical to note, however, that after observing that PWDs were socially excluded in all the phases and stages of the electoral process, ZESN trained 77 PWDs as election observers prior to the March 2008 elections and fielded them as election observers. NASCOH, with support from the Swedish

International Development Agency (SIDA), identified 45 other PWDs who it assisted to be trained in election observation by ZESN and were also fielded under the aegis of ZESN. This observation of elections by PWDs for the first time in Zimbabwe had a lasting effect on ZEC - it changed the behaviour of ZEC as it was able to clearly assess that PWDs were capable and willing to observe elections. It also emboldened PWDs to participate in future election observation ventures. Positive behavioural change by both ZEC and PWDs resulted in a change of mindsets that accommodated disability.

When NASCOH launched its 5-year consortium intervention program on "Enfranchising People with disabilities to exercise their constitutional right to vote and facilitating their inclusion in governance systems", ZEC District Elections Officers in the 14 targeted districts willingly participated in the program, training PWDs in voter education from 2009 to 2013 continuously throughout the 5 years.

Highlights of the program included over 50 000 PWDs trained in voter education; 400 PWDs trained in voter education, the majority of who observed the 2013 elections; over 5 000 children and adults with disabilities assisted to access birth certificates and IDs and over 400 facilitated access to governance positions as headmen, chiefs, food and health distribution committees, councillors, polling officers and voter educators.

A baseline survey conducted by NASCOH on political participation of PWDs in the 2008 elections among 7 100 respondents in 10 districts revealed that only 194 PWDs (27.3%) voted, while the rest refrained citing fear of violence, inaccessibility of the polling stations and voting infrastructure, lack of secrecy (especially for the visually impaired voters), lack of communication with polling officers (especially for the hearing impaired), voting material not being in accessible formats. From a survey of 710 respondents, 19% wanted to become councillors, 6% MPs, 2% President, and 69% did not want to contest at all. Decades-old stigmatisation had stifled the desire for self-representation and it is no wonder that in the 2018 elections, only a handful of PWDs successfully filed their nomination papers to stand as MPs, councillors, and senators. It is also no wonder that the primacy of the secret ballot acquired centre stage in the Supreme Court in the case of Simon Mvindi & 5 Others v the President of the Republic of Zimbabwe & 3 Others<sup>5</sup>.



The case arose during the disputed March 2008 elections, where ballot papers were not available in Braille, electronic format or any other form accessible to PWDs especially those with visual impairments. Instead, sections 59 and 60 of the Electoral Act [Chapter 2:13] required voters in need of assistance especially PWDs to be assisted by the Zimbabwe Electoral Commission officials and Police officers on duty at the polling stations in casting ballots but not by their chosen relatives or friends.

The six applicants in this case all had visual impairment and made a constitutional challenge to the provisions of sections 59 and 60 of the Electoral Act, arguing that that the sections infringed their right to free expression of political will and the right to a secret ballot.

The applicants further submitted that they preferred to be assisted by relatives or friends to cast ballots as opposed to polling and police officers who were unbeknown to them. Following extensive deliberations, the Supreme Court found that PWDs have a right to vote in secret like any other person and declared sections 59 and 60 of the Electoral Act null and void as these provisions violated the principle of secret ballot. Critically, government, through the electoral authority, and political parties were ordered to consider developing political communications and voting materials in sign language and ballot papers in large print or Braille.

Although this is a truly progressive and welcome judgement that is UNCRPD-compliant and in accord with international best practice, it unfortunately has not yet been implemented. To make matters worse, when Abraham Mateta, a visually-impaired lawyer sought a court order just prior to the 2018 elections compelling

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ZEC to provide tactile ballots or brailled ballots to allow visually impaired voters to vote in secret, the order was not granted. Clearly, voting in secret for the visually impaired is not a priority in Zimbabwe. Universal suffrage has not yet arrived in Zimbabwe.

