IT – Country information

Indicators on political participation

of persons with disabilities

2014

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FRANET contractor: Cooperazione per lo Sviluppo dei Paesi Emergenti (COSPE)

1. **STRUCTURE INDICATORS**

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| **Structure indicators** | **Source and supporting information** |
| Has Italy ratified the CRPD without a reservation to Article 29? Please give details of any reservation. | Yes (15 May 2009)[[1]](#footnote-1)  |
| Has Italy ratified the CRPD without a reservation to Article 12? Please give details of any reservation. | Yes[[2]](#footnote-2)  |
| Has Italy ratified the CRPD without a reservation to Article 9? Please give details of any reservation. | Yes[[3]](#footnote-3)  |
| Please indicate the legislation which applies to European Parliament and municipal elections in your country. Please highlight possible amendments in view of the 2014 European Parliament elections.Does the same law apply for national, federal, local and regional elections, and referendums? | According to Italian Constitution (Art. 48), Italian citizens over 18 (over 25 for the election of the Senate) have the right to vote. “The vote is personal and equal, free and secret. Thereof, its exercise is a civic duty”. “The right to vote cannot be restricted except for civil incapacity or as a result of an irrevocable penal sentence or in cases of moral unworthiness established by law”[[4]](#footnote-4).Law 180/1978 repeals the restriction of the right of vote for civil incapacity[[5]](#footnote-5), whereby in the Italian legislation, citizens with mental health problems are not deprived of their legal capacity and they are entitled to full participation in the electoral process[[6]](#footnote-6) provided that mental disease does not prevent the capacity to form and express the will (also see indicators 6 and 23).The law applies to all types of elections and consultations. No amendments are expected for the 2014 EP elections.  |
| Is there a requirement under law to register to vote? If so, please specify the relevant legislation. | Italian citizens living abroad, EU citizens living in Italy, and persons with disabilities wanting to be accompanied to vote have to register.Registration in the list of voters is done by the electoral services of municipal councils and is automatic for Italian citizens on turning 18 years of age or acquisition of Italian citizenship as adults. [NB: no legal provision setting out this responsibility]. Citizens have the right and the ‘moral duty’ to vote. EU citizens are required to register in order to vote in municipal and European elections in Italy. They have not the right to vote in national referenda and in political elections[[7]](#footnote-7). Italian citizens residing abroad are required to register in the AIRE (Registry of Italians living abroad) in order to exercise the right to vote in their country of residence for the national elections, referenda and for elections to the European Parliament[[8]](#footnote-8).Citizens with serious illness (“*affetti da gravi infermità”)* with restricted mobility can apply to the municipal electoral office to register as citizens with permanent disabilities, in order to be allowed to be accompanied to the ballot by a relative or another person[[9]](#footnote-9). |
| Is there any limitation foreseen by law which could affect the right of persons with disabilities to vote in European Parliament and municipal elections? Please give details of any restrictions on the right to vote of persons with disabilities, including any link between a particular type of impairment (e.g. psychosocial/intellectual disability) or substituted decision making (e.g. loss of legal capacity, placement under guardianship)and the right to vote in elections.Does the same law regarding voting rights apply for national, local/regional elections and referendums? | Electoral law used to deprive both persons placed in mental hospitals and persons subject to competence limitations of their right to vote. However, these rules were repealed by the *Basaglia* Law[[10]](#footnote-10). Law Basaglia returned the right to vote to interdicted persons. It is a right that enables their full political participation, it is not subject to conditions and, therefore, it can be exercised independently, with no assistance or accompaniment required. The legislation in force does not provide for any possibility of limiting the right to vote in connection with forms of legal incapacity.Therefore, no limitation presently applies to the right to vote for persons with intellectual disabilities or mental health problems, provided that mental disease does not prevent the capacity to form and express the will.  |
| Is there legislation in place regulating how people living in long-term institutions may vote? | Citizens living in long-term institutions, such as prisons, hospitals, care homes having at least 200 beds, may vote in polling stations set up within the structure. Patients unable to move are required to provide an authorisation by the mayor, to be addressed at least 15 days before the elections, in addition to the electoral certificate. This document must be shown to be admitted to polling stations and electoral officers annotate the participation to vote on it[[11]](#footnote-11),[[12]](#footnote-12). Homebound votes are recollected by the president of the polling stations, the secretary and election officers, selected by drawing. |
| Is there a duty under law to provide reasonable accommodation for persons with disabilities in voting procedures? For example, is there a duty to provide assistance at the polling station (e.g. braille or large print ballot papers, independent support person to assist with voting chosen by the person with a disability) or to allow for alternative means of voting (e.g. postal ballots, voting in advance, home-based voting, voting at institutions, mobile voting)? | Italian legislation ensures that voters who are "physically impaired” or "blind, hand amputee” or with “another impairment of comparable seriousness"[[13]](#footnote-13) can exercise their right to vote with the help of a member of their family or of another voter they can voluntarily choose, provided he/she is registered in an electoral roll of any Italian city. Until 2010, only people who were "blind, amputees of the hands, with paralysis or other impediment of comparable gravity" could exercise their right to vote with the help of an assistant.