An Overview: Disability rights and policy in Ireland and the EU

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Introduction

One in six people in the European Union (EU) aged 15 and over live with some kind of disability. That amounts to some 87 million people. Disability is experienced across the lifespan and the majority of impairment is acquired as we grow older[1]. The EU has a rapidly ageing population with one in every five people now aged over 65[2]. Therefore, the longer we live the more likely we are to acquire a disability.

Disabled people face persistent inequality, with less access to basic rights including employment, education, and decision-making. This discrimination is compounded by a failure to recognise the intersection of disability and social disadvantage. Taken together, this results in poorer life outcomes for disabled people. In the EU, 29.7 per cent of the population with a disability are identified as being at risk of poverty or social exclusion, compared with 18.8 per cent among people with no limitations[3]. Only 50.6 per cent of persons with disabilities are employed, compared to 74.8 per cent of persons without disabilities[4].

Irish census data from 2022 found that 22 per cent of the population reported having experienced at least one long-lasting condition or difficulty to any extent[5,6]. Ireland performs worse than fellow EU countries on some metrics related to disability. Some 27.4 per cent of disabled people in Ireland are at risk of poverty[7], making it one of the highest rates of poverty among people with disabilities in the EU. The intersection of poverty and disability is further exacerbated by the high cost of living for people with disabilities in Ireland[8,9]. The employment gap is also far greater in Ireland, which has the lowest employment rate for people with disabilities in the EU, at just 32.3 per cent - significantly lower than the EU average of 50.6 per cent[10]. This low rate of employment occurs despite the Irish Government's Comprehensive Employment Strategy for people with disabilities (CES 2015 – 2024), and against the backdrop of full employment among the general population[11]. Given these stark shortcomings, it is clear that Ireland lags behind its European peers when it comes to the inclusion of disabled people in many aspects of life and that ameliorating this situation should be at the top of the Irish political agenda.

1. World Health Organization. Regional Office for Europe. (2019) '*Disability: fact sheet on Sustainable Development Goals (SDGs): health targets*, World Health Organization. Regional Office for Europe.
2. Lecerf, M. (2020) '*European Parliament Briefing: Employment and disability in the European Union*', European Parliamentary Research Service, PE 651.932.
3. Eurostat (2022) '*Disability: higher risk of poverty or social exclusion*', Eurostat News, 14 December.
4. Lecerf, M. (2020)
5. CSO (2023a) '*Census of Population 2022 - Summary Results; Health, Disability, Caring and Volunteering*', CSO statistical publication, 30 May 2023.
6. Due to substantial changes in the disability question, these results are not directly comparable with previous census data.
7. CSO (2023b) '*Survey on Income and Living Conditions (SILC) 2022: No real gain in household income*', CSO statistical publication, 22 February 2023.
8. GOV (2021) '*The Cost of Disability in Ireland*', Department of Social Protection, 07 December 2021.
9. Cullinan, J., Lyons, S., & Nolan, B. (2015) '*The economics of disability — Insights from Irish research*', Manchester University Press.
10. European Disability Forum (2020) '*Poverty and Social Exclusion of Persons with Disabilities - European Human Rights Report 2020*', EDF Issue 4.
11. CSO (2022) Labour Force Survey Quarter 1 2022, CSO Statistics (Employment), available at: https://www.cso.ie/en/releasesandpublications/ep/p-lfs/labourforcesurveyquarter12022/employment/

This paper provides an introduction to disability policy in Ireland and across the EU, with a focus on the contribution that engagement in higher education can have in supporting political participation and engagement in decision making among persons with disabilities.

It presents an assessment of:

- Language and the models of disability

- Policies being implemented to improve the lives of disabled people in Ireland and across the EU

- A focus on education, and public and political participation of people with disabilities

Throughout this article the terms "people/persons with disabilities" and "disabled people" are used interchangeably. The term "disabled person" is recognised by many within the disability rights movement to align with the social model of disability, as it is considered to acknowledge the fact that people with an impairment are disabled by barriers in the environment and society. The author recognises that others prefer to use 'person first' language due to the inherent understanding in the term that people are, first and foremost, human beings entitled to human rights. "Persons with disabilities" also aligns with the 2006 UN Convention on the Rights of Persons with Disabilities (UNCRPD)[12]. Equally, the author recognises that some people do not identify with either term.

