EMPLOYMENT OF PERSONS WITH DISABILITIES IN THE REPUBLIC OF SERBIA

2012

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Dear readers,
The planning and project implementation are based on the guidelines and recommendations of the two global initiatives – ‘Making it Work – MIW’ and ‘Disability Rights Promotion International – D.R.P.I.’. Recommendations and guidelines of these initiatives were used for the purpose of making reports for 2011 and 2012 and enabled greater involvement of persons with disabilities and organisations and active role policy making and monitoring of implementation of legislative framework.

MIW adopts a more ‘bottom up’ approach. By collecting the local examples of innovative practices that have had a positive impact on the lives of persons with disabilities, it is possible to make positive, specific recommendations to the government on how to develop inclusive policies. Therefore, the aim is to develop MIW projects that would make a direct connection between the Convention on the Rights of Persons with Disabilities and the lives of persons with disabilities. This means learning what has worked on the ground – then replicating and scaling-up: from good practice to good policy.

D.R.P.I. adopts a holistic approach to monitoring disability rights, focusing on finding the facts in three key areas: Individual experiences of persons with disabilities, Systemic measures taken to protect and promote disability rights, and Media depictions and coverage of disability issues. The activities in the area of disability rights monitoring also include informing the government representatives and other stakeholders of the measures taken by disabled people’s organisations to improve general human rights situation of persons with disabilities.

In partnership with the local disabled people’s organisations, we have worked to build the capacity of persons with disabilities in the field of monitoring the implementation of laws, with the focus on the Law on Professional Rehabilitation and Employment of Persons with Disabilities. Persons with disabilities and their representative organisations play a key role in the monitoring of the implementation of this law.

The part of the report that presents statistical data obtained from the National Employment Service uses official terms to refer to persons with disabilities which stem from the medical model of disability and which are, unfortunately, still in use in the official statistics. This outdated terminology is inconsistent with the views and principles of COD, its partner organisations, and the UN Convention on the Rights of Persons with Disabilities itself, which was ratified by the Republic of Serbia.

Goran Lončar
President
Center for Society Orientation – COD
### ABBREVIATIONS AND ACRONYMS

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Full Form</th>
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<tr>
<td>DRPI</td>
<td>Disability Rights Promotion International</td>
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<tr>
<td>EU</td>
<td>European Union</td>
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<td>ECHR</td>
<td>European Convention for the Protection of Human Rights and Fundamental Freedoms</td>
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<tr>
<td>ECOSOC</td>
<td>UN Economic and Social Council</td>
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<td>ECSR</td>
<td>European Committee of Social Rights</td>
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<tr>
<td>ECHR</td>
<td>European Court of Human Rights in Strasbourg</td>
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<td>MREPWD</td>
<td>Mandatory report on employment of persons with disabilities</td>
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<td>PSC</td>
<td>Public utility company</td>
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<tr>
<td>CESCER</td>
<td>UN Committee on Economic, Social and Cultural Rights</td>
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<td>MIW</td>
<td>Making it Work</td>
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<td>PDD</td>
<td>Persons with developmental disabilities</td>
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<td>ILO</td>
<td>International Labour Organisation</td>
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<td>NES</td>
<td>National Employment Service</td>
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<td>DPO</td>
<td>Disabled people's organisation</td>
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<td>PWD</td>
<td>Persons with disabilities</td>
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<td>PDI</td>
<td>Pension and disability insurance</td>
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<tr>
<td>RESC</td>
<td>Revised European Social Charter</td>
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<td>RS</td>
<td>Republic of Serbia</td>
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<td>PDIFRS</td>
<td>Pension and Disability Insurance Fund of the Republic of Serbia</td>
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<tr>
<td>CoE</td>
<td>Council of Europe</td>
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<td>EL</td>
<td>Educational level</td>
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<td>WHO</td>
<td>World Health Organisation</td>
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<td>UN</td>
<td>United Nations</td>
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<tr>
<td>LPREPWD</td>
<td>Law on Professional Rehabilitation and Employment of Persons with Disabilities</td>
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INTRODUCTION

The development of the human rights based model found its basis in international documents which did not specifically point to the rights of persons with disabilities, but did relate to them. Thus the first article of the *Universal Declaration of Human Rights*¹ states: 'All human beings are born free and equal in dignity and rights'. Accordingly, every society should aim to ensure that persons with disabilities exercise their human rights - civil, economic, political, social, and cultural. The Declaration also states that everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.

Employment is one of the most powerful mechanisms for achieving social inclusion of marginalised groups. The issue of employment of persons with disabilities is a major one when it comes to their status, as the employment is a way toward greater social inclusion, a source of income, which contributes to greater independence of persons with disabilities. A disability is one of the factors that can cause social exclusion and poverty. The main reason for the phenomenon of social exclusion, as well as the emergence of poverty, lies in the fact that persons with disabilities are underestimated as employees and active participants in the society. Therefore, the employment is a very important aspect of social inclusion of persons with disabilities. It is the *Madrid Declaration*² that emphasises the employment as a key for social inclusion, whereby the employment of persons with disabilities in the mainstream labour market is seen as one of the major ways to combat social exclusion and promote their independent living and dignity.

Previously, children with disabilities entered the educational system through the so-called Categorisation Commissions, which aimed to establish medical diagnosis and recommend special educational programme in order to ‘fix’ the disability; so the children have mainly been referred to special schools. With the enactment of the *Law on Fundamentals of the System of Education and Upbringing*³ conditions were created to facilitate, through systemic and institutional support, the successful inclusion of every child in the educational process. Thus, one of the major activities was the passing of the *Regulation on additional educational, health and social support for children and students*⁴, which provided for termination of the Commissions for categorisation of children with developmental disabilities and formation of new intersectoral commissions. These commissions are in charge of assessing the needs of each child for additional support, which should provide conditions for their development, learning and equal participation in the life of the community.

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¹ *Universal Declaration of Human Rights*, adopted and proclaimed by UN General Assembly Resolution 217 (III) of 10 December 1948
³ 'Official Gazette of the Republic of Serbia', No 72/2009
⁴ 'Official Gazette of the Republic of Serbia', No 63/2010
Social barriers in Serbia include:

- Prejudices and stereotypes – attitudes formed without sufficiently objective and relevant information, without knowledge of disability issues; with belief that all persons with disabilities are the same, completely dependent on others, and that they do not have the same interests and needs;
- Non-acceptance of disability – on individual, family and society levels; avoiding talking about disability; lack of social conditions for independent living of persons with disabilities (architectural barriers, underemployment, etc.);
- Disrespect of human rights – creating ghettos of persons with disabilities should be avoided - they should rather be integrated into regular kindergartens, schools and other institutions;
- Language of disability – different languages use different terms to denote ‘disability’, but what they have in common is that they are generally inappropriate and discriminatory in relation to the person with disability, because they place emphasis on the ‘problem’ rather than the person.

‘Social barriers are the cause of many misunderstandings in communication, isolation of persons with disabilities and the whole family from the community.’

Nevertheless, great progress has been made in the field of recognition of the status and rights of persons with disabilities, mainly through various projects of international and local NGOs, but also through the involvement of the government sector. Most of the changes and reforms carried out in the area of disability in our country were initiated by local civil non-governmental sector, but it should be noted that these projects have also been largely supported by national and local authorities. Some of the most important projects certainly include the enactment of the Law on Prevention of Discrimination of Persons with Disabilities and the Law on Professional Rehabilitation and Employment of Persons with Disabilities; the reform of the Commissions for categorisation of children with intellectual disabilities; pilot project Personal Assistants Service as an alternative form of support to persons with disabilities; adapted transportation of persons with disabilities in specially adapted vans; and many other initiatives and examples of good practice.

**Structure of the Report**

The Report ‘Employment of Persons with Disabilities in the Republic of Serbia’ was produced within the framework of the project ‘Promotion of Inclusive Labour Market for Persons with Disabilities in the Republic of Serbia’, which is implemented by Center for Society Orientation – COD in partnership with Belgrade Centre for Human Rights and coalitions of disabled people’s organisations, and funded by the Delegation of the European Union to the Republic of Serbia. The project is focused on monitoring in the field of labour and employment of persons with disabilities, through the creation of a national mechanism for monitoring the rights of persons with disabilities, implementation of national legislation and UN Convention on Rights of Persons with Disabilities at the local level. The main goal of the project is to contribute to the promotion of human rights of persons with disabilities and quality of their involvement in social processes, in order to increase the opportunities for employment and inclusion of these persons in the society. An essential element of social inclusion of persons with disabilities is, undoubtedly, the field of labour and equal

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employment opportunities, the increase of which on the other hand, indicates the willingness of the society to appropriately treat the problem of marginalisation in this field, which was the major obstacle to creating equal opportunities for all.

**Part I** of the Report provides an overview of monitoring reports of local coalitions of disabled people’s organisations in the Republic of Serbia on monitoring the employment of persons with disabilities. The reports of local DPOs from 8 municipalities covered by the project give, in fact, an overview of how the Law on Professional Rehabilitation and Employment of Persons with Disabilities is applied at the local level. As an important section of this part, we must highlight personal stories of persons with disabilities about their experiences with employment, as well as recommendations of local organisations on how to solve problems in the field of employment of persons with disabilities, which are identified in these local reports.

**Part II** of the Report, entitled (Im)possibilities and limitations of inclusive labour market covers issues of deprivation of legal capacity which causes great discussions and debates among experts. It presents legislation governing this area and recommendations for improvement of the situation. In addition, this section deals with the issue of work capacity assessment, challenges and experiences from the practice. Furthermore, the Republic Association of Serbia for Helping People with Autism presented its view in the field of legal capacity, and at the end, a case study from the practice of the company for professional rehabilitation and employment of persons with disabilities ‘Kosmos’ was presented.

**Part III** looks at social services as a support for employment of persons with disabilities, which main aim is self-determination and participation of persons with disabilities in the society and access to mainstream services in the community. It also includes important recommendations and measures to be taken in the field of support services to increase the number of persons with disabilities having access to work.

**Part IV** of the report describes an impact of the media on the creation of societal attitudes in the field of labour and employment as an integral part of the holistic reporting on the rights of persons with disabilities. It actually describes methodological approach based on holistic reporting, where media presents an integral part of the comprehensive monitoring of rights of persons with disabilities. Also, this section includes recommendations for improving the reporting on the employment of persons with disabilities in the media.

**Part V** presents systemic monitoring and deals with the legislative regulations. Given that in the last year’s report international and national legal frameworks were analysed in detail, this year’s report focuses on bylaws, necessary for the implementation of the laws. Also, documents of political parties concerning the employment of persons with disabilities were analysed, in addition to the review of local action planning as a tool for equalization of opportunities of persons with disabilities and their active involvement in the development of inclusive local policies.

**Part VI** deals with the experiences of persons with disabilities and employers on the open labour market from the perspective of the National Employment Service. Also, this section
contains individual stories of persons with disabilities at the local level who were interviewed for the purpose of data collection on the field, i.e. actual experiences of persons with disabilities from various communities in the Republic.

**Part VII** deals with the issue of collecting the statistical data on disability, problems we encounter and challenges that are ahead of us. Also, this section contains the information on budget fund for professional rehabilitation and incentives for the employment of persons with disabilities, along with the tables of payments for professional rehabilitation for 2011 and 2012. At the end, in the annex, there are given the statistical data on persons with disabilities registered with the National Employment Service both at local and the national level.

**Methodology**

The subject of this report is to give an overview regarding the employment of persons with disabilities at the local level in the Republic of Serbia. One of the more important parts of the overview are reports from municipalities covered by the project ‘Promotion of Open Labour Market for Persons with Disabilities in the Republic of Serbia’, which include the municipalities of: Novi Kneževac, Smederevo, Smederevska Palanka, Velika Plana, Aleksandrovac, Majdanpek, Užice and Vranje. The reports presented herein cover the period January-September 2012.

The aim of this report is firstly to analyse the existing legislative framework governing the employment of persons with disabilities, i.e. the international instruments and domestic legislation in Serbia. Secondly, to provide, based on reports produced by local DPOs in 8 municipalities, an overview of the current situation in Serbia regarding the employment of persons with disabilities, with special emphasis on the implementation of the Law on Professional Rehabilitation and Employment of Persons with Disabilities. In addition, based on the analysis of media reporting on the employment of persons with disabilities, an overview of how the topic of employment of persons with disabilities is treated in Serbian media was made.

In the research, a holistic approach to monitoring the rights of persons with disabilities was applied. This is the approach used by *Disability Rights Promotion International*\(^6\) and is based on observing issues that are important to persons with disabilities and impact their human rights. It focuses on finding the facts in three key areas:

1. Individual experiences of persons with disabilities;
2. Systemic measures taken to protect and promote disability rights (laws, policies, programmes), and what happens in legal cases;
3. Media depictions and coverage of disability.

DRPI monitoring is unique due to different approaches, since it:

- Uses a **holistic approach** (monitors disability rights in several ways, and then assembles the information);

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\(^6\) Disability Rights Promotion International (DRPI) is an international collaborative project advocating for building global capacities to monitor the human rights of persons with disabilities; developed and implemented by York University in Toronto, Canada, and supported by Swedish International Development Cooperation Agency (SIDA)
- Engages persons with disabilities to lead monitoring;
- Takes into account the human rights principles when assessing specific rights;
- Recognises that human rights monitoring is a continuous, long-term process.

Monitoring the situation in these areas is extremely important for raising the awareness of discrimination on the grounds of disability and reducing the negative impact it has on the lives of persons with disabilities. The facts in each of the three key areas provide one piece of the story, but when combined, they provide a more complete picture of disability-based discrimination.

Each of the focus area of disability rights monitoring – individual experiences, systems, and societal attitudes – provides important information on human rights situation faced by persons with disabilities. The holistic approach that monitors the three focus areas individually, and then brings together all findings, provides a better insight into the human rights situation of persons with disabilities. It also allows understanding how different problems affect each other. This approach recognises that discrimination and isolation of persons with disabilities are complex, widespread and often ignored.

By using five general principles contained in the UN Convention on the Rights of Persons with Disabilities, guidance is provided on how each right should be understood and realised. The five general human rights principles are: dignity; autonomy; participation, inclusion and accessibility; non-discrimination and equality; respect for difference.

Instead of simply collecting the information on which services are accessible to persons with disabilities in one country, or what promises the state has made to persons with disabilities, the five principles provide a clear way of measuring whether the rights have been observed and appropriately realised. They allow people conducting the monitoring activity to record not only whether the service was provided, but also in which way it was done. For example, not only to record whether a person has a secure job, but look further to see whether the person with disability can independently perform duties in accordance with the requirements of the position (respecting autonomy) and whether the working unit meets the necessary requirements for performing work assignments (respecting dignity). The general principles of human rights also provide general benchmarks for comparing and contrasting the developments in different municipalities in the Republic of Serbia.

In addition, we have also applied a participatory approach during the report formulation process and data collection. Participants who collected data and participated in drafting of the report were in fact various stakeholders with relevant roles in the field of employment of persons with disabilities: persons with disabilities, disabled people’s organisations, parents’ organisations, expert NGOs, representatives of relevant public authorities, employers. The idea was to objectively present the issues regarding the employment of persons with disabilities from the perspective of each of the relevant stakeholders.

Local disabled people’s organisations from 8 municipalities covered by the project were assigned the task of providing an overview of the development of monitoring capacities, i.e. capacities to monitor the implementation of the Law on Professional Rehabilitation and Employment of Persons with Disabilities at the local level. In addition, within the monitoring activity, it was necessary to highlight problems (i.e. recommendations for improving the situation in the sphere of employment) faced by persons with disabilities in the sphere of employment at the local level. For the purposes of the report, it was necessary to collaborate with relevant stakeholders and institutions important to the field of employment: the National Employment Service and its offices at the local level, local centres for social work, local
media, local government, disabled people’s organisations, etc.

Statistical data used in this report were obtained from the National Employment Service and its local offices. These include the data on the number of persons with disabilities at the local level, by criteria of age and level of education (qualifications). In addition to these data, local offices also provided data on the number of newly employed persons with disabilities relating to the period from January 2011 onwards (i.e. the number of those employed in the period after the Law on Professional Rehabilitation and Employment of Persons with Disabilities became applicable).

Another method used to collect information on employment situation of persons with disabilities was a Request for access to information of public importance. The requests were mostly submitted to public companies and firms - both those legally obliged to employ persons with disabilities and those institutions exempt from such an obligation. The data on the number of persons with disabilities employed in a certain company mostly related to whether the company complied with its legal obligation or paid penalties for non-compliance (total number of employees of the company, the number of employees with disabilities, the type and/or category of disability, whether those are persons who were assessed for their work capacity, or had already worked in the company before, or are the persons who had no previous working engagement in general or in that company).

Information on problems associated with the sphere of employment was obtained directly from persons with disabilities, but also institutions/companies, in the form of concrete individual stories or opinions which are included in local organisations’ reports.

Finally, local disabled people’s organisations provided certain recommendations for solving problems defined in their reports.
This part of the report seeks to provide an overview regarding the employment of persons with disabilities at the local level in the Republic of Serbia. The overview contains local monitoring reports from municipalities covered by the project ‘Promotion of Open Labour Market for Persons with Disabilities in the Republic of Serbia’, including: Novi Kneževac, Smederevo, Smederevska Palanka, Velika Plana, Aleksandrovac, Majdanpek, Užice and Vranje. These monitoring reports cover the period from January to October 2012, but also give comparison in relation to the report from the previous year.

The aim of this year’s report was to analyse current situation in Serbia regarding the employment of persons with disabilities, with special emphasis on the implementation of the Law on Professional Rehabilitation and Employment of Persons with Disabilities. At the local level, a coalition of eight organisations participated in the creation of this report.

Statistical data used in this report were obtained from the National Employment Service and its local offices. These include data on the number of persons with disabilities at the local level by age and level of education (qualifications). In addition to these data, local offices also provided data on the number of newly employed persons with disabilities relating to the period from January 2012.

The information on employment of persons with disabilities was also collected from public companies. The data on the number of persons with disabilities employed in a certain company mostly related to whether the company complied with its legal obligation or paid penalties for non-compliance (total number of employees of the company, the number of employees with disabilities and the type of disability and/or category, whether those are persons who were assessed for their work capacity, or had already worked in the company before, or are the persons who had no previous working engagement in general or in that company).

In addition to breakdowns and statistical indicators for employed persons with disabilities, it was also necessary to define problems facing persons with disabilities in the field of employment and, therefore, the implementation of the Law on Professional Rehabilitation and Employment of Persons with Disabilities. Information on problems associated with the sphere of employment was obtained directly from persons with disabilities, but also institutions/companies, in the form of concrete individual stories or opinions which are included in local organisations’ reports.

Furthermore, during the data collection process, local organisations used access to information requests to obtain relevant data from appropriate institutions and public companies.

Finally, local disabled people’s organisations provided certain recommendations for solving problems defined in their reports.
The purpose of the Law on Professional Rehabilitation and Employment of Persons with Disabilities, which entered into force at the end of May 2010, was to enable faster and easier employment of disabled persons of working age. Apart from getting the job, they would feel useful members of the community, which is equally important as the existence itself. We remind you that Articles 24 and 29 of the Law on Professional Rehabilitation and Employment of Persons with Disabilities clearly define all obligations of the employers. Practical implementation of this law on the territory of the city of Vranje in the period September 2011 – September 2012 is the issue of this report.

Acting in accordance with the Law on Free Access to Information of Public Importance and in order to collect data on the number of employed citizens with disabilities, we submitted a request for the access to information of public importance to more than 20 public companies and institutions, as well as private and social enterprises in Vranje. The deadline for the feedback was 20 days after submitting the request and by the time of writing this report only 7 responses were received.

PC ‘Vodovod’ (Water Supply) Vranje, as they have confirmed, comply with all obligations stipulated in the Law on Professional Rehabilitation and Employment of Persons with Disabilities and regularly submits data on the prescribed form to the Tax Administration of the Ministry of Finance in Vranje. This company employs 230 people, of which 7 are persons with disabilities. They are mainly persons with physical disabilities and they are assigned to exercise the lighter auxiliary jobs, such as water meter reading, carrying mail or the second shift attendance. They are not paying penalties, as they submit the data in the prescribed form to the Tax Administration every fifth in the month. Their experiences with the fellow citizens with disabilities in terms of work performance are good, although they record individual cases of frequent sick leave. In the period September 2011 – September 2012, they didn’t employ any person with disability.

The Branch of the Republic PDI Fund in Vranje employs 52 people on a permanent basis, among whom none of the employees are persons with disabilities. The Branch is one of the organisational units, working within the Republic PDI Fund with the head office in Belgrade, and in accordance with the law, it has a capacity of a legal entity.

The response from the Institute of Public Health Vranje was that this institution is an indirect budget beneficiary and therefore has no obligation to employ persons with disabilities. We have also received opinions on this issue from the relevant ministries, as the budget funds for the institution performance are allocated, and the number of employees that can be employed in the course of one year is determined according to the staffing plan.
The Health Centre Vranje employs 1,621 people and also has no obligation to employ persons with disabilities. Since May 2008, this institution has employed one person with disability – a laboratory technician with the fourth level of education. In the meantime there was no additional employment of fellow citizens with disabilities.

Primary school ‘Branko Radičević’ in Vranje has 58 employees, of which one is a person with hearing impairment. This person got permanent employment in 2007 and performs job as an auxiliary worker. In the period covered by this report, there were no employments of new persons with disabilities.

JSC ‘Simpo’ Vranje responded that, compared to the data from the previous report, there are changes in the number of employees in the parent company ‘Simpo’. We recall that at the time of the previous report, the number of employees was 2,934 of which 76 were disabled workers. This parent company now employs 2,913 workers of which 73 have the status of disabled workers.

As a result of the public work programmes for persons with disabilities, Library ‘Bora Stanković’ from Vranje hired 15 persons on the period of 5 months. Considering that this facility doesn’t have an elevator because there are no technical possibilities, the opportunity to work was given to the persons with milder forms of disabilities. They were employed on copy machines, arranging and classifying books and their digitalisation. Their engagement started in May and will last until October.

Also, through the public works programmes, the Historical Archive engaged three persons with disabilities on the period of 6 months. Their job is archival processing.

Since July 2011, Centre for Social Work in Vranje employed one person with disability as a computer technician.

In October 2011, the newly established club for persons with disabilities in Vranje also employed one person with physical disability with permanent employment contract.

Even though a request was sent on time and in accordance with the law, responses were not received from the Directorate for Development and Construction of the City of Vranje, Electric Power Distribution Vranje, ‘Novi Dom’, ‘Komrad’, Telekom, Post Office, City Administration and the Branch of the Republic Health and Social Insurance Fund in Vranje. Also, responses were not obtained from the socially owned enterprises ‘Yumco’ and ‘Alfa-plam’, nor from privately-owned companies ‘Dona Lajn’, ‘Sanč’, ‘Amoreti’, ‘Asteh’, ‘Novotex’ and ‘Neša voće’. Our findings are that some of these companies among their employees have persons with hearing impairment, however, the reason they did not respond is unknown.

In search of a job, persons with disabilities face different kind of obstacles. The key issue is the prejudices that prevail against them. Experience shows that the attitude of the community towards disability, that is evident, is not encouraging. For that reason, it is necessary to work on raising the awareness of employers and their education in terms of becoming familiar with capabilities and needs of persons with disabilities, with the aim of breaking down prejudices that persons with disabilities cannot adequately perform certain jobs.