[[14]](#footnote-14) Law 107/2010[[15]](#footnote-15) also recognised deaf-blindness as a specific form of disability, thus extending the possibility of being assisted in the ballot to deaf-blind persons.If a disability is not noticeable or not known by the chairman of the polling station, the disabled person is required to exhibit a specific document issued by doctors appointed by the Local Health Authority (ASL) according to the national law on the exercise of the right to vote by people with disabilities[[16]](#footnote-16).This document shall be issued to the person concerned immediately, free of charge and free of any rights or application of brands. In case of blindness, the voter can prove his disability by exhibiting the so called "*Libretto della pensione* - Pension book" which attests the blindness. Voters who suffer from an illness so serious they cannot leave their house autonomously[[17]](#footnote-17) are provided with the support of a helping person, or of the services set up by the Municipality[[18]](#footnote-18). When a citizen who suffers from serious illness and is in continuous dependence on vital medical equipment so that he or she cannot leave the building where they live, the right to vote can be exercised in that building.[[19]](#footnote-19)However, the law requires that the serious illness, the dependence and non-transportability of the disabled person is attested by health authorities and should not occur earlier than the 45th day prior to the date of the vote. However, from the 40th to the 20th day prior to the election, voters are required to submit a document attesting their intention to vote at home, accompanied by a suitable medical certificate, to the Mayor of the Municipality where there are recorded in order to be included in specific lists.In cases where a polling station, at the moment of the vote, is not accessible, people with disabilities can vote in the nearest accessible polling station.[[20]](#footnote-20) |
| Is there a duty under law for public and private providers of internet and web-based information to ensure that public information is subject to accessibility requirements (e.g. equivalent to Web Content Accessibility Guidelines (WCAG) 2.0 AA standard) | Public administration and public digital providers have the legal duty to promote accessibility[[21]](#footnote-21).The law provides for the accessibility of web-based information offered by public administration. Public administration, that is, public economic bodies, hospitals, public transport companies, public broadcasting and web services etc., are required to respect the accessibility criteria. Web pages that fully respect the accessibility criteria prescribed by national law receive an accessibility certificate. The law provides for 12 prerequisites that have to be met and which follow WCAG 2.0 standards closely.Only a few Public Administration websites are currently fully accessible. The Accessibility is monitored by Agenzia per l’Italia Digitale .[[22]](#footnote-22) Also, the Italian Union of Blind and Visually Impaired Persons (*Unione Italiana dei ciechi e ipovedenti*) assesses accessibility of websites.[[23]](#footnote-23)No provisions for private providers of internet and web-based information exist.[[24]](#footnote-24) |
| Is there a duty under law for public and private providers of media (including newspapers, TV, radio and internet) to ensure that their information and communications are subject to accessibility requirements? | There is no duty under law that ensures the accessibility of information provided by private and public media providers (TV, radio, newspapers), except for the accessibility of public information website (see the above mentioned *Stanca* Law). The law states that accessibility criteria of public broadcasts are indicated in the Rai Service Agreement between Rai (public broadcasting) and the Ministry of Communication, to be renewed every three years[[25]](#footnote-25). In the 2010-2012 agreement (art. 13), Rai is committed to provide subtitles for at least the main edition of news and another news edition every day for the three Rai channels, to translate at least one edition of news for each channel in LIS (Italian Sign Language); to subtitle at least one sport news and a news edition in the 24hours information channel Rainews24; to translate in LIS one edition of the regional news. More generally, Rai is committed to subtitle 70% of 6.00-24.00 television broadcast[[26]](#footnote-26). |
| Are there mandatory accessibility standards for the construction and significant alternation of national and local authority buildings? | Accessibility of a polling station depends on the accessibility of the public building where the polling station is located, that is schools – with the exception of polling stations in hospitals and prisons. Accessibility of school buildings regarding architectural barriers is stipulated in Law 118/1971.[[27]](#footnote-27) |
| Is there legislation requiring that polling stations and voting processes be accessible to persons with disabilities (e.g. a certain percentage of polling stations must be accessible; one polling station per electoral district must be accessible etc.)?Please indicate whether the legislation requires that polling stations and voting processes are accessible for all persons with disabilities or for particular impairment groups (e.g. persons with visual, hearing, physical impairments etc). | Accessibility measures regarding architectural barriers in voting places are contained in Law 15/1991[[28]](#footnote-28), Law 104/1992, Law 22/2006[[29]](#footnote-29), Law 46/2009, and Law 118/1971.The national law on the exercise of the right to vote by people with disabilities[[30]](#footnote-30) stipulates that * voters with limited mobility, registered at a polling station that is not accessible for them, can exercise their right to vote in an accessible polling station.[[31]](#footnote-31) To this aim, they must exhibit a document attesting their impossibility of movement or severely reduced mobility, or alternatively an authentic copy of their special driving license, together with the voter registration card, to the chairman of the chosen polling station.
* furniture of the rooms where voting takes place should be arranged so to enable voters with limited mobility to read the posters containing the lists of candidates, to vote in absolute secrecy and to carry out the functions assigned to the members or representatives of an electoral list or to attend the activities of the electoral office.
* municipalities are required to take record of the existing barriers in buildings that were used as voting stations in view of possible improvements.