Traditionally, there have been two main models of disability – a medical and a social one. The medical model of disability focuses on the person's medical condition, illness, or injury, which they believe is the direct cause of their disability and may have an impact on their quality of life. It is a deficit-led approach. The social model, which was developed by disabled people, moves the focus away from the person's impairment and onto the barriers that exist and are created by society. Those barriers may be physical or social and can prevent disabled people from fully engaging in society. The UNCRPD has ushered in the greater adoption of a human rights approach based on human rights principles, and whereby disability is recognised as a natural part of human diversity.

Defining disability, resulting from difficulties encountered in adopting a common definition of disability, the EU has adopted the UNCRPD description, which reads as follows:

> *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 (Article 1).*[13]

There is no other harmonised definition of disability currently in use across the EU[14].

12. UN (2006) *Convention On The Rights Of Persons With Disabilities* (CRPD)
13. UNCRPD (2006) Article 1 – Purpose.
14. Lecerf, M. (2023a) '*Understanding EU policies for people with disabilities*' *European Parliamentary Research Service*, PE 698.811.

A more equal Europe - what has been done by the EU in the field of disability policy?

The position of disabled people has received increasingly more attention in the EU over recent years. At both the national and EU levels, several notable policy measures have been introduced that seek to improve the lives of disabled people[15] including the EU Web Accessibility Directive[16], the EU Accessibility Act[17], and the EU Disability Strategy 2021-2030[18].

One important step in the advancement of the rights of disabled people occurred in 2010 when the EU ratified the UNCRPD[19], thus aligning the bloc with the international guarantee to protect the fundamental rights of disabled people. This was the first human rights convention to which the EU became a full party. All EU Member States have now signed and ratified the convention, with Ireland having done so in 2018.

The UNCRPD is the first international, legally-binding instrument that sets minimum standards specifically relating to the rights of people with disabilities, having been adopted by the UN on 13 December 2006. The Convention applies established human rights principles from the UN Declaration on Human Rights to the situation of persons with disabilities. The UNCRPD does not confer any new rights on disabled people but acts to reaffirm existing rights. It provides a framework for State Parties to ensure those existing rights are upheld in an environment which has not been built with disabled people in mind.

Ireland was the first country in the EU to sign the UNCRPD in 2007, yet it was the last country to ratify it when it did so in 2018. The Irish Government did not ratify the Optional Protocol to the Convention. The Optional Protocol establishes an individual complaints mechanism for disabled people who allege that their rights under the Convention have been denied or infringed. Ireland is one of the few countries who has not ratified the Optional Protocol. The IHREC Disability Advisory Committee[20], comprised of people with disabilities, has a statutory role in supporting the monitoring of Ireland's implementation of the UNCRPD.

At an EU policy level, the rights of disabled people have been enshrined in the EU Treaties since 1997[21] and the inclusion of people with disabilities makes up principle 17 of the European Pillar of Social Rights, adopted in 2017. The twenty

15. Lecerf, M. (2023a)

16. European Commission (2023a) '*Shaping Europe's digital future: Web Accessibility*', European Commission Policy and Legislation, 18 April.

17. European Commission (2022) '*European accessibility act*', European Commission, Social Affairs & Inclusion Policy and Activities.

18. European Commission (2021) '*Union of Equality: Strategy for the Rights of Persons with Disabilities 2021-2030*', European Commission, Social Affairs & Inclusion, Publications and Documents, 03 March.

19. Uldry, M. (2016) '*The Ratification of the UN Convention on the Rights of Persons with Disabilities in the European Union: Study of the Consequences for Persons with Disabilities*', Masters Thesis LL.M International Laws Faculty of Law, Maastricht University.

20. See IHREC (2019) '*New Departure on Rights of Persons with Disabilities as Formal Committee Begins Work in Monitoring Ireland's Obligations',* Irish Human Rights and Equality Commission, 28 January.