On the other hand, the education of persons with disabilities with the possibility of additional training and retraining for profiles, i.e. occupations for which there is a market demand or interest of employers is very important.

Local self-government also has an obligation to get involved in solving the problem of employment of fellow citizens with disabilities by employing more persons with disabilities and by giving the example influence on other relevant institutions and companies to follow their model. New investors, who decide to do business and create new jobs could be
encouraged by the local self-government to employ persons with disabilities through certain benefits (incentives), such as assignment of urban construction land.

Local newspapers ‘Vranjske’ in the number 814, in their supplement ‘Bridge’ (‘Most’), dedicated to persons with disabilities, published a text entitled ‘Local self-government without interest’ that conveyed conclusions from the round table in Vranje which topic was employment of persons with disabilities at the local level. The author of the text is a person with disability.
MONITORING EMPLOYMENT OF PERSONS WITH DISABILITIES
AT THE LOCAL LEVEL

THE CITY OF UŽICE

Association of Dystrophy Disabled Persons of Zlatibor District - Užice

In 2011, within the project ‘Promotion of open labour market for persons with disabilities in the Republic of Serbia’ a coalition of disabled people’s organisations of Užice conducted a study about the employment of persons with disabilities in the public companies in Užice. The obtained data clearly showed that public companies did not employ persons with disabilities registered with the National Employment Service. Compared to this year’s survey, the situation has not changed significantly. PUC ‘Duboko’ is the only public company which employed a person with disability in the past year.

According to the data of the National Employment Service, compared with the last year’s survey in the city of Užice, 79 persons with disabilities are employed with permanent and fixed-term contracts, while many of them are hired through the public work programmes for persons with disabilities. Also, the efficient operation of the Commission for the assessment of work capacity continued in 2012.

As the last year we did the analyses of the situation in public companies, this year’s survey was conducted in small and medium enterprises of the city of Užice. The survey was conducted in the form of questionnaires that were sent to fifteen e-mail addresses, but unlike the previous year, the situation for obtaining required information was not so favourable, since only one company responded. This may be because the survey was not mandatory as it is with the request for the access to information of public interest, but also because of the lack of interest of companies to respond to questions and to collaborate with disabled people’s organisations.

From the National Employment Service we received the data that some of these companies have employed one or more persons with disabilities.

During the survey, we came to the information that neither public nor private companies have concluded a cooperation agreement with the Company for professional rehabilitation and employment of persons with disabilities ‘Budućnost’, the only company of that type in Užice.

With the aim to find out whether employers fulfil their legal obligation of employing persons with disabilities or whether there are employers who pay penalties for failure to enforce the Law on Professional Rehabilitation and Employment of Persons with Disabilities, we contacted the Tax Administration of Užice and received information that such data is available only to the court or individual who is in litigation. In case of organisation, such as ours, a request can be sent to the Branch which will then forward it to its main office – service for public relations, but such process would take some time. According to the officer

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in charge, there were entrepreneurs who paid penalties and the Tax Administration takes care of controlling the employment of persons with disabilities. Compared to last year, problems with hiring persons with disabilities remained the same - low level of education, prejudices, as well as the large number of unemployed what is considered to be a problem of entire population. The conclusion from many conferences, public debates and panel discussions is that one of the biggest problems of the large number of unemployed persons with disabilities is that employers would rather pay penalties than employ a person with disability. From the beginning of the implementation of the Law on Professional Rehabilitation and Employment of Persons with Disabilities, the employers have realised that is much easier and more economical to pay penalties than to employ a person with disability. The role of the media in informing and promoting the employment of persons with disabilities is very important. The media always respond to the calls to follow the activities of the organisations on this issue, but what is missing is an investigative journalism, i.e. that the media themselves take the initiative to make a contribution, a show on this topic. As for the previous year’s guidelines for solving this problem, the results were not significant, mainly because of the indifference of the relevant stakeholders who always refer to the crises and recession, which must not be considered an obstacle to the greater involvement of persons with disabilities on the labour market. A guideline from the previous report, which relates to the retraining and additional training, is a very important part that should be affected in order to improve level of education of persons with disabilities. One of the recommendations is joint cooperation of disabled people's organisations, the National Employment Service and employers on creation and launching of useful programmes of retraining and training of persons with disabilities, because such programmes are few. Also, recommendations that would have positive influence on decreasing unemployment of persons with disabilities are as follows:

- Strengthening capacities of disabled people’s organisations to develop social entrepreneurship as a very useful form of employment of persons with disabilities and their retraining;
- Amending related laws, give specific regulation greater incentives for employers to employ this group of population. It will be advisable for the local self-government to have such incentives as well;
- Put a pressure on local governments, public companies and institutions to implement the law and thus give positive example to private companies;
- Strengthening cooperation between disabled people’s organisations of the town/city and private sector;
- As regards to the public works for persons with disabilities, which have positive impact on employment, unfortunately they are short-term solutions for unemployment of persons with disabilities, and organisations should lobby the employers and the National Employment Service to find the way, after the end of programmes, to employ already engaged persons with disabilities in these institutions and companies.
Table presents a comparison of data for 2011 and 2012

<table>
<thead>
<tr>
<th>Data comparison</th>
<th>Number of persons with disabilities registered in NES</th>
<th>Number of employed persons with disabilities</th>
<th>Employed in the public enterprises</th>
<th>Hired through the public works</th>
<th>Submitted applications for work capacity assessment</th>
<th>Undergone through work capacity assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td>2011</td>
<td>102</td>
<td>11</td>
<td>0</td>
<td>34</td>
<td>201</td>
<td>166</td>
</tr>
<tr>
<td>2012</td>
<td>130</td>
<td>79</td>
<td>1</td>
<td>48</td>
<td>93</td>
<td>76</td>
</tr>
</tbody>
</table>

Data of the National Employment Services Branch Office Užice

According to the records of the National Employment Service – Užice Branch Office, in the period September 2011 – September 2012, there are 130 persons with disabilities

<table>
<thead>
<tr>
<th>Category</th>
<th>I</th>
<th>II</th>
<th>III</th>
<th>DWV</th>
<th>DPV</th>
<th>Disabled workers</th>
<th>Categorised PWDs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number</td>
<td>60</td>
<td>9</td>
<td>2</td>
<td>18</td>
<td>3</td>
<td>26</td>
<td>12</td>
</tr>
</tbody>
</table>

In the same period, 31 persons with disabilities with fixed-term and permanent contracts were hired

<table>
<thead>
<tr>
<th>Name of the employer who employed persons with disabilities</th>
<th>Number of employed persons with disabilities</th>
<th>Educational level</th>
<th>Type of disability</th>
<th>Type of contract</th>
<th>Type of work</th>
</tr>
</thead>
<tbody>
<tr>
<td>Centre for Social Work Užice</td>
<td>1</td>
<td>IV</td>
<td>WC assessment – 1st degree</td>
<td>Indefinite</td>
<td>Nurse in the Hole for Elderly</td>
</tr>
<tr>
<td>MPP Jedinstvo</td>
<td>1</td>
<td>/</td>
<td>/</td>
<td>/</td>
<td>/</td>
</tr>
<tr>
<td>PTP Terazije</td>
<td>1</td>
<td>I</td>
<td>WC assessment – 2nd degree</td>
<td>Indefinite</td>
<td>Maintaining business circle</td>
</tr>
<tr>
<td>Pantović doo, Užice</td>
<td>1</td>
<td>I</td>
<td>Categorised youth</td>
<td>Fixed-term</td>
<td>Sewer</td>
</tr>
<tr>
<td>TP Kvisko, Užice</td>
<td>1</td>
<td>IV</td>
<td>WC assessment – 1st degree</td>
<td>Fixed-term</td>
<td>A retail stock clerk</td>
</tr>
<tr>
<td>Impol Seval tehnika, Sevojno</td>
<td>1</td>
<td>IV</td>
<td>WC assessment – 1st degree</td>
<td>/</td>
<td>/</td>
</tr>
<tr>
<td>Hit Shop, Užice</td>
<td>1</td>
<td>IV</td>
<td>WC assessment – 1st degree</td>
<td>Fixed-term</td>
<td>Salesman</td>
</tr>
<tr>
<td>Fast food C est la vie, Užice</td>
<td>1</td>
<td>IV</td>
<td>WC assessment – 1st degree</td>
<td>Indefinite</td>
<td>Administrator</td>
</tr>
<tr>
<td>Zlatiborac</td>
<td>1</td>
<td>IV</td>
<td>Categorised persons</td>
<td>Fixed-term</td>
<td>Salesman</td>
</tr>
<tr>
<td>Roads</td>
<td>2</td>
<td>/</td>
<td>/</td>
<td>/</td>
<td>/</td>
</tr>
<tr>
<td>City Administration , Užice</td>
<td>1</td>
<td>/</td>
<td>/</td>
<td>/</td>
<td>/</td>
</tr>
<tr>
<td>MPP Jedinstvo</td>
<td>4</td>
<td>/</td>
<td>Prolongation of fixed-term contract</td>
<td>/</td>
<td>/</td>
</tr>
<tr>
<td>Jedinstvo metal processing</td>
<td>2</td>
<td>/</td>
<td>Prolongation of fixed-term contract</td>
<td>/</td>
<td>/</td>
</tr>
<tr>
<td>Prvi partizan , Užice</td>
<td>2</td>
<td>/</td>
<td>/</td>
<td>/</td>
<td>/</td>
</tr>
<tr>
<td>RPK Užice</td>
<td>1</td>
<td>VII</td>
<td>WC assessment – 1st degree</td>
<td>/</td>
<td>/</td>
</tr>
<tr>
<td>High technical school</td>
<td>1</td>
<td>/</td>
<td>/</td>
<td>/</td>
<td>/</td>
</tr>
<tr>
<td>PPTU Šopalović, Mačkat</td>
<td>1</td>
<td>/</td>
<td>/</td>
<td>/</td>
<td>/</td>
</tr>
<tr>
<td>Neoprojekt</td>
<td>1</td>
<td>/</td>
<td>/</td>
<td>/</td>
<td>/</td>
</tr>
<tr>
<td>Sekuritas Services</td>
<td>2</td>
<td>IV</td>
<td>WC assessment – 1st degree</td>
<td>Fixed-term</td>
<td>Guard</td>
</tr>
<tr>
<td>PUC Landfill Duboko</td>
<td>1</td>
<td>IV</td>
<td>WC assessment – 1st degree</td>
<td>Fixed-term</td>
<td>Bookkeeping</td>
</tr>
</tbody>
</table>
### Uni line doo
- WC assessment – 2nd degree
- Fixed-term
- Auxiliary worker

### In Print, Užice
- WC assessment – 1st degree
- Indefinite
- Cleaning jobs

### Blist, agency for maintaining and cleaning of business and residential areas
- WC assessment – 1st degree
- Indefinite
- Self-employed

### Children’s workshop ‘Skituljko’
- WC assessment – 1st degree
- Indefinite
- Self-employed

*For some companies, the NES has just the data on employment of a person with disability, but no other information*

### Within Public Works for persons with disabilities in 2012, 48 persons were engaged in the following work:

- **Historical Archive, Užice** – Arrangement of historical material - 8 persons with secondary education and 3 non-qualified
- **National Library of Užice** – ‘Culture for all’ - 5 persons with secondary education
- **Health Centre Užice** – Maintenance of the green areas in hospital area - 5 non-qualified persons
- **Health Centre Užice** – Let’s make the heath house more beautiful (Ulepšajmo kuću zdravlja) - 10 persons with the secondary education
- **Kindergarten Užice** – Maintenance of the green areas in the kindergarten facilities - 5 non-qualified persons and 1 person with university degree
- **Women’s Centre** – Textile collection and recycling to sustainable social services – 5 non-qualified persons
- **Centre for Social Work Užice** – Social inclusion – 1 person with secondary education
- **Centre for Social Work Užice** – Towards higher quality of institutional support of elderly through the work integration of PWDs – 1 non-qualified person and 1 person with secondary education
- **Regional Centre for Professional Development of Employees in Education** – Supporting the employment of PWDs - 1 person with secondary education
- **Association of Dystrophy Disabled Persons of Zlatibor District** – Creative Centre - 1 person with secondary education and 1 with the university degree

### Work Capacity Assessment Commissions

In the period September 2011 to September 1, 2012, 93 requests for the work capacity assessment were submitted. Out of this number, 33 came from persons who were in labour relationship, and 60 from unemployed persons. The number of persons undergone the assessment is 76.

<table>
<thead>
<tr>
<th>Category</th>
<th>0</th>
<th>I</th>
<th>II</th>
<th>III</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number</td>
<td>6</td>
<td>67</td>
<td>2</td>
<td>1</td>
</tr>
</tbody>
</table>

Of the total number of persons who underwent assessment, the following were categorised:
Association for Support to PDDs and Association of Persons with Paraplegia, Smederevo

There are 10,137 persons with disabilities, 4,740 young persons with a certain degree of disability and 4,282 disabled war veterans registered with the National Employment Service. This Service reports that in 2009, 10,198 persons with disabilities were included in the active employment measures.

Unfortunately, during 2012 in Smederevo, one of the larger industrial cities, there has been a reduction in the capacity of ‘Železara’ (former U. S. Steel Serbia), which significantly affected the quality of life for all citizens of our city. Smederevo Železara employs about 4,500 workers, and a large number of our fellow citizens directly or indirectly depend on its work. Difficult financial situation was visible everywhere and reflected on increasing of number of unemployed and thus deteriorated the situation of persons with disabilities in the open labour market.

This year, the National Employment Service organized again public works with the aim of employment, maintaining and improvement of work capacities of unemployed persons with disabilities, and achieving certain social interest. On these public works, persons with disabilities and/or personal assistants for providing personal assistance to persons with disabilities were employed. Public works were implemented in the following areas: social, humanitarian and cultural activities, maintenance and protection of the environment and nature as well as maintenance and renewal of public infrastructure.

For the area of Podunavljé district, the National Employment Service has approved eleven public works of which one in Smederevska Palanka, three in Velika Plana and seven public works in Smederevo. Through this measure of active employment policy, which improves work capacity of unemployed who have difficulties to find a job, a social interest in social, cultural and humanitarian areas have been achieved, and from the records of unemployed persons in Smederevo Branch, 41 persons were employed of which twelve persons with disabilities were hired in the City Union of Social and Humanitarian Organisations (CUSHO). As a result, the City Organisation of Deaf and Partially Hearing Persons – through the public works hired three persons with hearing impairment, CUSHO hired one person, also with hearing impairment, Sport and Recreation Association hired five physically disabled persons, while Organisation of Persons with Amputated Extremities hired three persons with disabilities. Other persons with disabilities were hired in the public companies (the Public Utility Company – 11, the City Sanitation – 10, the City Greenery – 8).

This year, at the end of March in the organisation of the National Employment Service – Smederevo Branch, and in cooperation with the local self-government in the lobby of the City Hall, it was implemented the first this year’s specialized job fair for persons with disabilities which received good media coverage, since the city of Smederevo can be proud of good cooperation with the media due to which the image of persons with disabilities has been
significantly improved. The aim of the event was to promote current active labour market measures for the category of less employable persons. Over 200 selected and invited persons with disabilities had the opportunity to look for a job and in indirect contact with 16 employers have an interview regarding their employment and submit prepared CVs. Employers have offered 90 vacancies for various occupations and educational levels. Positions were mainly in administration, trade, machinery or agriculture professions, as well as in social welfare and PTT Service. Also, it is worth mentioning that among present representatives of employers and participants of the fair, there were also associations and disabled people’s organisations from the entire Podunavlje region. Given the positive impressions people took from the fair, and according to the estimation of the employees from the Smederevo Branch, it is expected that the held event will have positive effect after a half-year follow-up. This specialized job fair showed that employers are not sufficiently sensitive and often uneducated, that are not aware of the possibilities of persons with disabilities and that there should be organized trainings which will help them to be informed about their possibilities. We hope that in the future the aspiration of employers to employ persons with disabilities will be more prominent and that they will be willing enough to invest certain funds in adaptation of space to create conditions suitable for persons with physical disabilities. Certainly, city administration should show understanding and on its own example provide equal opportunities for all and to employ certain number of persons with disabilities.

In September 2012 in Smederevo, a round table discussion on the employment of persons with disabilities was held, which brought together representatives of disabled people’s organisations, representatives of the city authority and employers. During the meeting, problems and recommendations for the improvement of the employment of persons with disabilities were listed:

- It is evident that compared to the period of education, problems regarding the employment of persons with disabilities increase. However, visible are problems associated with the start of inclusive education as well. In that sense, it is necessary to adapt the programme and it has to be designed on the principles of practical skills. For that reason, training of teachers is necessary;
- Assistive technologies, which facilitate persons with disabilities to function more easily in the work environment and in the everyday surrounding are poorly regulated and must be further improved. Also, support services are still not functional enough;
- Local self-government has an important role in the employment of persons with disabilities. In cooperation with disabled people’s organisations a Local Disability Action Plan for the city of Smederevo was made, which recognizes the employment of persons with disabilities as one of the major segments of improving lives of persons with disabilities. In addition to this significant role, local self-government should, through incentives, strengthen the employment of persons with disabilities, to be a link with the private sector;
- It is necessary to review a role of business centres for persons with disabilities, because they do not necessarily indicate segregation and it is necessary to adapt them to the principles of human rights.
There is a coalition of persons with disabilities in Smederevska Palanka. Since the establishment of the coalition to date, we have followed the issues, as well as the implementation of certain laws in the area of disability and we came to the conclusion that although laws are implemented, it is not sufficient enough to lead to the significant improvement of situation of persons with disabilities. In that respect, we note that certain city institutions and schools still have not solved problem of the accessibility of their facilities; also, it is observed that a big issue in schools is lack of personal assistants in teaching.

The existing daycare for the past 2 years records an increase in the number of users and we think that the families are beginning to realise the importance of providing these types of services to the persons with disabilities. In the afternoons, after the working hours of the daycare, the association members are carrying out various activities: workshops (creative, musical, etc.), toy library, psychological counselling, celebration of holidays and birthdays as well as preparation for the variety of other activities (excursions, exhibitions, etc.).

According to the data of all organisations in the coalition of persons with disabilities from the municipality of Smederevska Palanka, we came up to the following data:

- In 2012, total number of persons with disabilities who are members of some of the existing associations is 670, which represents 1.2% of the total population, with the information that there are persons with disabilities in the municipality who are not included in the society;

- According to the National Employment Service - Smederevska Palanka Branch, until 30th of September 2012, 98 persons with disabilities were registered, which represents 14.6% of the total number of persons with disabilities; from the recorded number, 47 of them declared fit to work, which represents 48% of the total number of registered with the National Employment Service;

- According to the data of the National Employment Service - Smederevska Palanka Branch, from 01.01.2012 until 30.09.2012, 13 persons with disabilities who declared fit to work were employed, which is 27.7%, in the following companies:

<table>
<thead>
<tr>
<th>Fixed-term employment contracts:</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public service company ‘Mikulja’</td>
<td>1</td>
</tr>
<tr>
<td>Goša ‘Solko’</td>
<td>2</td>
</tr>
<tr>
<td>Prometal</td>
<td>1</td>
</tr>
<tr>
<td>‘Petar Drapšin’ Mladenovac</td>
<td>1</td>
</tr>
<tr>
<td>Armor - Azanja</td>
<td>1</td>
</tr>
<tr>
<td>Megamarket</td>
<td>1</td>
</tr>
</tbody>
</table>
Goša ‘Solko’ d.o.o. in restructuring – a company for professional rehabilitation and employment of persons with disabilities from Smederevska Palanka provides services of professional rehabilitation for persons with disabilities through vocational training and different trainings, counselling, employment, etc. as well as sales programme based on the production of light metal constructions, utility equipment (disposal containers, market stalls, etc.), auto-campers and metal goods. According to the data provided by the Human Resources Department as of 2012, company employs a total of 113 persons, of which 57 are persons with disabilities; during 2012, 2 persons with disabilities were employed. Employees say that, beside problems related to their status of restructuring, there is a problem in the lack of support from the local self-government for the assignment of the tenders, unpaid utilities and electricity, etc.

- According to the records of the Centre for Social Work in Smederevska Palanka, there are 230 persons with disabilities who receive home care, which is about 34% of the total number of persons with disabilities on the territory of the municipality of Smederevska Palanka.

- A round table that we organized in September 2012 was covered by all local electronic media and it was broadcasted in their regular newscasts, but it did not provide us the details about any greater interest in the issues presented at the round table.

We note that in most public companies, as well in the local self-government there is not one person with disability employed and according to the unofficial information, they are not able to hire persons with disabilities.

According to the National Employment Service, by comparing data from 2011 and 2012, there is a slight increase in registered persons with disabilities, as well as the employed persons with disabilities in 2012. In our opinion among persons with disabilities the biggest problems to find employment have persons with intellectual disabilities.

Considering the law provisions and the current economic situation, none of the given recommendations from our side so far was received with understanding. Although we are aware that, as a municipality with financial problems and high unemployment rate, we do not have many opportunities for some great progress on the exercise of Rights of Persons with Disabilities in employment, as well as the human rights of persons with disabilities, we are still trying to raise the awareness of local businesses and the local self-government to do everything in their power to get involved in solving the problems associated with the employment of persons with disabilities.
Association of Persons with Cerebral and Infantile Palsy ‘Will to Live’ (‘Volja za životom’)

The municipality of Velika Plana is located in the Central Serbia. It belongs to Podunavlje district and occupies an administrative area of 345.49 square kilometres. It is mainly agricultural area and it consists of one town and 12 villages, with the population of 41,052 (unofficial data from the census in 2011).

According to the assessment of the Association ‘Will to live’, there are 3,284 persons with disabilities on the territory of Velika Plana municipality. However, there are no precise and valid data on their social status, type and level of disability. The only valid data come from the membership databases of disabled people’s organisations (Municipal organisation of deaf and persons with hearing impairments, 68 members, Municipal organisation of blind and partially sighted persons, 65 members, Association of Persons with Cerebral and Infantile Palsy ‘Will to Live’, 150 members) as well as from the Centre for Social Work which has the data on the number of care allowance beneficiaries.

For the purpose of obtaining data for the report, we were collecting the information from the relevant institutions which are important for the employment of persons with disabilities in our municipality, for the period of September 2011 – September 2012, which included: the National Employment Service, the Centre for Social Work, the Municipal Administration of Velika Plana, the Health Care Centre, the Municipal Organisation of Deaf and Persons with Hearing Impairments, the Municipal Organisation of Blind and Partially Sighted Persons, public companies (Public utility company ‘Miloš Mitrović’, Public company ‘Plana’ and ED Elektromorava – Velika Plana Unit), as well as private companies which are important for our municipality (Dairy plant ‘Plana’, D.O.O. ‘Milfarina’, Jugoprevoz Velika Plana, ‘DIS’ Market Velika Plana, D.O.O. ‘Superior’, ‘Raj fert’ Velika Plana, ‘Donić’ Wholesale, Livestock feed mill 'Sto posto’, Dairy plant ‘Markovac’).

For the data collection on the situation in the field of employment of persons with disabilities, it is used a request for the access to public information, which was sent out to the enterprises, both to those with an obligation to employ persons with disabilities and to the institutions that are not required by law to employ persons with disabilities.

According to the data of the National Employment Service, at the end of September 2012, there are 51 persons with disabilities of which 8 are women and 43 are men registered with the Velika Plana Branch. Level of education of persons with disabilities in the Branch of Velika Plana at the end of September 2012 is as follows: 26 persons including 4 women are with the first level of education, 6 persons including 1 woman with the second level of education, 9 persons, all men with the third level of education, 8 persons including 3 women are with the fourth level of education, 1 person – a man with the sixth level of education. There are no registered persons with disabilities with the seventh level of education. All persons registered are considered work-capable. By the end of September 2012, 12 persons,
of which 5 are women have been employed on the territory of Velika Plana.