In the case of Simon Mvindi versus the state, justice would have been seen to have been done for visually-impaired voters if the Supreme Court had given government, through the electoral authority, a deadline for ensuring provision of tactile ballots, ballots in large print and ballot papers in Braille.

Similarly, the court order should have stipulated a deadline by which time political parties would have begun producing political communications and voting material in sign language for the benefit of hearing-impaired voters. The deadlines would have compelled the Zimbabwe Electoral Commission and political parties to abide by the ruling. By doing so, access to electoral processes, and consequently, secrecy of the vote, would have been enhanced considerably for these two acutely marginalised disability categories.

Additionally, youths in Zimbabwe, who, according to the Zimbabwe Human Rights Commission<sup>6</sup>, constitute 67.7% of the population, suffer veritable problems in disability inclusion. The report also notes that Young People with Disabilities face intersectional discrimination, that is, as youths and as youths with disabilities.

Lack of facilities in public places limit their right to participation. Lack of financial support, representation in decision making, and availability of basic necessities such as Braille and Sun Cream for young people living with Albinism are all indicators of the intersectional discrimination that youths with disabilities face. Resultantly, for youths with disabilities, participation in elections and political processes is at its lowest ebb.

The Colloquium on African Elections<sup>7</sup> notes that democratic electoral processes should be inclusive, transparent, accountable and designed to inspire public confidence. Electoral processes in Zimbabwe, for the most part, leave PWDs behind as the concerns of PWDs are generally excluded across the entire electoral cycle spectrum. Transparency and accountability is compromised as voting in secrecy remains an elusive concept to a large number of the disability electorate. Resultantly, electoral processes in the country fail to inspire confidence among PWD voters.





## Statement of the Problem

A study conducted by the National Association of Societies for the Care of the Handicapped (NASCOH) on participation of people with disabilities in Zimbabwe's electoral processes in 2010 revealed that only 15% of PWDs voted in the 2008 elections, against a national voting average of about 49%. They cited a number of reasons for not participating in the elections.

These included inaccessibility of polling stations, lack of disability-friendly voting infrastructure, fear of violence, and lack of voter information. People with hearing impairments cited negative attitudes by polling officers whose inability to speak sign language caused them to avoid people with hearing impairments and communicate with them in a condescending manner.

Fear of violence is an issue of veritable concern for PWDs; due to their visible impairments, they are easy to target and largely unable to defend themselves.

Lack of mobility prevents them from making a hasty escape when it is needed.

While they are targeted primarily as voters, they complain that they also want to be workers in the electoral process - as voter educators, observers, polling officers, biometric voter registration (BVR) operators enumerators, BVR supervisors, and even as election candidates.

Other contributory factors cited by PWDs include hate language against people with disabilities by political parties, lack of inclusion in political structures, polling officers not sensitised on providing the vote to people with disabilities, and security personnel not sensitised on how to provide security for people with disabilities. The net effect of these multiple and intersecting factors is that most PWDs do not register and do not vote in elections.

## Legal Framework

The Constitution of Zimbabwe (despite not having a definition of disability) contains a number of provisions that address disability, though limited in scope and intensity and falling short of the provisions the UNCRPD. In particular:

- Section 3 (1)(e) - recognizes the inherent dignity and worth of each human being as one of the principles upon which Zimbabwe is founded. This provision is of utmost importance in so far as it relates to persons with disabilities as it is designed to ensure their full and effective participation in all spheres of life, and resonates solidly with the UNCRPD.

- Section 3(2)(i)-(ii) - provides that the principles of good governance which bind the state and all its agencies of government shall, amongst other things, include the rights of people with disabilities. This has major implications for the participation and inclusion of people with disabilities in political and public life.

- Section 6(4) - provides that the state must promote and advance the use of all languages used in Zimbabwe, including sign language, and must create conditions for the development of those languages.

This has major implications for ensuring the participation and inclusion of people with hearing impairments (the Deaf) in political processes especially.