21. Lecerf, M. (2023)

guiding principles of the European Pillar of Social Rights aim to create a fair, inclusive and strong social Europe that guarantees the opportunities of all citizens, as well as a number of initiatives designed to support disabled people regarding access to education.

As above, one notable EU Directive, which supports people with disabilities in Ireland and across the EU, is the Web Accessibility Directive which has been signed into Irish Law. The Directive affords people with disabilities with improved access to websites and mobiles apps of public services. The Directive complements the European Accessibility Act. The importance of digital access is ever-increasing, with so many day-to-day services and interactions taking place via web and mobile devices. This Directive seeks to ensure that such interactions are fully accessible.

The main instrument supporting the UNCRPD's implementation in the EU is the EU Disability Strategy 2021-2030.

The Strategy seeks to ensure that all persons with disabilities in Europe, regardless of their sex, racial or ethnic origin, religion or belief, age, or sexual orientation, can:

- enjoy their human rights

- have equal opportunities and equal access to participate in society and the economy

- are able to decide where, how, and with whom they live

- move freely in the EU regardless of their support needs

- no longer experience discrimination

This new and strengthened Strategy takes account of the diversity of disability comprising long-term physical, mental, intellectual, or sensory impairments. The Strategy contains an ambitious set of actions across a number of areas and sets out several priorities, which seek to promote:

- accessibility — that is to say, that all people can move and reside freely and can also participate in the democratic process

- a decent quality of life and the possibility to live independently, as it focuses in part on factors relating to social protection and non-discrimination at work

- equal participation, as it aims to effectively protect persons with disabilities from any form of discrimination and violence, to ensure equal opportunities in and access to justice, education, culture, sport, and tourism, but also equal access to health services

- the role of the EU to lead by example

- the rights of persons with disabilities globally

The Strategy announces seven flagship initiatives. These initiatives may serve to strengthen cooperation across Europe and coordination will facilitate the exchange of best practice and understanding between Member States including Ireland. One

of which, AccessibleEU[22], provides information and good practices on accessibility across sectors, and is a wonderful resource to learn more about accessibility.

The first seminar of the IIEA inaugural series on disability heard from UN Special Rapporteur, Professor Gerard Quinn[23]. The mandate of the Special Rapporteur was created to:

- Strengthen efforts to recognise, promote, implement, and monitor the rights of persons with disabilities from a human rights-based approach, in line with the UNCRPD and the broader human rights framework

- Recall the universality, indivisibility, interdependence, and interrelatedness of all human rights and the need for persons with disabilities to be guaranteed the full enjoyment of these rights without discrimination

Following his visit to the EU in 2022, and subsequent report, Professor Quinn applauded the EU's objective to mainstream disability perspectives into all areas of policy. Recommending the importance of:

> *consistently harmonising European Union laws and policies with the Convention on the Rights of Persons with Disabilities in the field of independent living and deinstitutionalisation. To this end, the significant funds at the disposal of the European Union should be once and for all shifted from investments in residential institutions towards building up community-based services to enable community living*[24].

Combatting Ableism

Although often overlooked, widespread discrimination in the form of ableist views and practices can have a pernicious effect on the lives of disabled people. In the 2019 Eurobarometer survey on Discrimination in the EU[25], more than half of the respondents with disabilities (52 per cent) said that they had felt discriminated against or harassed at some point in the previous twelve months. The annual report from the Irish Human Rights and Equality Commission (IHREC) showed that disability discrimination represented 46 per cent of contacts related to services and 36 per cent of contacts related to employment[26]. In Ireland, there are a number of pieces of legislation relating to disability and discrimination. The Disability Act, 2005, the Irish Human Rights and Equality Acts 2014, and the Employment Equality Acts and Equal Status Acts prohibit discrimination on specific grounds such as disability[27]. Notably, one of the objectives of the *EU Disability Strategy 2021-2030* is for disabled people in Europe to "no longer experience discrimination" and it is evident that there is a pressing need for governments to take proactive steps to combat ableism.

22. European Commission (2023b) *'About Accessible EU',* European Commission: Live, Work, Travel in the EU, available at: https://accessible-eu-centre.ec.europa.eu/index_en.

