

# Policy and Checklist

on the Inclusion of Persons with Disabilities

in Decision-Making Processes

in Armenia, Georgia, Moldova



# Policy

## on the Inclusion of Persons with Disabilities in Decision-Making Processes in Armenia, Georgia, Moldova

### 1. General Provisions

The purpose of the policy is to achieve full inclusiveness of decision-making processes in Armenia, Georgia, Moldova) on all levels: local, regional and national.

The policy defines and outlines the commitment of the state agency to improve the inclusiveness and accessibility of decision-making processes under its jurisdiction, and to thus contribute to the equal participation of Persons with Disabilities (PWDs) in decision-making in Armenia, Georgia, Moldova.

The policy regulates the inclusion of PWDs in a range of decision-making processes, including those relating to development of legislation, strategic documents, action plans, policies, programs, regulations, procedures and state-provided services.

### 2. Definitions

*Persons with Disabilities (PWDs):* persons 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.

*Disabled People's Organizations (DPOs):* organizations that focus on protecting the rights of PWDs and/or other disability-related efforts and are predominantly run and managed by PWDs.

*Accessibility:* the degree to which a product, device, service, or environment is available to people. In other words, accessibility is the "ability to access" and use a service or a product by all members of the society, regardless of their physical abilities.

*Reasonable Accommodation:* necessary and appropriate modification and adjustments not imposing a disproportionate or undue burden, where needed in a particular case, to ensure to persons with disabilities the enjoyment or exercise on an equal basis with others of all human rights and fundamental freedoms.

*Decision-Making Processes:* all processes, events, procedures and activities that have the end goal of making a decision.

*Inclusive Decision-Making:* the approach to decision-making that considers all options and actively includes all those who are potentially affected by the decision or responsible for its implementation.

*Supported Decision-Making:* an alternative to guardianship that allows PWDs, particularly individuals with cognitive or psychosocial disabilities, to work with a supporter/team of supporters and make and express choices, opinions and preferences regarding decisions that impact their lives. With supported decision-making, the individual herself/himself chooses and designates people to form the support network to help with decision-making.

### 3. Key Principles and Grounds

The policy recognizes that the exclusion or unequal participation of PWDs from decision-making processes leads to ineffective, discriminatory and non-inclusive decisions, violates the human rights of PWDs and is a consequence of institutional, attitudinal, physical/environmental, informational/communicational and financial barriers.

The policy further recognizes that decisions are most effective when they are made through the equal and meaningful participation of and input from all persons and organizations that they potentially impact.

The policy also recognizes that all decisions (as opposed to only decisions concerning PWDs exclusively) impact the lives of PWDs and should be made through the equal participation of PWDs and their organizations.

The policy is based on the national legislation of Georgia, Armenia, Moldova, the UN Convention on the Rights of Persons with Disabilities (UN CRPD) ratified by Georgia, Armenia, Moldova, the human rights model of disability and international best practices of inclusive decision-making. Specifically, the policy is in line with the UN CRPD provision that "persons with disabilities should have the opportunity to be actively involved in decision-making processes about policies and programs, including those directly concerning them".

The policy is also based on the key findings and recommendations of the 2016 Index of Participation Research on the Participation of PWDs in Decision-Making Processes in Georgia, Armenia, Moldova.

The key underlying principles of the policy are inclusiveness and equal participation, respect for human rights and diversity, non-discrimination and public accountability.

Recognizing the diversity of PWDs and the multiple/intersectional discrimination faced by women with disabilities and PWDs belonging to minority/marginalized groups, the policy highlights the importance of ensuring the equal participation of all PWDs, including women with disabilities, children, elderly persons, persons of ethnic, national and religious minorities, persons from rural areas, socio-economically disadvantaged persons, persons with multiple disabilities, etc.

### 4. Obligations of the State Agency

*By adopting this policy, the state agency commits to full implementation of the following provisions.*

#### 4.1. Accessibility and Provision of Reasonable Accommodation

The agency recognizes the importance of accessibility to the physical, social, economic and cultural environment, as well as to information and communication, in enabling PWDs to fully enjoy all human rights and fundamental freedoms, including their right to participation in decision-making.

The agency commits to ensure, to the maximum extent, the accessibility of the decision-making process in all stages and cycles of decision-making. This includes:

- *Accessibility of the Physical Environment* - the venues, facilities and infrastructure involved during the decision-making process. The accessibility of the physical

environment includes the accessibility of all spaces, conveniences and services available in the environment, including bathrooms, elevators, rest areas, etc., as well as the accessibility of public transportation.

