



MINISTRY OF WOMEN,  
NATIONAL SOLIDARITY,  
FAMILY AND  
HUMANITARIAN ACTION

**BURKINA FASO**  
Unity - Progress - Justice



**GUIDE FOR THE EFFECTIVE PARTICIPATION OF  
PERSONS WITH DISABILITIES IN THE ELECTORAL  
PROCESS IN BURKINA FASO**

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## LIST OF ACRONYMS AND ABBREVIATIONS

<b>CRPD:</b>	Convention on the Rights of Persons with Disabilities
<b>INEC:</b>	Independent National Electoral Commission
<b>COMUD/Handicap:</b>	National Multisectoral Council for the Protection and Promotion of the Rights of Persons with Disabilities
<b>CSC:</b>	Superior Council of Communication
<b>NHRC:</b>	National Human Rights Commission
<b>MATD:</b>	Ministry of Territorial Administration and Decentralisation
<b>MCRP:</b>	Ministry of Communication and Relations with Parliament
<b>MFSNFAH:</b>	Ministry of Women, National Solidarity, Family and Humanitarian Action
<b>MJDHPC:</b>	Ministry of Justice, Human Rights and Civic Promotion
<b>OPD:</b>	Organisation of Persons with Disabilities
<b>PwDs:</b>	People with Disabilities
<b>SP/COMUD/Handicap:</b>	Permanent Secretariat of the National Multisectoral Council for the Protection and Promotion of the Rights of Persons with Disabilities

## FOREWORD

Participation in elections is the foundation of democracy and citizenship. Voting or standing as a candidate in an election are official means of participation.

Based on the idea that everyone affected by a decision has the right to take part in the decision-making process, it is, therefore, the responsibility of public authorities to educate and inform citizens and to encourage their participation in electoral processes.

However, difficulties remain and hinder the participation of some citizens, particularly people with disabilities, in the various electoral consultations organised by our country.

Stakeholders noted several shortcomings related to electoral events.

In order to overcome these difficulties, there is a need to develop a policy document for elections that take into account all citizens, including people with disabilities, in accordance with the relevant legislation.

This document aims to create favourable conditions to facilitate the participation of people with disabilities in the various elections in Burkina Faso.

To this end, this policy paper identifies barriers to the effective participation of people with disabilities in elections and proposes conditions for inclusive elections.

It is the result of a participatory and inclusive approach.

I would like to express my gratitude to all those who have contributed to the preparation of this document.

And as His Excellency Mr Roch Marc Christian KABORE, President of Burkina Faso, said "***no Burkinabe should be left on the sidelines of development***".

May we build on this document to create the conditions for inclusive electoral processes.

The Minister of Women, National Solidarity,  
Family and Humanitarian Action

**Hélène Marie Laurence ILBOUDO/MARCHAL**

*Officer of the Order of the Stallion*

## INTRODUCTION

The participation of people with disabilities in elections is a recognised right in Burkina Faso. Indeed, the constitution of 2 June 1991 stipulates in its article 1 that "all Burkinabe are born free and equal in rights...". Furthermore, in article 12, it stipulates that "*all Burkinabe, without distinction, have the right to participate in the management of the affairs of the State and society. As such, they are eligible to vote and to stand for election under the conditions provided for by the law.*"

These provisions were reaffirmed by Law N°012-2010/AN of 1 April 2010 on the protection and promotion of the rights of persons with disabilities in its articles 40 to 43.

Despite these legal provisions, people with disabilities face enormous difficulties in fully enjoying their political rights during elections.

It is to overcome these shortcomings that the Permanent Secretariat of the National Multisectoral Council for the Protection and Promotion of the Rights of Persons with Disabilities (SP-COMUD/Handicap), with the support of the NGO Light for the World, has undertaken to produce this guide.

### I DEFINITIONS OF CONCEPTS

For the purposes of harmonising understanding, it is necessary to define the following concepts:

- **access ramp:** this refers to an arrangement in the form of a 5% inclined ramp, fixed or mobile, allowing people with disabilities access to public or private places, including buildings (safe, non-slip, with a handrail, width);
- **Reasonable accommodation:** according to Article 2(4), "reasonable accommodation" means necessary and appropriate modification and adjustments not imposing a disproportionate or undue burden, where needed in a particular case, to ensure to persons with disabilities the enjoyment or exercise on an equal basis with others of all human rights and fundamental freedoms;
- **Persons with disabilities:** according to Article 1 paragraph 2 of the Convention on the Rights of Persons with Disabilities, "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".

