

## Disability Inclusion Helpdesk Report No: 51

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<b>Query</b>	<ol style="list-style-type: none"> <li>1. What is the broad status of the rights of people with disabilities in GGF countries and are there any significant differences between the countries?</li> <li>2. What are the recommended entry points for incorporating disability inclusion within economic and governance reform projects within the five GGF thematic areas?</li> <li>3. How should the GGF incorporate disability inclusion into the next business case?</li> </ol>
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### 1. Introduction

This briefing note provides guidance on how to incorporate disability inclusion within economic and governance reform projects. It is intended to inform the Foreign, Commonwealth and Development Office's (FCDO) Good Governance Fund (GGF) which seeks to build stability, reduce poverty and increase prosperity through five key areas: strengthening the rule of law and democratic accountability as well as reforming police and justice systems; liberalising and modernising key sectors such as energy and banking; reforming tax systems and improving the business environment to generate foreign investment and drive exports; strengthening anti-corruption measures to help improve transparency and encourage effective public financial management; and, strengthening an independent media.

This Note provides basic, introductory guidance on disability inclusion to FCDO advisers and managers engaging with economic and governance reform and sets out opportunities for the FCDO's programmes and policy dialogue to deliver positive impacts for people with disabilities. The Note addresses three key questions:

1. What is the broad status of the rights of people with disabilities in GGF countries and are there any significant differences between the countries?
2. What are the recommended entry points for incorporating disability inclusion within economic and governance reform projects within the five GGF thematic areas?
3. How should the GGF incorporate disability inclusion into the next business case?

We frame this guidance in terms of ‘levels of ambition’ which highlight differences between minimum standards and more transformative aims.

## 2. Background

### Box 1: defining disability

The United Nations Convention on the Rights of Persons with Disabilities (CRPD) is an international human rights treaty intended to protect the rights and dignity of people with disabilities. The UK ratified the CRPD in 2009. The CRPD’s human rights-based approach to disability defines people with disabilities as:

*‘...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, CRPD)*

Impairments (e.g. physical, cognitive or sensory) become disabling when they interact with prevailing attitudes, behaviours and policies or physical spaces to effectively bar the individual(s) from participating fully in society. For example, inaccessible communications or buildings and discriminatory attitudes of officials may deny access to justice for individuals with different impairments. Impairments can also combine with other key factors and characteristics to compound the level of marginalisation. These include differences based on age, gender, ethnicity, socio-economic background, rural versus urban locations and other identity markers. There are also differences in marginalisation based on whether impairments are visible or not.

The CRPD’s human rights-based approach places an emphasis on removing barriers that make impairments disabling. In contrast, a ‘medical model’ approach focuses upon ‘fixing’ the individual, not upon removing barriers external to the individual, and a ‘charity model’ approach typically positions people with disabilities as separate to mainstream society with their needs met by others (e.g. housing people with disabilities within institutions).

People with disabilities represent a large, often overlooked group in society. People with disabilities represent approximately 15% of the population worldwide, although prevalence does differ between and within countries (WHO, 2011). Disability prevalence is higher in developing countries (WHO, 2011). Data regarding the prevalence of disability in GGF countries is limited with no comparable data available across all GGF countries; but, in GGF countries disability prevalence is typically around 6% according to official data. Underreporting of disability in these regions is thought to be common, including because of stigma and discrimination.

The active engagement of all citizens in public life helps to build inclusive, stable and vibrant societies. Through political activity and informing legal and policy reform, people with disabilities can help to make improvements in health, education, employment, and access to good and services. People with disabilities’ financial independence and the realisation of their economic rights can also contribute to sustainable and transformative economic growth and poverty reduction, when complemented by policies and social protection that ensure prosperity is shared. Including people with disabilities in the labour market can also increase a country’s Gross Domestic Product by three to seven percent (ILO, 2015).

Well-planned, inclusive economic and governance reform can redress the exclusion of people with disabilities from economic, political and social opportunities, and potentially contribute to people with disabilities realising their broader economic and social rights and potential. Currently, disability inclusion is

not consistently addressed across the FCDO's economic and governance reform programming or policy dialogue. It may not always be clear to FCDO staff or partners what disability inclusion means in relation to economic and governance reform and the action they might take to improve disability inclusion.

### 3. What is the broad status of the rights of people with disabilities in GGF countries and are there any significant differences between the countries?

A more detailed overview of disability prevalence and the status of the rights of people with disabilities in GGF countries is presented in **Annex A**. In summary:

- All GGF countries have ratified the CRPD; and adopted further laws including to prevent discrimination and/ or to strengthen social protection or employment for people with disabilities. Ukraine has set a 4% quota for employing people with disabilities and Georgia ensures housing for people with disabilities. Some GGF countries have developed national strategies to further strengthen disability inclusion. Further analysis would be needed to assess the impact of the legislative frameworks in GGF countries on people with disabilities as well as to identify best practices that can be used to set a standard for other GGF countries, but there appears to already be a base level of commitment in all GGF countries to the rights of people with disabilities.
- Data regarding the prevalence of disability is limited in all GGF countries and there is no comparable disability data available across the GGF countries. Reported prevalence rates vary from 5.1% to 15%, but data quality is uncertain. Incorporating the [Washington Group questions](#) into future national census' across GGF countries would deliver comparable disability data that would strengthen economic and governance reform. GGF countries also report a sharp contrast between people registered disabled and disability prevalence; in Georgia, 3% of the population are registered disabled whereas 10% of the population are thought to be people with disabilities. Further research is needed to identify the reasons for differences between national prevalence and people registered disabled (e.g. because of stigma and discrimination, onerous registration processes and/ or a perception there is little benefit in registering as disabled) to help strengthen economic and governance reform.
- Across GGF countries, people with disabilities are commonly excluded from full participation in the economy and governance. Fewer people with disabilities in GGF countries are in employment and education, compared to people without disabilities. Universal design is not widely used to ensure accessible infrastructure. People with disabilities' participation in public life (including their right to vote) also appears limited compared to people without disabilities. Some good practices appear to exist in GGF countries. In North Macedonia, for example, electoral Boards are required to provide reasonable accommodations at polling stations for people with disabilities.
- Institutionalisation of people with disabilities is common across the GGF countries,<sup>1</sup> reflecting a focus on medical- and charity-model responses to disability that are not compliant with the CRPD. Ukraine has one of the largest institutional care systems in Europe, with over 100,000 children living in institutions. North Macedonia and Serbia have committed to move towards community-based care and away from institutionalisation, but other GGF countries have not made similar commitments and the number of people with disabilities in institutions across all GGF countries remains very high.
- Guardianship laws (making an individual legally responsible for the care of someone viewed as unable to manage their own affairs) in GGF countries are commonly criticised for unfairly and disproportionately denying people with disabilities sufficient autonomy. In Moldova, one positive step is that people with disabilities can now go directly to courts to challenge their placement under guardianship, but here, as in other GGF countries, the accessibility of the justice system to people with disabilities is considered poor.

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<sup>1</sup> People with disabilities are placed in residential care, isolated from the broader community, and without control over their lives and the decisions that affect them. The European disability movement is campaigning for a transition from institutional to community-based care, see: <http://www.edf-feph.org/independent-living-and-de-institutionalisation>

- Prevailing attitudes to disability across GGF countries appear to be negative, particularly towards people with intellectual disabilities. Successful economic and governance reform hinges upon the facilitation of more positive attitudes towards people with disabilities.

#### 4. What are the recommended entry points for incorporating disability inclusion within economic and governance reform projects within the five GGF thematic areas?

FCDO’s work around economic and governance reform can deliver positive impacts for people with disabilities through programmes and policy dialogue. Using three levels of impact and ambition, Table 1 below outlines practical entry points for the FCDO. The guidance suggests that FCDO programmes:

- should respond to the basic needs and vulnerabilities of people with disabilities and do no harm as a minimum requirement (**minimum standards**).
- should consider going beyond minimum standards to approaches that build individual assets, capabilities and opportunities (**empowerment**).
- should consider going further to challenge and shift persistent structural barriers to equality and inclusion (**transformation**).

Each level of impact and ambition reflects expectations set in the CRPD; Table 1 is intended to provide a lens through which to start to meet and then continue to strengthen compliance with the CRPD.

**Table 1: Example entry points for disability-inclusive economic and governance reform**

	<b>Minimum standards:</b> Address basic needs and vulnerabilities of people with disabilities; Do no harm.	<b>Empowerment:</b> Build assets, capabilities, and opportunities for people with disabilities.	<b>Transformation:</b> Address unequal power relationships and seek legal, institutional and societal level change.
Strengthening the rule of law and democratic accountability as well as reforming police and justice systems	<ul style="list-style-type: none"> <li>• Provide disability awareness training to actors across the judicial system and government.</li> <li>• Support improvements to safeguarding measures across legal and government structures and systems to protect people with disabilities.</li> <li>• Support efforts to ensure legislation equally protects the rights of people with disabilities; regulating against discrimination because of disability.</li> </ul>	<ul style="list-style-type: none"> <li>• Support efforts to ensure legal and government structures and systems (e.g. electoral processes) are fully accessible to people with disabilities, including the information provided and physical infrastructure.</li> <li>• Provide capacity building to ensure people with disabilities are aware of their rights and able to advocate on their own behalf.</li> </ul>	<ul style="list-style-type: none"> <li>• Engage people with disabilities and disabled people’s organisations (DPOs) to actively monitor legal and government structures, helping to design more inclusive practices.</li> <li>• Support efforts to ensure people with disabilities are employed within legal and government structures.</li> <li>• Support efforts to revise guardianship laws to ensure people with disabilities retain legal capacity in all but exceptional circumstances.</li> </ul>
Liberalising and modernising key sectors such as energy and banking	<ul style="list-style-type: none"> <li>• Support efforts to improve people with disabilities’ access to key services (e.g. equity in opening bank accounts or entering service agreements with energy suppliers).</li> </ul>	<ul style="list-style-type: none"> <li>• Support efforts to ensure key sectors make service information (including tariffs, billing, service announcements) fully accessible to people with disabilities (e.g.</li> </ul>	<ul style="list-style-type: none"> <li>• Engage people with disabilities and DPOs to actively monitor key sectors helping to identify discrimination and strengthen disability inclusion.</li> </ul>