The data refers to permanent and fixed-term contracts. This includes persons with disabilities employed in the public works with fixed-term contracts. Most employers hired persons with disabilities because of the legal obligations, and some because of the subsidies provided by the National Employment Service. During 2012 in the municipality of Velika Plana only one employer has used the subsidies for a person with disabilities through the programmes ‘Job creation’ for persons with disabilities. According to these data, the increase in the number of employed persons with disabilities is recorded, in the year 2012, by even five times compared to the previous year.

The data obtained are as follows: out of 874 employees, 28 are persons with disabilities, of which 12 persons with disabilities are employed in 2012, 5 persons have already worked in the companies before, and 7 people who have not been engaged to date, of which 3 persons were hired for a definite period, through the public works.

Health Centre ‘Dr Milan - Bane Djordjević’ has 230 permanent employees and that institution employed 1 person with a disability with the Secondary Medical School, who was not previously engaged, and she works in the medical records archive.

Their experience regarding employment of persons with disabilities is very positive and they consider that the main problem of employment of persons with disabilities is the lack of funds for the affirmation of the work of persons with disabilities. Public company ‘Plana’ also has employed 19 workers, as well as the Centre for Social Work, although they have no obligation to employ persons with disabilities.

Certain companies have fulfilled their legal obligation by the work capacity assessment of the persons who are already employed in their enterprises: (Jugoprevoz Velika Plana – 1 person with disability, the Public Utility Company ‘Milos Mitrović’, 1 person with disability, ‘Milfarina’ Velika Plana, 1 person with disability, ‘Raj fert’ Velika Plana 2 persons with disabilities), and the statistics shows that from January to September 2012, 7 persons with disabilities were employed who were not employed earlier (the Health Centre Velika Plana 1 person, 2 persons with disabilities are employed in the company ‘Jura’, which is not on the territory of Velika Plana municipality and ‘Sto posto’ Velika Plana, 1 person). Jobs on which persons with disabilities are engaged are different, such as: the doorman - UQ worker, medical records jobs, auxiliary worker in the greenery, cheese packing job, treasury operations, budget accounting and reporting in the vault, administrative child support operator, accountant, warehouse clerk).

From the data we collected, it can be noticed that in the period September 2011 - September 2012, there is an improvement in the field of employment of persons with disabilities, but it should be mentioned that the employed persons were persons with the first degree of work capacity assessment and are employed under general conditions.

During the monitoring, we have determined the issues related to persons with disabilities in the area of employment. Low educational level, unadjusted workplaces and prejudices of the employers are still major problems in the municipality of Velika Plana. Based on these indicators, the recommendations to address the problems are that there is a need to conduct certain activities to assist persons with disabilities who want to work to find proper jobs, disabled people’s organisations should continue to work on the raising awareness of the citizens and the persons with disabilities themselves.

During data collection, we conducted several interviews with persons with disabilities in the municipality who are in the records of the National Employment Service. In one case we have found that a person after completion of primary education was not allowed to continue
his education because he obtained from the authorities a certificate of incapacity for further education, which was also an obstacle to find a job. Another person, despite better qualifications profile (the third level of education) has managed to get a job for three months period in ‘Vodovod’ A.D. Smederevska Palanka. After the expiration of that period he unsuccessfully tried to find another job even though he doesn’t have any particular requirements for the employment.
MONITORING EMPLOYMENT OF PERSONS WITH DISABILITIES AT THE LOCAL LEVEL

THE CITY OF ALEKSANDROVAC

Society for Support to PDDs Aleksandrovac

Municipality of Aleksandrovac is located on the eastern slopes of the mountains Kopaonik, Željin and Goč and western outskirts of the mountain Jastrebac. It occupies an area of 376.7 square kilometres, organised territorially into 52 settlements, with a population of 29,389, according to the latest census. The results from the 2011 census have not yet been processed.

According to the unofficial data, about 10% of the total population are persons with various disabilities, including the disabled workers and disabled war veterans. According to the data drawn from the local official gazette, that provides figures on the age structure of the population based on the recent census data, which are still considered official, out of the total population, 6,185 are children and youth aged up to 19, while 6,121 are persons older than 65, which leaves the number of people in the working-age category at 17,083. Taking into account the above percentage of persons with disabilities, as well as the data from the Centre for Social Work on adult beneficiaries of the increased care allowance (for persons with intellectual disabilities, combined disabilities, immobility of lower and upper extremities), we came to the result that 1,658 of the working-age population are persons with disabilities in Aleksandrovac municipality, which accounts for 5.6% of the total population.

According to the National Employment Service, the total number of persons with disabilities registered with the service is 49, of which 17 are women and 32 are men. As regards their age structure, there are 2 persons under the age of 30, in the group from 30 to 45, there are 13 persons, and 34 persons are aged 45 to 65. According to the educational structure, 35 persons are unqualified or semi-qualified, 11 persons are with secondary school diplomas, 2 persons have high school degrees, while only one person is with university education.

Our experience tells us that a major problem in employing is that many persons with disabilities do not want to be registered with the National Employment Service. We assume that another reason is that the population is largely engaged in agriculture and does not recognise their interest in registration, as well as fear by the families of persons with disabilities that the employment might cause them to lose the previously exercised rights to care allowance and survivor pension benefits.

It is important to note that in the previous period, from September 2011, only 10 persons with disabilities were employed, of which 6 persons with intellectual disabilities and poor motor skills were employed through the public works, while others were actually former disabled workers recruited by smaller firms, which did not have ‘their own’ persons with disabilities before the law came into force, in order to avoid payment of penalties. In the same period, 13 persons underwent the work capacity assessment. 90% of the assessed so far were classified under the Category 1. These are persons who have already been employed in ‘their’ respective companies, but whom the employers were referring for the assessment in order to comply with the new law and thus be relieved of the obligation to pay penalty. In most firms
operating for more than 20, 30, or 40 years, the number of persons with disabilities in the
total number of employees is significantly higher than the legally prescribed number, so there
are no expectations that they will recruit ‘new’ persons with disabilities.

Besides ‘Vino Župa’, another company that employs persons with disabilities is ‘Armature’,
which, as at 14.06.2011, had 10 employees with disabilities. In the meantime, two people left
the company through the social programme, so the current number of employed persons with
disabilities is 8, which is still more than required by the Law on Professional Rehabilitation
and Employment of Persons with Disabilities. From September 2011 to date, ‘Armature’
didn’t employ new employees with disabilities.

These are currently two of our strongest companies, while other have a significantly smaller
number of employees and could hardly survive, including AD ‘Župljanka’ that has a
subsidiary company for professional rehabilitation and employment of persons with
disabilities ‘Župa vez’, which has for several years now had 24 employees with disabilities.
During the period covered by this report there was no new hiring. The situation in the textile
industry has not changed in the previous year, and the entire company, as well as ‘Župa vez’
is in a very difficult situation, and the management is still trying to avoid bankruptcy and hire
more people in the future.

The view of the problems associated with the persons with disabilities and recommendations
for improving the situation in the sphere of employment.

We think that in our society the awareness of persons with disabilities is one of the biggest
problems. At the very beginning we have said that the fact that there are only 49 persons
registered with the National Employment Service speaks for itself. Persons with disabilities
themselves fail to recognize their rights, they do not see the interest of registering particularly
in the circumstances of the high unemployment of the general population. For a large number
of agricultural households care allowances are often the only certain amount of money they
can count on, and in fear of losing it their families often do not encourage them to get
employment.

Another major problem is that the law does not oblige the employers who receive funds from
the budget to hire persons with disabilities. This situation causes the ‘resistance’ of the
business community, and we believe that the law would be enforced much better and more
efficiently if the state institutions set a good example and, in accordance with their
possibilities, hire persons with disabilities.

Moreover, we believe that, in addition to the employment subsidies, the reduced taxes and
contributions would significantly facilitate the employment.

We think that more efforts should be put on raising the awareness of both the employers and
the persons with disabilities. It has been noticed that some employers are trying to manipulate
and that persons with disabilities are needed only to obtain subsidies. Persons with disabilities
need support to look at their rights and become more involved in improving the quality of
their own lives.

At the end of this report, we emphasise that the Society for Support to PDDs as an employer
is satisfied with the employees who were employed through public works, as they have
shown high responsibility and commitment to their duties, and, as the employees themselves
stated, the satisfaction is mutual. This form of employment of persons with disabilities,
through the public works for us is currently the most effective model of their employment, therefore our recommendation is to continue with these activities in the future. Also, because of the objectivity, it should be pointed out that certain number of persons with disabilities refused to be employed, although they were given an opportunity.
Association of Persons with Multiple Sclerosis of the Northern Banat District - Novi Kneževac

The data related to the quality of life for persons with disabilities show their improved status in the municipality of Novi Kneževac. This is indicated by examples from the practice where employers themselves initiated the employment of persons with disabilities, seeking through the National Employment Service the possibility of their engagement.

Municipality Novi Kneževac has adopted local Disability Action Plan for the period 2011-2014, within which priorities have been settled, and as an integral part is the employment of persons with disabilities as an assumption of equality with others in the open labour market. Its ultimate goal is the implementation of the Law on Professional Rehabilitation and Employment of Persons with Disabilities, creation of conditions for adjusting the labour market through education, trainings and vocational training with the support of local community. On the other hand, persons with disabilities themselves have to be additionally trained in order to be productive and competitive on the labour market, which indicates the need to link the areas of education and employment.

One of the steps towards this goal is the promotion of employment in private and public sector, training and round tables that are used at the local level to improve the situation in the field of work for persons with disabilities. Employment programmes and employment support programmes in disabled people’s organisations remain an on-going task of the local self-government, relevant institutions and disabled people’s organisations and other stakeholders.

According to the records of the National Employment Service, the number of unemployed persons with disabilities in Novi Kneževac is increased, which can be also considered through the prism of larger interest of persons with disabilities and the need to regulate the work capacity assessment. According to the latest Census, the municipality has 11,558 inhabitants (results of the new Census are expected), out of which slightly more than half is urban population.

This year on the records of the National Employment Service there are 23 persons with disabilities, which is an evident increase, compared to the number of 10 persons from the last year. Still, the majority registered are men. The total number of active job seekers is 12, of which 10 men and two women who are, at the same time, the total number of women registered.

The Municipal Administration of Novi Kneževac is not obliged to employ persons with disabilities, but has been monitoring the situation in this sphere in cooperation with the Association of Persons with MS. Persons with disabilities in the territory of the Municipality of Novi Kneževac were placed in employment through the National Employment Service.
Several companies fulfilled their employment obligation by referring already employed persons for the work capacity assessment.

The jobs performed by persons with disabilities suit their educational attainment or the vacant position, and include (by title): medical staff, cleaners, maintenance technical staff, and packaging machine operators, etc.

There are problems in employment due to the low level of the employers’ awareness, for which solution is required greater education and awareness rising of the entire population. However, there is a certain number of persons with disabilities who do not want to work due to unsupportive environment, as well as out of fear of losing certain material benefits such as care allowance that they have already enjoyed. Still, some employers have managed to record growth in the number of employees with disabilities, for example the Health Centre employs a total of 6 persons with disabilities compared to 4 from the previous year. The Association of Persons with MS refers its members for the work capacity assessment and hires persons with disabilities.

In September, a round table discussion on the employment of persons with disabilities in the library at Novi Kneževac was held, which brought together representatives of disabled people’s organisations, representatives of local self-government, the media and the relevant institutions important for employment of persons with disabilities. At that meeting the problems were highlighted and an overview of recommendations to improve the situation in this area was given.

- Collection of data through the request of access to information of public importance leads to a certain level of surprise of the parties concerned, so it is necessary to use the opportunities in the community, such as panels, public debates that involve topic of employment of persons with disabilities;
- At the community level, it is necessary to provide appropriate incentives that allow particular advantage to persons with disabilities in the labour market (positive discrimination);
- It is necessary to improve and promote the concept of social entrepreneurship at the local level. Local self-government has the resources but perhaps not enough knowledge to exploit the potential of social entrepreneurship and therefore requires greater legal regulations in order to improve this concept at the local level, which is of great importance and future potential;
- Novi Kneževac can positively utilize its natural resources with the possibilities of the various subsidies that would be aimed at self-employment of persons with disabilities. It is required, in accordance with the possibilities of a subsidy programme, to increase funds of the subsidy programmes for self-employment of persons with disabilities, because currently there is not great interest in this type of employment programmes;
- It is required to observe local resources from the perspective of possibilities. With the development of social entrepreneurship it could be expected employment of more persons with disabilities in the municipality.
The municipality of Majdanpek is situated in Eastern Serbia, in Bor District, Timok Region. The centre of the municipality is the town of Majdanpek and according to the 2011 Census, it has a population of 19,749. The town Majdanpek counts 7,900 inhabitants.

Earlier this year, the representatives of the local authorities have made a decision to subsidize a programme for self-employment through stimulating funds in the amount of 160 thousand dinars apart from the same programme run by the National Employment Service. Also, they have made the decision to provide the subsidies to employers for the job creation in the amount of 200,000.00 to 400,000.00 dinars and set as a priority employment of persons with disabilities. This step of the local self-government significantly affected the changes in the society and encouraged the unemployed to professionally train and retrain for jobs that are required on the market. According to the statistics obtained from the NES Branch Office Bor, Majdanpek Sub-branch, there are 1,981 unemployed persons of different age groups and level of education registered with the National Employment Service, of which 45 are persons with different types of disabilities (9 persons are disabled workers, 17 persons are categorized through the NES as persons with disabilities, 3 persons are war veterans, 16 are included in the categorized youth (youth who have finished school under the special education programme).

In this year, a large number of educational programmes are implemented through the programmes of the World Bank, Regional Development of Bor and Majdanpek and the National Employment Service through its already established programmes. Vocational trainings were conducted not only in the town, but in rural areas as well, while part of the training was carried out in Bor.

In the programme ‘The Second Chance’, which is being implemented in the partnership with the Primary School ‘Velimir Markičević’, one person with disability, i.e. with cerebral palsy, attended and successfully completed four years of the lower grades of primary school and continues the education in the higher grades. In the public works programme, supported by the Ministry of Economy and Regional Development two persons with different types of disabilities were employed; they were engaged in the preparation of the installation of the screen readers for persons with disabilities in the Association of Visually Impaired ‘Frend’, and one person with intellectual disability was employed in the company ‘Inex Bakar’ in the packaging job.

At the same time, for the first time on the territory of the municipality Majdanpek through the public works programme a support service of personal assistance for persons with disabilities in education started; two persons were trained to be qualified to provide personal assistance services and they were provided employment.
During the collection of the relevant data, interviews were conducted with persons with disabilities from which arise the problems faced by persons with disabilities in the open labour market as well as the recommendations for the improvement of the employment situation of persons with disabilities. What is evident is that persons with disabilities indicate satisfaction with the jobs they perform. However, a major problem is the education that does not allow them to be competitive on the labour market, and additional education is seen as a way to improve the current situation.

Recommendations arising from the requirements are connected with the need to license an institution or organisations of disabled persons in our community to perform rehabilitation and professional training as there is a need and great interest.

Prejudices and lack of information of the local residents remain the major problem on which solution must be constantly worked. Our organisation works to eliminate prejudices and also on informing all relevant entities in the community through leaflets or announcements through the local media, but one of the main problems is the lack of financial resources.

Table of educated persons with disabilities for the occupations with the market demand through the programme of the World Bank in cooperation with the NES Majdanpek.

<table>
<thead>
<tr>
<th>Type of training</th>
<th>Persons with visual impairment</th>
<th>Persons with intellectual disabilities</th>
<th>Persons with hearing impairments</th>
<th>Persons with physical disability</th>
<th>Total</th>
<th>The World Bank</th>
<th>NES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Welders</td>
<td>W 0 M 0</td>
<td>W 0 M 1</td>
<td>W 0 M 1</td>
<td>W 0 M 1</td>
<td>2</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>Cook</td>
<td>W 0 M 0</td>
<td>W 0 M 0</td>
<td>W 1 M 0</td>
<td>W 0 M 0</td>
<td>1</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Beautician</td>
<td>W 0 M 0</td>
<td>W 0 M 0</td>
<td>W 1 M 0</td>
<td>W 0 M 0</td>
<td>1</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Gerontohousewives</td>
<td>W 0 M 0</td>
<td>W 1 M 0</td>
<td>W 1 M 0</td>
<td>W 0 M 0</td>
<td>2</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>Entrepreneurs</td>
<td>W 0 M 1</td>
<td>W 0 M 0</td>
<td>W 0 M 0</td>
<td>W 0 M 0</td>
<td>1</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Training to work with a screen reader</td>
<td>W 1 M 1</td>
<td>W 0 M 2</td>
<td>W 0 M 0</td>
<td>W 1 M 0</td>
<td>4</td>
<td>0</td>
<td>4</td>
</tr>
</tbody>
</table>

In 2012, three persons with disabilities were employed, two women – one with the visual impairment and the other with physical disability and one man with intellectual disability.
<table>
<thead>
<tr>
<th>Year 2011</th>
<th>Year 2012</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of unemployed registered with the NES</td>
<td>1878</td>
</tr>
</tbody>
</table>

![Graph showing number of unemployed registered with the NES](image)

**1. grafikon**

*Number of unemployed registered with the NES*

Year 2011    Year 2012

<table>
<thead>
<tr>
<th></th>
<th>2011</th>
<th>2012</th>
</tr>
</thead>
<tbody>
<tr>
<td>PWDs registered with the NES</td>
<td>39</td>
<td>46</td>
</tr>
<tr>
<td>Number of employed PWDs</td>
<td>6</td>
<td>3</td>
</tr>
<tr>
<td>No. of employed in FREND Association</td>
<td>6</td>
<td>2</td>
</tr>
<tr>
<td>Number of PWDs employed in public and other companies</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Trained PWDs</td>
<td>0</td>
<td>4</td>
</tr>
<tr>
<td>Categorized</td>
<td>6</td>
<td>9</td>
</tr>
</tbody>
</table>
2. grafikon
- PWDs registered with the NES
- number of employed PWDs
- number of employed in the association ‘Frend’
- number of PWSs employed in public and other companies
- educated PWDs
- categorised

Year 2011    Year 2012
2.1. Deprivation of legal capacity

Deprivation of legal capacity is in 2012 still an issue that causes great controversy and the field that in particular has a negative impact on persons with intellectual and psychosocial disabilities, which was the subject of lot of critics of organisations involved in this field. The main objections are based on the number of rights which are being deprived from the person on that way. The right to work, the right to change the place of residence, the right to associate freely, the right to marry, active and passive voting rights are the key rights that a person obtains as an 18 years old, and can be lost by deprivation of legal capacity, which leads to the legal equality with the person under 14 years of age.

The recommendation of the Committee of Ministers of the Council of Europe No R(99) 4 on the principles concerning legal protection of adults with reduced capability provides clear guidelines on the principles of their legal protection. The principles aim at reducing the arbitrariness of the courts in proceedings in which such persons’ legal capacity is being restricted, ensuring respect for their wishes and interests, limiting the restrictions only to the necessary ones, introducing degrees of the legal capacity, ensuring detailed assessments of each specific case, temporal limitations of the restrictions and periodic reviews of the decisions.

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In the Republic of Serbia legal capacity can be deprived fully or partially in the extra-judicial proceedings before the courts\textsuperscript{10}, unlike the procedure for the work capacity assessment, whereby is assumed that the state and the family should protect the rights and interests of persons who are unable to do it by themselves, including those who suffer from dementia and substance abuse. However, case law records the tendency of full, with rare use of partial deprivation of legal capacity, which has the potential to adapt to a broader range of abilities of persons with disabilities and greater inclusion in the society. In addition, in most cases the judge did not establish personal contact with a person whose legal capacity is being deprived and therefore the judgment could not be adequate in terms of subtle determination of limitations of the rights and freedoms of persons with certain types of disabilities which form their life\textsuperscript{11}. This is against the recommendations of the Committee as well as the European Human Rights Court which insists on the compulsory review of the reasons for legal capacity deprivation by the court\textsuperscript{12}.

The complete legal capacity deprivation, as stated, means deprivation of entering into employment contracts. With the inability to manage their assets, persons that are deprived of legal capacity are further disabled to articulate and disseminate messages as the relevant actors in the process, someone whose voice should be heard. This often leads to the institutionalisation, i.e. spending the rest of their lives under the supervision and guidance of the social protection system. More than half (57\%) of all persons deprived of their legal capacity at some point in their lives or during the process were institutionalised, of which 4\% of them were placed in the institutions involuntarily\textsuperscript{13}. Namely, a person deprived of legal capacity can be placed in the institution without consent and the possibility to appeal\textsuperscript{14}. Over the time it has become clear that this process does not contribute enough to the equal participation of persons with disabilities in the society and that development of the community-based services should be implemented in parallel with closing of the residential institutions\textsuperscript{15}. However, deinstitutionalisation process in Serbia is still not functional enough and there is still large number of users residing in these institutions\textsuperscript{16}.

\textsuperscript{10} The process of legal capacity deprivation in the Republic of Serbia is mostly regulated by the Law on Extra-judicial Proceedings and the Family Law, although certain provisions can be found in the Law on Social Protection, the Law on Health Protection, the Law on Obligations, etc.

\textsuperscript{11} Data from Analyses on the legal capacity conducted by Belgrade Center for Human Rights and MDRI Serbia, whereby more than 1,000 court judgments passed between 2008 and 2010 were analysed. It showed that most of the persons deprived of their legal capacity did not had a fair trial and that they suffered a violation of the right to private and family life. The results of this study can be found in \textit{Practicing universality of rights: analysis of the implementation of the UN Convention on the Rights of Persons with Disabilities in view of persons with intellectual disabilities in Serbia, Inicijativa za prava osoba sa mentalnim invaliditetom MDRI-S and People in Need, 2012}, available at: \url{http://mdri-s.org/files/Practicing%20Universality%20of%20Rights.pdf}

\textsuperscript{12} See Salontaji-Drobnjak against Serbia ECHR, App. No. 36500/05 (2009).

\textsuperscript{13} Supra 2, p 265

\textsuperscript{14} The right to make decision (Pravo da donesem odluku) – question of deprivation of legal capacity of persons with disabilities in Serbia and the recommendations for further work on the harmonization of the national legislation and practice with the Convention on the Rights of Persons with Disabilities, VelikiMali, 2010, p 4, available at: \url{http://www.velikimali.org/attachments/article/104/Publikacija.pdf}

\textsuperscript{15} Beyond De-institutionalisation, the Unsteady Transition towards and Enabling System in South East Europe, Disability Monitor Initiative South East Europe, 2010, p 38

\textsuperscript{16} Only 4\% of children with disabilities, and a total of 7\% of the residents are in the institutional placement less than 12 months, while 55\% of them residing in the institutions for more than 10 years. The predominant causes of leaving institutions are death (71\% of adults and 39.8\% of children) and transfer to another facility (22\% of adults, 28.4\% of children). See more in Hidden and Forgotten-Segregation and negligence of children with developmental difficulties and adults with intellectual disabilities in Serbia("Sklonjeni i zaboravljeni-
Legislation

Law on Extra-judicial Proceedings

The decision on full or partial deprivation of a person’s legal capacity is made by the court in the urgent proceedings, under the criteria whether an adult is capable of normal reasoning to take care independently for his/her own rights and interests\(^\text{17}\). The degree of capability for normal reasoning in practice is determined by the court experts. The person against whom the procedure is taken must be examined by at least two physicians of the appropriate specialty, while their examinations shall be performed in the presence of a judge, except when performed in an in-patient health organisation\(^\text{18}\).