- **accessible format:** according to the Marrakesh Treaty adopted on 27 June 2013, the term accessible format refers to "all formats that enable a person with a visual or other sensory disability to access content as easily and freely as a person without such a disability, including digital formats"
- **Electoral participation:** this is the opportunity for people with disabilities to vote or be voted for freely and independently in municipal, legislative and presidential elections.
- **Social inclusion:** Social inclusion is seen as the process of improving the conditions for participation in society of people who are disadvantaged on the basis of age, gender, disability, race, ethnicity, origin, religion or economic or other statuses. Promoting social integration requires removing barriers to citizen participation, including laws, policies and institutions, and changing discriminatory attitudes and behaviours, as well as adopting active integration measures to facilitate such participation. (UN SG Report on the World Social Situation 2016).

It means that all people, regardless of their abilities, have the opportunity to participate fully in society.

To this end:

- laws and regulations are designed and written for all;
  - rights are respected and effective for all;
  - duties are the same for all citizens;
  - the differences in abilities between all individuals, disabled or not, are recognised and valued;
  - accessibility at all levels is effective.
- **Inclusion:** is a democratic effort to ensure that all citizens, with or without disabilities, can participate fully in society on the basis of equal rights.<sup>1</sup>

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<sup>1</sup> [www.prezios-handicap.org](http://www.prezios-handicap.org)

## II OVERVIEW OF THE SITUATION OF PEOPLE WITH DISABILITIES IN BURKINA FASO

People with disabilities constitute a fairly large proportion of the total population. As such, the state is making efforts to address their concerns.

Despite these efforts, they still face a number of difficulties which can be summarised as follows

- the persistence of negative socio-cultural stigma around disability: divine curse, incapacity, social burden
- difficulties in accessing basic social services: health, education, training, employment, communication, etc.
- social injustice: marginalisation, exclusion, physical abuse, moral and psychological violence, rape, etc.
- the insufficient organisation of the disability sector and of people with disabilities;
- the lack of reliable statistical data on disability;
- insufficient resources allocated to the field of disability;
- several barriers to the effective exercise of their civil and political rights.

## III LEGAL PROVISIONS FOR THE PARTICIPATION OF PERSONS WITH DISABILITIES IN THE ELECTORAL PROCESS

In order to guarantee the effectiveness of the rights of persons with disabilities, Burkina Faso has ratified legal instruments at the international level and has adopted legislation and regulations at the national level.

The Convention on the Rights of Persons with Disabilities, ratified on 23 July 2009 by Burkina Faso, requires in its article 29: **"States Parties shall guarantee to persons with disabilities political rights and the opportunity to enjoy them on an equal basis with others, and shall undertake to;**

Article 12 of the Constitution of 2 June 1991 states **that "all Burkinabè, without distinction, have the right to participate in the management of State and social affairs"**. As such, people with disabilities are eligible to vote and stand for election.

Law N°012-2010 / AN of 1 April 2010 on the protection and promotion of the rights of persons with disabilities in its article 40 *states that "any person with disabilities enjoys*



*the same civil and political rights and exercises them on an equal basis with others and in compliance with the texts in force relating to legal capacity" and article 43 reaffirms the same provision.*

On the right to vote of people with disabilities, the **electoral code** in its **article 91** specifies that ***"Any voter with an impairment or physical disability making it impossible for him or her to express his or her choice and to introduce his or her ballot paper in the ballot box, is authorised to be assisted by a voter of his or her choice or by a member of the polling station"***.

In the light of these provisions, no person may be deprived of his or her right to vote and to stand as a candidate in elections because of his or her disability, unless he or she is incapacitated or finds himself or herself in the cases provided for in Article 44 of the Electoral Code.

## **IV BARRIERS TO THE EFFECTIVE PARTICIPATION OF PERSONS WITH DISABILITIES IN THE ELECTORAL PROCESS**

People with disabilities face several barriers to the effective exercise of their civil and political rights. These barriers include

### **IV.1 Social exclusion of people with disabilities linked to negative social representations of disability**

People with disabilities are subject to many negative social perceptions, the consequences of which are

- lack of self-esteem;
- withdrawal;
- non-participation.

These attitudes militate against their full participation in the electoral process.

### **IV.2 Difficulties related to access for people with disabilities**

They are of two (02) kinds.

#### **IV.2.1 Barriers to information and communication**

- the non-transcription of messages from the electoral process into sign language;
- the non-transcription of messages from the electoral process into Braille.