Law 104/92 in Article 29[[32]](#footnote-32) stipulates that:* municipalities, in which elections take place must organize public transport services to ensure that voters with disabilities can reach voting stations easily,
* local health units must guarantee that an adequate number of authorised doctors is available to issue certificates needed for assistance of voters in the ballot required under Law 15/1991.
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| Does the law foresee training for election authorities and election officials on non-discrimination on the grounds of disability, accessibility and reasonable accommodation? | Regulations and criteria to be followed to ensure the accessibility and non-discrimination of people with disabilities are contained in the guidelines for electoral officials provided by the Ministry of the Interior[[33]](#footnote-33). |
| Are all persons with disabilities, including those who have been deprived of their legal capacity, able to access redress and complaint mechanisms in cases where they have not been able to exercise the right to vote? | There is no a specific complaint mechanism dedicated to the protection of the voting rights of people with disabilities (as for all citizens) other than the judiciary and there are no known special measures taken by any authority to ensure that people with disabilities have access to redress and complaint mechanisms in cases where they have not been able to exercise their right to vote. Besides the ordinary judicial instruments, people with disabilities can apply for a special judicial protection, provided for under Law 67/2006[[34]](#footnote-34). According to this law, for all types of discrimination, citizens can apply to a judge, who has the power to demand immediate end to the discrimination. |

**II. PROCESS INDICATORS**

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| **Process indicators** | **Source and supporting information** |
| Do national, regional, local and municipal election authorities have non-discrimination and accessibility action plans and guidelines in place? | Regulations and criteria to be followed to ensure the accessibility and non-discrimination of people with disabilities are contained in the guidelines for electoral officials provided by the Ministry of the Interior[[35]](#footnote-35). Art. 26 states (physical) accessibility criteria to be matched, art. 55 and 56 lay down procedures to be followed to assist people with disabilities; art. 66, 67, 68, 69 determine special polling stations in long term institutions; art. 72 is about homebound voting. |
| Are there mechanisms in place to ensure that disabled people’s organisations (DPOs) are consulted and involved in the development of laws and policies in electoral matters? Please give details of the mechanisms through which DPOs are involved. | Law 104/1992 highlights the central role of non-profit organisations active in the field of protection of the rights of persons with disabilities in the formulation and implementation of policies. Mechanisms of participation through the creation of regional consultative bodies are established (articles 30 and 39), besides a national consultative assembly (art. 41), coordinated by the Ministry of Social Affairs, composed by Ministries, regional commissioners, local council representatives, trade unions and experts chosen by associations[[36]](#footnote-36). The National consultative body is not active at the moment while regional and local consultative bodies are active, especially in northern and central Italy[[37]](#footnote-37). |
| Have national judicial redress mechanisms considered any cases related to the right to political participation of persons with disabilities?Please give details of relevant case law and any available data on the number of such cases. | Some judicial interpretations and rulings on the legitimacy of certain provisions on the right to political participation of people with disabilities have been issued by the Council of State (*Consiglio di Stato*). Among the most recent are: According to the Council of State, voters affected by “cognitive temporal and spatial deficit” cannot be admitted to vote, as this pathology hampers correct formation of will[[38]](#footnote-38). The decision confirms the sentence of T.A.R. (administrative regional court) of Basilicata, 22 May 2003, no. 462, following the complaint of the family of a person affected by this disease. The effect of this judicial decision, following previous decisions by the same court[[39]](#footnote-39) do not deny voting right to all people with intellectual disabilities, but to those people whose disability prevent the formation of will and their ability to express their vote in an autonomous way.[[40]](#footnote-40) According to another decision of the Council of State,[[41]](#footnote-41) the president of a polling station can disregard a medical certificate in case of clear evidence that the disability reported does not reflect the actual condition of the voter or the certificate is false[[42]](#footnote-42). A decision of the Administrative Regional Court of Lazio Region[[43]](#footnote-43) affirms the right of a foreign child born in Italy suffering from an intellectual disability (Down syndrome) to obtain Italian citizenship on the same conditions as other children born in Italy to foreign parents. The decision represents a relevant legal precedent, granting Italian citizenship to a person who is incapable of expressing his will. The decision followed a complaint by the legal representative of the minor.  |
| Have national non-judicial redress mechanisms (e.g. National Human Rights Institutions, Equality Bodies, Ombuds institutions) considered any cases related to the right to political participation of persons with disabilities?Please give details of relevant case law and any available data on the number of such cases. | The main non judicial bodies are the regional Ombuds institutions (*Difensori Civici regionali*). Citizens can address complaints about inefficiency, bad functioning of public administration and discrimination to the regional Ombudsmen. People with disabilities can apply whenever Public Administration or providers of public service do not respect accessibility criteria or, in any forms, discriminate people with disabilities. Regional Ombuds institutions cannot take decisions, but they provide information and give advice to public officials, administrators and providers of public service in order to prevent and solve any discrimination affecting people with disabilities[[44]](#footnote-44).In 2013 the Ombusdman of the Tuscany Region has facilitated the granting of Italian citizenship to a second-generation migrant deprived of legal capacity, following the rejection of the request addressed by the father to the prefecture. The Regional Ombudsman contested the rejection based on the incapacity of the minor to express his will, making reference to previous decisions (see indicator 23) and to the art. 3 of Constitution, affirming that the rejection would represent a discriminatory act.The regional Ombudsman of Emilia-Romagna set up an office devoted to the protection of rights of people with disabilities[[45]](#footnote-45).  |
| Is information about how and where to complain in the case of problems with exercising the right to political participation accessible to all persons with disabilities?  | There is no specific information provided neither on the procedures to follow nor which authority handles which complaints, neither for the general population nor for people with disabilities. Fora and websites dedicated to people with disabilities provide accessible information and legal advice.[[46]](#footnote-46) |