Despite this, practice in Serbia has shown a different trend: there were no recorded cases that the judge was present during the medical examination, and in almost 84% of the cases, the judge has never even seen a person who is being deprived of the legal capacity. It is emphasised that out of 997 proceeded court decisions, only 53 were on partial deprivation of legal capacity\(^\text{19}\), which (as opposed to full deprivation), opens the possibility for the court to, based on the results of the medical expertise, determine the type of jobs which person can undertake independently in addition to those jobs which he is authorised by the law\(^\text{20}\).

These data create the possibility for advocacy for the abolition of legal capacity deprivation and change the current method of examination and trial in this procedure in order to realise rights guaranteed by the Constitution and enable inclusive labour market. The lawmaker anticipated that, if the reasons for legal capacity deprivation cease to exist, the court shall render a ruling on the restoration of the legal capacity\(^\text{21}\), or if the mental state of that person improves, and to the degree that partial removal of legal capacity is sufficient, the court shall amend its previous ruling and order partial deprivation of legal capacity\(^\text{22}\). However, despite all these provisions, a person who is partially deprived of legal capacity has no right to volunteer\(^\text{23}\), and persons with intellectual disabilities cannot be restored legal capacity, because there is no improvement of the condition that represented the base for deprivation of legal capacity.

The Law on Extra-judicial Proceedings also includes the issue of extension of parental rights\(^\text{24}\), which further empowers the possibility of deprivation of legal capacity by creating the same legal effect. The court is also responsible for the extension of parental rights and it shall be subject to the urgent proceedings. The provisions on deprivation and restore of parental rights have ceased to be in effect by applying the Family Law from 2005, which still governs this field\(^\text{25}\).

\(^{17}\) See Article 31, Law on Extra-judicial Proceedings of RS
\(^{18}\) See Article 38, paragraph 1, Law on Extra-judicial Proceedings of RS
\(^{19}\) Supra 4
\(^{20}\) See Article 40, paragraph 2, Law on Extra-judicial Proceedings of RS
\(^{21}\) See Article 42, paragraph 1, Law on Extra-judicial Proceedings of RS
\(^{22}\) See Article 42, paragraph 2, Law on Extra-judicial Proceedings of RS
\(^{23}\) Law on Volunteering, Article 12, paragraph 2, item 3
\(^{24}\) See Articles 72, 73, 74, Law on Extra-judicial Proceedings of RS
\(^{25}\) See Article 227, Law on Extra-judicial Proceedings of RS
The Family Law

The parental right is derived from the duties of parents and exist only to the extent necessary for the protection of personality, rights and interests of the child\textsuperscript{26}. A person of age who, due to illness or impediments in psychophysical development, is not able to reason normally and is thus unable to take care of himself/herself and to protect his/her rights or interests, may be fully deprived of legal capacity\textsuperscript{27}. In the same cases, he/she endangers his/her own rights and interests, the parental rights may be extended\textsuperscript{28}. It is important to point out that the terms ‘normal reasoning’ and ‘protection of their rights and interests’ which can often be found in the legislation, can leave room for different interpretations, which will be further discussed in the section on procedure for the deprivation of legal capacity.

The Family Law, in the part on the content of parental rights specifies that taking care of the child includes: protection, raising, upbringing, education, representation and support of the child and management and disposal of the child’s property\textsuperscript{29}. The content of parental rights is also defined by the Articles on protecting and raising the child, upbringing of the child, education, representation and support of the child, as well as the management and disposal of the child’s property\textsuperscript{30}. Deprivation of parental rights can occur in the case of abuse of the rights that comprise a part of parental rights. In the context of this report – if he/she exploits the child by forcing him/her to excessive labour, or to labour that endangers the moral, health or education of the child, or to labour that is prohibited by the law\textsuperscript{31}, if a parent grossly neglects duties that comprise a part of parental rights, i.e. if he/she does not at all take care of the child he/she lives with\textsuperscript{32}, or if he/she intentionally and unduly avoids to create conditions for cohabitation with the child who is living in a social service institution for user accommodation\textsuperscript{33}. A court decision on full deprivation of parental rights deprives the parent of all rights and duties that comprise parental rights, except the duty of supporting the child\textsuperscript{34}. Partial deprivation of parental rights can deprive the parent of one or more rights and duties that comprise parental rights, except the duty of supporting the child\textsuperscript{35}.

The needs of the support creditor depend on their age, health, education, property, income and other circumstances that significantly affect the determination of support\textsuperscript{36}, and the capacities of the support debtor depend on their income, possibility to get employed and earn income, their property and their personal needs\textsuperscript{37}.

\begin{itemize}
\item\textsuperscript{26}Article 67, Family Law of RS
\item\textsuperscript{27}See Article 146, paragraph 1, Family Law of RS
\item\textsuperscript{28}See Article 85, Family Law of RS
\item\textsuperscript{29}Article 68, paragraph 2, Family Law of RS
\item\textsuperscript{30}See Articles 69-74, Family Law of RS
\item\textsuperscript{31}Article 81, paragraph 2, item 2, Family Law of RS
\item\textsuperscript{32}Article 81, paragraph 3, item 2, Family Law of RS
\item\textsuperscript{33}Article 81, paragraph 3, item 4, Family Law of RS
\item\textsuperscript{34}Article 81, paragraph 4, Family Law of RS
\item\textsuperscript{35}Article 82, paragraph 2, Family Law of RS
\item\textsuperscript{36}Article 160, paragraph 2, Family Law of RS
\item\textsuperscript{37}Article 169, paragraph 3, Family Law of RS
\end{itemize}
2.2. The view on decisions on deprivation of legal capacity

The procedure leading to deprivation of legal capacity also includes opinion of the court expert, which is taken into consideration by the court before making a decision. From the justifications in the decisions it can be seen in what manner the courts handle the cases of deprivation of legal capacity.

After examining the justifications, it can be noticed that the typical assessment of the individual is, instead on their characteristics, based on the listing of elements that help argumentation for the classification, i.e. classification of a particular case into a particular category. Thus, the factors can be easily extracted, which can then serve to the court experts and judges to orientate easily in a variety of different, specific cases in a short time and finally determine the type of ‘disease’, without control of the evidences and possible constructive confrontation of opinions\(^{38}\).

Justifications give the attention and analyse the communication in the surroundings, a way of showing the emotions, as well as the way of dressing of the person concerned. It can often be found that a person is ‘quarrelsome, stubborn, disobedient, capricious, eccentric, or have bizarre behaviour’. On the other hand, there are frequent descriptions based on the relations regular-irregular, conspicuous-inconspicuous, which help simplification and confirmation of the thesis of one’s inability to rationally lead his/her life.

*Pleasant appearance, stocky build, neatly dressed.*

Furthermore, it is not uncommon to find the statements that a gaze of a person who is depriving legal capacity is ‘blank and empty’, or that a person has an ‘absent smile’ and that is easy to conclude that a person is ‘incapable for the normal reasoning’. These subjective impressions are used without any hesitations in the explanations, while the manner in which they are confirmed after a brief examination as permanent features such as ‘weak-willed’ or ‘extreme narrowness of interests’ remain unknown.

Special attention is paid to the assessment of the property status and explanation of the (im)possibility to be at their disposal:

*Unnecessarily borrows money and gives it away to the other people, makes unrealistic plans, starts unusual jobs.*

*It can be noticed a fear from material abuse by the surroundings, especially by the relatives, and at the same time, he/she is not ready to respond to their demands.*

In a similar way, it is explained the individual’s ability to perform some tasks, rather than (as it presents the very essence), be professionally explained. Moreover, unlike the previous examples of indicating financial situation, this element is rarely present, and inexplicably, it is never considered a relevant factor.

*He/she is uncritical in their behaviour, has a plan to find a job and work\(^ {39}\).*

These extracts initiate lots of questions regarding the issue on inclusion, education and deinstitutionalisation. It is obvious that those who participate in the preparation of decisions are not sensitive enough and have not enough will to recognise the complexity of the situation in which these people are, i.e. to estimate all effects of deprivation of legal capacity.

\(^{38}\) More in Legal, psychological and moral dilemmas in the procedure of deprivation of legal capability (Pravne, psihološke i moralne dileme u postupku lišenja poslovne sposobnosti), Katarina Jovanović, Mreža Magazine, 2011

\(^{39}\) The examples from justifications in decisions which totally deprive persons of their legal capability due to mental illness, obtained from the Basic courts in Serbia upon the request for free access to information of public interests in the period 2008 – 2010
There is even less understanding of possibility of developing the personality of people, either by the judges or specialists – psychologists and psychiatrists.

2.3. Priority areas for the situation improvement

In the Initial report on the implementation of the Convention on the Rights of Persons with Disabilities\(^{40}\), that was submitted to the Committee on the Rights of Persons with Disabilities by the Government of the Republic of Serbia, in the part on equality before the law, it reviews legal norms that govern the procedures for deprivation of legal capacity and guardianship. At the beginning, it is assessed that the legal norms were adopted at a time when persons with disabilities were excluded from the society and they have not been changed since then. It is concluded that the starting point of the lawmakers, based on which persons with mental disabilities or any other reasons should be deprived of legal capacity because they are unable to take care independently of their own interests, is outdated, because persons with disabilities are able to take care of themselves, and that if they need a support, the government should provide them, making sure that their rights and legal security are not violated. In line with the latest Report on the Work of the Social Welfare Institutions for the Accommodation of Persons with Disabilities\(^{41}\) it is estimated that, among other things, there is a need for training of personal assistants, as well as the training for the implementation of the innovative services\(^{42}\).

A working group for development of the draft text on amendments of the Law on Extra-judicial Proceedings\(^{43}\) has finished their work on the development of the draft text on amendments of the Law on Extra-judicial Proceedings on 19\(^{th}\) October. In the version submitted to the public, full deprivation of legal capacity continue to exists, and the tendency of full deprivation of legal capacity is avoided again.

On the other hand, a Model Law on the reasons and procedure of limitation and protection of individual rights and freedoms, which still implies the existence of partial, but not full deprivation of legal capacity, is created by the civil sector\(^{44}\). It still remains the main obstacle to the realisation of the rights of persons with disabilities: it leads to segregation and lifelong residence in the institutions, denies the possibility of inclusion in the society which leads to further stigmatization, while in the series of restrictive provisions scattered throughout the laws in the RS there are the ones which do not allow persons with disabilities the access of inclusive labour market.

\(^{40}\) Available at: http://www.ljudskaprava.gov.rs/sites/default/files/u3/konvencije/invaliditetom/inicijalni_izvestaj_na_srpskom_jeziku.pdf

\(^{41}\) Available at: http://www.zavodsz.gov.rs/PDF/naslovna/god-izvestavanja/OSI.pdf


\(^{44}\) More in the Model Law on reasons and procedure of limitations and protection of individual rights and freedoms, Center for Advanced Legal Studies, 2012. Available at: http://cups.rs/wp-content/uploads/2012/05/Model-zakona-o-poslovnoj-sposobnosti.pdf
**Recommendations**

- Harmonize national legislation and practice of the government bodies with the relevant international instruments, especially the European Convention for the Protection of Human Rights and Fundamental Freedoms and the Convention on the Rights of Persons with Disabilities. In this sense, it is necessary to abolish the institution of full deprivation of legal capacity;
- Provide equality between the person deprived of legal capacity and the initiator (provide adequate legal assistance to all persons in the court procedures);
- Ensure the opponent to the initiator, i.e. their legal representative to deny the experts’ findings;
- Prevent conflict of interest, that is, a situation in which the initiator (the Centre for Social Work) is at the same time a temporary guardian of the person whose legal capability is to be determined;
- Make sure to listen to the person on whose legal capacity is to be decided (or at least try to conduct a hearing with the assistance of a trusted person);
- Limit areas of deprivation to the unnecessary ones, as well as the duration of the restrictions of rights;
- Periodically review the court decisions (annually);
- Conduct detailed assessments of each case by considering disability in social instead of depersonalized medical categories;
- The examination should be exclusively done in the user’s natural surrounding and in the appropriate period of time in order to be able to gain a better insight on the possibilities of the persons whose legal capacity is being limited;
- Ensure that certain rights cannot be restricted (the right to vote, the right to marry, the right to freedom of peaceful assembly and association, etc.);
- Organize training of the judges and employees of the Centres for Social Work in the relevant international standards in the field of mental health law, i.e. relevant instruments of the United Nations and the Council of Europe and the practice of international bodies for the protection of human rights;
- Promote employment opportunities and advancement of persons with mental and psychosocial disabilities on the open labour market in both private and public sector;
- Continue the process of deinstitutionalisation and develop social services;
- Finally, it is necessary to strive for the complete abolition of deprivation of legal capacity, i.e. to the introduction of supports when making decisions.

In accordance with the recommendations of the Committee of Ministers of the Council of Europe, it is necessary to:

- Reduce the arbitrariness of the judicial authorities during the implementation of the procedure of deprivation of legal capacity;
• Respect the wishes and interests of the person who is being deprived of legal capacity and create conditions for inclusion in the society;

• Limit areas of deprivation only to those unnecessary ones, as well as the duration of the restrictions of rights in order to create the opportunities for development of the potentials of persons with disabilities:
  - grade legal capacity,
  - time limit the duration of the restriction of certain rights,
  - periodically review decisions;

• In the procedure of deprivation of legal capacity, the judge must be personally convinced in the condition of a person who is being deprived of legal capacity, i.e. determine mandatory review of the reasons for deprivation of legal capacity by the court;

• The examination should be conducted separately and independently in order to have the control of the evidence and constructive confrontation in judicial opinions.

2.4. Work Capacity Assessment (challenges and experiences from the practice)

According to the Law on Professional Rehabilitation and Employment of Persons with Disabilities\textsuperscript{45}, ‘the assessment of capacity for work and possibility to find employment or retain employment shall include medical, social and other criteria establishing the possibilities and capabilities of a person with disability necessary for inclusion in the labour market and performance of concrete work independently or with the assistance of support service, the use of technical aid, i.e. the possibility of employment under general and special conditions’\textsuperscript{46}.

The Law provides for the jurisdiction of the National Employment Service in the procedure of work capacity assessment\textsuperscript{47}. The National Employment Service makes a decision on the assessed work capacity and employment opportunity or employment maintaining, as an assigned job on the basis of findings, opinions and assessment of the expertise body of the organisation responsible for the pension and disability insurance.

A person interested in the work capacity assessment submits a request to the authorized organisational unit of the National Employment Service, according to their place of residence\textsuperscript{48}.

The request contains basic information about the applicant and the obligatory annex is valid medical documentation, not older than 6 months, submitted in original or in verified copy.

The medical documentation includes:

\textsuperscript{45} 'Official Gazette of the Republic of Serbia', No 36/2009
\textsuperscript{46} Article 8, Law on Professional Rehabilitation and Employment of Persons with Disabilities
\textsuperscript{47} Article 9, Law on Professional Rehabilitation and Employment of Persons with Disabilities
\textsuperscript{48} Regulation on more detailed manner, costs and criteria for the assessment of work capacity and possibility of employment of persons with disabilities ('Official Gazette of the Republic of Serbia', No 36/2010)
- The proposal for determination of disability, completed by the chosen medical doctor,
- Hospital discharge papers on findings and performed examinations,
- Existing findings of the medical experts with described anatomic and functional changes determined during examinations, not older than 6 months, on the prescribed forms,
- Diagnostic tests,
- Laboratory tests,
- Psychological findings, i.e. conclusion that includes assessment of the mental ability, personality and behaviour of the individual\textsuperscript{49}.

In addition to the medical documentation, it is necessary to perform the social survey and deliver documents on the exercise of the rights and the status of the persons, such as: certificate on the exercise of the right based on the social welfare, the evidence on the status of person with disability, the evidence on the level of education and description of jobs that a person can perform. The social survey is completed by the professional of the National Employment Service and it contains information on education, incomes, marital status and residence, relationship with the surroundings as well as the independence and the functional status.

The cost of the work capacity assessment of the unemployed person is covered by the National Employment Service, whereas the cost of employed person covers the person who has applied or the employer. The price is 4,700 dinars.

The work capacity assessment and the possibility of employment or employment maintaining is performed by the Expert Body of the Disability and Pension Insurance Fund. It is composed of: a medical expert of appropriate or similar field of expertise in relation to the work capacity assessment appointed by the PIO Fund, a social worker, a special educator and a specialist in occupational medicine. A person who has applied for the work capacity assessment will be called 15 days from the date of classification and grouping of the application with the complete documentation.

The Expert Body gives findings, opinion and assessment on the work capacity and employment opportunity, which consists of personal information, medical history, physical findings, findings from the specialist examinations, medical records on which the work capacity assessment is based, diagnosis and a code, a conclusion and an epicrisis, work capacity assessment, proposal of the jobs that a person can do or proposed measures and activities of professional rehabilitation.

Based on these findings, the National Employment Service issues a decision on the work capacity assessment.

In determining the capability of persons with disabilities for inclusion in the labour market and performance of the specific jobs independently or with the support assistance, medical, social and other criteria are taken into account. The function assessment and a degree of damage are consistent with the International Classification of Functioning, Disability and Health\textsuperscript{50}.

\textsuperscript{49} Ibid.
\textsuperscript{50} International Classification of Functioning, Disability and Health (ICF) – World Health Organization
Based on the general condition of the person and the situation on the labour market, the Expert Body makes an assessment based on the following scale:

- 0 degree – if there are no difficulties and barriers at work, i.e. if they are irrelevant and do not affect the work capacity,
- 1\textsuperscript{st} degree – if difficulties and barriers are small or affect the work capacity in relation to the professions or jobs a person can perform, and enable employment under general conditions,
- 2\textsuperscript{nd} degree – if difficulties and barriers are moderate, i.e. significant in relation to the professions or jobs that a person can perform, and enable employment under special conditions,
- 3\textsuperscript{rd} degree - if difficulties and barriers are full or multiple or a person cannot get a job or maintain the job neither under general nor special conditions, i.e. whose job performance is less than one third of the employee’s job performance on the regular workplace, regardless of professions or jobs\textsuperscript{51}.

Data from 2011\textsuperscript{52} show that there were 1,665 persons with estimated 1\textsuperscript{st} degree of damage, 352 persons with estimated 2\textsuperscript{nd} degree of damage and 62 persons with estimated 3\textsuperscript{rd} degree of damage in the records of the National Employment Service on the territory of the Republic of Serbia. This number doesn’t include unemployed persons who were subject to the work capacity assessment and who are referred by their employers, because the statistics of the National Employment Service records unemployed persons\textsuperscript{53}.

The question to a number of unemployed persons who have performed work capacity assessment was why they have decided to take this step. They mostly had established diagnosis and undertaken appropriate medical measures. Some of them have been already employed, but with inappropriate working conditions which had bad influence on their health, so there were absent from work because of the sick leaves and the employers had no understanding. The majority of them believes that they will be able, with the disability confirmation, to find appropriate job easier, because of the provisions from the Law on Professional Rehabilitation and Employment of Persons with Disabilities and that they will come to a better understanding of employers in terms of working conditions. The conclusion is that among persons with an assessed work capacity most of them are interested to work, i.e. they are active job seekers.

The evaluation procedure, from submitting the application to obtaining the decision, is assessed as good and efficient by the number of people. On the other hand, some people claim that the procedure is not satisfactory, that they have been waiting for a long time to obtain the response, as well as that obtained decisions do not describe their abilities to work precisely enough. One person with an estimated first degree indicated that the entire procedure was pro forma and that ‘the last diagnosis was just rewritten’.

An insight into some of enacted decisions, especially for the estimated first degree, i.e. employment under general conditions, mostly encountered the formulation: ‘Able to work

\textsuperscript{51} Regulation on more detailed manner, expenses and criteria for the assessment of work capacity and possibility of employment of persons with disabilities (‘Official Gazette of the Republic of Serbia’, No 36/2010)

\textsuperscript{52} See ‘Role of the National Employment Service in the employment of persons with disabilities’, which was the topic of the last year’s report, Lončar G. and others, ‘Employment of persons with disabilities in the Republic of Serbia’, Center for Society Orientation for 2011, p 53.

\textsuperscript{53} Unified Information System of the National Employment Service
within the framework of their profession’, which is appropriate, because the assumption is that a person wants to work in accordance with his/her qualifications.

However, the explanation on the limitation in the work, because of the health condition, is generally too vague.

The following are the examples for 3 persons with the estimated first degree of damage:

- ‘Not capable for higher psychophysical strains, highly standardized work, dictated work speed, higher straining of musculoskeletal system, long periods of standing and walking, work in excess of eight-hours, night work’.
- ‘Capable of working in their respective professions and all activities on a computer, without imposed pace of work’.
- ‘Not capable of hard physical work, but also for the work in adverse weather conditions and microclimatic conditions, extensive standing, walking and overcoming of slanted obstacles.’

It is similar to the wording in some of the decisions of persons with the second degree of damage:

- ‘Not capable for work related to the walking, standing, weight carrying and lifting, work with physical demands, work which involves activities of both hands. Capable for administrative works of the sitting type, such as computer work’.
- ‘Not capable for jobs that require the function of sight, extended night work and work in shifts, work with hepatotoxic chemical agents and moderate and hard physical labour. Capable for administrative work of simultaneous interpreting, work on specialized software programmes in accordance with the stated restrictions’.

The decisions in which the parties determined the third degree include description: ‘Not capable for employment under general or specific conditions’. The recommendation for these persons is to be employed in a job centre.

On the basis of the insight into decisions made and experiences of the persons who had their work capacity assessment, it could be said that the description of what a person’s capabilities and limitations in terms of assessed work capacity are not sufficiently clear and specific.

The use of the term ‘hard physical work’ or ‘moderate difficulties that significantly affect the work’ are quite abstract and general.

In conducting a pre-selection of candidates and referral with the employer, who makes the written request to the National Employment Service for the mediation in employment of persons with disabilities, it is necessary to have all aspects in terms of opportunities for work for any of the candidates. The employers have different requirements and working conditions and an employment counsellor should, accordingly, choose a person who meets the selected criteria. The question is whether on the basis of the insufficient data a requested profile can be provided.

Deficiencies in the process of the work capacity assessment and decision-making can be proved also in the case of a person whose disability has been assessed as the third degree during the procedure, i.e. that he cannot be employed neither under general nor special conditions. A person has an amputated leg and uses the prosthesis. During the past year, he has been volunteering in one of the humanitarian organisations. Given that he had no decision on the assessed work capacity, and that the employer wanted to employ him because he
proved a good and reliable worker, he has conducted an assessment. However, upon the assessment, the person was not able to get a job. According to the latest findings, he still volunteers in the same organisation. The appeal process is still on-going.

In accordance with the above mentioned, though, it is necessary to review the way of work and improve the process of the work capacity assessment and decision-making. Work capacity assessment is extremely important for persons with disabilities in the labour market inclusion.

Legal Capacity

From the perspective of the Republic Association of Serbia for Helping People with Autism

The largest number of people with autism spectrum disorder, with diagnosis, assessment and opinion of the Commission for pension and disability insurance is entitled to an increased care allowance, on the basis of the existence of 100% of the physical damage. For persons with autism spectrum disorder, the procedure for the extension of parental rights or guardianship usually starts at the age of eighteen, on the initiative of the Centre for Social Work or parents, which also includes deprivation of legal capacity.