- Section 22(1) - states that the Zimbabwean government and its agencies must recognise the rights of persons with physical or mental disabilities, in particular their right to be treated with respect and dignity. This is commendable, as participation in political life matters instrumentally for people with disabilities as it enables to determine their freely chosen representatives, and treatment with respect and dignity will mean that secrecy in voting will be observed.,

- Section 22(2) - mandates the state and all its institutions to assist persons with physical or mental disabilities to achieve their full potential and to minimise the disadvantages suffered by them. This will enable all government ministries and institutions to mainstream disability in all their policies, programs, activities, plans and strategies so that disability ceases to be the preserve of ministry. The CRPD also recognises disability mainstreaming as an integral part of sustainable development strategies.

- Section 22(3) - mandates the state to:
  - (a) Develop programmes for the welfare of persons with physical or mental disabilities;
  - (b) Consider the specific requirements of people with disabilities in the formulation of developmental plans;
  - (c) Encourage the use and development of forms of communication suitable for persons with physical or mental disabilities; and





(d) Foster social organisations that are aimed at improving the quality of life for people with disabilities. This has important implications for people with visual and hearing impairments who require specific communication arrangements and for disability mainstreaming.

- Section 22(4) - mandates the Zimbabwean government to take the necessary measures to ensure accessibility by people with disabilities of all buildings to which other members of the public have access. Accessibility of polling stations is critical to ensure participation of PWDs and is also highlighted in the UNCRPD,

- Section 83 - provides that the state must take appropriate measures, within the limits of the resources available to it, to ensure the full realisation of rights by people with disabilities. In particular, the section mandates the Zimbabwean government to implement measures that are designed to:

(a) ensure that people with disabilities become self-reliant;

(b) enable people with disabilities to live with their families and participate in social, creative or recreational activities;

(c) protect people with disabilities from exploitation;

(d) give people with disabilities medical, psychological and functional treatment;

(e) provide special educational facilities for people with disabilities; and

(f) provide state-funded education for people with disabilities.

On the downside, section 83 of the Constitution reinforces the idea of special schools for people with disabilities and does not do enough to embrace inclusive education. Additionally, it subjects the realisation of the right to health for people with disabilities to the availability of state resources. Given that the right to health is most important to people with disabilities, the law in Zimbabwe is inadequate in this regard.

Nonetheless, the Constitution is an important and powerful tool to advance the rights of people with disabilities in the country, although it comes nowhere near the detail, specificity and comprehensiveness of the UNCRPD.

Specific to political participation, section 67 of the constitution, deals with political rights. According to section 67 (3) "subject to this constitution, every Zimbabwean citizen who is over eighteen years of age, has the right:

(a) to vote in all elections and referendums to which this constitution and other laws applies, and

(b) to stand for elections for public office, and if elected, to hold such office."

Despite these constitutional provisions, however, the issue of voting in secret by certain categories of people with disabilities, particularly the visually impaired, has, up to now, proved to be illusive in Zimbabwe, and has resultantly been the subject of two law suits, one in 2008 and another one in 2018.

The strength of the United Nations Convention on the Rights of Persons with Disabilities lies in its conceptualisation of disability. It recognises that disability is an evolving concept and that disability results from the interaction between persons with impairments and attitudinal and environmental barriers that hinders their full and effective participation in society on an equal basis with others.

The UNCRP, also referred to as CRPD, states that: "Persons with disabilities include those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others".

**The strength of the United Nations Convention on the Rights of Persons with Disabilities lies in its conceptualisation of disability.**

It therefore puts the responsibility to remove these multifaceted barriers on the society and the state.



## Key considerations from other contexts

Good Practice on disability inclusion in electoral processes abound from across the globe, providing valuable lessons for adoption, adaptation and replication. In line with the provisions of the UNCRPD, a number of countries are transforming the electoral landscape for PWDs. Their electoral interventions are anchored on transforming external control of PWDs by outside forces into autonomy of PWDs. Disenfranchisement of PWDs is being turned into empowerment. The option of electoral participation has now become an obligation.