23. IIEA (2023a) *'Ireland's obligations under the UN Convention on the Rights of Persons with Disabilities – with Prof Ger Quinn',* IIEA Webinar, 19 July.

24. UNHRC (2022*) 'Visit to the European Union - Report of the Special Rapporteur on the rights of persons with disabilities'*, A/HRC/52/32/Add.1.

25. Eurobarometer (2019) *'Discrimination in the European Union'*, dataset 2251 / SP493, September.

26. IHREC (2021) '*Irish Human Rights and Equality Commission Annual Report 2021',* available at: https://www.ihrec.ie/documents/annual-report-2021/.

27. IHREC (2023) *'Equality Laws in Ireland: Equality and discrimination are two sides of the same coin',* Irish Human Rights and Equality Commission, available at: https://www.ihrec.ie/your-rights/equality-laws-ireland/#:~:text=Ireland's%20equality%20laws%20protect%20individuals,promotion%20or%20getting%20equal%20pay

Clearly though, disabled people are not a homogeneous group. There can be a tendency by policy-makers, employers, politicians, and individuals to adopt a 'siloing' or isolating approach to equity strategies and policies, ignoring the nuance or intersectional nature of disability. Indeed the barriers faced by disabled people may be compounded by intersecting patterns of disability, gender, race, ethnic status, age, and other factors. Thus, when it comes to intersectionality, it is often not just the impact of inequality in one area that can create difficulties but the interaction of multiple barriers across all of the areas that so often coalesce to make the lives of disabled people more difficult. Unlike previous iterations, the EU Disability Strategy 2021-2030 aims to improve upon the shortcomings of earlier strategies by taking a more nuanced and holistic approach to disability and by addressing the diversity and intersectional nature of disability, taking its lead from the UNCRPD and the Sustainable Development Goals (SDGs). In Ireland, recent research has shown that the majority of people support most policies that aim to enable disabled people can participate fully in society[28].

Education and Decision Making

Article 24 UNCRPD focuses on the right to education. Education is identified as a route out of poverty, and in combination with being in control of decisions that concern you, is central to living an empowered life. For every additional level of educational attainment, it has been found that there are improved labour market outcomes[29]. People with greater levels of education are more likely to find employment, remain employed, learn new skills on the job, earn more over their working life relative to those with lower levels of education[30], and obtain greater social mobility.

In 2018, 19.9 per cent of 18-to-24-year-olds with activity limitation[31] within the EU were early leavers from education and training compared with 9.9 per cent of their peers without activity limitation. In Ireland, where population ageing, skills shortages, and the future demand for high-level qualifications in the labour market outpace the OECD average[32], upskilling and reskilling opportunities and rates of uptake ought to be important for policy makers. Over the past three decades across the EU the widening participation agenda (WPA) has resulted in a focus on increasing[33] participation of students from underrepresented, disadvantaged social backgrounds, including disabled students, within higher education.

Inclusive education is high on the EU education agenda. One of the six axes of the European Education Area is dedicated to inclusive education and lifelong learning. There is a recognition that to increase the numbers of students attending higher education there is a need to undertake systemic change ensuring students are successful early in their school journey. The EU Disability Strategy (2021-2030) aims to enhance cooperation for national reforms for inclusive education and will seek to exploit opportunities for synergies. The European Commission looks to support

28. Timmons, S., Carroll, E., & McGinnity, F. (2023) *'Experimental Tests of Public Support for Disability Policy',* ESRI, Research Series Number 159.
29. OECD (2023a) Education GPS – OECD: Economic & social outcomes, available at: https://gpse-ducation.oecd.org/revieweducationpolicies/#!node=41761&filter=all
30. OECD (2023a)
31. Eurostat (2016) *'Glossary: Activity limitation',* Eurostat Statistics Explained, 21 April, available at: https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Glossary:Activity_limitation
32. OECD (2023b) *'Fostering greater participation in lifelong learning in and outside the workplace in Ireland',* in OECD Skills Studies, ISSN: 23078731.
33. A. Kottmann et al (2019) *'Social Inclusion Policies in Higher Education: Evidence from the EU',* EUR 29801 EN, Publications Office of the European Union, Luxembourg, JRC117257.