The parents of the persons with autism spectrum disorder start these procedures although they are not fully informed about their meaning and even when they show an interest, the big obstacle are the laws that govern this area of guardianship as they are not systematized and are very unclear for parents, while the information obtained from the Centre for Social Work are insufficient.

Another problem that is present is the parents who initiate the procedure for guardianship, unsure of the future of their children, even though they are capable and have the right to work, they deprive their legal capacity in order not to lose their care allowance and the survivor’s pension benefits. Whether parents should be condemned for violation of the right to work is psychological and moral dilemma that requires a respond from the state which should seriously think about its every citizen and their best interests. Unfortunately, autism spectrum disorder, as a condition is still known in Serbia to a very few experts and therefore the commissions for assessment as well. Prior to each employment of a person with disability, the commission assesses the legal capacity of a person with disability to be employed, but in order to person with an autism spectrum be assessed by the Commission, it is necessary to start the procedure of reinstitution of partial or full legal capacity which determines the type of jobs a person can or cannot perform. It is certain that the Commission, which often does not have the necessary knowledge and qualifications, cannot make the assessment of the potential of people with autism spectrum and the jobs they can perform.

The attitude of the Republic Association of Serbia for Helping People with Autism is that each person with autism spectrum disorder who can work in an open market should be employed. We do not want to deal with the statistics, that the experts often do, that there are low and high functional persons with autism spectrum disorder without a chance to give them the right to express their potentials and capabilities. Perhaps this attitude has a dose of caution, because a lot of people with autism spectrum disorder had no access to education, which is certainly a prerequisite for the employment, and the parental fear, which is permanent because of the non-existing system support and therefore specific and difficult life which causes doubts in the abilities of their child. The role of the parents-guardians is very
difficult, because by the very act of guardianship, the parent-guardian has to make decisions in the best interests of the persons with autism spectrum disorder.

We point out a quote from the article ‘Legal, psychological and moral dilemmas in the procedure of deprivation of legal capacity’ („Pravne, psihološke i moralne dileme u postupku lišenja poslovne sposobnosti“) by the author Katarina Jovanović, psychologist and family counsellor. ‘The laws are far from perfect, and the way they are interpreted and implemented can easily harm exactly those for whose protection they were written’.

At the end, a reminder to all actors of the procedure for deprivation of legal capacity. People with intellectual disabilities, due to the compromised judgment and decision-making can be abused, left without property, without necessary treatment. However, we should not forget the following: people who are fully deprived of legal capacity have no right to choose where or with whom they are going to live. They have no right to work. They have no right to get married. They have no right to make decisions on behalf of their underage children if they have them. They have no right to make decisions about their own treatment. They have no right to decide to whom they will leave their property, nor at their sole discretion enjoy, i.e. have access to their own property. They have no right to initiate any legal proceedings. They have no right to vote, nor the right to choose their guardian.

There are lots of NOs. The truth is, sometimes it is the genuine interest of persons with intellectual disabilities and their loved ones. However, I cannot help but wonder: is in the procedure of legal capacity deprivation, as it is today, really enough valid evidence to be absolutely sure of that?

**Example from the practice - the employment of persons with disabilities**

**Company for professional rehabilitation and employment of persons with disabilities ‘Kosmos’, Belgrade**

The company for professional rehabilitation and employment of persons with disabilities ‘Kosmos’ was established in 1961, as a socially owned enterprise for professional rehabilitation and employment of persons with disabilities, as a company of special public interest. The Republic of Serbia, as a founder of the company, took over the founder’s and managing rights in proportion to the share of the state capital (100% state-owned capital).

The core activity of the company for professional rehabilitation and employment of persons with disabilities ‘Kosmos’ is providing graphic services: pre-press, sheet-fed printing up to B2 format, tipo and digital print and bookbinding finishing. The production programme includes: books, brochures, magazines, leaflets, notebooks, cards, stamps, calendars, planners, stickers, promotional bags, packing boxes, holsters and bags. Kosmos has established a business cooperation with schools by providing conditions for practical training of students without compensation. During the practical training, students adapt and adequately prepare for work, working and social skills, which can be implemented on the open labour market as well. During this, 2012/13 school year, we have twelve students in the practical training. Our practice is that upon completing school employ some of the students who passed the practical training.

For students from the Faculty for Special Education and Rehabilitation and the Faculty of Medicine, the Company provides practical training and preparation of seminar papers and professional papers.

Through its activities, Kosmos is actively involved in their education, and through the implementation of measures and activities of professional rehabilitation a training for
vocational training of persons with disabilities for the following occupations is performed: bookbinder, assistant bookbinder, packer, basic IT training for persons with disabilities in cooperation with the National Employment Service. These training courses are designed to prepare persons with disabilities for inclusion in the work environment through the renewal of knowledge acquired in school, learning new skills, work experience and socialization. Training programmes are designed as modular and tailored to different abilities of students. Individual approach to each student in the group creates opportunities for maximum involvement of actual capabilities of the participants. Participants are trained for safe and healthy work, which is an integral part of the training programmes.

Until now, we have successfully carried out: one training course for bookbinders, one for assistant bookbinders, two trainings for packers; the total number of participants was 31 of which, upon completion of trainings, six of them were employed. The objectives are to, through as many training programmes with modular approach, enable a greater number of participants involvement and employment on the open labour market with the shortest period adaptation. We motivate participants to give their maximum and use their opportunities to acquire employment and social skills.

The Centre for implementation and socialization of persons with disabilities in the work environment as a part of the enterprise is specifically equipped and uses modern methods of conducting trainings. In the Centre, in addition to the theoretical part, participants learn and train working and social skills, and when they are ready, they apply such knowledge and skills in the production plant. Trainings are conducted in line with the approval for the implementation of the measures and activities of the professional rehabilitation of the relevant Ministries.

Company currently employs 71 persons, of which 40 are persons with disabilities. Persons with different types of disabilities (sensory, physical, intellectual disability) are employed on the following positions: designer, prepress technician, sales specialist, business secretary, bookbinder, auxiliary worker, which are in accordance with their qualifications and the work capacity. All employees perform their tasks in accordance with their capabilities, they are motivated for work, to maintain a job and for the career advancement. Based on the positive experiences in the work with students with autistic spectrum in practical training who have demonstrated that they can participate in the final phase of production (sheetfed folding, reduction and sorting) with high precision and according to well-established schedule and proper socialization we have hired a person with autistic spectrum. We have employed a person with Asperger Syndrome (high-functioning autism) after the period of adaptation, which lasted approximately two months. Adaptation period which requires adjustment to the work environment, working hours, working obligations and introduction with the tasks which will perform are very important for the person and the employer. The person is employed under special conditions, which means maximum engagement of our team of experts and all employees in order to adjust to his individual capabilities and strengthening social ties.

Our team of experts and other employees provide necessary support for social integration in the workplace to all persons with disabilities. We take care of the knowledge, skills and capabilities of persons with disabilities which can contribute to the daily functioning and progress in their work. Each employee has specific knowledge and skills that make them valuable members of the collective work in terms of work and recognition. The team of experts consists of: counsellor for integration of persons with disabilities in the workplace, two officers responsible for providing professional assistance to persons with disabilities and the instructor of practical training, who performs tasks related to the professional rehabilitation and employment of persons with disabilities, as well as providing support to the employed persons with disabilities, trainees and students in practical training.
Persons with disabilities can achieve their right to work by employing in the enterprises for professional rehabilitation and employment of persons with disabilities and in the open labour market and thus improve the quality of their lives and their families and exercise the right to equal opportunity.

Our business idea includes persons with autism spectrum from the group of persons with intellectual disabilities, that did not have the chance for the vocational training. This is a pilot project designed to enable people with the autism spectrum, who have potentials and who should be encouraged and develop by respecting the UN Convention on the Rights of Persons with Disabilities, the right to work.
Support services are crucial for the employment of persons with disabilities. Persons with disabilities need to have a sustainable support system starting from the disability identification, whether it was caused by birth or acquired during life. With early identification, early intervention and continuous support of medical and social services, a person with disability can live a productive life.

Range of support services for employment and self-employment of persons with disabilities is in direct relation with other support services related to the general population, as well as to the specialized support services for persons with disabilities. It is not necessary to create new, parallel support services, but the general support services need to be accessible to the persons with disabilities as much as possible. Public transportation should be accessible to all persons with disabilities. If not, it is necessary to work in parallel on establishing transportation for persons with disabilities, and on adaptation and adjustment of public transportation for all persons with disabilities.

Thus, for example, transportation service is not a direct service for employment or support service on the workplace for persons with disabilities. If there is no transport service, a person with disability cannot go to his/her workplace. Rehabilitation and spa treatments are crucial for the improvement of psychophysical condition in some forms of disability. Without rehabilitation and/or spa treatments, health condition of persons with disabilities is deteriorating and they cannot respond well on their work tasks and sometimes are forced to leave the job. Beside support services for the employment of persons with disabilities conducted by the National Employment Service, it is necessary to develop programmes for raising the awareness of the employers, which would be implemented continuously, and as required by the employer. Nowadays, although some of the employers are willing to hire persons with disabilities, they do not know how to do it, how to approach that person and in most cases are not ready to abandon the ‘uniform’ work with workers, and generally see persons with disabilities as the passive recipients of charity instead of persons who are

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54 For more information on services for persons with disabilities see report Butigan D. and others ‘Social Services for Persons with Disabilities as Support of Equal Socio-economic Development’, Monitoring Report, 2012, Center for Society Orientation
willing, with their work and appropriate support service, to earn their salary. This unfortunately reflects the outdated approaches to problems that accompany disability, when persons with disabilities were generally regarded as persons who are not able to work.

In the last decades much has been done on the improvement of the rights of persons with disabilities, through the changes in legislation and policies, both internationally and in our country. Many laws were adopted, but unfortunately, appropriate bylaws and mechanism for the implementation of the laws were not developed. The Law on Professional Rehabilitation and Employment of Persons with Disabilities was adopted in May 2009, while the Law on Social Protection was adopted in 2011. The Law on Social Protection regulates support services for persons with disabilities and thus support services for work of persons with disabilities. Unfortunately, the process of accreditation of service providers has not yet begun, and there is still no clear state strategy in the field of employment of persons with disabilities. Support services and work of persons with disabilities are usually forgotten and the employers are not willing to increase the amount of money they are giving per worker to support employment and work of persons with disabilities. According to the Law, persons with intellectual disabilities do not even have the right to work and earn their own living, although they are capable of it, and there are lot of examples not just from the European Union, but from the neighbouring countries, where persons with intellectual disabilities work side by side with other colleagues in a number of different jobs.

As the range of support services for employment of persons with disabilities varies, we will present you an overview of some of the existing support services that are being implemented in practice, both in Serbia and in other countries:

**Vocational training for persons with disabilities** - Vocational training programmes offer trainings to persons with disabilities in vocational skills to prepare them for the employment. Some persons with disabilities acquire disability during their lifetime and it is impossible for them to return to the jobs they performed. It is therefore necessary to develop vocational training in order for a person to continue to earn for a living. It is also important to note that a great number of persons with disabilities did not have proper education, so it is necessary to develop vocational training programmes, taking into account the abilities and desires of persons with disabilities. For example, a great number of persons with visual impairments have completed school for telephone operators. In the age of computers, the Internet and a big boom of the IT world, it is necessary to find appropriate vocational training for persons who are educated to be telephone operators to be competitive in the open labour market, as employers nowadays have no need for hiring telephone operators.

**Vocational assessment and job placement** – these services assess the vocational needs and the readiness for the employment of persons with disabilities on the open labour market. For those ready for employment, job matching and the follow-up services are provided.

**Sheltered employment** - provides a simulation of the work environment and the training programmes of pre-vocational skills to prepare persons with disabilities who have the potential and capability for the open labour market. These businesses operate in the open market, but are funded by a combination of self-generated income, charitable donations or government grant aids or subsidies. Some of the sheltered employment schemes also provide training and support to enable people to access supported or open market employment. Sheltered employment is a topic that causes great controversy in the disability sector. One part of persons with disabilities and their families insist exclusively on the employment in sheltered workshops, while other part of persons with disabilities and their families are fully against sheltered employment, stating that this leads to further segregation and violation of
human rights of persons with disabilities. The examples from the European Union suggest functioning of both models.

**Supported employment** - Supported employment facilitates competitive work in the integrated (mainstream) work environment for individuals with disabilities. Supported employment provides assistance such as job coaches, transportation, assistive technology, specialized on-the-job training and individually tailored supervision. Supported employment encourages people to work within their communities and encourages work, social interaction, and integration.

A **job coach** is a person who is hired by the employment agency to provide specialised on-site training in order to assist the employee with disability to learn and perform the job and adapt to the work environment.

**Natural supports** means support from the supervisors and co-workers, such as mentoring, friendships, socializing at breaks and/or after work, providing feedback on the job performance or learning new skills together at the invitation of the supervisor or co-workers. These natural supports are particularly effective because they enhance the social integration between the employee with a disability and his/her co-workers and supervisor. In addition, natural supports may be more permanent, consistent and immediately available, thereby facilitating job retention for a longer period.

**Assistive technology and equipment providers** - Assistive Technology (AT) is a generic term that includes assistive, adaptive, and rehabilitative devices, as well as the process used in selecting, locating, and using them. Assistive technology promotes greater independence for persons with disabilities by enabling them to perform tasks that they were formerly unable to accomplish, or had great difficulty accomplishing, by providing enhancements to or changed methods of interacting with the technology needed to accomplish such tasks.

When employing persons with disabilities, employers must ensure assistive technology. Certain support programmes already exist in the Republic of Serbia as a part of the National Employment Service. The problem is that information is transmitted only on the amount of support, but not the types of assistive technologies that employers should obtain when employing persons with disabilities. For example, when employing persons with visual impairment, it is necessary to acquire software which converts text into an audio clip. In this way, it helps person with visual impairment to perform tasks equally well with the other colleagues. Also, assistive technology does not have to be directly related to the workplace. A person with hearing impairment who has vibrating alarm clock can wake up in the morning and not be late for work, and thus not jeopardize their work. Adaptation of the workplace needs to be done on the basis of individual needs of persons with different types of disabilities. It is maybe needed to provide a separate mouse or large print keyboard, raise or lower the position of the desk, etc. In the region of South East Europe there are two organisations that are differently engaged in assistive technology, ‘Ecumenical Humanitarian Organisation’ - EHO⁵⁵, within their resource centre for persons with disabilities and ‘Open the Windows’ from Macedonia. ‘Open the Windows’⁵⁶ deals exclusively with the assistive technology for persons with disabilities, with the focus on education and later support of employers for employment of persons with disabilities and finding appropriate assistive technology and equipment according to the need of persons with disabilities.

Support services for persons with disabilities, until now, have been limited despite the efforts that have been made in recent years to improve the legal framework governing this area of

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⁵⁵ [http://resursnicentar.ehons.org/rs/assistivna-tehnologija/](http://resursnicentar.ehons.org/rs/assistivna-tehnologija/)
lives of persons with disabilities. It seems that the implementation of the law and the timely adoption of appropriate bylaws are identified problems on the way to facilitate a broader range of support services for persons with disabilities. However, this did not prevent the emergence of new types of services for persons with disabilities. In order to successfully develop a range of support services and demonstrate their sustainability in practice, it is necessary to ensure continuous funding of services. Persons with disabilities need support in realising the guaranteed rights and improving the quality of life. Reasonable accommodation of the workplace is just one of the links necessary to achieve the goal, while new programmes, additional training and retraining of persons with disabilities who meet the requirements of the labour market in this way are the real need, without which it is not possible to fully exercise the right to work.

Looking ahead regarding services facilitating employment of persons with disabilities

To increase the number of persons with disabilities having access to work, several measures are of priority importance both to the region of South Eastern Europe and the Republic of Serbia:

- Revision of disability definition in labour-related legislation, as well as the reform of commissions (and methodologies) for professional orientation;
- Promotion and implementation of anti-discrimination laws, preventing abuses and maltreatment of persons with disabilities at work or accessing a job;
- A coherent system of incentives for employers who hire persons with disabilities in order to avoid contradictory measures;
- Monitoring the implementation of laws, strategies, action plans, and international documents signed by the Republic of Serbia, in the domain of work and employment, relating to persons with disabilities;
- Facilities for employers who provide ‘reasonable accommodation’ for persons with disabilities;
- Developing the sector of assistive devices and technologies for work-related situations;
- Recognition and financial coverage of professionals (job seeking staff, job coaches, personal assistants, mediators, etc.) linked with supported employment services;
- Reform of vocational training for persons with disabilities, in the new contexts of labour market evolution;
- Developing new educational programmes and additional education programmes that follow labour market trends.
4.1. Methodological direction of the media monitoring

Monitoring of social attitudes through the media, along with the monitoring of laws, politics and programmes, as well as real experiences of persons with disabilities form a central point of the holistic monitoring. Societal attitudes cannot be fully accessed through the media, but to a large extent can point at trends and the impact they have in the formation of certain attitudes in certain areas of social reality, such as work and employment of persons with disabilities.

Collection of information through the media can help in the assessment of societal attitudes towards persons with disabilities. Societal attitudes represent a barometer of sociocultural values and influence how people choose to act and respond to others. In the particular context of disability, negative attitudes have led to stereotyping, labelling and discrimination. These views play an important role in facilitating or hampering the enjoyment of human rights by persons with disabilities. Given the great importance that media have both on reflection and influence on the societal attitudes, the Convention requires from the states to take steps to encourage the media to portray persons with disabilities in accordance with the Convention on the Rights of Persons with Disabilities. It is primarily related to the change of observation of persons with

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58 Ibid.

59 Article 8, Awareness-raising

1. States Parties undertake to adopt immediate, effective and appropriate measures:
(a) To raise awareness throughout society, including at the family level, regarding persons with disabilities, and to foster respect for the rights and dignity of persons with disabilities;
(b) To combat stereotypes, prejudices and harmful practices relating to persons with disabilities, including those based on sex and age, in all areas of life;
(c) To promote awareness of the capabilities and contributions of persons with disabilities.

2. Measures to this end include:
(a) Initiating and maintaining effective public awareness campaigns designed:
(i) To nurture receptiveness to the rights of persons with disabilities;
(ii) To promote positive perceptions and greater social awareness towards persons with disabilities;
disabilities as objects for medical treatments and social protection to the observation of persons with disabilities as decision-makers about their lives.

In accordance with these, monitoring, i.e. supervision of societal attitudes is an important segment of understanding the situation of human rights of persons with disabilities and also how people learn about the capabilities of persons with disabilities, and active involvement in the labour market. A large number of people learn and acquire attitudes about persons with disabilities through print and/or electronic media and television, and that impact is huge, even for people with direct experience with disability.

The objective of the analyses of media reporting is to integrate two levels – quantitative level (the analyses of media coverage) and qualitative level (the analyses of the context of media reporting). Qualitative analysis allows us to recognize differences in tone and attitude in reporting related to the area of disability, and in this case, the focus is specifically on the employment of persons with disabilities.

Are there any societal attitudes on ‘pressing human rights issues’, that affect the enjoyment of rights of labour and employment of persons with disabilities? It is important that the answer to this question has an approach that brings together all relevant actors, persons with disabilities and their experiences as well as institutions and agencies that implement relevant legal framework through the current employment programmes and at the end, employers and their experience in hiring persons with disabilities.

The analysis of the media coverage gives answers to the important questions:

Does the reporting on disability and persons with disabilities cover the right of persons with disabilities to choose where to work and on which jobs?

Does the media present the stories about persons with disabilities, which clearly indicate that they should choose their living arrangements?

Does the media present the stories about successful employment programme for persons with disabilities that enable them to make decisions for themselves about their living arrangements in the same way they everybody else does?

Media monitoring as a part of holistic reporting aims to establish a sustainable system of monitoring to determine discrimination in the employment of persons with disabilities. Also, methodologically speaking, all other fields related to the position of the rights of persons with disabilities could be considered as the monitoring of societal attitudes.

Media monitoring involves research of the topic coverage and the presentation of persons with disabilities in the media, i.e. their opinions and experiences. Research questions include:

(iii) To promote recognition of the skills, merits and abilities of persons with disabilities, and of their contributions to the workplace and the labour market;

(b) Fostering at all levels of the education system, including in all children from an early age, an attitude of respect for the rights of persons with disabilities;

(c) Encouraging all organs of the media to portray persons with disabilities in a manner consistent with the purpose of the present Convention;

(d) Promoting awareness-training programmes regarding persons with disabilities and the rights of persons with disabilities.

60 Lindqvist Bengt, Moving Forward – Progress in Global Disability Right Monitoring, Disability Right Promotion International, 2007, p 41

61 Pressing issues in this case are issues of importance to the employment of persons with disabilities, working conditions, and (im) possibilities of determining the level of representation of persons with disabilities in the labour market.

62 At the beginning of the implementation of the Law on Professional Rehabilitation and Employment of Persons with Disabilities, it could be noted that one of the main attitudes that determined the low level of employment of persons with disabilities was a low level of education, i.e. unfavorable qualification structure of persons with disabilities. These attitudes very adversely affected the employer to decide on the employment of people with disabilities, as well on the equalization of opportunities of all employees.
1. To what extent issues of disability and persons with disabilities are covered and represented in the most significant print and electronic media?
2. Is there a significant difference in the view of disability between mainstream media and media specialized in the field of disability?

**What is, in this case, media monitoring?**

Media monitoring includes research documentation and verification of information of media reporting in the field of work and employment of persons with disabilities from the human rights perspective.

**Research question**

~ In the last decade there has been a paradigm shift in thinking how the society understands the issues relating to disability. Does the media reflect this change when reporting on matters relating to the employment of persons with disabilities?
~ What does the media report in connection with the employment of persons with disabilities in the open labour market?

**How do we perform media monitoring?**

Stories in the major print and electronic media reporting on the issues of disability and experiences of persons with disabilities are examined through the prism of human rights. Reporting of different media resources are being analysed in order to examine whether the rights of persons with disabilities in the field of work and employment are affirmed, denied or recognized. Essential for the media monitoring are consultations with the experts with knowledge and expertise in the field of media as well on the issues in the field of disability.

**Why is the media monitoring important?**

The media plays an important role in the shaping public attitudes towards disability and the rights of persons with disabilities.
It is recommended that the data for unbiased and balanced representation of disability and persons with disabilities should replace myths and stereotypes, perpetuated by the media portrayal of persons with disabilities.

**Essential questions during media monitoring include:**

The question whether the media report on the topic of work end employment of persons with disabilities. If the answer is yes, then we are interested which media are reporting on this subject and in which sections of their release (society, social protection, chronicle, etc.).
Who is the source of the news (this can be important, for example, who is the interviewee of the journalist, whether it is the representative of the government, NGOs, an expert, a person with disability or the organisation representing them)?
What is the terminology used in the article? (whether it is offensive, incoherent, stereotyped…).

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63 The change relates to the social model (a model based on the human rights) which replaced former medical model.
The model of disability used in the article (medical vs. social), whether the journalists write about disability in a certain pattern. If so, which models are the most common? How are persons with disabilities portrayed in reporting, as victim, people needing help or as holders of the rights? Does the media represent, i.e. show the views of persons with disabilities themselves? Are the language and photos used by the media appropriate? Do the media messages reinforce or oppose stereotypes? Have there been any changes in the media reporting about persons with disabilities over the time (e.g. differences between 2011 and 2012, more or less reporting, a different approach)? What are the factors contributing to the changes (e.g. it can be ratification of the Convention, start of the implementation of the Law on Professional Rehabilitation and Employment of Persons with Disabilities, start of the implementation of certain programmes – actuality). Does it accurately represent the actual lives of persons with disabilities? Are the media accessible to the persons with disabilities?