Attention has been turned from fixing disability weaknesses into fixing the electoral environment. The traditional practice of limiting activities for PWDs has transformed into facilitating electoral activity. Belittling of PWDs has now been replaced by dignifying them through political participation. Dependence has been turned into independence of PWDs in political processes. Discrimination of PWDs has been transformed into equality; political violence is being eschewed and segregation of PWDs is slowly being transformed into integration. Disability mainstreaming has acquired new dimensions: it is being engrained into the programs, policies, activities, strategies and plans of all conceivable stakeholders.

Traditionally marginalised disability categories including those with intellectual challenges and the hearing impaired are being targeted, with information in appropriate formats being availed to them, Mechanisms to ensure accountability to the disability electorate have been put in place and interface enhanced. Information is being made readily accessible, Effective documentation of disability interventions and electoral reforms for posterity has become the norm. The following are just a snapshot:

(i) The General Election Network for Disability Access in Southeast Asia (AGENDA) brings together Disabled Persons' Organisations (DPOs) and election observation organizations from Indonesia, the Philippines, Malaysia, Vietnam, Laos, Cambodia, Burma and Thailand to conduct research, election observation focused on accessibility and advocacy with national-level and ASEAN officials. AGENDA partners meet in person annually, and share best practices through a newsletter and multimedia tools year-round. (IFES, NDI<sup>8</sup>)

(ii) In Guatemala, the EMB recruited volunteers with Down syndrome to package election materials. The EMB featured these volunteers in promotional materials

and public service announcements, thereby sensitizing the general public to the abilities of persons with disabilities. (IFES, NDI). Organisations that have given work to people with intellectual disabilities, including those with down syndrome report that they are more committed to their work and are more likely to stay longer on the job than those without disabilities.

(iii) In December, 2009, Inclusion Europe<sup>9</sup> launched a project with the aim of improving accessibility of elections for people with intellectual disabilities, elderly people facing age-related illnesses which hinder their participation, and other groups of citizens who may face language barriers. Codenamed ADAP (Accommodating Diversity for Active Participation in European Elections), the project addressed such issues as:

- Disenfranchisement of the right to vote for people with intellectual disabilities and the limitations imposed by legal capacity measures.
- The need for assistance in the polling process for people with intellectual disabilities by a person of their own choice.
- The importance of providing easy-to-read information about voting and the elections to facilitate understanding among people with intellectual disabilities about elections and how to vote.
- Recommendations, as well as a Guide to Campaigns for More Accessible Elections for national associations in easy-to-read language were produced. These can be downloaded on the project website: [www.voting-for-all.eu](http://www.voting-for-all.eu).

The issue of inclusion of people with Down Syndrome and intellectual disabilities is very important, for these are considered to be disability categories that are often left out of interventions. In Zimbabwe, we have The Mental Health Act [Chapter 15:12] which provides for the consolidation and amendment of the laws relating to the care, detention and after-care of persons with mental disabilities for the purposes of treatment.. The language used in the statute is often pejorative e.g. "intellectually handicapped" and "mentally disordered", and it pathologises mental disability, with references such as "patient". There is non-specificity as the previous two terms interchangeably.

The legal capacity of people with intellectual challenges is not recognised according to this act. This serves to legitimate the exclusion of people with intellectual challenges from voting processes in the country.