#### **IV.2.2 Physical barriers.**

- the lack of ramps and wheelchairs in the buildings housing **the polling stations**;
- **the existence of obstacles (stairs, the height of terraces, etc.)**
- the unsuitability of voting booths for wheelchair users;
- the unsuitability of ballot papers for visually impaired people;
- long queues and lack of waiting facilities (seating) ;

#### **IV.2.3 Barriers to candidacy and election for people with disabilities**

- poor positioning on candidate lists;
- non-engagement of people with disabilities;
- the disadvantageous socio-economic situation is illustrated by the high unemployment rate, the low level of schooling and the increased risk of poverty, dependence leading to a lack of interest in politics.

#### **IV.2.4 Legislation and policies**

- the insufficient application of laws and regulations;
- inconsistency between the principle of inclusion of PwDs and certain provisions of the electoral code (art 42 and 44);
- lack of incentive policies for people with disabilities to apply.

### **V ARRANGEMENTS FOR THE EFFECTIVE PARTICIPATION OF PWDS IN THE ELECTORAL PROCESS**

In order to achieve inclusive elections, measures must be taken to facilitate the participation of persons with disabilities throughout the process:

#### **V.1 At the level of the Independent National Electoral Commission**

INEC has an important role to play in facilitating the participation of people with disabilities in elections. The following measures can be taken:

##### **❖ Pre-election period**

- insert a module on introducing and voting for voters with disabilities;
- provide information on voter registration in formats accessible to people with disabilities (people with visual, sensory and intellectual disabilities);
- tailor training, information and awareness-raising on the electoral process to people with disabilities;

- include Organisations of Persons with Disabilities in voter education and awareness initiatives;
- Make the INEC website accessible to people with sensory disabilities;

#### ❖ **Election period**

- adapting electoral registration sites to make them more accessible to people with disabilities;
- ensure that the arrangements put in place allow for the effective participation of people with disabilities in voting (adapted ballot papers, adapted voting booths, accessible voting places);
  - Adapted ballot papers: ballot papers transcribed in Braille and/or in legible text format to facilitate voting by visually impaired people;
  - Adapted polling booths: install booths that are free of any obstacle to allow voting by people with reduced mobility;
  - Adapted ballot box: a lowered ballot box or a step should be provided while respecting the safety guidelines for voting by people of short stature or people in wheelchairs with their own hands;
  - Accessible polling stations: a clearly marked, barrier-free route to the polling station where the entrance is equipped with a ramp to improve the safety and independence of people with reduced mobility. Chairs or benches are provided in the polling station to allow people with mobility difficulties to rest. Human assistance is recommended for these people when they request it at the entrance to the polling station.

#### ❖ **Post-election period**

- Make the INEC website accessible to people with sensory disabilities.
- Making election results available in accessible formats for people with disabilities

### **V.1.1 At the level of political parties and formations**

Political parties and organisations must think about the access of people with disabilities to the voting process in each of their actions or interventions. To do so, they should:

#### ❖ **Pre-election period**

- adapt the content of their messages to people with disabilities;
- ensure the physical accessibility of the meeting places;

- Encouraging the membership of people with disabilities in political parties and organisations;
- promote the application of people with disabilities;
- take into account people with disabilities and the issue of disability in their programmes and projects for society;
- make their website accessible to people with sensory disabilities;

❖ **Election period**

- disseminate information on political party platforms in accessible formats;
- make information for the public accessible to people with disabilities, especially through the press and other communication channels;
- ensure that the arrangements put in place allow for the effective participation of people with disabilities in voting (adapted ballot papers, adapted voting booths, accessible voting places)

❖ **Post-election period**

- Make election results available in accessible formats for people with disabilities

**V.1.2 At the level of Organisations of Persons with Disabilities (OPDs)**

Leaders of organisations of people with disabilities should:

❖ **Pre-election period**

- to raise awareness among their members of the right to participate in the conduct of public affairs, including the right to vote;
- raise awareness among their members to become active in political parties, to register to vote, to exercise their right to vote and to take an interest in political life;
- encourage the candidacy of people with disabilities in various elections;
- ensure that people with disabilities have access to the documents they need to vote;
- provide civic education for members in accessible formats;
- carry out communication actions on the participation of people with disabilities in elections;
- encourage people with disabilities to participate in political and civic life;
- encourage people with disabilities to be members of INEC branches;
- work to ensure that their members get the voting documents;

- make their website accessible to people with sensory disabilities;

❖ **Election period**

- encourage OPDs to participate in the observation of the electoral process;
- ensure that voting materials are accessible;
- encourage people with disabilities to participate in the observation and monitoring of the electoral process.
- ensure that the arrangements put in place allow for the effective participation of people with disabilities in voting (adapted ballot papers, adapted voting booths, accessible voting places)