	<ul style="list-style-type: none"> <li>• Ensure industry standards include safeguarding measures to protect people with disabilities and prioritise service delivery for vulnerable households (e.g. in the event of energy shortages).</li> </ul>	<p>voice bills and large text documents).</p> <ul style="list-style-type: none"> <li>• Support efforts to ensure products and services from key sectors (e.g. energy meters and online banking) are made safe and easily usable by people with disabilities</li> <li>• Support key sector watchdogs and/ or standards authorities to actively review discriminatory practices affecting people with disabilities.</li> </ul>	<ul style="list-style-type: none"> <li>• Support efforts to ensure people with disabilities are employed within key sectors such as energy and banking.</li> </ul>
Reforming tax systems and improving the business environment	<ul style="list-style-type: none"> <li>• Support efforts to ensure tax systems utilise a single, standardised definition of disability that is aligned with the CRPD, to ensure all impairment types are consistently included in tax benefits.</li> <li>• Consult people with disabilities and DPOs to identify fiscal and administrative measures that strengthen the financial support available to households that include people with disabilities.</li> <li>• Support efforts to ensure anti-discrimination legislation protects the employment rights of people with disabilities.</li> </ul>	<ul style="list-style-type: none"> <li>• Support efforts around tax credits to facilitate the development of and access to assistive devices.</li> <li>• Strengthen legislation and its implementation to ensure safe and appropriate labour and working conditions for people with disabilities, including reasonable accommodation, working at home and sick pay policies.</li> </ul>	<ul style="list-style-type: none"> <li>• Engage employee representatives and trade federations that work with people with disabilities and/ or DPOs to strengthen disability inclusive business environments</li> <li>• Support municipal city planners to include people with disabilities and/ or DPOs to ensure universal design principles are integral to planning of municipal infrastructure, land use plans etc.</li> </ul>
Strengthening anti-corruption measures	<ul style="list-style-type: none"> <li>• Raise awareness of the link between marginalised groups and extortive forms of corruption, often due to unequal power relations or public representation.</li> <li>• Help to develop anti-corruption policies, information and reporting mechanisms that are fully accessible to people with disabilities.</li> </ul>	<ul style="list-style-type: none"> <li>• Build awareness of people with disabilities of their rights and their capacity to advocate on their own behalf.</li> <li>• Strengthen efforts to obtain and aggregate feedback from people with disabilities to help uncover suspicious patterns of interactions with public service providers</li> </ul>	<ul style="list-style-type: none"> <li>• Support DPOs to be visible partners in anti-corruption campaigns, underscoring the impact and on and interest of people with disabilities.</li> </ul>
Strengthening an independent media	<ul style="list-style-type: none"> <li>• Provide disability awareness training to key actors in the media.</li> <li>• Help set clear standards and/ or guidance to prevent offensive communication regarding disability and people with disabilities.</li> </ul>	<ul style="list-style-type: none"> <li>• Support media channels to provide information that is accessible to people with disabilities (e.g. closed captioning, sign language).</li> <li>• Support media platforms to present disability issues in a way that</li> </ul>	<ul style="list-style-type: none"> <li>• Engage people with disabilities and DPOs to actively monitor the media, strengthening disability inclusion.</li> <li>• Support efforts to ensure people with disabilities work in the media sector at all levels; owning,</li> </ul>

	<ul style="list-style-type: none"> <li>• Strengthen complaints mechanisms so they are accessible to and protect the rights of people with disabilities.</li> </ul>	<p>dispels negative stereotypes and promotes the rights and dignity of people with disabilities.</p> <ul style="list-style-type: none"> <li>• Support industry bodies to monitor and provide opportunities for professional development of people with disabilities.</li> </ul>	<p>leading and employed by media outlets.</p>
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## 5. How should the GGF incorporate disability inclusion into the next business case?

Efforts to incorporate disability inclusion into the next GGF business case should be guided by the former DFID’s [Minimum and High Achievement disability inclusion business standards](#). Based upon the existing business standards, the following key principles should underpin the FCDO’s work around economic and governance reform:

- **Meaningfully involve people with disabilities and their representative organisations<sup>2</sup>** through consultation and by ensuring that key decision makers include people with disabilities (including representation of different impairment types) in countries and communities. Partner with Disabled People’s Organisations (DPOs) and disability-focused organisations who already have links with and insights from people with disabilities. People with disabilities are critical change agents and best positioned to inform decisions that affect their lives, identify barriers to people with disabilities related to the GGF’s thematic focus areas and form strategies for ensuring inclusive economic and governance reform.
- **Ground programmes and policy dialogue in strong social analysis**, including barrier analysis to identify the environmental, attitudinal and institutional barriers people with disabilities face regarding the GGF’s thematic focus areas (e.g. institutional barriers such as discriminatory legislation or policies). A country’s policies and legislative framework may offer entry points for inclusive economic and governance reform. Weak enforcement of regulations can be a reason for policies and legislation not translating into practice. Understanding bottlenecks or opportunities in the regulatory environment and governance structures at national, municipal and local level is critical, as is building institutional capacity to ensure standards are enforced. Cultural and behavioural factors, which influence social norms around how people with disabilities are viewed and treated in society can also have significant impacts on the ‘success’ of economic and governance reform. Negative social and cultural attitudes towards impairments limit opportunities for people with disabilities; this might include limited access to financial services and/ or laws that unfairly restrict the capacity or autonomy of people with disabilities.
- **Take a twin-track approach to disability inclusion:** pursue inclusive economic and governance reform that includes people with disabilities as well as activities that focus specifically on removing the barriers faced by people with disabilities. A study of USAID’s funding highlighted that to better ensure disability inclusive programming, disability needs to be a specific component of the project and identified within selection criteria and/ or funded programmes must be required to build disability into monitoring and evaluation (Hayes et al. 2015). While outside of the business standards, the next GGF business case can incorporate disability inclusion by explicitly requiring the programmes to focus and report upon disability inclusion. In turn, this would require GGF programmes to have access to technical capacity around disability inclusion to help them meet this requirement.
- **Build in accessibility and/or reasonable accommodation from the outset:** Accessibility is a critical precondition for inclusive economic and governance reform. Design information, training, resources and infrastructure that is accessible, usable and convenient to all the people that will use them.

<sup>2</sup> Representative organisations include Disabled People’s Organisations (DPOs) and disability-focused organisations.