(iv) Inclusion Europe also notes that for the 2009 Elections, the European Disability Forum (EDF), launched a campaign: "Disability Votes Count" to encourage PWDs to take part in European elections and to combat discrimination. The main objectives were:

- Encourage citizens with disabilities to exert their right to vote and to participate in the 2009 elections'
- Promote free and equal access to electoral debates and procedures for citizens with disabilities.
- Invite candidates to the elections to engage with the demands of 50 million citizens with disabilities within EU policies and legislation. (Inviting candidates to account for how they are including people with disabilities is a welcome initiative that Zimbabwe can derive valuable lessons from, as well as ensuring that elections in the country become truly inclusive.
- The "Disability Votes Count" campaign is also something that we can emulate in Zimbabwe. The last two objectives were especially innovative and designed to enhance disability inclusion and participation. The EDF website resultantly contains information about:
- The impact of the EU in the daily lives of PWDs.

- The EDF Manifesto, which, in addition to subscribing to the famous disability mantra "Nothing about us without us", contains the top 10 demands to make disability discrimination history, in easy-to-read language and available in all 23 EU languages.

(v) Inclusion International also highlights the need for installation

of easy to read websites for the benefit of the visually impaired population. It states that, in several countries, including the UK, Germany, Ireland and Sweden, websites which provide easy-to-understand information about voting and participation in elections targeted at people with intellectual disabilities and the visually impaired, have been developed. Most websites in Zimbabwe are difficult to navigate for people with visual impairments, including that of the Electoral Management Body.

(vi) On the issue of training for polling station officials on how to assist people with intellectual disabilities as well as other groups who find it difficult to vote, Inclusion International highlights that such trainings have been conducted in 3 countries in Europe in order to ensure that these groups are provided with the right support when voting. We have yet to conduct such trainings in Zimbabwe targeting voters with disabilities who are very hard to reach, including voters with visual, hearing and intellectual impairments.

(vii) Botswana has a very mature approach in its conduct of elections. Observation has revealed that during campaigning, political parties will often attend the rallies of opposing parties, wearing their own party regalia, and observe the proceedings without any harm occurring to them. When going to rallies, opposing parties were observed to be seen waving to each other as they passed each other in their respective vehicles in the true spirit of camaraderie. People with intellectual challenges also have legal capacity to vote.

(viii) It is, however IFES and NDI who provide a comprehensive summary of how to include PWDs across the entire electoral cycle in their guide on how to include people with disabilities in elections and political processes:

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**The last two objectives were especially innovative and designed to enhance disability inclusion and participation. The EDF website resultantly contains information about:**





## Post Electoral period

1.	Make EMB website accessible
2,	Involve DPOs in lessons
3,	Develop relationship between EMB and DPOs
4.	Revise election law to comply with CRPD
6.	Eliminate legal capacity restrictions on the right to vote
6,	Distribute information on party platforms in accessible formats

## Pre-Electoral Period

1.	In consultation with DPOS, determine if disability should be on ID
2.	Ensure persons with disabilities have access to necessary ID documents for voting
3.	Select accessible voter registration and polling station locations
4.	Conduct civic/voter education in accessible formats
5.	Develop policies on alternative voting methods such as voting in advance/mobile ballot boxes
6.	Develop policy on priority voting
7.	Budget for reasonable accommodations
8.	Include persons with disabilities in voter education efforts
9.	Design layouts of polling stations in an accessible manner
10.	Include disability in poll worker manual and train poll workers on administering the vote to persons with disabilities
11.	Procure magnifying glasses, voting booths accessible to wheelchair users, tactile stickers for ballot boxes, large grip pens
12.	Develop tactile ballot guide
13,	Accredit observers with disabilities

## Electoral Period

1.	Include questions on election access in observation checklists
2.	Train media on disseminating information in accessible formats
3,	Involve DPOs in developing codes of conduct
4.	Recruit candidates with disabilities and conduct debates in accessible formats
5.	Announce results in accessible formats
6.	Ensure complaints adjudication is accessible to PWDs