❖ **Post-election period**

- Making election results available in accessible formats for people with disabilities

**V.1.3 At the level of observers and monitors**

Observers of the electoral process should:

- integrate the issue of disability in the observation sheets of the electoral process.
- ensure that the arrangements put in place allow for the effective participation of people with disabilities in voting (adapted ballot papers, adapted voting booths, accessible voting places)

**V.1.4 At family and community level**

Families and communities should:

❖ **Pre-election period**

- establish civil status documents for people with disabilities to enable them to have voting documents;
- raise awareness among their members, including people with disabilities, at registration and the polls.

❖ **Election period**

- assisting people with disabilities to get to the polling station;
- assist the person with a disability (according to his/her choice) in voting;
- help people with disabilities understand the social programmes of political parties and candidates to enable them to make their choice;

- maintain the secrecy of the vote of the disabled person receiving voting assistance.

#### ❖ **Post-election period**

- explain to people with disabilities the results of the votes.

#### **V.1.5 At the level of the person with a disability**

People with disabilities should:

- engage personally and financially in political and public life;
- register to vote and go to the polls.

### **VI RECOMMENDATIONS**

To facilitate the effective participation of persons with disabilities in electoral events in Burkina Faso, the following recommendations are made

#### **VI.1 To OPDs**

- advocate with stakeholders (CENI, CSC, CNDH, Government, political parties, etc.) for the effective participation of people with disabilities in the various elections;

#### **VI.2 To Political Parties**

- take into account people with disabilities and the issue of disability in society's programmes and projects.

#### **VI.3 To the Superior Council of Communication**

- familiarise themselves with the lexicon of common disability terms and to ensure that it is respected.

#### **VI.4 To INEC**

- ensure that the issue of disability is taken into account throughout the electoral process.

#### **VI.5 Concerning the NHRC**

- ensure specific monitoring of the effective enjoyment by PwDs of the rights and freedoms that are essential during the election period

- ensure the monitoring of the realisation of all human rights of PwDs registered on the registration lists and verify the implementation of the measures taken for their effective participation in the electoral process

#### **VI.6 Towards the MCRP**

- make information during the election period accessible to all people with disabilities.

#### **VI.7 To the SP/COMUD/Handicap**

- monitor and evaluate the participation of people with disabilities in elections;
- challenge the actors involved in the organisation of elections to respect the rights of people with disabilities;
- empowering people with disabilities;
- organise a technical and multi-stakeholder meeting between key actors (INEC, CSC, OPDs and MCRP).

#### **VI.8 To the MATD**

- revise the electoral code to make voting accessible for people with disabilities.

#### **VI.9 To TFPs**

- strengthen the technical and financial capacities of Organisations of Persons with Disabilities;
- provide technical and financial support to the State for the organisation of inclusive elections.

### **VII FOLLOW-UP MECHANISM FOR THE EVALUATION OF THE GUIDE'S RECOMMENDATIONS**

The mechanism for monitoring and evaluating the implementation of the guide's recommendations will include a monitoring and evaluation dimension.

COMUD/Handicap in partnership with the MATD, the MJDHPC, the CENI and the political parties will ensure that the recommendations of the guide are implemented.

Monitoring will consist of data collection, analysis and reporting in order to provide evidence of progress in the implementation of the actions and the objectives achieved.

The SP/COMUD/Handicap, the independent structures and the OPDs will follow up on the recommendations.

As for the evaluation, it will include the following aspects: a mid-term evaluation and a final evaluation. The evaluation will involve stakeholders and development partners on the basis of reports prepared before, during and after the elections. To this end, the following actions should be carried out in the post-election period:

- produce a report on the observation of voting by voters with disabilities;
- strengthen the capacity of elected persons with disabilities;
- accountability to the public and especially to Organisations of Persons with Disabilities;
- to monitor through Organisations of Persons with Disabilities the activities of elected officials and particularly elected people with disabilities;
- involve OPDs in relevant trainings.



## **CONCLUSION**

Enabling the participation and citizenship of people with disabilities is one of the fundamental principles for equal rights and opportunities.

To this end, provisions must be made, in the light of the texts and practice, to enable full and effective participation of people with disabilities in the electoral process before, during and after the elections.

Participation in political and public life enables people with disabilities to take part in and have a voice in decisions that affect them, their communities and their countries.

In order to do this, each stakeholder involved in the process has to play his or her role to the fullest – in the field that concerns him or her and in accordance with the texts in force.