Universal design<sup>3</sup> is good design; it is not a special requirement for the benefit of only a minority of the population. Universal design may also include assistive devices for particular groups of people with disabilities, where this is necessary. Where universal design is not possible, plan to accommodate people with disabilities in alternative ways (e.g. through targeted outreach support) or through adaptations to existing services or resources.

- **Collect and monitor disability disaggregated information and data:** Information and data play a significant part in inclusive economic and governance reform. Collecting and analysing disability disaggregated data (using the [Washington Group Questions](#)) can have a transformative impact on the economy and governance, for example by helping to strengthen financial services, the judicial system and electoral processes. GGF programmes should be expected to use the Washington Group Questions at the design and evaluation stage; GGF programmes should also be marked against the FCDO's Disability Marker. GGF programmes could also be encouraged add to knowledge of 'what works' regarding disability inclusion through qualitative research and sharing lessons learned.

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<sup>3</sup> See DFAT "Accessibility Design Guide: Universal design principles for Australia's aid program"  
<https://www.dfat.gov.au/about-us/publications/Pages/accessibility-design-guide-universal-design-principles-for-australia-s-aid-program>

## Annex A: Overview of status of the rights of people with disabilities in Western Balkans and Eastern Partnership countries

Factor	Armenia	BiH	Georgia	North Macedonia	North Moldova	Serbia	Ukraine
<b>Legal Framework</b>	<p>Armenia has passed the Law of the Republic of Armenia “On social protection of people with disabilities in the Republic of Armenia” (CIS Legislation, 2019)</p> <p>Armenia ratified the International Convention on the Rights of People with Disabilities in 2010 (Amnesty International, 2019)</p>	<p>BiH introduced the Disability Policy in 2008</p> <p>The Federal Ministry of Labour and Social Policy issued a report on the Analysis of the implementation of the Strategy for the equalization of opportunities for people with disabilities 2011-2015 in the Federation of BiH in December 2015</p> <p>BiH ratified the Convention on the Rights of People with Disabilities in 2010 (OHCHR, 2017)</p> <p>Law on Protection of War-Disabled Veterans in the FBiH governs the rights of war-disabled veterans (Government of the Federation of Bosnia and Heregovina, 2016)</p>	<p>In 2013, Georgia ratified the UN Convention on the Rights of People with Disabilities (UNCRPD) (IDFI, n.d.).</p> <p>The 1997 Law of Georgia on Social Protection of People with Disabilities ensures housing for people with disabilities (Coalition for Independent Living, 2017)</p> <p>In 2020, Georgia adopted the Law on the Rights of People with Disabilities (Disability Insider, 2020).</p>	<p>In 2019, North Macedonia adopted a new Law on Social Protection that creates financial rights for people with disabilities and integrates these with the social services on offer. It maintains that means-testing of people with disabilities is unnecessary (European Social Policy Network, 2019).</p> <p>In 2000, North Macedonia established the Law on Employment of People with Disability, which established basic employment rights for disabled people (Mitev, 2019). This includes, disabled people are entitled to 20 x the average salary for</p>	<p>In 2013, North Moldova adopted the Law on Enforcement on Ensuring Equality, with the stated intention of preventing and fighting discrimination, ensuring equal rights in economic, political, social, cultural and other aspects of life for people in Moldova regardless of their disability status among other identity factors. It specifically targets discrimination by public authorities, support of discrimination through the media and through display of</p>	<p>In 2006 Serbia passed the Prevention of Discrimination against People with Disabilities Act, which prohibits discrimination on the basis of disability (UN Human Rights Office of the High Commissioner, 2016).</p> <p>In 2007, Serbia introduced the Strategy for the Improvement of the Position of People with Disabilities, which defines measures, goals and activities to improve the extent to which people with disabilities can engage in society on an equal basis to people without disabilities (UN Human Rights Office of the High</p>	<p>While the UN Convention on the Rights of People with Disabilities was ratified in 2009, it was inaccurately translated, referring to people with disabilities by a derogatory term (Yanchenko, 2016). This was rectified in 2016 (Yanchenko, 2016).</p> <p>Ukraine adopted a law on people with disabilities, following the ratification of the UN Convention on People with Disabilities, which requires reasonable accommodation in employment and sets a 4% quota for employing people with disabilities (Fedorovych, 2016).</p>



		<p>Law on Pension and Disability Insurance people governs the rights of those with occupational disabilities (Government of the Federation of Bosnia and Heregovina, 2016).</p> <p>Law on Fundamentals of Social Welfare, Protection of Civilian Victims of War and Families with Children governs the rights of civilian victims of war and people with non-war related disabilities (Government of the Federation of Bosnia and Heregovina, 2016).</p>		<p>a job or 40x the average salary if they are a wheelchair user or a completely blind person; workplace adaptations; procurement of equipment; and training of disabled people (Mitev, 2019).</p>	<p>discriminatory messages and symbols in public spaces and through segregation (Roudik, 2012).</p>	<p>Commissioner, 2016).</p>	
<b>Prevalence</b>	<p>6% of the population is disabled: 3% combined disabilities, 7% epilepsy, 7% auditory disability, 7% visual disability, 20% intellectual disability, 20% physiological disability, 36%</p>	<p>An estimated 6.5% of children aged 2-9 years old have some form of disability (UNICEF, n.d.) An estimated 10% of people in BiH have some form of physical, sensory, developmental, mental or emotional disability</p>	<p>Prevalence data in Georgia is limited (IDFI, n.d.).</p> <p>In 2015, 3% of the population were registered as people with disability receiving social assistance from the state (IDFI, n.d.).</p>	<p>An estimated 15% of people in North Macedonia have some form of disability (Pistolov and Uraguchi, 2020).</p>	<p>An estimated 5.1% of the total population have a disability, while 1.7% of children have a disability (National Bureau of Statistics, 2017). Every seventh person with a disability</p>	<p>An estimated 7.69% of the population of Serbia are people with disabilities (UN Human Rights Office of the High Commissioner, 2016).</p>	<p>In 2012, an estimated 5.7% of the population were people with disabilities (Protection Cluster, 2015). Among internally displaced people, the registered proportion of people with disabilities was 4.16% (Protection Cluster, 2015). These official statistics are not believed to reflect</p>

