Are Community Decision-Making Processes

INCLUSIVE

for a Person with a Disability?

Authors

Gohar Khachatryan
Stella Chandiryan

Translation by **Christine Goroyan**

JUSTIFICATION FOR THE REPORT

The purpose of the report is to highlight the existing legal and practical issues in the decision-making process of local self-government bodies (LSGBs) in Armenia that hinder the participation of persons with mental health conditions, and to present suggestions for overcoming the issues.

Ensuring inclusiveness in community decision-making, from information to procedures, and from approaches to practice, is a safeguard for the realization of a number of rights of persons with mental health conditions. In the Republic of Armenia, local self-government is guaranteed as one of the essential foundations for democracy, but there are gaps both in legal regulations and in practice. Those gaps were addressed and suggestions for their solution were outlined through the research study on which the report is based. The research was conducted in the period between March and June 2023.

ABOUT THE RESEARCH STUDY

The research focused on the experiences of persons with mental health conditions living in group homes, as well as analyzed the international and domestic legal regulations on the subject. The research was conducted in 4 group homes in Armenia (in the design phase of the research, 4 group homes with 48 adult residents with mental health conditions were operating in Armenia).
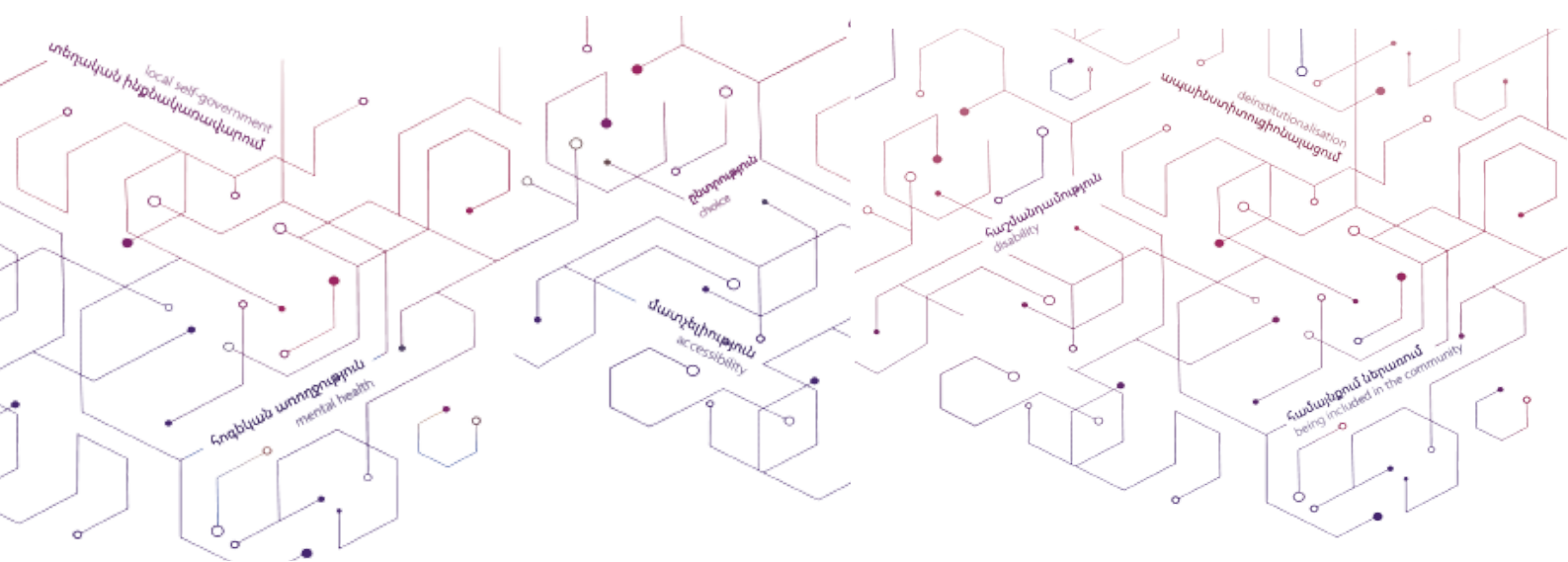
The 4 group homes are as follows: 3 group homes of the "Jermik Ankyun" Foundation (Masis community of Ararat province, Abovyan community of Kotayk province, Yerevan city) and the group home of "Khnamk" NGO (Spitak community of Lori province).