- *Accessibility of Information, Communications and Technologies (ICTs)*- all information, technologies and communications utilized during the decision-making processes to share, collect or disseminate data relevant to the decision-making. Accessibility of ICTs includes the utilization of alternative formats such as Braille, Large Print, Audio Books, Sign Language Interpretation, Subtitles, Easy-to-Read materials, pictograms, etc., including by tailoring the format and content of the information to the individual needs of participants. This also includes the web accessibility of all websites, forums, discussion boards, e-governance tools and other online portals utilized by the state agency.

In addition to ensuring the overall accessibility of the physical environment and ICTs, the agency commits to provide reasonable accommodation to PWDs involved in the decision-making processes. To this end, the agency will ensure that each individual involved in the decision-making process, regardless of perceived disability, has an opportunity to request and receive reasonable accommodation to enable their full and equal participation. To ensure this, a procedure should be implemented whereas each participant of the process is provided with a request form. Reasonable accommodation can include, but is not limited to provision of transportation, assistive devices, financial compensation for additional costs incurred, remuneration to personal assistants, etc.

The agency commits to consult and cooperate with PWDs and their organizations in designing and implementing efforts aimed at improving the accessibility of the decision-making processes and providing reasonable accommodation to PWDs.

#### **4.2. Information Sharing**

As the simplest and most indirect form of ensuring the participation of PWDs in decision-making, the agency commits to share and disseminate information pertaining to all decision-making processes.

To ensure that the information is accessible to PWDs, the agency commits to utilize alternative formats of communication, including Braille, Large Print, Audio Books, Sign Language Interpretation, Subtitles, Easy-to-Read materials, pictograms, etc.

To further ensure that shared information is available to PWDs, the agency commits to cooperate with DPOs and other community organizations, as well as share information through public service announcements, press releases and other methods.

The agency commits to share information during all cycles and stages of decision-making, as well as during the implementation and evaluation of decisions.

The agency further commits to ensure that PWDs have the opportunity to provide feedback in relation to the shared information, through utilization of accessible feedback mechanisms, including dedicated hotline services, online forums, etc.

#### **4.3. Consultation**

The agency commits to make specific efforts to consult with a range of PWDs and their organizations, as well as relevant experts during all stages of decision-making. To ensure effective and meaningful consultation, the agency is committed to utilize a range of consultation and communication methods, including public discussions and hearings, debates, focus-groups and community meetings, as well as inter-agency consultative groups/committees with the participation of PWDs and their organizations, including through utilization of e-methods.

To ensure effectiveness of consultation efforts, the agency commits to provide ample time for PWDs and their organizations to provide input, as well as to utilize feedback collection mechanisms to ensure that the input is considered during the decision-making process and has an appropriate impact on it. Such mechanisms can include hotline services, suggestion boxes, online forums and discussion boards, etc.

The agency also commits to provide information on how the input from PWDs and their organizations has been utilized during the decision-making process and how it has impacted the final decision, as well as its implementation and evaluation.

#### **4.4. Coproduction**

Where decisions are made through coproduction, i.e. through creation of committees, working groups, commissions, interagency groups, councils, advisory groups, etc., the agency commits to ensure the representation of PWDs in such groups, either directly or through involvement of DPOs.

The agency commits to ensure that PWDs and DPOs are involved in such coproduction processes as full time members and adequately represent the disability community(ies) affected by the decision in question.

Where necessary, the agency commits to provide reasonable accommodation to PWDs to ensure their effective participation in coproduction groups, in addition to ensuring that the work of the coproduction groups is based on principles of accessibility and inclusiveness.

The agency commits to evaluate the participation of PWDs and their organizations in coproduction processes and share the results of such evaluation with PWDs.

#### **4.5. Training for Decision-Makers**

The agency commits to provide regular training to persons involved in decision-making processes at all levels (local, regional and national), including top decision-makers, as well as persons involved in the implementation and evaluation of decisions.

The agency ensures that such training is mandatory for all persons involved in decision-making, implementation and evaluation.

Depending on the needs and baseline knowledge/skills of decision-makers, training should cover:

- The UN CRPD and state obligations in relation to its implementation
- The human-rights model of disability
- The principles and methods of inclusive decision-making
- Accessibility and reasonable accommodation
- Disability Etiquette
- Rules of behavior and communications with PWDs
- Non-discrimination

To ensure the effectiveness of such training, the agency commits to implement pre and post evaluation of all training provided to decision-makers.