Member States to address shortages of teachers in special needs education and competences of all professionals; it will support schools to implement the Action Plan for Educational Support and Inclusive Education, calling on Member States to:

- Support the development of inclusive schools

- Implement Article 24 UNCRPD in schools across Europe

- Make progress on the provision of supported learning in inclusive mainstream settings

Ireland has performed strongly in relation to increasing the number of disabled students attending higher education. The data indicates that the percentage of people with disabilities attending higher education and accessing disability support services has increased by 268 per cent in the last eleven years[34]. This increase in accessing support services is reflective of the overall growth in the number of disabled students accessing higher education. Ireland has had a longstanding commitment to achieving equity in access to higher education. The Higher Education Authority (HEA) and the Department of Further and Higher Education, Research, Innovation and Science has a fundamental role to play in this.

Yet, the education attainment gap between people with and without disabilities remains stark[35] and it is evident that there is still much work to be done to bring about full inclusion. Similar to other EU countries, certain cohorts of disabled people have historically been absent from higher education. For instance, only 6 per cent of people with intellectual disabilities obtained a third level qualification in 2016[36] [37]. In an effort to address this under-representation, Ireland's Strategic Action Plan for Equity of Access, Participation and Success in Higher Education (2022-2028), has for the first time, established a key performance indicator (KPI) for the inclusion of people with intellectual disabilities within higher education to be achieved over the lifetime of the strategy.

The second seminar of the inaugural IIEA disability policy series focused on access to education for persons with disabilities[38]. It heard about the lived experience of a former student, and now employee, of the Trinity College Dublin Centre for People with Intellectual Disabilities (TCPID)[39], Sadhbh Feehan. This Centre offers students with intellectual disabilities a pathway into higher education and employment and is considered an example of good practice.

Education also plays an important role in increasing levels of social participation and those with higher levels of educational attainment are, on average, more likely to exhibit higher levels of civic and social engagement such as voting, running for

34. Healy, R. & Ryder, D. (2023) *'Students with Disabilities Engaged with Support Services in Higher Education in Ireland 2021/22'* AHEAD report, ISBN No: 978-1-916836-01-3.
35. Kelly, E. & Mâitre, B. (2021) *'Identification of Skills Gaps Among Persons with Disabilities and their Employment Prospects'*, ESRI Survey and Statistical Report Series Number 107, doi 10.26504/sustat107.
36. Kelly, E. & Mâitre, B. (2021)
37. Des, A., Banks, J., & Shevlin, M., (2010 *'Post-School Transitions for Students with Intellectual Disabilities in the Republic of Ireland'*, Dublin, Trinity College Dublin, February, 2021.
38. IIEA (2023b) *'Access to Education for Persons with Disabilities in Europe – expert panel'*, IIEA Webinar, 17 October.
39. TCPID (2023) *'About us - Trinity Centre for People with Intellectual Disabilities'*, Trinity College Dublin, available at: https://www.tcd.ie/tcpid/about/

election, and volunteering[40]. Better-educated parents are more likely to stimulate their children's civic engagement, and an educated society tends to be more cohesive and have lower rates of crime[41]. Higher education institutions are sites of citizenship skill development. However, it has been found that disabled students attending higher education also face barriers to engaging in decision-making roles in their institutions,[42] thus stymieing their opportunity to develop essential life skills.

Political and Public Participation of Disabled People

Article 29 of the UNCRPD establishes a framework for the participation of persons with disabilities in political and public life. It requires State Parties to guarantee persons with disabilities political rights and the opportunity to enjoy them on an equal basis with others.

Yannis Vardakastanis, President of the European Disability Forum, commented at the 5th Parliament of Persons with Disabilities in 2023 that:

> *Persons with disabilities are often excluded from the political process – from voting, standing as a candidate and, often, even getting their problems and concerns to policymakers.*

People with disabilities face three main types of barriers that can prevent their political participation: legal and administrative barriers, accessibility, and institutional barriers[43]. Certain groups are more likely to have their democratic rights denied including people with intellectual disabilities.