How to get to the results of comparative analyses of different media?

First of all, it is necessary to examine what is the relationship, i.e. the tendency of one Newspaper Company in relation to the other? Does one give more attention to the issues of importance of employment of persons with disabilities than the other? What is the difference between the major newspapers? Is there a difference in reporting with regard to the type of disability?

Also, a significant indicator of media involvement in contemporary trends of presentation persons with disabilities is the voice of the persons with disabilities themselves in the media stories. There are three key sources of media coverage, first of all persons with disabilities, then the advocates of the rights for persons with disabilities and friends, family and guardians. Do the media stories from this field recognise disability as a human rights issue or not?

4.2. Reporting in the print media on the employment of persons with disabilities

Portraying disability in the media plays important role in the formation of the public opinion on disability issues. The way in which disability issues are presented in the media actually provides information on how disability and persons with disabilities are treated in the society. In the past, the influence of media has been mostly negative, i.e. media mainly contributed to discrimination of persons with disabilities. ‘In their paper, Wolfensberger, Nirje, Olshansky, Perske and Ross (1975) described typical attitudes towards persons with disabilities. They discussed the ways in which people, who belong to the so-called general population, see and experience persons with disabilities, as well as the implication of such views within the system of institutional functioning or on a personal level. Wolfensberger’s enumeration: a person as an object of pity (a sick person or a patient); a person with disability as a lower form of life (sub-human organism); a person with disability as evil, a menace or a monster; a person with disability as a cause of fear; a person with disability as an innocent being and an object of laughter and fun’.

In our country, the portrayal of persons with disabilities has been for a long time under the influence of the so-called medical model, and the topic of disability was generally described as medical or social welfare issue. Stories of persons with disabilities in the media were mostly sentimental and a pathetic tone was used when describing their lives; they were usually portrayed as victims, incapable, vulnerable, while in the focus of the story was

disability, not the person. The media is a very powerful tool for changing the attitudes and the awareness of the society, especially when it comes to overcoming stereotypes, fears and prejudices. If the presentation of disability and persons with disabilities improves, it will greatly contribute to more effective integration of persons with disabilities in all spheres of the social life. However, recently there has been a change in the perception of disability, mostly due to the influence of the associations of persons with disabilities and international organisations dealing with this issue. At the international level, a community of persons with disabilities, along with the growing number of experts and policy makers, especially with the adoption of the UN Convention on the Rights of Persons with Disabilities, advocate for the attitude that it is not an ‘impairment’ – individual functional limitations, irrespective they are physical, intellectual or hidden – that prevent people from achieving desired lifestyle, but restrictive environment and barriers that create inability. Therefore, ‘disability’ refers to a complex system of social restrictions imposed on persons with disabilities by the society.66

The aim of this research is the analysis of media coverage in the area of work and employment of persons with disabilities from the human rights perspective. Through analysing texts in the daily newspapers, a research on how disability and persons with disabilities are represented in the electronic and print media in Serbia is performed, and also the role of the media in reporting on the employment of persons with disabilities. In the period from January 2011 to July 2012, the media content in the print media (specifically daily newspapers such as Danas, Večernje novosti and Blic) was analysed.

Considering the paradigm shift – the way the society understands disability issues, it can be said that the media reflected this change to some extent when reporting on matters relating to the employment of persons with disabilities. This is supported by the fact that in 2009, the Law on Professional Rehabilitation and Employment of Persons with Disabilities was adopted, which provides for new measures aimed at improving the employment conditions. New measures include state subsidies and benefits for the companies that hire persons with disabilities and fines for the employers who refuse to hire persons with disabilities. During this monitored period, the media largely carried news which source was mainly the National Employment Service, the institution in charge for employment and encouraging employment of persons with disabilities.

Most of the texts have appropriate titles, which adequately represent the content, where journalists mostly use terms such as persons with disabilities. However, still a large number of journalists use depersonalized terms such as disabled or handicapped, which are generally perceived as offensive. Also, the titles in some newspapers articles are either pathetic or offensive67, which certainly does not contribute to the proper presentation of persons with disabilities, as they depict them as vulnerable, passive, victims or at the level of the child. A lot of texts are very good and fair, but they often use in the headlines the term disabled, while further in the text use a term persons with disabilities, which is accepted and recommended term by the most in the disability movement68. Unfortunately, most of the texts are


67 Some of the headlines from the analysed texts: Stronger than illness (Jači od bolesti), Life in the corridors (Život po hodnicima), All the torments in five houses(Sva muka u pet kuća), Misery suppressed the hope (Beda ugušila nado), It’s hard to be in a wheelchair (Teško u kolicima), Hello, the help is coming (Halo stiže pomoć), Embrace me strongly (Zagri me zagri jako)

68 Compare the terminology that was in use in 2011, which was the topic of the last year’s report, Lončar G. and others, ‘Employment of Persons with Disabilities in the Republic of Serbia’, Center for Society Orientation, 2011, p 72.
inconsistent in terms of terminology, while there are articles which contain even 5 to 6 different expressions for persons with disabilities. In one article a journalist uses as many as 5 different terms for persons with disabilities: disabled, persons with disabilities, handicapped, disabled persons, disabled workers. In one of the texts, the author says that thanks to the Law on Employment of Persons with Disabilities 10,074 unemployed were ‘removed’ from the NES records, which is really offensive statement.

Generally, the situation regarding the terminology in daily newspapers is quite confusing. In addition to the outdated terminology, the tone in the text is very condescending or even pathetic, because it depicts persons with disabilities as passive and in need of protection and care. There is an example of one article which was rather offensive for children, because the journalist actually wrote about the teachers who are the victims of inclusions, as they have to manage the best they can with the children with disabilities. The author is quite sympathetic and full of understanding for the teachers who emphasize that they are not sufficiently trained to work with these children and that it represents a big burden to them, while the article not even once mentions the position of children with disabilities who should be in the focus of the story. There are also articles which talk about persons with intellectual disabilities as children, even though persons mentioned in the text are more than 30 years old. One article even in a very offensive way talks about persons with intellectual disabilities as children, whose mind is trapped since birth, where the emphasis in the entire text is on the statement that those persons are on the level of a child. This just confirms the general attitude that exists in our society that persons with intellectual disabilities, regardless their age and years, are in fact children, which directly discriminates them and declares them as unfit for anything69. Frequently used term in the articles for persons with disabilities is a resident of the institution or home.

Almost half of the analysed texts include a photo, but it is notable that in the most of the daily newspapers, if they publish a photo of a person with disability, it is usually taken from the back, so the face of a person is not visible or is often blurred. A typical example for the inadequacy of the photo, which was published along with the article, is that in the same newspaper the same photo appears even 4 times, but in different topics.

When we talk about whether the voice of persons with disabilities is present in the texts, only a few articles are actually personal stories, which frequently mention disability of the person, and occupy central place in the story, while the person is less in the focus. In most cases, persons with disabilities are portrayed in such articles as heroes, as they have managed to accomplish something that most persons with disabilities couldn’t, or as victims, because they are endangered in some way and unable to take care of themselves. One of the few texts, where the voice of persons with disabilities is present, shows a person as a victim and the journalist uses rather offensive terminology (disabled, paraplegics, citizens who suffer from cerebral palsy), and the headline is offensive too – All rights for the disabled (Sva prava invalidima). However, there are many more articles that present persons with disabilities as individuals, and in these articles, focus is on the topic that is being elaborated than the fact that a person (or persons) has some form of disability.

The interviewees, i.e. the news sources are in most cases the state or civil servants, ministry representatives, politicians, officials, representatives of the government administration and local self-government. This can be somewhat understandable, given the fact that the focus of

69 Article headlines: For children who suffer from autism (Za decu obolelu od autizma), Number of people suffering is increasing (Broj obolelih sve veći), Children learned about glass objects production (Deca učila o izradi predmeta od stakla)
this study was the employment of persons with disabilities, and that for the most matters in this field the source is the state, i.e. relevant institutions. Far smaller number of interviewees includes persons with disabilities and their families, while in many articles the interviewee, i.e. news source is a non-governmental organisation or association of persons with disabilities. It is interesting that the news in one of the daily newspaper was told only from the perspective of the state, while in other newspapers along with their story, there was a story from the perspective of the representative of the disabled people’s organisations, so the story immediately got a different connotation. In one daily newspaper, a source for the opening of the centre for persons with intellectual disabilities was only the city government, i.e. its representatives, while in the other newspapers the same story was told from the perspective of parents, who were actually the strongest advocates for the construction of this centre. There are articles which combine news sources in the right way, when the journalist talks with the government representatives, representatives of the disabled people’s organisations and other relevant actors, in order to gain a broader perspective on the topic.

In the analysed texts, the type of disability that is most mentioned is actually cross-disability, i.e. focus is more on issues such as employment or education, which are generally related to the persons with disabilities, regardless the type of disability. In number of articles the type of disability is not even mentioned, i.e. a term persons with disabilities is used in the widest possible sense, or even persons from marginalized groups, especially when it comes to employment and employment programmes.

The most common topic is certainly the employment of persons with disabilities, because this is exactly the focus of the entire report. However, in addition to these topics, social services (supported living, personal assistants, etc.), the activities of the disabled people’s organisations, accessibility and transport, inclusive education, etc. are mentioned a great deal as well.

The analysis has shown that there are a lot of quality articles in the domain of investigative journalism, where the author really sees all aspects of the subject matter and uses more resources (persons with disabilities, government institutions, disabled people’s organisations, non-governmental organisations). These texts generally use appropriate terminology and portray persons with disabilities as equal members of the society.70

Bearing in mind that the words are ‘reflection’ of the attitudes of the society, it is necessary to take into account terminology used in the media. It is important for the journalists to be sensitive to this issue and understand the harmfulness of the offensive terminology that is prevalent in our media. When writing an article about disability issues, it is necessary to use the proper terminology. In this segment, it is important for journalists to consult with disabled people’s organisations what terminology should be used. It is especially important to take into account the terms of the headlines and sub-headlines, because they create a true impression of the text.

4.3. Media reporting on the Internet on the employment of persons with disabilities

It is estimated that there are over one hundred Internet media in Serbia, and that a little less than half of Serbia’s population used the Internet in the past three months, which is slight

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70 Headlines: Creators of their own future (Kreatori sopstvene budućnosti), A new home for independant living (Novi dom za samostalni život), The principles of human rights (Na principima ljudskih prava), Ready to work (Spremni za posao), Everyone has the right to work (Svi imaju pravo na rad), Nothing about us without us (Ništa o nama bez nas)
increase in the number of people using this media. In this regard, public service, as well as private media make their content available on the Internet, and it becomes an important place for the analysis, because the information which come from different sources are overlapping. However, the issue of employment of persons with disabilities does not reflect this pluralism, because it is mostly one-dimensional and poorly reported. On that way, the media often assumes the role of mediator, which consists of the transmission of data on state programmes, insisting on figures, while losing an opportunity to explain the readers the importance of such measures. The following are some examples:

- More than 2,000 citizens in underdeveloped municipalities in Serbia will get the job due to the programmes of public works for persons with disabilities approved by the National Employment Service. The NES has approved 311 projects, through which 1,355 persons with disabilities and 719 assistants will be employed.

- The number of state aid users is constantly increasing and at this point nearly 75,000 people receive money based on the care allowance, 88,500 receive aid based on the physical disability, while 72,000 are those who used aid for the funeral services.

At the same time, the voice of persons with disabilities was replaced with the voice of the government officials, who, as opposed to persons with disabilities receive a lot of attention in a number of media:

- Employment of persons with disabilities and older than 45 is a great way of stimulation of people to become full members of the society and make their living, said the Mayer of Belgrade, Dragan Dilas.

The statements of the state officials are in practice transferred agency news, which became a model of reporting on persons with disabilities and their paths towards equality in the society, while personal stories and investigative journalism are ignored even though this topic can be very lively portrayed. Thus, in one report on the programme of the National Employment

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73 Employers are not sensitive to the needs of the ‘marginals’ (Poslodavci nemaju sluha za potrebe „marginalaca“), Danas (Ljiljana Bukvić), 09.04.2012. Available at: http://www.danas.rs/dodaci/biznis/poslodavci_nemaju_sluha_za_potrebe_marginalaca.27.html?news_id=23783
Service, it is talked from the perspective of a successful person from Valjevo, who as a person with disability transferred positive experiences and the importance of employment:

- Stating that at first he worked on the parking charge and that for the last two years he is working as a parking service administrator, he notices that the job had a positive impact on the persons with disabilities, who previously were hired with fixed-term contract within the public works – Every day I looked at the two doormen enthusiastic with the work they perform.\(^{75}\)

Despite this, persons with disabilities are often portrayed as people who depend on the assistance, thereby stirring up the usual stereotypes. With the misuse of terminology that indicates the specific needs of persons with disabilities, many actions, including charities, are subject to a risk to misinterpret their purpose and achieve the opposite effect:

- At the humanitarian auction of 13 celebrity items, that was held two nights ago in the ‘Continental’ hotel, which preparations were followed by the Press on a daily basis and on that way contributed to the human mission of ‘Delta Foundation’, the amount of 33,700 Euros was raised (...) The director of ‘Anton Skala’ school, Tanja Todorović said that she is satisfied and thanked ‘Delta Foundation’ who was, in these difficult times, sensitive enough for little people with big needs.\(^{76}\)

In 2012, statements can be seen in the media coming from the independent regulatory bodies, while in the field of employment of persons with disabilities the most present are Ombudsman and the Commissioner for Protection of Equality. With the experts coming from the non-governmental organisations, the sources are becoming more objective, and it is becoming increasingly clear in the media that the rights of persons with disabilities are human rights which should not be restricted.\(^{77}\)

The speed of communication on the Internet has brought new opportunities for the cooperation of medical experts and users of the media contents, including the part of the professional community, where possible errors and omissions with timely intervention can be successfully corrected.\(^{78}\) Also, two-way communication provides an insight into the views of the citizens, although there is a great potential for abuse and misrepresentation. Although these data cannot be considered as methodologically quantitatively relevant, it is possible to

\(^{75}\) A job comes as a gift (Posao im dođe kao dar), Pravda, 28. 2. 2012. Available at: http://www.pravda.rs/2012/02/28/posao-im-dodje-kao-dar

\(^{76}\) Humanity in the service of children (Humanost u službi dece), Press, 9. 2. 2012. Available at: http://pressonline.rs/sr/vesti/vesti_dana/story/202630/Humanost+u+slu%C5%BEbi+dece.html

\(^{77}\) The targets are persons with disabilities, Roma people and women (Na meti osobe sa invaliditetom, Romi i žene), Danas (M.D.M), 09.10.2012. ‘…She added that discrimination is still mostly represented in the field of work and employment, and as a basis for discrimination in the complaints are nationality, disability, sexual orientation, gender, marital and family status…” See: http://www.danas.rs/danasrs/drustvo/na_metii_osobe_sa_invaliditetom_romi_i_zene.55.html?news_id=248948

\(^{78}\) During the Project ‘Promotion of inclusive labour market for persons with disabilities in the Republic of Serbia’, after the press conference, because of the wrong use of terminology, the Center for Society Orientation intervened by sending the comments on the relevant news on B92 portal, after which the terminology was corrected within an hour. See: http://www.b92.net/info/vesti/index.php?yyyy=2012&mmd=06&dd=25&nav_category=12&nav_id=621296
estimate that the topic of employment of persons with disabilities is not considered as a place of conflict of views and division of public opinions in comments on the Internet portals\(^\text{79}\).

The flexibility of the Internet space use reveals the possibility of the use of the multimedia content, which carry a component of visual effect and can be used to depict persons with disabilities in order to better illustrate their position in the society. However, by examining the media reporting on the Internet, it can be noticed that the topic of employment of persons with disabilities is not followed by the proper visual solution. There are mostly photos of the wheelchairs or similar devices which should depict some newspapers article, and they unjustifiably present settling of persons with disability on disability alone.

Also, in media texts, persons with mental and intellectual disabilities are rarely mentioned in the context of employment. One reason is that persons with disabilities are almost always talked in a generalized manner, and the other is that persons with mental and intellectual disabilities are not considered capable for any kind of work\(^\text{80}\).

Persons with disabilities are not sufficiently supported by the media in exercising their right to employment. Despite the fact that there are a lot of articles dealing with this topic, they are slightly different from each other and show no real interest of the journalists. A lot of articles, when talking about employment of persons with disabilities, highlight the name of the company which employ persons with disabilities instead the professions that employees perform. Also, when using statistical data, there are common comparisons with the general indicators of unemployment, where there is no clear insight on the number of employed persons with disabilities\(^\text{81}\). The manner of media reporting is one of the main components for understanding of social model discourse and acceptance of persons with disabilities as citizens and holders of their rights, but it is still not given significant importance.

### 4.4. Recommendations for the improvement of the reporting on employment of persons with disabilities in the media

- A reporting on employment of persons with disabilities should be in accordance with the social model and not stereotypes encouraging. The voice of persons with disabilities and independent experts in that field needs to be more present, developing investigative journalism which is not based on the mere transfer of statistical data;

- In accordance with the Convention on the Rights of Persons with Disabilities, as a precondition for equal participation, the government should encourage positive presentation of persons with disabilities in the media and to consult disabled people’s organisations on this issue;

- Use the possibility of multimedia formats on the Internet in order to get the issue of employment of persons with disabilities closer to all citizens, and increase its visibility. Use terminology and visual solutions that emphasize individuality, and are not based on disability;

\(^{79}\) During the monitoring of media reporting on the Internet in 2012, it is noticed that readers were mostly critically oriented towards providing social welfare to persons with disabilities and mostly commented on that issue, which is in accordance with the represented media content, which is still based on the medical model

\(^{80}\) See more in the section on deprivation of legal capacity in the Republic of Serbia

\(^{81}\) Thirty jobs for persons with special needs (Trideset radnih mesta za osobe sa posebnim potrebama), RTV, Tanjug source.

- Media experts should ensure that media is made in formats accessible to everyone, including Sign Language or subtitles for people with hearing impairments, Braille or audio formats for people with sight impairments;

- Complaints should be sent to the editors when disrespectful reporting is found in the press. Draw attention to the editors on negative portrayals of persons with disabilities and require to make corrections when using inappropriate terminology;

- It is also clear that it is necessary to invest more in training of media experts on the respectful disability reporting. Trainings are critical to help journalists, editors and producers to understand disability from different perspective and give them the tools they need, such as correct terminology and understanding of the social model, in order to cover disability issues in an empowering way.

It is essential to cooperate with the media to ensure that disability topics are in the media agenda and that they are covered from the perspective of persons with disabilities themselves.
5.1. Local action planning as a tool for equalization of opportunities of persons with disabilities and their active participation in the process of development of inclusive local policies and support of employment of persons with disabilities

Center for Society Orientation – COD, in cooperation with the local coalitions of persons with disabilities in the municipalities covered by the monitoring report on employment of persons with disabilities for many years works on the implementation of existing and new action plans in the field of disability. Before implementing any kind of consultation processes in the identification of the needs of persons with disabilities and defining local action plans, it is very important to know what are the referral documents, both international, such as the UNCRPD, the EU Disability Action Plan, or the Council of Europe’s Action Plan, as well as national, such as the Poverty Reduction Strategy, national and municipal social protection strategies, etc. It is crucial to know the entitlements of these documents, priorities and support mechanisms and what we would like to achieve. Local action plans have to be linked to the national plans and strategies, while reflecting local resources and needs.

In terms of planning support services for persons with disabilities at the local level, it is necessary to have a clear picture of the local community and reliable data on the situation of persons with disabilities as well as the needs for services to support employment of persons with disabilities. Employment of persons with disabilities can be achieved only by the development of support services that meet the individual needs of persons with disabilities. In previous years, many support services were developed without consultation of persons with disabilities, disabled people’s organisations or local authorities. Pilot initiatives were implemented without local sustainability strategies or further development. In order to have sustainable needs based services, they must be part of the general strategies and local disability action plans. Support services are crucial in the process of employment of person with disabilities.

5.2. Mainstreaming of disability into local politics

To understand what does the mainstreaming of disability into the local policy mean, we need to understand what mainstreaming of disability into the regular system and disability policy means, with special emphasis on the local politics.

Mainstreaming an issue means making it a regular issue for policy makers and representatives of interested groups, which further means that it is constantly present on the agenda of decision makers during all strategy designing processes, planning, decision making, implementation of the existing plans, monitoring and evaluation. So, whatever is the issue, that issue is on the agenda?

Text box 1: Definition of disability:

Disability is human rights issue. UN Convention on the Rights of Persons with Disabilities:

‘Disability is an evolving concept and that disability results from the interaction between persons with impairments and attitudinal and environmental barriers that hinders their full and effective participation in society on an equal basis with others.’
The above definition clearly emphasizes the social aspect of disability and the ‘hot-spots’, where obstacles hinder persons with disability to participate in the community activities as all other citizens. It is important to mention that full participation of persons with disabilities is not the issue here, but that they should have the opportunity to participate on the same level with others if they wish so.

Local policy is a way for the local authorities to transfer values of the society into regulations and practice, the vision on how a community should look like and how it should function. It can be said that the local policy expresses the values and the community development strategy with the aim to achieve the vision of that community.

If we should list an example of a good policy from the viewpoint of persons with disabilities, it would reflect the following values, societal vision and strategies:

**Values:** social and human rights approach to disability;

**Vision:** an inclusive society, good cooperation between local authorities representatives and the disabled people’s organisations; persons with disability are included into the work of state agencies responsible for planning and monitoring strategy and policy implementation;

**Strategies:** laws, policies, distribution of financial means, distribution of human and organisational resources, action plan implementation.

### 5.3. What is a Local Disability Action Plan?

Local Disability Action Plan - LDAP represents the plan that should link set of actions and measures that should be implemented in order to answer the needs and rights of all persons with disabilities in one local community.

LDAP is more complex action plan comparing to the organisational action plan, because it includes planning of actions and measures that should be implemented through institutions in the local communities during one year or longer. So it is very important that people involved in the local disability action planning process are familiar with the methods of planning and knowhow and whom to engage in order to have efficient process of development of the plan.

Good plan – good solutions.

Local Disability Action Plan should be part of the general context of all strategies and plans of one local community. LDAP should be, in addition to the local context, based on the existing national regulations, laws, strategies and the existing international instruments, conventions, action plans, strategies, etc.

### 5.3.1. What should LDAP contain?

Local Disability Action Plan should contain the following information:

- Existing resources
- Identified needs of all persons with disabilities / cross disability approach
- Detailed characteristics need
- Description of the solutions / measures
- Steps to be taken (concrete measures)
- Assessment of the necessary resources (money and equipment)
- Evaluation of time required to implement measures
- Necessary human resources
Information about the people responsible for the implementation of actions / measures

5.3.2. What are the characteristics of good local disability action plan?
In the development of a Local Action Plan on Disability it is necessary to invest great efforts and time of various groups. If we want to LDAP gives us satisfactory results it is necessary to have certain characteristics:

- LDAP is comprehensive and covers all aspects of life. It is based on a corresponding needs inventory of ALL persons with disabilities.
- It is drafted in cooperation between disabled people’s organisations, local authorities and representatives of key interested groups.
- It is ambitious and realistic at the same time – based on existing and potential resources of the local community.
- Contains clearly defined long-term objectives and specifies concrete activities and measures which lead to achieving objectives.
- Defines how local authorities shall further cooperate with disabled people’s organisations during LDAP implementation.
- It sets priorities in timeframes but ensures that the majority of topics will be included in the end.