The guidelines have immense potential for ensuring full and effective participation of PWDs across the entire electoral cycle and systems of the electoral process. They provide measures to facilitate the participation of people with disabilities in elections as voters as well as candidates for elective office and also as polling officials, election observers, party agents, media monitors and other election related duties. (ix) To further Promote Disability-Inclusive Election Observation, IFES, in partnership with DPOs, on 26 October, 2018, launched an Election Access Observation Toolkit<sup>11</sup> (S0 which has the following attributes:

- Step-by-step instructions for DPOs and national or international observer groups to collect data via standalone disability-focused observations;
- Detailed checklists for long- and short-term observations and guidance on how to contextualize to national laws and policies;
- An illustrative list of disability-inclusive questions that could be added to the observation checklists of mainstream observers; and
- An extensive appendix of resources, such as observer reports from election access observations.

## Lessons for Zimbabwe

Zimbabwe clearly has a lot to learn from other countries that have been singled out for best practices in inclusion of people with disabilities in elections and political processes, and the disability-responsive tool kits and guidelines that have been produced by strategic stakeholders in partnership with like-minded organisations and DPOs. Critical lessons encompass the following:

- Engage solidly to ensure participation and inclusion of people with intellectual challenges in elections and political processes, as this is one category of people with disabilities that is largely left out of these interventions.
- People with disabilities are provided for in the Mental Health Act of 1984, which refers to them in terms that are archaic and often pejorative e.g. "intellectually handicapped" and "mentally disordered", and it pathologises mental disability ("patient"). There is non-specificity as the previous two terms are used interchangeably.
- There are many elderly people facing age-related illnesses which hinder their participation in elections and political processes, and other groups of citizens who may face language barriers and it makes sense to include them under the banner of disability.
- There is need for effective and comprehensive documentation of disability electoral projects so that they are available for posterity. Documentation provides a historical reference which provides detailed information about the project and can be used to ensure the success of future projects. If a similar project will be planned in the future, portions of the documentation produced initially may be useful in that subsequent project as well. Reference toward the resolution of disputes between various stakeholders should such situations arise.
- Electoral interventions that promote free and equal access to electoral debates and procedures for citizens with disabilities and invite candidates to the elections to engage with the demands of the disability electorate should be built into any electoral intervention (See Key considerations from other contexts, iv).
- Electoral interventions that build the capacities of polling station officials in electoral service provision for people with intellectual challenges, people with hearing impairments and other groups that may have peculiar accessibility challenges should also be prioritised.
- Easy-to-read websites should also be an integral part of a disability inclusive electoral program so that people with visual impairments and with intellectual challenges are able to access information on elections and voting.
- Empowering PWDs in a disability-responsive electoral cycle (see Considerations from other contexts, viii),
- Including DPO Partners in CSO Coalitions. This will provide opportunity for capacity building in disability mainstreaming so that CSOs can mainstream disability in their programs, policies, activities, strategies and plans.
- Providing technical assistance to bodies that create legal electoral frameworks through provision of training in disability mainstreaming and disability-responsive electoral cycle. .
- Working with youths and women organisation to ensure participation of PWD to ensure a disability-responsive electoral cycle



Orders granted by the courts relating to disability inclusion and participation in electoral processes on an equal basis with others should have a time frame for implementation so that they become binding to the targeted parties.

The right to vote in secret is enshrined in the constitution and the EMB should do everything in its power to ensure that it is availed to everyone, including visually impaired people.

Youth organisations to include youths with disabilities in elections and political processes through mainstreaming participation and inclusion of youths with disabilities in its interventions, policies, strategies and plans. The CRPD recognises disability mainstreaming as an integral part of sustainable development strategies.

Need to consider adoption of the Election Access Observation Toolkit launched by IFES

## Conclusions and Recommendations

In conclusion, the disability-responsive electoral cycle depicted by IFES and NDI in its guide on how to include people with disabilities in elections and political processes matters instrumentally to inclusion and participation of PWDs.

It details critical and comprehensive measures to facilitate the participation of PWDs in elections as voters as well as candidates for elective office and also as polling officials, election observers, party agents, media monitors and other election related duties across the entire electoral cycle.