The agency commits to ensure the involvement of PWDs in the design, delivery and evaluation of the trainings, including as trainers/facilitators.

#### **4.6. Supported Decision-Making**

The agency commits to facilitate supported decision-making to ensure the participation of PWDs, in particular persons with cognitive or psychosocial disabilities, in decision-making processes. To this end, the agency commits to take appropriate measures to provide PWDs with access to the support they may require in exercising their legal capacity.

The agency further commits to ensure that specific decisions are evaluated and made by the individual with a disability, as opposed to their guardians/custodians or supporters.

#### **4.7. Cooperation with DPOs**

The agency commits to consistently consult and cooperate with DPOs in all stages and levels of decision-making, both for the purpose of engaging their members/beneficiaries and to ensure the direct participation of DPO representatives in decision-making processes.

The agency further commits to provide reasonable accommodation to DPO representatives to ensure their full and meaningful participation in decision-making processes.

The agency commits to include DPOs representative of the whole disability community impacted by the decision-making processes, including organizations of persons with psychosocial and intellectual disabilities, organizations of women with disabilities, newly established DPOs, DPOs from distant/rural areas, as well as informal groups of PWDs.

The agency also commits to ensure that DPOs involved in decision-making processes have the opportunity to fully and independently represent the opinions and advance the interests of their beneficiaries.

To ensure the effectiveness of DPOs' involvement in decision-making processes, the agency commits to ensure that the input received from DPOs has an appropriate impact on the decision-making process, the final decision, as well as its implementation and evaluation.

#### **4.8. Implementation**

The agency commits to ensure the participation of PWDs and their organization in the implementation/execution of decisions, including through provision of reasonable accommodation.

#### **4.9. Evaluation**

The agency commits to ensure the participation of PWDs and their organization in the monitoring and evaluation of decisions, including through provision of reasonable accommodation.

The agency also commits to ensure that such monitoring and evaluation assesses both the

effectiveness of the decision-making process and its implementation, and the level of inclusiveness of these processes.

#### **4.10. Employment of Persons with Disabilities in Decision-Making Bodies**

As a part of efforts to improve the inclusiveness of decision-making processes, the agency commits to provide equal employment opportunities to PWDs. To this end, the agency commits to adopt a non-discriminatory hiring policy, as well as ensure that its workplace is accessible and all hiring processes are inclusive.

Additionally, the agency commits to carry out additional specific measures to include PWDs in its staff and/or as external consultants, advisors and experts.

The agency also commits to ensure the inclusiveness of job training and other workplace opportunities for PWDs, as well as to ensure job security.

#### **4.11. Responsible Parties**

To ensure the implementation of the policy in practice, the agency commits to appoint a person/group of persons/department responsible for ensuring the inclusiveness of decision-making processes under the jurisdiction of the agency.

The agency further commits to ensure that the responsible party cooperates and consults with PWDs and their organization in the implementation of the policy.

# Checklist of Inclusive Decision Making

The Checklist is based on the Policy on the Inclusion of Persons with Disabilities (PWDs) in Decision-Making processes and aims to assist decision-makers in ensuring the inclusiveness of relevant processes for PWDs.

<b>Preparation and Provision of Reasonable Accommodations</b>	<b>Yes</b>	<b>No</b>
1. Has the State Agency developed and presented to all participants of the process a tool for requesting reasonable accommodations (a request form, questionnaire, an online form, etc.). If yes, does the tool enable the participants to:		
1.1 Request accommodations both before and during the decision-making process?		
1.2 Request information in alternative formats?		
1.3 Request assistive devices and technologies?		
1.4 Request reimbursement for additional costs incurred by the participants (including assistant fees)?		
1.5 Request special meals?		
2. Have all the employees/specialists involved in the decision-making process undergone training on inclusive decision-making?		
3. Has the State Agency consulted and cooperated with DPOs (Disabled Peoples' Organizations) during the preparatory stage of the decision-making process?		
4. Has the State Agency made special efforts to ensure the participation of diverse groups of PWDs in the decision-making process?		

<b>Accessibility of the Physical Environment</b>	<b>Yes</b>	<b>No</b>
1. Is the route to the entrance (one of the entrances) of the building barrier-free?		
2. Is there an accessible (marked) parking space near the building?		
3. Is the entrance (one of the entrances) of the building accessible?		
4. Are all the rooms, including relevant rest areas, used during the process accessible?		
5. Is there an accessible bathroom in the building?		
6. Is there an accessible elevator leading to all the floors of the building used during the process?		