**III.OUTCOME INDICATORS**

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| **Outcome indicators** | **Source and supporting information** |
| What was the voter turnout rate for persons with disabilities in the most recent municipal elections and in the 2009 European Parliament elections? How does this compare with the voter turnout rate among the general population?What was the voter turnout rate for persons with disabilities in the most recent national elections? How does this compare with the voter turnout rate among the general population? | There are no official or unofficial data and/or surveys on the voter turnout of people with disabilities. The Ministry of the Interior which is in charge of all elections and publishes data on voter turnout, does not provide such information with regard to persons with disabilities. The voter turnout rate for persons with disabilities has never been analyzed by Istat (Italian Institute for Statistics) and no surveys have been carried out[[47]](#footnote-47).  |
| How many members of the current national parliament identify as having a disability? | **No official information and data about members of current national parliament with disabilities from both Houses – the Chamber of Deputies and the Senate - are available. Three members of the current Parliament elected in 2013 seem to identify as having a disability.**[[48]](#footnote-48) **In 2008, following the election of two MPs with physical disabilities, architectural barriers were removed and other instruments to enable MPs with disabilities to fully participate in the activities of the assemblies and to vote were introduced**[[49]](#footnote-49)**. Prior to 2008, the House of Parliament was not accessible to people with disabilities.** |
| How many members of current municipal governments identify as having a disability? | There is no official data on the members of municipal governments with disabilities. A few members of regional and municipal governments are known as having disability according to the agency *DisabiliAbili[[50]](#footnote-50)*. |
| What proportion of polling stations is accessible for persons with disabilities? Please indicate whether polling stations are accessible for all persons with disabilities or for particular impairment groups e.g. persons with visual, hearing, physical impairments etc) | It is not possible to state what proportion of polling stations are accessible because the Ministry of the Interior does not provide such data. However, it is possible to deduce this from the proportion of accessible primary schools where most polling stations are located. According to the National Institute of Statistics (*Istat*), in 2010 85% of school buildings respected the stairs accessibility, 75% were equipped with accessible toilets. In 67% and 62% of schools, internal and external spaces are completely accessible[[51]](#footnote-51). While Law 15/1991 stipulates that prior to elections an adequate number of authorised doctors must be available to issue certificates needed for assistance of voters in the ballot required under (see indicator 13), media reported that in some instances, medical certificates were not issued due to a lack of doctors[[52]](#footnote-52). |
| Does the website to provide instructions for voting and information on candidates run by the ministry responsible for organising elections meet accessibility standards (e.g. equivalent to Web Content Accessibility Guidelines (WCAG) 2.0 AA standard)? | The webpage of the [Ministry of the Interior](http://www.interno.gov.it) (interno.gov.it), which provides information and instructions on election, meets international accessibility standards WAI and W3C and the accessibility standards established by Law 9/2004[[53]](#footnote-53).  |
| What proportion of main public and/or private television broadcasts providing instructions for voting and information on candidates has national language subtitles? | Laws and provisions regulating the election campaigns provide that all videos offering information and instructions on how to vote broadcast by public and main private television are accompanied by subtitles. About 70% of Rai daytime broadcast are subtitled (also see indicator 11), a figure confirmed by a DPO[[54]](#footnote-54). RAI is committed to entirely subtitle news and most followed political talk show. Accordingly, political information in public television is almost entirely subtitled. In case of live broadcasting, subtitles are provided using the stenotype method[[55]](#footnote-55). The proportion of subtitles provided by private television is lower (no data are available and requests for information were not answered). The most important private provider (Mediaset) provides subtitles for the main news and political talk show broadcasts, adopting the live subtitling. |
| What proportion of main public and/or private television broadcasts providing instructions for voting and information on candidates has audio description? | No audio description is provided in Italian public and private television broadcasts providing instructions for voting and information on candidates. Audio description services in Italian television were reduced in 2012, following the introduction of new digital broadcasting system as reported in a official complaint made by the Italian Union of Blinds and visual impaired (*Unione Italiana Ciechi e Ipovedenti*).[[56]](#footnote-56) |
| What proportion of main public and/or private television broadcasts providing instructions for voting and information on candidates has sign language interpretation? | Public television (RAI) broadcasts daily TV news with sign language interpretation. Laws and provisions regulating electoral campaigns provide that public television and radio broadcast videos providing information and instructions on how to vote, shall be translated into LIS (Italian Sign Language). Short clip providing instructions for voting broadcasted by public television are entirely translated into LIS (Italian sign language)[[57]](#footnote-57) Both Rai and Mediaset (the most important private broadcasting) provide at least a daily edition of news traduced in LIS[[58]](#footnote-58).  |
| How many political parties, out of the total who participated in the most recent European Parliament and municipal elections, made their manifesto/campaign material accessible to persons with disabilities (e.g. large print, braille, easy-to-read, audio versions etc.)? | Interviews of members of political parties and the so called “*messaggi autogestit*i” (videos produced by political parties and candidates, broadcasted by public and some private televisions), provide LIS only if requested by the political party/candidate. No data is available on the proportion of these videos produced with LIS.In general, production of accessible electoral material seems non-existent[[59]](#footnote-59). According to media reports, in the 2013 elections, two national candidates were accompanied during their campaign tours by sign language interpreters[[60]](#footnote-60).  |
| What proportion of public authority national and municipal buildings is accessible to persons with disabilities? | There is no data available on this aspect. Monitoring accessibility of public and municipal buildings and on the actual implementation of the removal of architectural barriers in public buildings is only promoted by some local institutions[[61]](#footnote-61). Accessibility of public building is regulated by Law 30 may 1971 no. 118. Even if in some older building some barriers in the built environment still exist, all new buildings have been projected following accessibility criteria As declared by *Associazione Italiana Ciechi e Ipovedenti* “the blind or visually impaired person, who does not have physical disabilities, is not hampered by the presence of physical obstacles, rather by the lack of measures taken to facilitate the orientation and recognition of sources of danger”[[62]](#footnote-62).Stemming from an ISTAT survey, data on schools building exist. |
| How many complaints related to infringements of the right to political participation of persons with disabilities were recorded in 2012? What proportion of these complaints were successful? | There is no information available on this aspect Monitoring of complaints is difficult due to the fragmentation of judicial and non-judicial bodies to which people with disabilities may address their complaints. |