It should therefore be adopted so that that democratic electoral processes in Zimbabwe can be deemed to be truly inclusive, transparent, accountable and designed to inspire public confidence. Other recommendations are as follows:

- The UNCRPD should be domesticated urgently as this will provide an avenue for holistic participation and inclusion of PWDs political processes in line with Article 29 on participation in political and public life.
- The Electoral Act<sup>12</sup> should protect the constitutional right of visually impaired people to vote in secret, just like any other voters in Zimbabwe.
- Political parties should include PWDs in their structures as this will also enable them to stand for office as election candidates and party agents.
- The ZEC should incorporate PWDs as voter educators, polling officers, enumerators, observers, and other fields of electoral endeavour. Currently, it is only the Zimbabwe Election Support Network (ZESN) which is fielding PWDs as election observers.
- Security forces should be sensitised on provision of security for PWDs in order to allay their fear of violence which has become deeply ingrained in their minds.
- ZEC and ZESN websites should be designed to be easy-to-read in order for visually impaired and intellectually challenged people to access election information easily.
- DPOs and PWDs should be trained in the disability-responsive electoral cycle to enable them to advocate effectively for participation and inclusion in electoral processes.
- Measures should be taken to strengthen DPO and CSO coalition partnerships to ensure disability mainstreaming.
- Measures should be taken to integrate the Election Access Observation Toolkit into the country's election observation system to enhance disability inclusion by all.
- Measures should be taken to include PWDs in electoral debates so that their issues are heard and attended to
- Measures should be taken to invite candidates to the elections to engage with the demands of the disability electorate.
- Measures should be taken to build the capacities of polling station officials in electoral service provision for people with intellectual challenges, people with hearing impairments and other groups that may have peculiar accessibility challenges should also be prioritised.
- Resources should be availed to the EMB to budget for disability accommodations including adjustable polling booths, braille and sign language interpretation.
- Registration and polling stations should be made accessible to people with disabilities to enhance their voting prospects..





- DPOs to work with youth and women organisations to ensure integration of youths and women with disabilities in electoral interventions.
  - DPOs to ensure that electoral interventions are effectively and comprehensively and even innovatively documented for posterity.
  - DPOs to incorporate people with intellectual challenges in election interventions
  - Measures should be taken to incorporate elderly people facing age-related illnesses which hinder their participation in elections and political processes, and other groups of citizens who may face language in electoral interventions.
  - Increase the number of senators with disability to at least four senators, covering both gender and disability categories like physically challenged, visually impaired, hearing impaired and albinism.
  - Disability to have least one PWD MP per province for the National Assembly, any gender
  - Disability to have least one PWD MP per province as part of the women's quota.
  - Measures should be taken to ensure representation for PWDs in metropolitan, provincial and other local authority councils. Constitution failed to provide for this.
  - Measures should be taken to ensure PWDs' representation in parastatals and constitutional commissions. ( PWDs tend to take a rather cautious approach to quotas and research on quotas<sup>11</sup> reveal that despite a number of benefits, quotas have remained shrouded in controversy about their expected benefits and potential pitfalls; token inclusion might increase stigmatisation; unconscious biases and stereotypes are deeply embedded in individuals and organizational systems, and it is unrealistic to expect that these will disappear without an abrupt external shock; and quota of 10% PWDs or less is unlikely to perpetuate any positive change and will instead incur negative reactions.
- This accounts for the lack of reference to specific quotas with regard to senators, provincial representation in national assembly, women's quota , metropolitan, provincial and local authority councils and lastly, parastatals and constitutional commissions,
- Youth organisations to include youths with disabilities in their programs, activities, policies, strategies and plans so that they participate actively in all election and political processes.
  - ZEC to have a disability desk (a functional and effective one and not a symbolic one). This ensures that disability concerns in electoral processes are attended to systematically, holistically and effectively.



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