<b>Accessibility of the Information, Communications and Technologies</b>	<b>Yes</b>	<b>No</b>
1. Are the informational materials used during the process available in alternative formats?		
1.1 Braille?		
1.2 Large Print?		
1.3 Audio Version?		
1.4 Electronic Version?		
1.5 Easy-to-Read Version?		
2. Has the State Agency ensured the provision of sign-language interpretation for the participants of the process?		
3. Are the video materials used during the process accompanied with sign-language interpretation or subtitles (captions)?		
4. Are websites and electronic materials used during the process accessible?		

<b>Information Sharing</b>	<b>Yes</b>	<b>No</b>
1. Has the State Agency made special efforts to disseminate relevant information among PWDs in the following ways?		
1.1 Dissemination of information through DPOs and other community organizations?		
1.2 Information sharing through public service announcements, including in alternative formats?		
1.3 Information sharing through mass media?		
1.4 Placing information on accessible websites?		
2. Has the State Agency provided accessible feedback mechanisms through the following means?		
2.1 Hotline service?		
2.2 Online platforms (forums) ?		
2.3 Complaints and Suggestions Boxes?		
2.4 E-mail?		

<b>Consultation</b>	<b>Yes</b>	<b>No</b>
1. Has the State Agency made special efforts to consult with PWDs and their organizations during the process in the following ways?		
1.1 Public discussions?		
1.2 Public hearings?		
1.3 Debates?		
1.4 Focus groups?		
1.5 Community meetings?		
1.6 Online discussions?		
2. Have PWDs and their organizations participating in the process been provided with enough time (1 week minimum) to present their opinions and suggestions regarding the process?		
3. Has the State Agency evaluated and presented to the public the impact of the consultations with PWDs on the decision-making process and its results?		

<b>Co-production</b>	<b>Yes</b>	<b>No</b>
1. If co-production groups such as committees, working groups, commissions, interdepartmental teams, etc. have been created during the process, has the State Agency ensured the following?		
1.7 The equal participation of PWDs in such groups?		
1.7.1.1 The equal participation of women with disabilities?		
1.7.1.2 The equal participation of PWDs representing vulnerable minority groups?		
1.7.1.3 PWDs from distant and rural communities?		
1.2 The participation of DPOs in such groups?		
2. Has the State Agency evaluated and presented to the public the impact of the involvement of PWDs and their organizations in such groups on the decision-making process and its results?		

<b>Supported Decision Making</b>	<b>Yes</b>	<b>No</b>
1. Has the State Agency made special efforts to involve persons with psychosocial and intellectual disabilities in the process?		

2. Has the State Agency ensured that participants have the opportunity to participate in the process through supported decision-making through the following?		
2.1 Enabling participants to select a supporter or a network of supporters and participate in the process with their assistance?		
2.2 When necessary, providing participants with extra time to consult with supporters?		
2.3 Ensuring that the opinions of PWDs, as opposed to their guardians, supporters or assistants, is taken into account?		

<b>General Provisions</b>	<b>Yes</b>	<b>No</b>
1. Does the State Agency cooperate with DPOs in all stages and levels of decision-making, including with the following types of organizations?		
1.1 Organizations of/advocating for persons with psychosocial or intellectual disabilities?		
1.3 Organizations of women with disabilities?		
1.4 Organizations advocating for children with disabilities?		
1.5 Newly established organizations?		
1.6 Non-formal groups of PWDs?		
1.7 Organizations operating in distant and rural communities?		
2. Has the State Agency ensured equal employment opportunities for PWDs, including through the following?		
2.1 Adoption and utilization of a non-discriminatory employment policy?		
2.2 Ensuring the full accessibility of the workplaces?		
2.3 Ensuring the inclusiveness of hiring processes?		
2.4 Cooperation with DPOs for the recruitment of applicants with disabilities?		
2.5 Involvement of PWDs as external consultants and experts?		
2.6 Ensuring the inclusiveness of training and promotion opportunities?		
3. Has the State Agency appointed an individual, a group of individuals or a department responsible for ensuring the inclusiveness of decision-making processes, implementation of the “Policy on the Inclusion of PWDs in Decision-Making Processes” and utilization of this checklist.		

The project benefits from the support through the EaP CSF Re-granting Scheme. Within its Re-granting Scheme, the Eastern Partnership Civil Society Forum (EaP CSF) supports projects of the EaP CSF members with a regional dimension that contribute to achieving the mission and objectives of the Forum.

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Key areas of support are democracy and human rights, economic integration, environment and energy, contacts between people, social and labour policies.