LDAP is a document adopted by the local authority. Thus, the final version is developed by the local authority in cooperation with disabled peoples’ organisations and interested groups. To efficiently launch this process it is necessary for disabled peoples’ organisations and interested groups to develop a motion or a draft LDAP, which can afterwards serve the local authorities as a first or initial version for designing the final LDAP.

5.3.3. Steps for development of Local Disability Action Plans
Process of development of Local Disability Action Plans in Southeast Europe Region was implemented through two models, both consisting eight steps.

Model 1 of community consultation at the local level:
- In the first phase, all DPOs or disability groups in the targeted municipality should be identified and met in order to discuss the present situation and to understand their views on the situation of persons with disabilities in the next three to five years. During those meetings a questionnaire designed to acquire different types of info can be used. The first type of information that should be asked would be on the capacity of the organisations, their links and cooperation with other stakeholders in the local community, at county and national levels. The second type of information to gather would be on the political, economic and educational situation in the local community. The third type of information that should be gathered would be on their knowledge on existing laws, different action plans and strategies, the UNCRPD and to know to what extent they are using them in their work. Finally we should ask for info on existing services for persons with disabilities, who are the service providers, who is financing the services, is there any mechanism in place when persons with disabilities need service to whom they need to refer and is this info viable and easy to find. Also it is important to discuss issue of development of new needs based services, and how they perceive it, i.e. during the process of de-institutionalisation there will be new persons with disabilities that will
come back in their respected municipalities. Who will take care about those people, and if needed who will initiate process of development of new services, etc. This phase could last, depending on how big the local community is, from one to two weeks.

After summarizing the findings from phase one, which could take, three to five days, the second phase can start. In this phase interviews should be scheduled meetings with different actors involved in the disability sector, covering municipal representatives, national / regional / local employment agencies, the centre for social work, etc. Different types of questionnaires should be developed for each of stakeholders to collect information on disability awareness, what kind of disability perspective they have, to what extent persons with disabilities and their organisations are involved in their work, among other information. The second phase would one to two weeks, with the work of summarizing of the findings.

During the third phase, a set of training modules are organised depending on the outcome of the information gathered along with consultation meetings for representatives of disability people’s organisations, municipal representatives, national / regional / local employment agencies, the centre for social work, social service providers, etc. The first training module could be on the Disability Creation Process and the paradigm shift from a medical to social model of disability, the second module could be on social services, while the third module could be given on the process of development of a Local Disability Action Plan. Optionally, a fourth training module could be organised on the process of the municipal budget planning. This phase could last one to two months, depending on the present situation on the field and the time schedule of the actors involved in the process.

The fourth and final phase should take place immediately after the last training module. The training participants should enter a process of identifying priority areas and priority needs for each of them, based on the UNCRPD. In parallel, it is important to identify local resources and to list them in a separate document. One could work summarising the needs of the community and the second one a list of available local resources. After 1-2 weeks, a joint workshop could be organised to present the findings and compile it into one document.

In implementing scenario 1 you will need 3 to 4 months bearing in mind that you will have a big group of different stakeholders involved during the whole process. On top of it you would need at least one month more for implementing whole process, two weeks for preparations and two weeks for conclusion. Two types of researches should be conducted, where you can gather relevant information on the present situation in the local community. Three to four training sessions should be conducted. Two working groups should be created for the creation of the list of needs and the list of resources in the local community. Finally a workshop for all the training participants where the two working groups will present their documents and incorporate changes based on the group discussion should be organized.

**Model 2 of community consultation at the local level:**

If choosing this model, you should focus primarily on disabled people’s organisations and their capacity building prior to the elaboration of the local disability action plan. Like in scenario 1, in the first phase you should organize a ‘focus group’ meeting with all the disabled people’s organisations from the municipality in order to discuss the present situation in the municipality and to see their views on the situation of persons with disabilities in the next three to five years. Ideally, there should be two persons per organisation present. After the focus group meeting the findings should be formulated in one document with recommendations for future interventions. This process would last from ten days to two weeks.
In the second phase, a set of seminars and at least one workshop should be organized. It would be the same as for the focus group: two representatives per organisation should be present. Proposed topics for the seminars are:

a. The Disability creation process and Social Services,

b. Networking and work in coalitions,

c. Advocacy and Lobby skills,

d. Development of a qualitative local disability action plan, and

e. Budget planning and budget follow up with focus on municipalities.

The seminar participant should have two assignments, the first after the second seminar session and the second after the fourth seminar session. You should give assignment to the participants to create a local coalition of disabled people’s organisations between the second and the third seminar session. After the fourth seminar session, you should divide the participants in two working groups and asked them to work on two separate documents - a List of Needs and a List of Resources.

The final activity during this consultation process is a workshop. The aim of this workshop will be the finalization of the List of Needs and the List of Resources and the development of the coalition’s action plan for the endorsement of the Local Disability Action Plan. In the first part, two working groups should present their List of needs and List of Resources. The participants will have the opportunity to discuss and to propose changes to the documents. In the second part of the workshop a first version of the coalition’s action plan should be proposed and developed by the local coalition including clear deadlines and tasks.

The second phase of this consultancy process could last two to three months. The tempo should be decided together with the representatives of the disabled people’s organisations during the first phase. We should propose two options to them. The first option will be to have the seminars and the workshop every ten days and the second option will be to have the seminars and the workshop every fifteen days. This will give enough time for the elaboration and preparation of the following sessions from the leader of the process and/or external consultant side and enough time for digestion of the seminar content from the participant’s side.

To implement scenario 2 you would need three to four months. On top of it you would need at least one month more - two weeks for preparations and two weeks for conclusion. One focus group meeting should be conducted where you will gather relevant info on the present situation in the local community. Five seminar sessions should be conducted. The coalition of disabled people’s organisations should be formed. Two working groups should be created for the creation of the list of needs and the list of resources in the local community. Finally a workshop for all the training participants where the two working groups should present their documents and incorporate changes based on the group discussion and where they will develop their coalition action plan for the endorsement of the local disability action plan.

5.4. Sources of the policies for the employment of persons with disabilities – documents of the political parties in the Parliament in the Republic of Serbia

Political parties base their activities on the principles of their programmes. For the benefit of insight and problem identification of the achieving of policy on employment of persons with disabilities, this section shall individually analyse programmes and other thematically
relevant, documents of the predominant political parties (see Table 1) and other parliamentary political parties\textsuperscript{82}.

Since the programme, as one of the main constituent elements of each political party, contains reviews of the previous and current state, a description of practical measures that the party intends to take, and a list of specific objectives that the party wants to achieve towards specific, desired development of the society\textsuperscript{83}, it is necessary to establish the basic guidelines resulting from the programme and influence the actions of the parties in the Republic of Serbia in this field.

It is important to emphasize that the analysis of political parties and finding the key attitudes regarding the employment of persons with disabilities, cannot be fully executed only by detecting certain parts of the programme which explicitly discusses this issue. It is necessary to address the problem more broadly, i.e. to include other subjects directly related to the issues discussed in the programmes. These issues are often treated within the topics such as education, sport or the inclusion of persons with disabilities in social activities in the community, or even in sections which discuss private lives of individuals. All this outlines the framework for the exercise of the right to work of persons with disabilities, since it cannot be considered as an isolated issue, without the involvement of the relevant factors in the analysis and reporting processes. This is in accordance with the guidelines resulting from the holistic approach, and is considered the backbone of the methodology used in this report.

During the eighth session of the National Assembly of the Republic of Serbia from 2008, it is recorded that from 250 members of the Parliament, the only one person with disability in the National Assembly was Gordana Rajkov, who, as a non-party person was elected from the electoral list of the G17+\textsuperscript{84}. Gordana Rajkov was until and during her mandate engaged in the issues related to the persons with disabilities, and it was recorded that she is the first person with disability in the Parliament of the Republic of Serbia ever. However, after the parliamentary elections in 2012, there are no persons with disabilities present in the convocation.

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\textsuperscript{82} For the purposes of the Report for 2012, a further analysis of the programmes of political parties that were in the National Assembly from 2008 and/or 2012, which provided for the development measures of social policies on the employment of persons with disabilities.


\textsuperscript{84} The Parliamentary Network, \url{http://www.skupstinskamreza.rs/portal/index.php/home/poslanik-meseca/5883-gordana-rajkov}.
Programmes of the political parties and employment of persons with disabilities

Democratic Party (DP)\textsuperscript{85}

In its programme, the Democratic Party in the section ‘Freedom’, in a general way refers to disabled citizens and all those who cannot care of themselves. It also discusses the improvement of mechanisms for social welfare, so that the state helps all those in need, as well as the social support, which should be just the addition to the personal initiative to encourage disabled individuals to actively participate rather than passively observe.

In the Change Strategy\textsuperscript{86} from 2005, persons with disabilities are identified only as beneficiaries of social protection through the special protection of this vulnerable group.

In A Better Life Programme\textsuperscript{87}, where plans and objectives of the Democratic Party for the election cycle 2012 to 2015 under the slogan ‘Jobs. Investments. Security.’ were presented, persons with disabilities are mentioned in the context of poverty reduction and social inclusion:

\begin{quote}
In the coming years, it is necessary to develop programmes and measures that would provide additional support to the poor citizens and excluded groups of population in order to facilitate their access to education, labour market, health and social services and opportunities for housing.

Support measures should be formulated within the framework of the concept of active involvement which includes incentives for the employment and education of poor and excluded citizens.
\end{quote}

\begin{table}[h]
\centering
\begin{tabular}{|c|c|c|c|}
\hline
\hline
\textbf{UPS} & 5590 & 7834 \\
\textbf{SPS} & 1137 & 8476 \\
\textbf{SPD} & 1326 & \textbf{6133} \\
\textbf{SNS} & 4012 & \textbf{10594} \\
\textbf{NS} & & \\
\textbf{LDP} & & \\
\textbf{DS} & & \\
\textbf{DS} & & \\
\hline
\end{tabular}
\caption{The media representation of the political parties from 1.1.2012 to 10.8.2012 (Source: Ebart)}
\end{table}

\textsuperscript{85} http://www.ds.org.rs/dokumenti/ds-program.pdf

\textsuperscript{86} http://www.ds.org.rs/dokumenti/ds-strategija_promena.pdf

\textsuperscript{87} http://www.ds.org.rs/dokumenti/program_za_bolji_zivot_2012-2016.pdf
Democratic Party of Serbia (DPS)

In its programme, adopted in 1992, the Democratic Party of Serbia mentions the problems of persons with disabilities in our society. By envisaging the measures of the social policy, the DPS states that for the purpose of the social integration of persons with disabilities, special attention is given to the implementation of strategies to improve their social status and employment. Also the DPS is committed to the equal opportunity in employment of persons with disabilities and the elimination of discrimination. In its programme, the DPS recognizes job security as the most effective form of the social protection for persons with disabilities, but does not explain how to achieve this.

Given that the provision of job is the most effective form of the social protection, we strongly support the employment of women, youth and elderly as well as persons with disabilities.

Furthermore, Declaration on economic future of Serbia, adopted on 10th Assembly of the DPS in February 2010, further elaborates these ideas. In the section 24, which discusses social protection, persons with disabilities are among others, recognized as persons threatened by the poverty. The problems of economic security of these groups of people are associated with the securing of job offers, but also with the creation of funds intended for these purposes. Therefore, the DPS in this declaration suggests that direct allocations for their care should be replaced with employment programmes and incentives of their job mobility by increasing their qualifications, motivation for seeking employment and employers’ motivation to create adequate jobs. A certain number of jobs intended for this group of population must be initiated through the public works at the national and local level.

G17+  

Gordana Rajkov, a member of the Parliament, who was elected from the electoral list of the G17+ as a non-party person, in the convocation of the National Assembly since 2008, was the only one person with disability in the National Assembly.

In its Programme, the G17+ principally deals with the problem of persons with disabilities, persons with special needs. In the section on social protection, the G17+ assesses that the family and the local community should become the basis of a modernised system of the social protection, as the natural environment in the protection of children, young people, persons with disabilities and the elderly.

In the part dealing with children, youth and sport, in the section related to the sport it is said that the G17+ will pay special attention to people with special needs, because we believe that sport is a part of their involvement in the daily life of the community.

In the section that discusses about the economic position of women, the G17+ also addresses the issue of persons with disabilities:

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89 Since May 2010, G17+ function as a part of United Regions of Serbia (URS)
90 http://www.g17plus.rs/v2/images/stories/dokumenti/program-g17-plus.pdf
The G17+ considers that special measures of social protection must include all population groups incapacitated for work: the elderly, people with special needs, as well as all persons without employment, which would significantly improve the position of women in general.

However, the work of the G17+ since its establishing is directly aimed towards the activities of the United Regions of Serbia, in which central plan for decentralization persons with disabilities are not mentioned.

**Liberal Democratic Party (LDP)**

The Liberal Democratic Party in its programme, in the part on the social policy, section *Reformed social policy in the reformed Serbia* mentions persons with disabilities. The LDP recognises the isolation of persons with disabilities and criticizes the state because they turn a blind eye to the problem. In the part on democratisation and human rights, *LDP stands for the implementation of the Law on Prevention of the Discrimination against Persons with Disabilities which is adopted, but its non-compliance with the situation in real life prevents its full implementation.*

The Commissariat for Human Rights of the Liberal Democratic Party in the objectives of their work particularly emphasizes the improvement of the situation of persons with disabilities in the areas of culture, education, sport, communications, eliminating stereotypes and redefining the role of persons with disabilities as active members of the society, and easier access to the labour market.

**League of Social Democrats of Vojvodina (LSV)**

In its programme, the LSV in a very detailed manner deals with persons with disabilities. In the section 16, entitled *Equal opportunities for persons with disabilities*, at the beginning the LSV defines the situation of persons with disabilities in Vojvodina. In this first part, the LSV is committed to strengthening the social activities at all levels, in order to provide conditions for all persons with disabilities to be cared for in a human way, including contemporary scientific and technological achievements.

In the second part, entitled Discrimination, the LSV recognizes the problem of discrimination as a barrier to the employment of persons with disabilities and states that discrimination is manifested by offensive language, inappropriate behaviour towards them and deprivation of the right to a full life by others, inability to exercise the basic rights that concern freedom of movement, adequate education and employment. Also, once again the LSV advocates that Vojvodina should become a place where all citizens will have and exercise equal rights, where persons with disabilities would feel equal members of the community.

The LSV also deals with particularly vulnerable group of persons with disabilities – women with disabilities. In the programme, the LSV says that the League of Social Democrats of Vojvodina advocates for the change of the policy which will enable that the declarative equality of women with disabilities in practice is exercised and achieved. This includes taking

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92 [http://www.ldp.rs/o_nama/program/drugacija_srbija.754.html](http://www.ldp.rs/o_nama/program/drugacija_srbija.754.html)
94 [http://lsv.rs/o-nama/dokumenti/program-i-statut-lsv-110/](http://lsv.rs/o-nama/dokumenti/program-i-statut-lsv-110/)
care of the families in which women with disabilities live, ensuring their better health, social and economic protection, the creation of conditions that, if they want and are medically fit, become mothers, be educated and employed.

The LSV in a separate section deals with **education and employment** of persons with disabilities. As the biggest barriers to the employment of persons with disabilities, the LSV differentiates the following issues: **the general lack of jobs, low awareness of employers when it comes to willingness to employ persons with disabilities, lack of adequate laws, inadequate educational system, especially in terms of types of occupations available for persons with disabilities.** It should be also noted that the LSV proposes a series of measures to promote employment of persons with disabilities:

*It is necessary to encourage employers to reasonably accommodate the conditions of employment and work for persons with disabilities, as well as the creation of alternative employment programmes, taking into account specific characteristics of persons with disabilities and enable: flexible working hours, part-time work, job sharing, self-employment and care of persons with disabilities.*

*Vojvodina has a great potential to achieve alternative employment programmes through the planning and adaptation of existing jobs and the creation of affordable workspaces, with the support of new technologies that facilitate the work of persons with disabilities and the provision of adequate personal assistance that helps persons with disabilities to communicate with the work environment.*

*The League of Social Democrats advocates for the creation of all necessary conditions for the implementation of alternative models of employment.*

In addition to the above mentioned areas, special attention in the LSV programme is paid to the creation of an accessible physical environment and providing accessibility to information and communication for persons with disabilities.

Improvement and accessibility of the health services and improvement of sports conditions for persons with disabilities are also part of a unified whole in the section 16. In addition, *raising the civil awareness on the persons with disabilities, their rights, needs, abilities and achievements,* is recognized as an integral part of the educational process.

In addition, the LSV in its programme deals with the issues of private and sexual life, as well as the questions of marriage and parenthood of persons with disabilities. In these sections, party further addresses the issue of inaccessibility and inadequacy where social life is taking place, historical and media influence on the concept of sexuality and beauty, i.e. exclusion of disability from aesthetic criteria, and the requirements for education regarding reaffirming beauty of different human beings. The representation of these topics in the LSV programme distinguish the League as the only parliamentary party which in specific manner deals with various aspects of lives of persons with disabilities. In one section of the LSV programme, it is also noted that the **League of Social Democrats of Vojvodina gives priority to the issues related to the persons with disabilities.**
In 18.02.2000, the LSV adopted Declaration on the Rights of Disabled Persons. It states that the League of Social Democrats insists that legislation and other regulations enable persons with disabilities positive discrimination in training for work and involvement in work, in order to enable them, in accordance with their capabilities, to be equal and responsible members of society.

New Serbia (NS)

In its programme, New Serbia stands for the social justice in which the instruments of social policy should be incorporated in the housing, tax, health, pension and disability legislation. Persons with disabilities do not take part in the programme of New Serbia, except in the broad sense of defined attitude of respect for the principles of Declaration of Human Rights and Freedoms and the European Convention on Human Rights and Fundamental Freedoms.

Serbian Progressive Party

The Serbian Progressive Party was established in September 2008, initially as a MPs club under the name Forward Serbia, represented by 21 members of the Parliament. In October 2011, two years after its establishment, the Serbian Progressive Party presented ‘The White Paper: Programme for Changes’. In the twelfth chapter, Social Policy and Social Justice, the SNS in the item 4 addresses the issue on persons with disabilities in Serbia.

At the beginning, the issues of persons with disabilities in the RS are defined, where it is stated that there is no institution where it would be obligatory to record every person with disability, nor mutual cooperation among different institutions in terms of common database. Also, the SNS recognizes the social isolation as one of the main problems of persons with disabilities. That social isolation the SNS sees through the loneliness in facing disability, impoverished social contacts and difficulties in trying to get involved into institutionalised forms of the social life. In this part the Social Progressive Party expresses the wish that persons with disabilities should be truly part of the community and states that it will, in order to achieve this objective:

- Comply existing legislation with the international instruments in the field of protection and integration of persons with disabilities into the social life;

- Create conditions and enable optimal education through the removal of all barriers, from construction and architectural to legal and social;

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96 http://208.131.145.245/dokumenta/14_ns_program.pdf
97 NOTE: the Serbian Progressive Party did not participate in the elections for the Eighth convocation of the National Assembly of the Republic of Serbia, but after the breakup of the Serbian Radical Party, part of its members of the parliament formed the Forward Serbia club of MPs
- Enable persons with disabilities adequate retraining and additional training within existing psychophysical abilities, that will result in the employment and independence;

- Encourage better cooperation with associations, unions and non-governmental sector in order to stimulate and implement projects against isolation, and in order to integrate into the community and social trends and the engagement of their potential.

The SNS also proposes a series of measures to facilitate the engagement in sports of persons with disabilities, recommends solutions for the construction of residential and public facilities that provide accessibility and satisfaction of the living needs of persons with disabilities, and improvement of the road infrastructure, public transport and culture of traffic participants in order to understand the specific needs of disabled persons.

A special part of the White Paper is devoted to the foreseeing of the construction and operation of the Genetic centre for the genetic map - the database of the whole population in the republic, with the ambition to build a regional centre. The Centre would include new health institutions, institutions for children with developmental disabilities and genetic counselling, which target group is defined broadly, to those who are planning a family, and have relatives with certain disorders. It would help the aforementioned genetic base because it would contain information about genetic potential and could eventually reduce the birth of children with certain congenital disorders, which would reduce the financial claims in the society. At the end of the part on the Genetic centre, it is said that with such programme of the reduction of hereditary diseases also those with predispositions to common disorders today, such as cardiovascular diseases, obesity, alcoholism and mental disorders would be included.

**Serbian Renewal Movement (SRM)**

This party in its programme does not include plans for the improvement of situation of persons with disabilities. In the context of employment, it is only mentioned that the SRM believes in the liberal principles, and that they consider that the market competition and the free man who with his work and entrepreneurship creates social wealth, are the foundation of every successful policy.

**Socialist Party of Serbia (SPS)**

The Socialist Party of Serbia in its programme from December 2010, in several places discusses about persons with special needs and disabled. In the part of the Programme which discusses social democracy, solidarity and security, the SPS advocates for the concept of social democracy which consists of the reduction of strong social differences between citizens and improvement of the social protection of those who are the most vulnerable – all those who are poor, infirm, old, persons with special needs or incapable for work. Socialists propose to provide the social welfare and solidarity support in order to preserve their lives, health and minimum conditions of the quality of life.

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99 [http://www.sponis.org.rs/?page_id=37](http://www.sponis.org.rs/?page_id=37)

In the section on the social policy, the SPS insists on care and protection of the most vulnerable categories of citizens, such as the disabled, persons with developmental disabilities, persons who express their needs in different ways, persons with atypical development, persons with intellectual disabilities and persons incapable of work. For that purpose, stimulating, regulatory, financial and other conditions for the establishment and construction of institutions for the elderly and infirm persons, persons with intellectual disabilities and persons with special needs will be created.

The SPS also addresses the problem of disabled war veterans. In this part of the Programme, the SPS advocates that their material and social security is secured by payment, employment, solving housing problems and solidarity funds, provision of adequate health care and scholarships for the education of their children.

**Social Democratic Party of Serbia (SDP)**

Political programme of the Social Democratic Party of Serbia, which is adopted at the Congress held on 12th of December 2009 in Belgrade in its 8th item discusses about providing social security and jobs. In this section it is said that the SDP advocates for the participation and inclusion of persons with disabilities in all aspects of the social life. It states that all persons with disabilities and special needs in our society must actively participate on an equal basis.

**Serbian Radical Party (SRP)**

In its programme, the Serbian Radical Party addresses persons with disabilities in several places. In the part which deals with the Veteran protection, they discuss about the rights that are the expression of disability, regardless of it was acquired during war or peacetime. In this section it is stated that:

*Persons who have completely lost the work capacity should be ensured the right to a disability pension, free medicines, assistive devices, home care and accommodation in suitable institutions from the state budget. Persons who have partially lost the work capacity should be provided help for retraining and additional training and assistance in training and employment and the right to personal disability pension.*

*Disabled war and peacetime veterans must be the concern of the State, because on the call from the state citizen came into the situation of loss of part of the body or in any other similar way impair their health and hence their work capacity.*

In its programme, in the separate Article (88), the SRS deals with the protection of persons with disabilities. In the first paragraph of this article, it is defined what the term violated work capacity mean. It is as equal as the objectified handicap of the individual which makes him unequal, i.e. as derived form of the natural inequality, and violation of work capacity is interpreted as the evil for the individual, his family and the state.