1. <http://www.un.org/disabilities/countries.asp?navid=12&pid=166> and <http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-15&chapter=4&lang=en> [↑](#footnote-ref-1)
2. <http://www.un.org/disabilities/countries.asp?navid=12&pid=166> and <http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-15&chapter=4&lang=en> [↑](#footnote-ref-2)
3. <http://www.un.org/disabilities/countries.asp?navid=12&pid=166> and <http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-15&chapter=4&lang=en> [↑](#footnote-ref-3)
4. Italian Constitution, Art. 48 (*Costituzione della Repubblica Italiana, Art. 48)*, available at: [www.governo.it/Governo/Costituzione/1\_titolo4.html](http://www.governo.it/Governo/Costituzione/1_titolo4.html). [↑](#footnote-ref-4)
5. Law180/1978, Voluntary and compulsory sanitary analysis and care – ‘Basaglia Law’ (*Legge 13 maggio 1978, n. 180, Accertamenti e trattamenti sanitari volontari e obbligatori - Legge Basaglia*), available at: <http://www.normattiva.it> [↑](#footnote-ref-5)
6. FRA (2010), The right to political participation of persons with mental health problems and persons with intellectual disabilities, Publications Office of the European Union, Luxembourg. [↑](#footnote-ref-6)
7. EU, Council Directive 93/109/EC of 6 December 1993 laying down detailed arrangements for the exercise of the right to vote and stand as a candidate in elections to the European Parliament for citizens of the Union residing in a Member State of which they are not nationals, available at: <http://eur-lex.europa.eu/smartapi/cgi/sga_doc?smartapi!celexapi!prod!CELEXnumdoc&lg=EN&numdoc=31993L0109&model=guichett> ; Italy, Decree Law 24 June 1994, no. 408 Urgent dispositions regarding the European Parliament elections ([*decreto-legge 24 giugno 1994, no. 408*](http://www.asgi.it/home_asgi.php?n=documenti&id=175&l=it)*, Disposizioni urgenti in materia di elezioni al Parlamento Europeo*), available at: [www.normattiva.it/uri-res/N2Ls?urn:nir:stato:decreto.legge:1994-06-24;408](http://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:decreto.legge:1994-06-24;408) [↑](#footnote-ref-7)
8. Law 459/2001, Rules for the exercise of the voting rights of Italian citizens residing abroad (*Legge 27 dicembre 2001, n. 459, Norme per l'esercizio del diritto di voto dei cittadini italiani residenti all' estero*), available at: [www.camera.it/parlam/leggi/01459l.htm](http://www.camera.it/parlam/leggi/01459l.htm). [↑](#footnote-ref-8)
9. Law 17/2003, New rules for the exercise of voting rights by voters suffering from serious illness (*Legge 5 febbraio 2003. n. 17, Nuove norme per l'esercizio del diritto di voto da parte degli elettori affetti da gravi infermità*), available at: [www.parlamento.it/parlam/leggi/03017l.html](http://www.parlamento.it/parlam/leggi/03017l.html). [↑](#footnote-ref-9)
10. Law 180/1978, Voluntary and compulsory sanitary analysis and care – ‘Basaglia Law’ (*Legge 13 maggio 1978, n. 180, Accertamenti e trattamenti sanitari volontari e obbligatori - Legge Basaglia*), Article 11, available at: <http://www.normattiva.it/atto/caricaDettaglioAtto?atto.dataPubblicazioneGazzetta=1978-05-16&atto.codiceRedazionale=078U0180> [↑](#footnote-ref-10)
11. Law 22/2006, Conversion and modification of the decree law n. 1 of January 2006, providing urgent provisions for domiciliary vote for some voters, for the digitalization of the counting of vote and for allowing the presence of OSCE observators in polling stations. (*Legge 27 gennaio 2006, n. 22 Conversione in legge, con modificazioni, del decreto-legge 3 gennaio 2006, n. 1, recante disposizioni urgenti per l'esercizio domiciliare del voto per taluni elettori, per la rilevazione informatizzata* *dello scrutinio e per l'ammissione ai seggi di osservatori OSCE, in occasione delle prossime elezioni politiche*). Available at: [www.parlamento.it/parlam/leggi/06022l.htm](http://www.parlamento.it/parlam/leggi/06022l.htm) [↑](#footnote-ref-11)
12. Law 136/1976, Simplification of the rules on electoral proceedings (*Legge 23 aprile 1976 n. 136, art. 9, Riduzione dei termini e semplificazione del procedimento elettorale*), Art. 9, available at: [www.parlamento.it/parlam/leggi/06022l.htm](http://www.parlamento.it/parlam/leggi/06022l.htm) [↑](#footnote-ref-12)
13. Law 17/2003, New rules for the exercise of voting rights by voters suffering from serious illness (*Legge 5 febbraio 2003. n. 17, Nuove norme per l'esercizio del diritto di voto da parte degli elettori affetti da gravi infermità*), available at: [www.parlamento.it/parlam/leggi/03017l.html](http://www.parlamento.it/parlam/leggi/03017l.html) [↑](#footnote-ref-13)
14. Law 46/2009, OJ 2009 no 105. [↑](#footnote-ref-14)
15. Law 107/2010, (*Legge 24 giugno 2010, n. 107, Misure per il riconoscimento dei diritti alle persone sordocieche*), OJ 2010 no 161, available at: <http://www.handylex.org/stato/l240610.shtml> [↑](#footnote-ref-15)
16. Law 15/1991, (*Legge 15 gennaio 1991, n. 15, Norme intese a favorire la votazione degli elettori non deambulanti),* OJ 1991 no. 16. [↑](#footnote-ref-16)
17. Law 22/2006, as amended by Law 46/2009 (Legge 7 maggio 2009, n. 46, *Modifiche all'articolo 1 del decreto-legge 3 gennaio 2006, n. 1, convertito, con modificazioni, dalla legge 27 gennaio 2006, n. 22, in materia di ammissione al voto domiciliare di elettori affetti da infermita' che ne rendano impossibile l'allontanamento dall'abitazione*). [↑](#footnote-ref-17)
18. Law 104/1992, Framework Law regulating the assistance, social integration and rights of persons with disabilities (*Legge 5 febbraio 1992 n. 104*, *Legge-quadro per l'assistenza, l'integrazione sociale e i diritti delle persone handicappate*), Art. 29. [↑](#footnote-ref-18)
19. Law 104/1992, Framework Law regulating the assistance, social integration and rights of persons with disabilities (*Legge 5 febbraio 1992 n. 104*, *Legge-quadro per l'assistenza, l'integrazione sociale e i diritti delle persone handicappate*), Art. 29. **All available at:** [**http://www.normattiva.it**](http://www.normattiva.it) [↑](#footnote-ref-19)