WHY WERE GROUP HOMES EMPHASIZED?

Group homes in Armenia are considered a new model of providing social services and in the context of the emerging deinstitutionalization in the sector, they are considered as an alternative to care and psychiatric institutional facilities. In order for the group home not to turn into an institutional facility, and not to limit the possibility of realization of individuals' rights and freedoms, the ultimate goal should be inclusion of the individuals in the community and promotion of opportunities for independent living. On the one hand, this goal should be placed at the core of the functions of the group home as a community-based model of providing social services, and on the other hand, it should be at the core of activities of local self-government bodies and introduction of other community services.
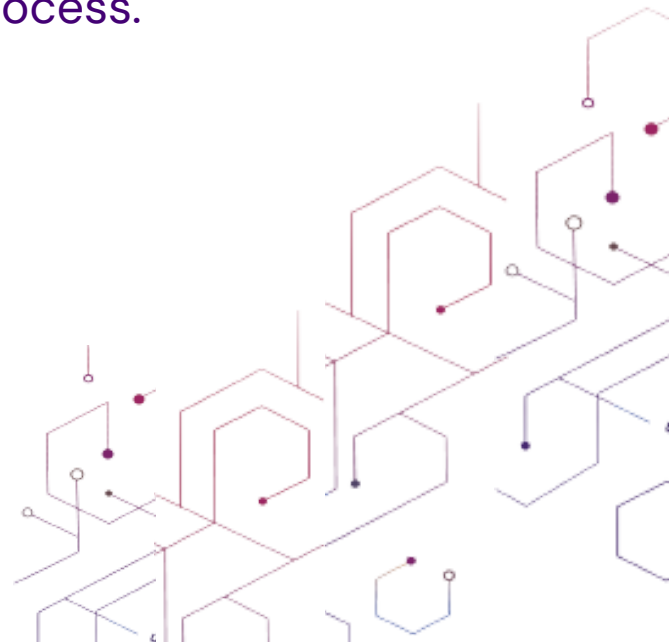
IDENTIFIED ISSUES AND SUGGESTIONS

The report highlights the systemic, legal and practical issues that hinder the participation of persons with mental health conditions in the community decision-making process.

ISSUES IN LEGAL REGULATIONS AND AT THE SYSTEM LEVEL

- The Law of the Republic of Armenia on Local Self-Government does not define a clear scope of responsibilities of local self-government bodies in promoting participation of persons with disabilities in the public life of the community.
- Although the Law on the Rights of Persons with Disabilities defines a broad range of responsibilities for the local self-government bodies, effective mechanisms for the enforcement of the law are actually missing.
- The domestic legislation has not abandoned the institution of incapacity and the relevant procedures that violate fundamental human rights.
- The problematic practice of directors of facilities becoming guardians of a person recognized as incapable continues to be widespread, further increasing the dependence of the persons on the facility.
- The official websites of LSGBs and the information published there are not accessible for persons with disabilities, persons with mental health conditions.
- The LSGB premises that were subject of the study are partially accessible for persons with disabilities.
- There are no educational opportunities, like offline or online courses, in accessible formats for those who express a desire to acquire knowledge (some of the residents of group homes are illiterate, and although they express a desire to develop their educational capacities, no relevant courses are envisaged at the state level).
- During elections, information, as well as ballot papers, are not accessible to those who have reading difficulties.