	<p>motor disability (Global Disability Rights Now, n.d.).</p> <p>0.8% of people aged 0-6 are disabled, 4.3% of people aged 6-16, 2.5% of people aged 17-21, 13.9% of people aged 22-39, 44.3% of people age 40-59, 34.2% of people aged 60+ (Global Disability Rights Now, n.d.).</p> <p>Men make up 53% of the disabled population, while women make up 47% (Global Disability Rights Now, n.d.).</p>	<p>and that 30% of the population is directly or indirectly affected by the consequences of disability (Government of the Federation of Bosnia and Heregovina, 2016).</p>	<p>The WHO estimates the disability prevalence is around 10%, suggesting many people with disabilities are not registered as such with the state (IDFI, n.d.).</p> <p>Stigma around disabilities is understood to be a key barrier preventing parents from registering their children as having disabilities in Georgia (Liparishvili, 2017).</p>		<p>falls into the category of severe disability (National Bureau of Statistics, 2017).</p>		<p>the reality on the ground where under-reporting and inaccurate data collection prevents reliable statistics (Yanchenko, 2016).</p>
<b>Economic Inclusion</b>	<p>92% of the disabled population are unemployed compared to 17.8% of the overall population (Global Disability Rights Now, n.d.).</p>	<p>2% of people with disabilities who are employed and over the age of 15 who work as legislators, senior officials and managers, compared to 3% of those without disabilities (UN Department of Economic and Social Affairs, 2018).</p>	<p>24% of people with disabilities live below the national poverty line compared to 20% of people without disabilities (UN Department of Economic and Social Affairs, 2018)</p>	<p>There are an estimated 670 private sector companies across North Macedonia, with an estimated 9,000 employees of which, 3,000 are understood to be people with disabilities (Pistolov and Uraguchi, 2020).</p>	<p>23% of people with disabilities are employed by a company while 66% are self-employed in agriculture and 5% are self-employed in non-agricultural work (The Centre for Human Rights</p>	<p>In 2009 Serbia adopted the Law on Occupational Rehabilitation and Employment of People with Disabilities, which guarantees inclusiveness and introduced quotas in certain contexts (UN Human Rights Office of the High</p>	<p>In the first ten months of 2016, 39,000 people with disabilities were unemployed, while only 11,000 were employed (Fedorovych, 2016). Employment discrimination is understood to be a key reason for the low employment rate of people with disabilities</p>

		People with disabilities are entitled to financial assistance, the amount of which is determined based on the context of the disability (i.e. war-related, non-war related) (Government of the Federation of Bosnia and Heregovina, 2016).			of Moldova, n.d.)	Commissioner, 2016).	in Ukraine (Yatskevych, 2017).
<b>Social Inclusion</b>	<p>People with disabilities across Armenia face multiple barriers to realizing their right to political participation. With a very limited number of buildings in Armenia fully accessible to people with physical disabilities, just accessing the polling station prevents many from exercising their right to vote (Election Access, 2016).</p> <p>18.8% of the disabled population is</p>	<p>Newly constructed buildings are rarely accessible to people with disabilities and those buildings with adaptations intended to make them accessible, often do not comply with the applicable rules regarding slope gradient for example (Government of the Federation of Bosnia and Heregovina, 2016). This is likely to pose a barrier to people with physical disabilities from accessing polling booths. In BiH, a system of</p>	<p>Anecdotal evidence from Georgia suggests that children are at risk of abuse by teachers and kindergarten care givers. Parents reportedly protest children with disabilities from attending kindergartens with children who don't have disabilities, using derogatory terms to describe them. Stigma poses a strong barrier to children with disabilities from accessing education.</p>	<p>An estimated 50% of children with disabilities are out of school (UNICEF, n.d.).</p> <p>The law in North Macedonia enables people with disabilities to vote by proxy. It requires Electoral Boards to provide reasonable accommodations at polling stations for people with disabilities such as by creating tactile ballot guides for people who are blind or have low vision (International Foundation for</p>	<p>A court can deprive an individual of the right to vote including on the grounds of intellectual disability (Office for Democratic Institutions and Human Rights, 2019).</p>	<p>The Mental Disability Rights Initiative of Serbia has involved the parents of people with intellectual disabilities in legislative processes to ensure they are able to participate in the development of legislation that impacts people with intellectual disabilities (Disability Rights International, n.d.).</p> <p>They also provide legal support for people with intellectual disabilities</p>	<p>In 2012, people with disabilities in Ukraine faced barriers to exercising their right to political participation due to lack of access to information and familiarization with legislation (Kharkiv Human Rights Protection Group, 2012). For example people with visual impairments were not provided with ballot papers or voting information in accessible formats (Kharkiv Human Rights Protection Group, 2012).</p>