In Ireland, there has been a renewed focus on the political participation of disabled people and their right to vote and to run for elections. This resulted in the publishing of a number of reports, including by the Oireachtas Disability Matters Committee[44], the Independent Living Movement[45] and the National Disability Authority[46] and a recent conference on the topic. They detailed the many barriers that disabled people face to political engagement. The establishment of the Disability Participation and Consultation Network (DPCN) by the Department of Children, Equality, Disability, Integration and Youth (DCEDIY) has been a positive step towards ensuring that persons with a disability, disabled persons organisations (DPOs) and disability organisations are actively engaged and directly consulted in the development of legislation and policies in line with the UNCRPD.

40. OECD (2020) '*Education at a Glance',* database available at: https://www.oecd-ilibrary.org/education/education-at-a-glance-2020_69096873-en

41. OECD (2023c) Education GPS – OECD: Social and Health outcomes, available at: https://gpse-ducation.oecd.org/revieweducationpolicies/#!node=41767&filter=all

42. Rath, V. (2021) '*The Social Engagement Experiences of Disabled Students in Higher Education in Ireland',* Trinity College Dublin.

43. Lecerf, M. (2023b) '*Political participation of people with disabilities in the EU',* European Parliamentary Research Service, PE 747.889.

44. JCDM (2022) '*Participation of People with Disabilities in Political, Cultural, Community and Public Life'* Joint Committee on Disability Matters, October, 33/DM/10.

45. ILMI (2023) '*Key Policy Documents',* Independent Living Movement Ireland (ILMI), available at: https://ilmi.ie/key-policy-documents/

46. NDA (2023) '*Overview of UNCRPD Article 29 in Ireland Participation in political and public life',* National Disability Authority, June.

Articles 39(1) and 40 of the Charter of Fundamental Rights of the European Union, and Article 20(2)(b) of the Treaty on the Functioning of the European Union (TFEU) guarantee each citizen the right to vote and to stand as a candidate in elections to the European Parliament as well as the right to vote and stand as a candidate in municipal elections. Aside from this, and in acknowledgement of the exclusion of disabled people from political representation and decision-making positions, the EU has introduced a number of initiatives. The Disability Intergroup of the European Parliament is an informal grouping of Members of the European Parliament (MEPs) from different political groups who are interested in promoting disability policy in their work at the European Parliament. It promotes the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities, in line with the UNCRPD. There has been a longstanding partnership between the European Disability Forum (EDF) and the European Parliament that allows disability advocates to directly share their concerns with EU representatives through the European Parliament of Persons with Disabilities.

Conclusion

UN Secretary General, Antonio Guterres, recently warned that a "cascade of crises" is putting global progress towards ensuring the rights of persons with disabilities in danger[47]. The third seminar in the inaugural IIEA disability policy series, heard from Dr James Casey, the Independent Living Movement Ireland (ILMI) who focused on the role people with disabilities can play in the implementation of the UN SDGs. It heard that despite the commitment within the SDGs to "leave no one behind"[48], people with disabilities continue to be among the most marginalised in society. Crises such as the COVID-19 pandemic and the war in Ukraine have acted to highlight some of the cracks that exist in our society.[49] Many disabled people rightly feel that they have been made vulnerable not by their impairment but by broken systems, and the structures that underpin those systems. The COVID-19 pandemic also demonstrated the ability of the system to pivot, and very quickly implement inclusive practices, such as via the widespread adoption of online learning and working from home - practices disabled people have been campaigning for years to see introduced.

Politicians, policymakers and data scientists can often demonstrate an overt focus on numbers and targets. To be truly able to consider the wider cultural, social, economic and moral benefits that result from the full inclusion of disabled people in society, there is a need to look behind the numbers and to try to understand the lived experience of disability. This can be achieved by hearing the voice of disabled people, and following the mantra of the Independent Living Movement, "Nothing About Us, Without Us". Central to delivering this is the full inclusion of people with disabilities in all aspects of society, including in education and by facilitating the political participation of persons with disabilitites.