20. Law 15/1991, (*Legge 15 gennaio 1991, n. 15, Norme intese a favorire la votazione degli elettori non deambulanti*), OJ 1991 no. 16. [↑](#footnote-ref-20)
21. Law 4/2004, Provisions on promoting access by persons with disabilities to computer/ information systems, “Stanca Law” (*Legge 9 febbraio 2004 n. 4, Disposizioni per favorire l'accesso dei soggetti disabili agli strumenti informatici, Legge Stanca*), available at: [www.pubbliaccesso.gov.it/normative/legge\_20040109\_n4.htm](http://www.pubbliaccesso.gov.it/normative/legge_20040109_n4.htm). [↑](#footnote-ref-21)
22. See <http://www.agid.gov.it/>. [↑](#footnote-ref-22)
23. Osservatorio Siti Internet, available at: [www.uiciechi.it/osi/#menu](http://www.uiciechi.it/osi/#menu) [↑](#footnote-ref-23)
24. Legal analysis confirmed by *Unione italiana ciechi e ipovedenti* – Italian Union of Blind and visually impaired persons, and *Forum Europeo delle disabilità* – European Disability Forum). [↑](#footnote-ref-24)
25. Decree Law 177/2005, Rules regulating audiovisual and radiophonic media (*Decreto legislativo 31 luglio 2005 no. 177 Testo unico dei servizi audiovisivi e radiofonici*), available at: <http://www.normattiva.it/atto/caricaDettaglioAtto?atto.dataPubblicazioneGazzetta=2005-09-07&atto.codiceRedazionale=005G0206&currentPage=1> The law states that accessibility criteria of public broadcasts are indicated in the Rai Service Agreement, to be renewed every three years. [↑](#footnote-ref-25)
26. Ministry of Economic Development (*Ministro dello sviluppo economico*) (2011), Rai Service Agreement (*Contratto di servizio Rai*), available at: [www.segretariatosociale.rai.it/regolamenti/contratto2010\_2012.html](http://www.segretariatosociale.rai.it/regolamenti/contratto2010_2012.html). The 2013 service agreement is not yet available. [↑](#footnote-ref-26)
27. Law 118/1971 (*Legge 30 marzo 1971, n. 118*, *Conversione in legge del decreto-legge 30 gennaio 1971, n. 5, e nuove norme in favore dei mutilati ed invalidi civili),* available at : <http://www.normattiva.it> [↑](#footnote-ref-27)
28. Law 15/1991, (*Legge 15 gennaio 1991, n. 15, Norme intese a favorire la votazione degli elettori non deambulanti),* OJ 1991 no. 16. [↑](#footnote-ref-28)
29. Law 22/2006, Conversion and modification of the decree law n. 1 of January 2006, providing urgent provisions for domiciliary vote for some voters, for the digitalization of the counting of vote and for allowing the presence of OSCE observators in polling stations. (*Legge 27 gennaio 2006, n. 22 Conversione in legge, con modificazioni, del decreto-legge 3 gennaio 2006, n. 1, recante disposizioni urgenti per l'esercizio domiciliare del voto per taluni elettori, per la rilevazione informatizzata* *dello scrutinio e per l'ammissione ai seggi di osservatori OSCE, in occasione delle prossime elezioni politiche*). Available at: [www.parlamento.it/parlam/leggi/06022l.htm](http://www.parlamento.it/parlam/leggi/06022l.htm) [↑](#footnote-ref-29)
30. Law 15/1991, (*Legge 15 gennaio 1991, n. 15, Norme intese a favorire la votazione degli elettori non deambulanti),* OJ 1991 no. 16. [↑](#footnote-ref-30)
31. Law 15/1991, (Legge 15 gennaio 1991, n. 15, *Norme intese a favorire la votazione degli elettori non deambulanti*), OJ 1991 no. 16. [↑](#footnote-ref-31)
32. Law 104/92, Framework Law regulating the assistance, social integration and rights of persons with disabilities (*Legge 5 febbraio 1992 n. 104*, *Legge-quadro per l'assistenza, l'integrazione sociale e i diritti delle persone handicappate*), Art. 29, and Law 15/1991, (Legge 15 gennaio 1991, n. 15, Norme intese a favorire la votazione degli elettori non deambulanti), OJ 1991 no. 16. Both available at: <http://www.normattiva.it> [↑](#footnote-ref-32)
33. [↑](#footnote-ref-33)
34. Law 67/2006, , Provisions for the judicial protection of persons with disabilities victims of discrimination (*Legge 1 marzo 2006 n. 67 Misure per la tutela giudiziaria delle persone con disabilità vittime di discriminazioni*), available at: [www.parlamento.it/parlam/leggi/06067l.htm](http://www.parlamento.it/parlam/leggi/06067l.htm) [↑](#footnote-ref-34)
35. Italy, Ministry of Interior (*Ministero dell’Interno*) (2012), Instruction for the functioning of polling station (*Istruzioni per le operazioni degli uffici elettorali di sezione*), available at: <http://elezioni.interno.it/pubblicazioni/documenti/Pubb_14_amministrative_Ed.2013.pdf> [↑](#footnote-ref-35)
36. Law 104/92, Framework Law regulating the assistance, social integration and rights of persons with disabilities (*Legge 5 febbraio 1992 n. 104*, *Legge-quadro per l'assistenza, l'integrazione sociale e i diritti delle persone handicappate*), Art. 29, available at: <http://www.normattiva.it> [↑](#footnote-ref-36)
37. Activity of regional and local consultive bodies s been assessed by consultation of regional and municipal websites. [↑](#footnote-ref-37)
38. Italy, Council of State (*Consiglio di Stato*), Decision no. 3360 , available at: <http://autonomielocali.regione.fvg.it/aall/export/sites/default/AALL/Elezioni/GuidaElezAmm/0_allegati/giurisprudenza/consiglio_di_stato/2001_2005/CdSt_VSez_3360_2004.pdf> [↑](#footnote-ref-38)
39. Italy, Council of State (*Consiglio di Stato*), V section, decision no. 939, 28 October 1977; Council of State (Consiglio di Stato), V section, decision no. 154, 14 may 1983; Council of State (*Consiglio di Stato*), V section, decision no.154, 14 May 1983. [↑](#footnote-ref-39)
40. Italy, Council of State (*Consiglio di Stato*) – V Section, decision no. 939, 28 October 1977. [↑](#footnote-ref-40)
41. Italy, Council of State (*Consiglio di Stato*), Decision nr. 3683, V Section, 12 June 2009. [↑](#footnote-ref-41)
42. Available at:

[autonomielocali.regione.fvg.it/aall/export/sites/default/AALL/Elezioni/GuidaElezAmm/0\_allegati/giurisprudenza/consiglio\_di\_stato/2006\_2010/CdSt\_2009\_3683.pdf](http://autonomielocali.regione.fvg.it/aall/export/sites/default/AALL/Elezioni/GuidaElezAmm/0_allegati/giurisprudenza/consiglio_di_stato/2006_2010/CdSt_2009_3683.pdf). [↑](#footnote-ref-42)
43. Italy, Administrative Court of Lazio Region (*TAR – Administrative Regional Court of Lazio*), Decision nr. 5568/2013 available at:

[www.superabile.it/web/it/CANALI\_TEMATICI/Superabilex/Il\_punto/info517443147.html](http://www.superabile.it/web/it/CANALI_TEMATICI/Superabilex/Il_punto/info517443147.html) [↑](#footnote-ref-43)
44. No answer was received from the Regional Ombudsmen network about key decisions. A review of the annual relation of regional Ombudsmen (where available) allowed to recollect the information presented above. [↑](#footnote-ref-44)
45. [www.assemblea.emr.it/garanti/notizie/disabilita-firmato-un-protocollo-tra-difensore-civico-regionale-e-criba](http://www.assemblea.emr.it/garanti/notizie/disabilita-firmato-un-protocollo-tra-difensore-civico-regionale-e-criba) [↑](#footnote-ref-45)
46. Among the most popular websites: [www.disabili.it](http://www.disabili.it); [www.superando.it](http://www.superando.it) [↑](#footnote-ref-46)
47. Information collected consulting available sources and searching in main Italian statistical dataset and companies. [↑](#footnote-ref-47)
48. Information collected through media and web-based research Websites consulted: [www.matteodallosso.org](http://www.matteodallosso.org) and [www.repubblica.it/cronaca/2013/06/14/news/manconi\_io\_quasi\_cieco\_e\_la\_mia\_vita\_tra\_le\_ombre-61047640/](http://www.repubblica.it/cronaca/2013/06/14/news/manconi_io_quasi_cieco_e_la_mia_vita_tra_le_ombre-61047640/); [www.ileanaargentin.it/](http://www.ileanaargentin.it/). [↑](#footnote-ref-48)
49. Ansa (2008), *Camera, tutto pronto per I deputati disabili* (Chamber of deputies, ready for member of parliament with disabilities), available at: [www.ansa.it/opencms/export/site/notizie/rubriche/daassociare/visualizza\_new.html\_69644848.html](http://www.ansa.it/opencms/export/site/notizie/rubriche/daassociare/visualizza_new.html_69644848.html) [↑](#footnote-ref-49)
50. <http://www.disabiliabili.net/> [↑](#footnote-ref-50)
51. # Istat (2013), *Indagine sugli alunni con disabilità nella scuola primaria e secondaria di I grado statali e non statali (*Survey on students with disabilities in public and private primary and lower secondary schools), available at: [www.istat.it/it/archivio/60454](http://www.istat.it/it/archivio/60454)