	<p>receiving a secondary education as compared to 84% of the overall population (Global Disability Rights Now, n.d.).</p> <p>13% of children with disabilities are in institutions, of these 72% do not attend school at all, 25% attend a special school, 5% attend mainstream school (Global Disability Rights Now, n.d.).</p> <p>18% of children in the care of their families do not attend school at all, 12% attend a special school and 30% attend a mainstream school.</p>	<p>remote voting has been introduced whereby election officers make home visits so that people with disabilities can cast their vote in remote ballot boxes (Parliamentary Assembly, 2017).</p>		<p>Electoral Systems, 2019).</p>		<p>especially in the field of inclusive education and legal capacity issues- two areas recognised by the MDRI as key to preventing institutionalization (Disability Rights International, n.d.).</p>	
<b>Institutionalisation</b>	<p>In 2016, the Government of Armenia undertook important reforms to move from state-run institution-based care for children to family and community-based</p>	<p>Institutionalization remains the leading model of 'social support' for people with intellectual disabilities despite pressure from local NGOs to move towards community-based</p>	<p>Institutionalization is a common response to people with disabilities in Georgia. In 2017 there were around 200 people living in government facilities for people with physical impairments and</p>	<p>In 2018 the Ministry of Labour and Social Policy committed to stop all admissions of children with disabilities into state run care institutions in a move towards community-based</p>	<p>In 2016, almost 2,500 children and adults with disabilities were forced to live in institutions (Mental Disability Advocacy Centre, 2016). There have</p>	<p>Serbia has made steps towards community-based care strategies for people with disabilities and away from institutionalization (UN Human Rights Office of the High</p>	<p>Ukraine has one of the largest institutional care systems in Europe with over 100,000 children living in institutions (Hope and Homes for Children, 2019). Of these, 92% have at least one parent alive, only 8% are orphans</p>

	<p>care. However, while the number of children in state-run care institutions decreased, the concentration of children with disabilities (especially multiple disabilities, mobility impairments and high-support needs) increased. Human Rights Watch visited the Kharberd Specialised Orphanage in 2016 and found of the 221 residents half were wheelchair users, 36 had visual and multiple disabilities and only 2 had been taught how to use a cane as a mobility tool. Children with disabilities are overrepresented in institutions across Armenia (Human Rights Watch, 2017).</p>	<p>living for these individuals (Memisevic et al., 2017). An estimated 3000 people with intellectual disabilities were residing in large, state run institutions for lifelong care (Memisevic et al., 2017).</p> <p>In 2019, photos emerged of young residents in the Pazaric Residential Institution tied to their beds, chairs and radiators. In many parts of BiH, institutionalization is considered the only option for people with intellectual disabilities. These pictures led to widespread protests across the country (People in Need, 2019).</p> <p>People with intellectual disabilities in BiH report a significantly lower quality of life than people with other disabilities</p>	<p>even more (number not specified) in facilities for people with intellectual impairments (Liparishvili, 2017).</p>	<p>care (UNICEF, 2018).</p>	<p>been reports of violence, substandard conditions and forced abortions against residents in these institutions (Mental Disability Advocacy Centre, 2016).</p>	<p>Commissioner, 2016). However, in 2016, institutions were the predominant form of care for children and adults with disabilities, with reports of human rights violations, including isolation, abuse, inappropriate medication, lack of consent, and separation coming</p>	<p>and 17% are children with disabilities (Hope and Homes for Children, 2019). In 2013, 22% of children with disabilities living in institutions have intellectual disabilities, 14% have speech disorders, and 11% have delayed intellectual development (Hope and Homes for Children, 2013). Specialized disability care is reportedly limited in these institutions (Hope and Homes for Children, 2013). Reports of abuse, violence and exploitation are also common (Hope and Homes for Children, 2013). The lack of alternative support services is reportedly a key reason parents choose to place their children in an institution (Hope and Homes for Children, 2013).</p>
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		(Memisevic et al., 2017).					
<b>Access to Justice</b>	<p>Legislation permits that people with intellectual impairments be deprived of their legal capacity, enabling the authorities to appoint a guardian to make decisions on their behalf against the wishes of the individual (Amnesty International, 2019).</p> <p>In 2019, the Cassation Court in Yerevan ruled that investigators and courts could not dismiss testimonies from people with intellectual impairments on the grounds of their mental health condition in cases of physical abuse (Amnesty International, 2019).</p>	No relevant information found	No relevant information found	The Guardianship system in North Macedonia removes decision making power from a person with a disability, restricting and in some cases fully denying a person with disability their full legal capacity (OHCHR, 2018) .	The Guardianship Law in North Moldova denies people with disabilities access to their money, employment, voting, and decisions regarding whether they are institutionalized. In 2016, the Constitutional Court struck down the provision of the Guardianship law that restricts people's decision-making rights and access to the courts. People with disabilities can now go directly to the courts to challenge their placement under guardianship. The courts have control to decide whether	People with disabilities living in institutions across Serbia are often placed under Guardianship, depriving them of their autonomy, free will and legal capacity. In some cases, women with disabilities are subjected to invasive medical interventions including forced abortions with the consent of the guardian but without the consent of the individual (Human Rights Watch, 2016).	In 2013, Ukraine's Guardianship law came under criticism by the European Court of Human Rights for denying people with disabilities the right to legal access, decision-making and autonomy. This research could not confirm if the Guardianship Law continues to be in place (MDAC, 2013).