- Local self-government bodies do not implement disaster risk reduction and population protection and civil protection measures in emergency situations. No active measures are taken to make various strategies and action plans developed by LSGBs available and accessible.
- In some communities, there is no cooperation between local governments and group homes, and even when there is cooperation, it is not of an institutional nature.
- Procedures for participation of persons in local self-government are either not posted on the official websites of the communities, or are posted in an inaccessible format.
- Some group homes do not have the technical means to access the Internet for the information they need.
- The need to have computer literacy courses is the one mentioned most by the residents of one of the group homes.
- In group homes, most residents' passports are kept in a separate location.
- The residents have lack of awareness about community decision-making, the activities of LSGBs, opportunities for inclusion and participation in the process.

SUGGESTIONS TO THE GOVERNMENT & SECTORAL MINISTRIES

- Develop mechanisms for the enforcement of the procedures provided by the Law on the Rights of Persons with Disabilities aimed at ensuring the performance of responsibilities of local self-government bodies.
- Cooperate with the local government to support raising awareness of the rights of persons with disabilities and preventing disability discrimination.
- Revise the legal regulations referring to the institution of incapacity, abandoning the approach of recognizing a person with mental health problems as totally incapacitated.
- Abandon practices that encourage giving a "guardian" status to group homes before systemic changes are introduced in the institution of incapacity.
- Develop inter-agency and intersectoral cooperation, cooperation between the Ministry of Labor and Social Affairs and local self-government bodies.
- Review the accessibility of the entire election process, including that of ballot papers.
- Develop alternative online courses based on cooperation between the Ministry of Labor and Social Affairs and the Ministry of Education, Science, Culture and Sport, ensuring the accessibility of these courses, which can be used by adults who wish to become literate or develop respective knowledge.
- Make activities aimed at developing literacy and professional interventions, discussions related to rights and liberties, the community a requirement in the grant programs provided to group homes and in monitoring indicators.

SUGGESTIONS TO TO LOCAL SELF-GOVERNMENT BODIES

- Make the implementation of comprehensive actions aimed at promoting the participation of the community of persons with disabilities in public life an issue on the agenda.
- Discuss the perspectives of cooperation with group homes, establish systemic mechanisms of cooperation, including studying the viewpoints of residents of group homes and discussion of suggestions, based on which the actions will be implemented.
- Discuss issues related to disaster risk reduction and ensuring sensitivity to the needs of persons with disabilities during the design and implementation of measures for the protection of the population and civil protection in emergency situations, take steps to ensure compliance. Implement these measures for all residents of the community, including residents of group homes, like raising issues related to shelters, developing and implementing joint solutions.
- Discuss and implement efficient mechanisms for ensuring accessibility of information for the residents of the community.
- Hold awareness meetings both offline and through online platforms, using accessible communication methods.
- Ensure sign language interpretation of broadcasted meetings of the community council, availability of subtitles, presentation of information in audio-visual format by summarizing the main points of the discussed issues, and minutes of community council meetings.
- Post the procedure of persons' participation in local self-government in a text version, in accessible formats, in a visible place on the website.
- Take active steps to improve the physical accessibility of the entire area covered by the local government.

SUGGESTIONS TO GROUP HOMES

- Make the community-related discussions continuous and regular.
- Plan for the implementation of activities aimed at literacy development (use of alternative educational formats) as one of the directions of professional intervention.
- Organize computer literacy courses (or collaborate with other governmental and non-governmental organizations in the community, where residents can develop relevant knowledge and skills). If possible, ensure repair of computers or acquisition of new ones.
- Explain the importance of keeping the passport to the residents through awareness-raising meetings, return the passports to the residents and develop the relevant knowledge and capacities of the residents.
- Develop cooperation with human rights protection groups and organizations.

The report can become a starting point for discussions on the subject, bring forward new research questions, as well as emphasize the importance of studying some issues more deeply, and perhaps also serve as a basis for new research.

The issues raised and suggestions for their solution are presented in more detail in the Armenian version of the report.

for Armenian version, please scan the QR code