 [↑](#footnote-ref-51)
52. <http://lanuovasardegna.gelocal.it/carbonia/cronaca/2012/06/09/news/certificati-medici-voto-a-rischio-per-molti-disabili-1.5225957> . [↑](#footnote-ref-52)
53. Source:[www.interno.gov.it/mininterno/export/sites/default/tools/accessibilita/](http://www.interno.gov.it/mininterno/export/sites/default/tools/accessibilita/) [↑](#footnote-ref-53)
54. Source, FIADDA – Italian Association of families in defence of rights of persons with hearing disorders (*Famiglie Italiane Associate in Difesa dei Diritti degli Audiolesi*), available at: www.fiadda.it/notizia/142-Sottotitoli\_audiovisivi,\_%E2%80%9Cle\_tv\_italiane\_non\_hanno/. Data were presented in a seminar on “Accessibility in Italian television”, held in Florence in May 2012. Data available at: [www.intoscana.it/intoscana2/opencms/intoscana/sito-intoscana/Contenuti\_intoscana/Canali/Societa/visualizza\_asset.html?id=1144823](http://www.intoscana.it/intoscana2/opencms/intoscana/sito-intoscana/Contenuti_intoscana/Canali/Societa/visualizza_asset.html?id=1144823) [↑](#footnote-ref-54)
55. De Seriis L. (2016), *Il servizio sottolitoli Rai*, available at: [www.intralinea.org/specials/article/Il\_Servizio\_Sottotitoli\_RAI](http://www.intralinea.org/specials/article/Il_Servizio_Sottotitoli_RAI) [↑](#footnote-ref-55)
56. Source: <http://giornale.uici.it/audiodescrizioni/> [↑](#footnote-ref-56)
57. Instructions for voting (*Come si vota*), spot broadcasted by Rai – Italian Public Television for the 2013 political election: available at www.youtube.com/watch?v=rQ0z5iGXkm8 [↑](#footnote-ref-57)
58. The trend is toward the improvement of subtitling methods and the reduction of LIS, as this language is known by a low percentage of people with hearing impairment.. Source: Criba, available at [www.criba-er.it/assets/upload/news/tg5sottotitoli.pdf](http://www.criba-er.it/assets/upload/news/tg5sottotitoli.pdf) [↑](#footnote-ref-58)
59. Data were obtained monitoring websites and directly addressing requests to political parties’ representatives. [↑](#footnote-ref-59)
60. [www.beppegrillo.it/listeciviche/forum/2013/03/riconoscimento-della-lingua-dei-segni-italiana.html](http://www.beppegrillo.it/listeciviche/forum/2013/03/riconoscimento-della-lingua-dei-segni-italiana.html); <http://bari.repubblica.it/cronaca/2012/11/24/foto/primarie_il_comizio_di_vendola_anche_nella_lingua_dei_segni-47336823/1/> [↑](#footnote-ref-60)
61. F.I.A.B.A confirmed that there are no comparable data. FIABA is an Italian NGO active in promoting removal of architectural barriers in Italy. A few regions and cities monitor accessibility. Also national and local associations are committed to such monitoring, but data are not merged for a comprehensive national picture. [↑](#footnote-ref-61)
62. Information provided by the Italian Union of the Blind and Visually Impaired upon request. [↑](#footnote-ref-62)