					to restore their autonomy. Disability Rights activists have called for the abolition of guardianship schemes (Mehes, 2016).		
<b>Perceptions and representations in the Media</b>	In 2014, 95% of people in Armenia believe that a child with physical disabilities should be fully integrated in society, with only 63% of people believing that a child with intellectual disabilities should be and 30% believing that children with intellectual disabilities should be isolated from society (UNICEF, 2014).	No relevant information found	In 2015, 41% of Georgians hold negative attitudes towards people with disabilities (UNICEF Georgia, 2016). Stigma towards children with disabilities is understood to be rooted in four core perceptions: 1) that children with disabilities are 'abnormal', 2) that disability is a threat or contagious disease, 3) that children with disabilities are dependent, 4) that religious and cultural norms justify negative attitudes (UNICEF Georgia, 2016).	In 2017, UNICEF Macedonia released a high-profile public campaign on disability and inclusion, which showed positive signs of attitude change towards people with disability (UNICEF, n.d.).	No relevant information found	Medical professionals reportedly encourage parents of children with disabilities to place them in institutions rather than taking a home-based approach to care due to perceptions that caring for a disabled child will negatively impact the parent's life (Human Rights Watch, 2016).	No relevant information found

## 6. References

- Amnesty International, 2019. Everything you need to know about human rights in Armenia [WWW Document]. URL <https://www.amnesty.org/en/countries/europe-and-central-asia/armenia/report-armenia/> (accessed 8.17.20).
- CIS Legislation, 2019. Law on the Republic of Armenia of May 24, 1993 No. ZR57. CIS Legislation.
- Coalition for Independent Living, 2017. Realisation of the Right to Housing of People with Disabilities in Georgia. Coalition for Independent Living.
- Disability Insider, 2020. Georgia Parliament adopts legislation on the rights of people with disabilities. Disability Insider. URL <https://disabilityinsider.com/2020/07/16/law/georgia-parliament-adopts-legislation-on-the-rights-of-people-with-disabilities/> (accessed 8.21.20).
- Disability Rights International, n.d. Mental Disability Rights Initiative of Serbia [WWW Document]. Disability Rights International. URL <https://www.driadvocacy.org/mdri-serbia/> (accessed 8.21.20).
- Election Access, 2016. Supporting the Enfranchisement of Armenians with Disabilities: A Success Story [WWW Document]. URL <http://www.electionaccess.org/en/media/news/23/> (accessed 8.17.20).
- European Social Policy Network, 2019. North Macedonia strengthens disability rights with a new Law on Social Protection. European Social Policy Network.
- Fedorovych, I., 2016. Equal Employment Opportunities in Ukraine- Is there still discrimination and how should we tackle it? Open Society Foundations.
- Global Disability Rights Now, n.d. Disability in Armenia | Global Disability RightsNow! [WWW Document]. Global Disability Rights Now. URL [https://www.globaldisabilityrightsnow.org/infographics/disability-armenia#text\\_link](https://www.globaldisabilityrightsnow.org/infographics/disability-armenia#text_link) (accessed 8.14.20).
- Government of the Federation of Bosnia and Heregovina, 2016. Strategy for advancement of rights and stauts of people with disabilities in the Federation of Bosnia and Heregovina (2016-2021). Government of the Federation of Bosnia and Heregovina.
- Hayes, A., Swift, E., Shettle, A. and Waghorn, D., (2015). Inclusion of Disability in USAID Solicitations for Funding, White Paper. <https://www.perkins.org/sites/default/files/perkins-school-usaid-study-white-paper.pdf>
- Hope and Homes for Children, 2019. Dismantling Ukraine’s orphanage-based care system. Hope and Homes for Children. URL <https://www.hopeandhomes.org/blog-article/dismantling-ukraines-orphanage-based-care-system-a-challenging-national-reform/> (accessed 8.17.20).
- Hope and Homes for Children, 2013. The Illusion of Protection. Hope and homes for children.
- Human Rights Watch, 2017. Human Rights Watch Submission on Armenia to the Committee on the Rights of People with Disabilities [WWW Document]. Human Rights Watch. URL <https://www.hrw.org/news/2017/03/01/human-rights-watch-submission-armenia-committee-rights-people-disabilities> (accessed 8.21.20).
- Human Rights Watch, 2016. “It is My Dream to Leave This Place” [WWW Document]. Human Rights Watch. URL <https://www.hrw.org/report/2016/06/08/it-my-dream-leave-place/children-disabilities-serbian-institutions> (accessed 8.17.20).
- IDFI, n.d. Statistics of People with Disabilities in Georgia (2015) [WWW Document]. <https://idfi.ge/en>. URL <https://idfi.ge:443/en/statistics-of-people-with-disabilities> (accessed 8.16.20).
- International Foundation for Electoral Systems, 2019. Elections in North Macedonia 2019 Presidential Election. International Foundation for Electoral Systems.

International Labor Organization, Inclusion of people with disabilities in national employment policies (2015)

Kharkiv Human Rights Protection Group, 2012. Rights of the people with disabilities. Kharkiv Human Rights Protection Group.

Liparishvili, G., 2017. People with disabilities need community living, not institutionalisation. OC Media. URL <https://oc-media.org/features/people-with-disabilities-need-community-living-not-institutionalisation/> (accessed 8.16.20).

MDAC, 2013. Ukraine system of guardianship becomes the latest target of critique by the European Court of Human Rights | MDAC [WWW Document]. URL <http://mdac.org/en/30/05/2013/ukraine-system-guardianship-becomes-latest-target-critique-european-court-human-rights> (accessed 8.21.20).

Mehes, B., 2016. Moldova: Constitutional Court Finds Guardianship Violations, But Will Government Listen? [WWW Document]. Validity Foundation - Mental Disability Advocacy Centre. URL <https://validity.ngo/2016/10/25/moldova-constitutional-court-finds-guardianship-violations-but-will-government-listen/> (accessed 8.21.20).