As noted, in Ireland, people with disabilities are one of the groups in society that are most at risk of poverty and social exclusion. This is exacerbated by one of the lowest disability employment rates in the EU and a wide disability employment

47. UNDESA (2023) 'Progress on disability rights risks going in reverse: Guterres', UN News, 13 June.
48. Digney, L. (2023) *'Halfway to 2030 – Getting back on track to achieve the Sustainable Development Goals'*, IIEA Explainer.
49. IIEA (2023c) 'Disability and Sustainable Development: Integrating Policy into National Realities from a Disabled Persons' Organisation (DPO) Perspective - with Dr James Casey', IIEA Webinar, 13 December.

gap, compared to EU averages. As Ireland comes to the end of its Comprehensive Employment Strategy[50] and considers the next steps, it is clear that urgent attention and a greater commitment is required to the removal of the barriers to employment of people with disabilities.

Higher education has the potential to offer a route into employment, out of poverty, and to greater civic engagement for all persons, if the right conditions exist. The democratisation of education and our wider society depends on having an active disabled voice in higher education that contributes to decision-making processes, but this must be linked to real, meaningful decision-making. Decisions concerning disabled people should not be made in their absence. There is a need to build a dynamic relationship whereby disabled people and their representative organisations are seen as partners in developing appropriate solutions.

A 2019 European Economic and Social Committee[51] opinion stated that an estimated 800,000 EU citizens from sixteen EU Member States[52] may have been deprived of the right to participate in the last European Parliament elections because national rules and organisational arrangements did not take the specific needs of persons with disabilities sufficiently into account. The author has noted that people with disabilities are not a homogeneous group, and some cohorts of disabled people face greater levels of marginalisation, exclusion, and discrimination than others. Participation is a core principle of human rights and a basic condition of well-functioning democratic societies. It cannot be confined simply to voting rights, but must also include the possibility of running for election. In Ireland, the upcoming EU and local elections in June 2024, and the prospect of a general election in the coming year, offer an opportunity to review the barriers to engagement in public and political participation which exist and to introduce initiatives to make political participation more inclusive. The initiative within the EU Disability Strategy (2021-2030) relating to the Commission's intention to develop a guide to good electoral practice, that addresses the participation of people with disabilities in the framework of the European cooperation network on elections in particular, is therefore welcome.

Finally, as noted by the UN Special Rapporteur for the rights of persons with disabilities during his recent IIEA webinar, there is a need to take a universal design (UD)[53] approach to the design of effective public policies, where disability matters are removed from the silos in which they so often reside and are mainstreamed in public discourse and policy formation.

It is clear that as Ireland develops the next iteration of its National Disability Inclusion Strategy, continues its programme of implementation of the UNCRPD, and prepares for a series of elections, policy-makers have much to consider when it comes to

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50. DCEDIY (2021) *'Reports of the Chair of the Comprehensive Employment Strategy Implementation Group, Department of Children, Equality, Disability, Integration and Youth',* 26 January.
51. Pater, K. (2019) *'The real right of persons with disabilities to vote in European Parliament Elections',* EESC Opinion, SOC/554 -EESC-2017-01-01-00587.
52. The data for this report was provided by several hundred people, representing institutions and organisations from all 27 EU Member States (the United Kingdom was not considered) – mostly public authorities in Member States responsible for the election process and organisations representing or supporting persons with disabilities, but also members of the European Parliament from the Disability Intergroup and representatives of the European Disability Forum (EDF).
53. CEUD (2023) *'About Universal Design',* Centre for Excellence in Universal Design, available at: https://universaldesign.ie/about-universal-design#:~:text=Universal%20Design%20is%20the%20 design,%2C%20size%2C%20ability%20or%20disability.

disability policy. Disabled people need to be at the centre of these developments and must have a greater role in decisions that concern them at every level in Ireland and across the EU. Crucially, an adequate budget for the EU Disability Strategy's implementation and a well-resourced monitoring mechanism will be central to the successful implementation of the EU Disability Strategy (2021-2030) in Ireland and across the EU, alongside the necessary political will for change.

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