Memisevic, H., Hadzic, S., Ibralic Biscevic, I., Mujkanovic, E., 2017. Quality of life of people with disabilities in Bosnia and Herzegovina – is there a moderating effect of the health status? Scandinavian Journal of Disability Research 19, 375–382. <https://doi.org/10.1080/15017419.2017.1279076>

Mental Disability Advocacy Centre, 2016. Moldova: More to be done on disability rights, says United Nations expert | MDAC [WWW Document]. URL <https://www.mdac.org/en/news/moldova-more-be-done-disability-rights-says-united-nations-expert> (accessed 8.17.20).

Mitev, M.G., 2019. In-Work Poverty in North Macedonia. European Social Policy Network.

National Bureau of Statistics, 2017. Number of people with disabilities in the Republic of Moldova in 2016 [WWW Document]. URL <https://statistica.gov.md/newsview.php?l=en&id=5821&idc=168> (accessed 8.14.20).

Office for Democratic Institutions and Human Rights, 2019. ODIHR Election Observation Mission Final Report. Office for Democratic Institutions and Human Rights.

OHCHR, 2018. OHCHR | Committee on the Rights of People with Disabilities examines the report of the former Yugoslav Republic of Macedonia [WWW Document]. URL <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=23537&LangID=E> (accessed 8.21.20).

OHCHR, 2017. OHCHR | Committee on the Rights of People with Disabilities considers initial report of Bosnia and Herzegovina [WWW Document]. URL <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21455&LangID=E> (accessed 8.21.20).

Parliamentary Assembly, 2017. PACE - Doc. 14268 (2017) - The political rights of people with disabilities: a democratic issue [WWW Document]. URL <https://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?fileid=23491&lang=en> (accessed 8.17.20).

People in Need, 2019. Challenging the Stigma of Disability in Bosnia and Herzegovina [WWW Document]. People in Need. URL <https://www.clovekvtisni.cz/en/challenging-the-stigma-of-disability-in-bosnia-and-herzegovina-6259gp> (accessed 8.14.20).

Pistolov, M., Uruguchi, Z., 2020. A Triple Challenge? Disability and the COVID-19 Pandemic [WWW Document]. URL <https://www.helvetas.org/en/switzerland/how-you-can-help/follow-us/blog/inclusive-systems/Disabilities-COVID-19> (accessed 8.16.20).

Protection Cluster, 2015. People With Disabilities Ukraine. Protection Cluster.

Roudik, P., 2012. Moldova: Various Forms of Discrimination Are Banned by Law | Global Legal Monitor [WWW Document]. URL <http://www.loc.gov/law/foreign-news/article/moldova-various-forms-of-discrimination-are-banned-by-law/> (accessed 8.21.20).

The Centre for Human Rights of Moldova, n.d. Special Rapporteur on the rights of people with disabilities. The Centre for Human Rights of Moldova.

UN Department of Economic and Social Affairs, 2018. Disability and Development Report. UN Department of Economic and Social Affairs.

UN Human Rights Office of the High Commissioner, 2016. OHCHR | Committee on the Rights of People with Disabilities considers report of Serbia [WWW Document]. URL <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=19785&LangID=E> (accessed 8.16.20).

UNICEF, 2018. Children waiting to be loved [WWW Document]. URL <https://www.unicef.org/northmacedonia/stories/children-waiting-be-loved> (accessed 8.17.20).

UNICEF, 2014. Armenia: Understanding Attitudes Towards Children with Disabilities. UNICEF.

UNICEF, n.d. Children with disabilities [WWW Document]. URL <https://www.unicef.org/bih/en/children-disabilities> (accessed 8.14.20a).

UNICEF, n.d. Macedonia UNICEF Annual Report 2017. UNICEF.

UNICEF Georgia, 2016. Georgia's children with disabilities struggle against stigmatization [WWW Document]. URL <https://www.unicef.org/stories/georgia-children-with-disabilities-struggle-against-stigmatization> (accessed 8.16.20).

Yanchenko, K., 2016. Invisible but exist: Ukrainian people with disabilities struggle not to be marginalized. Euromaidan Press. URL <http://euromaidanpress.com/2016/09/28/invisible-but-exist-ukrainian-people-with-disabilities-struggle-not-to-be-marginalized/> (accessed 8.16.20).

Yatskevych, 2017. Elimination of employment discrimination of the people with disabilities: international standards and Ukrainian Legislation. НАУКОВІ ЗАПИСКИ НАУКМА.

**About Helpdesk reports:** The Disability Inclusion Helpdesk is funded by the UK Department for International Development, contracted through the Disability Inclusion Team (DIT) under the Disability Inclusive Development Programme. Helpdesk reports are based on between 3 and 4.5 days of desk-based research per query and are designed to provide a brief overview of the key issues and expert thinking on issues around disability inclusion. Where referring to documented evidence, Helpdesk teams will seek to understand the methodologies used to generate evidence and will summarise this in Helpdesk outputs, noting any concerns with the robustness of the evidence being presented. For some Helpdesk services, in particular the practical know-how queries, the emphasis will be focused far less on academic validity of evidence and more on the validity of first-hand experience among disabled people and practitioners delivering and monitoring programmes on the ground. All sources will be clearly referenced.

Helpdesk services are provided by a consortium of leading organisations and individual experts on disability, including Social Development Direct, Sightsavers, Leonard Cheshire Disability, ADD International, Light for the World, Humanity & Inclusion, BRAC, BBC Media Action, Sense and the Institute of Development Studies (IDS). Expert advice may be sought from this Group, as well as from the wider academic and practitioner community, and those able to provide input within the short time-frame are acknowledged. Any views or opinions expressed do not necessarily reflect those of DFID, the Disability Inclusion Helpdesk or any of the contributing organisations/experts.

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