101 http://www.sdpsrbije.rs/program-socijaldemokratske-partije-srbije/
102 http://www.srpskaradikalnastranka.org.rs/program/44
Paragraph 2 of the Article 88 defines measures that the SRS considers must be taken in case of the occupational injury or the occupational illness, and therefore proposes measures to redress the consequences of the reduced work capacity. The SRS recommends that a person can achieve certain rights (retraining, additional training ...) on the expense of the employer, where he suffered the occupational injury or acquired the occupational disease. Also, this article deals with the benefits that a person with disability should receive from their employer, i.e. specifies that the benefits the employer pays to disabled workers are not included in the tax base.

The programme of the Serbian Radical Party does not address specific problems of the persons with disabilities in the employment, but only states that disabled war and peacetime veterans must be the concern of the state as well as the commitment to the principle that persons who have partially lost the work capacity should be provided help for retraining and additional training and assistance in training and employment.

**Party of United Pensioners of Serbia (PUPS)**

The PUPS programme shows a strong tendency toward social policy in terms of advocating for better economic status of the vulnerable groups. In the short programme of the party, persons with disabilities are mentioned only in the part the Pension and Disability Insurance, stating that the ratified international conventions in this area must be complied and proposes the reform or development of a new system of pension and disability insurance.

The Party of United Pensioners of Serbia has prepared a draft Law on Social Entrepreneurship, and as users, among others, are unemployed persons registered with the National Employment Service for at least 24 months and those who are according to the law in need of the social assistance, and those who are denied the right on professional rehabilitation and employment of persons with disabilities in accordance with the special law – disabled persons. On the other hand, users of social employment in this draft are not considered to be persons who are entitled to disability pensions, unemployment compensation and those who were already covered by some form of the support in employment.

On the website of the party, in addition to official documents, there is a series of articles and presentations on the proposed model of the employment of persons with disabilities.

**The direction of the policy in the Republic of Serbia regarding the employment of persons with disabilities**

The above-mentioned documents have found their place in this report in order to estimate the perspective of the policies of the Republic of Serbia concerning persons with disabilities. At the level of the programmes of political parties in accordance with the presented, it can be determined exactly how present is the attitude that disability is an evolving concept and that disability results from the interaction between persons with impairments and attitudinal and environmental barriers that hinder their full and effective participation in the society on an

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103 http://www.pups.org.rs/images/vesti/program.pdf
equal basis with the others\textsuperscript{105} in the actual programmes, and whether it really deviated from the medical model oriented towards the institutions\textsuperscript{106}.

International documents, such as the World Programme of Action Concerning Disabled Persons, the Standard Rules on the Equalization of Opportunities for Persons with Disabilities, the International Convention on the Rights of Persons with Disabilities, carry a clear demand for the respect for diversity and acceptance of persons with disabilities as a part of the human race and gender diversity, as well as the request for the promotion of the human rights of persons with disabilities in the formulation and implementation of policies and programmes, so in the future, the political parties have clear objective with the aim of coherent policy of improvement of status of persons with disabilities and their access to the labour market.

5.5. Legislative framework - the importance of bylaws to implement the Law on Professional Rehabilitation and Employment of Persons with Disabilities

This part of the report discusses the legislative framework, i.e. the review of the legal framework in the field of employment of persons with disabilities. The existence of the appropriate legislation and its application in practice, the way the laws are violated or protect the rights of persons with disabilities are the basis of the systemic monitoring. The systemic monitoring also includes cases before the court and the statutory bodies dealing with the human rights. Collection and analysis of the cases of persons with disabilities generate evidence on how the courts and other authorities treat the rights of persons with disabilities, interpret and implement relevant laws in the monitored area - in this case the area of employment. During survey for 2011, the analyses of the standards of human rights through the international and national laws and practices was performed\textsuperscript{107}. In order to implement the law in practice, it is necessary to be accompanied by the relevant bylaws.

The Law on Professional Rehabilitation and Employment of Persons with Disabilities provides for the following bylaws:

- Regulation on more detailed manner, expenses and criteria for the assessment of work capacity and possibility to find or retain employment (Article 9, paragraph 6 of the Law on Professional Rehabilitation and Employment of Persons with Disabilities) – prescribed by the minister in charge of employment issues, minister in charge of health issues and minister in charge of pension and disability insurance issues;

- Regulation on more detailed conditions, criteria and standards for implementation of measures and activities of professional rehabilitation (Article 13, paragraph 2 of the Law on Professional Rehabilitation and Employment of Persons with Disabilities) - prescribed by and in the mutual agreement of the minister in charge of employment issues, minister in charge of health issues and minister in charge of pension and disability insurance issues;

\textsuperscript{105} http://www.bg.ac.rs/csrp/clanice/centri/pdf/CSH_Zakoni/Konvencija_o_pravima_osoba_sa_invaliditetom.pdf

\textsuperscript{106} Three Keys for equal opportunities, the Government of the Republic of Serbia, the Ministry of Labour, Employment and Social Policy, Department for protection of persons with disabilities, Belgrade, 2007

• Regulation on spatial and technical conditions, vocational training of employees and other conditions necessary for operation of the Job Centre (Article 44, paragraph 2 of the Law on Professional Rehabilitation and Employment of Persons with Disabilities) - signed by the mutual consent of the minister in charge of employment issues and minister in charge of social policy issues;

• Regulation on the method of issuance, content and form of identification card of inspectors (Article 46, paragraph 3 of the Law on Professional Rehabilitation and Employment of Persons with Disabilities) – prescribed by the minister in charge of the employment;

• Regulation on the manner of monitoring fulfilment of the obligation to employ persons with disabilities and the manner of evidencing the fulfilment of that obligation (Article 48 of the Law on Professional Rehabilitation and Employment of Persons with Disabilities) - prescribed with the mutual consent of the minister in charge of employment issues and minister in charge of finance issues;

• Regulation on conditions and the manner of recruitment of persons with disabilities in the social protection institution for accommodation of beneficiaries and by employers with the mediation of job centre (Article 43 of the Law on Professional Rehabilitation and Employment of Persons with Disabilities)- prescribed by the minister in charge of social policy issues;

• General act of the National Employment Service shall stipulate more detailed conditions and rules for the achievement of the rights of the employers who fulfil the obligation of employment and active employment policy measures for persons with disabilities (Article 33 of the Law on Professional Rehabilitation and Employment of Persons with Disabilities) – brings organisation in charge of employment.

Regulation on more detailed manner, expenses and criteria for the assessment of work capacity and possibility to find or retain employment

Pursuant to the Article 9, paragraph 6 of the Law on Professional Rehabilitation and Employment of Persons with Disabilities, the Regulation was adopted in May 2010. It regulates the work capacity assessment of persons with disabilities through the consideration of medical, social and other criteria that determine the capabilities of a person with disability necessary for the inclusion in the labour market and performance of specific work independently or with the assistance of the support service. It defines specific criteria, manner and expenses for the work capacity assessment, which is performed by the National Employment Service according to the residence of the person with disability whose work performance is assessed. By way of exception, the application for the work capacity assessment shall be submitted to the Branch of Pension and Disability Insurance Fund in charge – with the request for granting the rights to disability pension. The work capacity assessment and the possibility to find or retain the employment shall be issued by the assessment body of the Pension and Disability Insurance Fund. This commission will consist of the specialist from the Pension and Disability Insurance Fund (PIO Fund), social workers from the NES, psychologists and specialists in the occupational medicine provided from the health centres, institutes of the occupational health and institute of the occupational medicine. Findings, opinion and the assessment regarding the work capacity of the assessment body should also include accurate and detailed assessment of the work capacity with the proposal
of the occupations a person can perform and the proposal of measures and activities of the professional rehabilitation in cases when they are necessary, proposed field of work in which a person can be involved and possible suggestion of the necessary technical and technological assistances a person with disability would use. Based on this assessment, the team of experts and the National Employment Service personnel should prepare the individual plan of employment of every unemployed person registered with the National Employment Service.

**Regulation on more detailed conditions, criteria and standards for implementation of measures and activities of professional rehabilitation**

This Regulation defines the objectives of the inclusion of persons with disabilities in activities for professional rehabilitation: increasing the level of employment, employment, maintaining employment and advancement or career changes, as well as the ratio of rehabilitation and active employment measures. Article 5 prescribes the individual employment plan as the key instrument in the process of the professional rehabilitation and establishing measures and activities of professional rehabilitation and active labour market measures to increase the level of employment or the employment of unemployed persons with disabilities. Activities and measures of professional rehabilitation are related to vocational training, retraining, additional training and programmes for acquiring, maintaining and improving working skills and capabilities of persons with disabilities, and proposals and training for the application of the adequate technical and technological solutions to increase learning and working efficiency of persons with disabilities, as well as support services. The jobs of professional rehabilitation can be performed directly by the National Employment Service, through the company for professional rehabilitation and employment of persons with disabilities, through the educational institutions and through other forms of organisation, or contractor who meets the requirements prescribed by the Regulations.

**Regulation on conditions and the manner of employment of persons with disabilities in the social protection institutions for the accommodation of beneficiaries and by employers with the mediation of job centre**

The contract between the employer and the Job Centre defines the conditions and the manner of engagement, types of activities that the user of the Job Centre will perform with the employer, how many hours a day and how many days a week, projected productivity and professional support provided by the Job Centre. The Job Centre shall, prior to the referral to the employment of a person with disability conduct appropriate training for employees at the employer.

**Regulation on spatial and technical conditions, vocational training of employees and other conditions necessary for operation of the Job Centre**

The Job Centre is a special form of institution providing employment as a therapeutic activity to persons with disabilities who cannot be employed under general or special conditions. It may operate provided that it employs for therapeutic activities at least five persons with disabilities i.e. employs for therapeutic activities at least eighty percents of the persons with disabilities compared to the total number of engaged and employed persons. The founder of the centre must meet all the requirements in terms of space, equipment and vocational training of employees prescribed by the Regulation, and must have at least five years of
experience in the provision of social welfare services, occupational therapy, education and other related services to persons with disabilities. The Job Centre must employ professionals and other workers who, in addition to prescribed qualifications, passed appropriate training to work with persons with disabilities. Engagement of people in the Job Centres as a ‘long-term form of professional rehabilitation’, as it is called by the legislators, cannot be considered work. Rehabilitation, according to the World Health Organisation, is a process which aim is to help persons with disabilities build skills for inclusion into the labour market, which is necessary to achieve independence and self-determination.

Regulation on the criteria and the manner of implementation of active employment policy measures of the National Employment Service

This Regulation specifies the manner and criteria for the implementation of active employment policy by the National Employment Service. Active labour market measures are defined in order to increase employment and reduce unemployment, financial measures of active employment policy measures (subsidies to the employers) and active employment policy measures for persons with disabilities, which include: reimbursement of expenses of workplace adjustments; provision of salary subsidies of persons with disabilities with no work experience; employment support; measures and activities of the professional rehabilitation and other measures. The Regulation provides for connecting employers and persons with disabilities through the examination of the needs of employers to hire workers of certain profile and promoting socially responsible business.

The employer who permanently employs a person with disability without previous work experience shall be entitled to income subsidy for that person for the period of 12 months. Within 30 days from the date of employment, the employer should submit a request for a subsidy to the relevant branch of the National Employment Service. The Regulation also provides for a fee for a person with disability during the leave from work and professional rehabilitation, in the amount of one hundred percent of average income earned during three months prior to the participation in the measures and activities for professional rehabilitation. The fee cannot be lower than the minimum wage.

The Law on Social Protection

The Law on Social Protection, adopted in March 2011, contains basic guidelines for improving the quality of life of persons with disabilities, regulates the method of supporting persons with disabilities by introducing social services for development of the capacities for independent living and employment or work engagement, as well as the possibility of work engagement of persons with disabilities who use the services of accommodation within the system. Article 41 of the Law defines the users of the rights and services of social protection. Among minor children, the emphasis is on children and young persons with disabilities – physical, intellectual, mental, sensory, with speech-language disorders, socio-emotional disorders and multiple – whose need for care exceed the capabilities of families. Among the adults, the emphasis is on persons whose well-being, safety and productive life in the society are affected by the disability, especially those with physical, intellectual, mental, sensory, or problems in communications, and due to social and other obstacles they face functional limitations in one or more areas in life.
Support services for independent living are provided to the individual in order to equalize the meeting of their basic life needs with the opportunities of other members of the society, to improve the quality of life and enable to lead independent and quality of life in the society. This Law is not clearly defined towards residential institutions for persons with disabilities. Although it contains the elements that ensure development of alternatives to residential institutions, the Law is not convincing in this regard and does not send a clear and strong message emphasizing complete orientation towards life in the community. Article 61 of the Law provides for the possibility that services of development of work capacity and work engagement of users can be provided in the social welfare institutions and the job centres in accordance with the provisions of the Law on Professional Rehabilitation and Employment of Persons with Disabilities. If the social welfare institutions established by the Republic, autonomous province or the local self-government cannot provide social services to the extent required, the services in a public procurement procedure can be provided by a licensed service provider from the private sector. In accordance with the international standards, the Law on Social Protection, Article 92 stipulates that the need for assistance and care of another person exists if a person who, due to the physical damage, visual impairment which causes a loss of the light perception with accurate projection or the vision correction is achieved with 0.05, intellectual difficulties or changes in the health status, needs assistance and care of another person to meet their basic life needs and cannot get out of bed and move inside the home without the use of assistive devices, to be fed, to undress, get dressed or maintain basic personal hygiene without the assistance of another person.

**Instruction on the Implementation of the Law on Professional Rehabilitation and Employment of Persons with Disabilities**

Direct and indirect budget beneficiaries, whose incomes are provided from the budget of the Republic of Serbia, fulfill the obligation to employ persons with disabilities by allocating the resources in the budget for the current year for the purpose of reimbursement of the incomes of persons with disabilities employed in the companies for professional rehabilitation and employment of persons with disabilities, for the improvement of work conditions, improvement of the production programmes and other purposes, in accordance with the Law on Professional Rehabilitation and Employment of Persons with Disabilities.

All employers with the obligation of employment of persons with disabilities confirm the fulfilment of the obligation by submitting the appropriate mandatory report - IOSI form to the competent unit of the Tax Administration according to their place of residence. The form shall be submitted no later than 5th of the month for the previous month and for every month, regardless how the obligation was fulfilled in the previous month. The employers have no obligation to submit any other evidence except for the form of the mandatory report. Irrespective of the payment of the incomes made in the previous month, or the month in which the payment is made, the IOSI form contains the data on the total number of employees and number of persons with disabilities, as at the last calendar day of the month and the method of fulfilment of the obligation of employment of persons with disabilities in that month. The form filled with these data is submitted to the competent organisational unit of the Tax Administration no later than 5th of the month for the previous month.

For the fulfilment of the obligation of employment of persons with disabilities by participating in the financing of salaries of the employees in the company for the professional rehabilitation and employment of persons with disabilities, it is necessary to allocate at least 50% of the average salary according to the latest published data, per month, per person with disability. The amount of funds that should be allocated for payment of the penalty is
calculated in relation to the net minimum wage, which currently is 90,00 dinars per working hour. It is necessary to multiply this amount by 174 average working hours in a month and then multiply all by three, given that it is three times the minimum wage. The same amount will be applied until new decision on minimum wages and it represents the amount of penalty per month for a single person with a disability the employer did not hire.

It is considered that the employer has fulfilled his obligation of the employment of persons with disabilities through the execution of financial obligations from the contract on business and technical cooperation (or other type of contract except in the area of wholesale trade) under the following conditions:

1. that the contract was concluded after the start of the implementation of the provisions 24 and 29 of the Law, i.e. provisions relating to the obligation of employment;

2. that the value of (individual) contract, at the time of conclusion of the contract, higher or equal to 20 average wages in the economy of the Republic of Serbia, according to the latest data published by the Republic authorities in charge of statistics;

3. that he has settled his financial obligations (payments to the supplier) under the contract of business-technical cooperation with the company for professional rehabilitation and employment of persons with disabilities, as well as from the contract for the purchase of products or performance of services provided by the company.

The Constitution of the Republic of Serbia guarantees the prohibition of discrimination, with particular emphasis on mental or physical disability. In this regard, the Strategy of Improving the Situation of PWDs in the RS in the general objective No 4 emphasizes the importance of developing policy measures and implementation of programmes, especially in the areas of education, employment, labour and housing that enables persons with disabilities equal opportunities and promote independence, personal development and active life in all areas, whereby education and employment are identified as the key factors for independent living of persons with disabilities.

The Labour Law, the Law on Prevention of Discrimination of Persons with Disabilities under the umbrella of the Law on Professional Rehabilitation and Employment of Persons with Disabilities (LPREPWD), further develop the legal basis for the protection of persons with disabilities in employment. Thus the Labour Law in the Articles 18-23 states prohibition of both direct and indirect discrimination, where disability is explicitly defined as a basis for discrimination, and discriminatory behaviour as a special basis for initiating the damages compensation before the competent court. The Law on Prevention of Discrimination of Persons with Disabilities is the basis for the LPREPWD, protecting the basic human rights of persons with disabilities, and provides for the possibility of a complaint that exactly states that it is the discrimination based on disability, while the Law on Prevention of Discrimination of Persons with Disabilities prohibits behaviour that is against the principles of respect of equal rights and freedoms of persons with disabilities in several areas - political, economic, cultural and other aspect of public, professional, private and family life.

With the Law on Professional Rehabilitation and Employment of Persons with Disabilities, which was adopted almost simultaneously with the ratification of the UN Convention on the Rights of Persons with Disabilities in 2009, which encourages preferential treatment in order to correct the consequences of the previous discrimination, legislative framework sets high
standards that are in accordance with various ratified international documents such as the International Covenant on Economic, Social and Cultural Rights and the Convention on the Rights of Persons with Disabilities.

The importance of the laws examined in this chapter indicates the possibility of procedural deficiencies that may arise in the implementation of these laws. For example, in order for a person with disability to be granted such status within the LPREPWD, it is necessary to perform the work capacity assessment that would indicate this condition. Fostering the medical approach, which is particularly obvious in the process of expertise in the Institute of deprivation of legal capacity, may have a negative impact on the legislative initiative to support the principle imbedded in the international documents. They clearly demonstrate developmental course of exercising the rights of persons with disabilities which resembles the historical importance of addressing the issues of persons with disabilities in the context of human rights. It is therefore of great importance that all regulations are in accordance with their fundamental principles in order to set a clear and feasible path to their achievement.
6.1. Examples from the practice in the employment of persons with disabilities
(experiences of active job seekers, employers in the private sector – Employment Programmes for Persons with Disabilities)

An unemployed person, for the purposes of this Law, according to the Law on Employment and Insurance in Case of Unemployment\textsuperscript{108} (‘Official Gazette of the Republic of Serbia’, No 36/2009) shall be ‘a person between 15 years of age and the age eligible for retirement, or 65 years of age at the most, capable and ready to start working, who has not entered into a contract of employment or exercised the right to work in any other way, and who is on the unemployment register and is looking for employment actively’\textsuperscript{109}. An unemployed shall be deemed to be ‘looking for employment actively if he/she duly fulfils the obligations set forth by the Law and the individual employment plan’\textsuperscript{110}.

The individual employment plan is a set of different activities arranged between the unemployed and the employment counsellor for the purpose of employment. At the individual interview, the unemployed person communicates all necessary information about themselves and their qualifications (education, work experience, special skills), and the employment counsellor compares them with the labour market developments. They take into consideration interests and motivation of the unemployed to work. In working with persons with disabilities, thorough medical condition and the limitations of the work in certain jobs are examined. The individual plan is a set of guidelines for the implementation of the active labour market measures for a particular person (financial or otherwise).

In an almost identical manner, the Law on Professional Rehabilitation and Employment of Persons with Disabilities, defines the term unemployed person with disability\textsuperscript{111}. There is also a prescribed obligation for a person with disability to actively seek employment\textsuperscript{112}. The total number of unemployed persons registered with the National Employment Service is always greater than the number of ‘active job seekers’, because there are also people who are unable to work for health reasons or not interested in joining the open labour market. According to statistics of the National Employment Service\textsuperscript{113} for 2011, there was registered total number of 4,727 unemployed persons with disabilities, while there were 3,390 active job seekers on the territory of the city of Belgrade.

At the beginning of the implementation of the Law on Professional Rehabilitation and Employment of Persons with Disabilities, job seekers with disabilities were poorly informed about the provisions of the aforesaid, and the information about the employment opportunities were accepted with distrust, because until then generally the employers did not

\textsuperscript{108} ‘Official Gazette of the Republic of Serbia’, No 36/2009


\textsuperscript{110} Ibid.

\textsuperscript{111} Article 3, Law on Professional Rehabilitation and Employment of Persons with Disabilities (‘Official Gazette of the Republic of Serbia’, No 36/2009)

\textsuperscript{112} Article 7, Law on Professional Rehabilitation and Employment of Persons with Disabilities (‘Official Gazette of the Republic of Serbia’, No 36/2009)

\textsuperscript{113} Unified Information System of NES
expressed the need for their employment, which led to their long-term exclusion from the labour market.

Since the law came into force, there has been more intensive talk about the employment of persons with disabilities. The National Employment Service, as the holder of the employment of persons with disabilities has mediated between the unemployed and employers, so the interested in the work managed to be included in the open labour market, in accordance with their qualifications. Also, during 2011 and 2012, financial incentives for employment of persons with disabilities, i.e. employment programmes, were available for the employers which they were selecting according to their needs and capabilities, in accordance with the conditions that needed to be fulfilled.

At this point, the situation is a little different. Almost all interested job seekers are familiar with the provisions of the Law on Professional Rehabilitation and Employment of Persons with Disabilities that allow them the right to work and they have more confidence when they are referred to the employers or show initiative in job search, independently, without the participation of the National Employment Service. Employers in the private sector are aware of the provisions of the Law on Professional Rehabilitation and Employment of Persons with Disabilities, mainly through the media. At the beginning of the implementation of the law, the National Employment Service was approached only for the mediation, as at that time, the only existing incentives for the employers who hire a person with disability was the exemption from payment of the mandatory contributions by the employer for a period of 3 years under the Law on Mandatory Social Security Insurance Contributions. Although very acquainted with the legal requirements and the obligation to employ persons with disabilities, the knowledge about the structure of people registered as unemployed persons and forms of disabilities were very weak. The term ‘person with disability’ mainly referred to the users of wheelchair, i.e. persons with physical disabilities.

In 2010, i.e. from the beginning of the application of the law, the National Employment Service was primarily addressed by the employers who had the obligation to employ persons with disabilities, according to the number of employees. There were almost no interested employers who wanted to employ a person with disability if the law did not oblige them. However, after the information received, some employers have decided to pay ‘penalties’, mainly because of the prejudices regarding the inclusion of persons with disabilities in the work process.

The prevailing opinion among employers who have decided to pay the ‘penalties’ is that a person with disability will not be able to perform work duties, that they will often be absent from work due to the sick leaves and that the benevolent attitude of superiors will badly affect the motivation of colleagues. In the last year, especially with the financial incentives received from the National Employment Service, it becomes easier for the employers to decide to employ persons with disabilities. At this point, the current public calls are:

1. A public call announcement for the refund of expenses incurred for adjustment of a workplace for persons with disabilities employed under special conditions;
2. A public call announcement for the income subsidy for employment of persons with disabilities without experience;

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3. A public call announcement for the refund of incomes for persons who provide professional support to a person with disability employed under special conditions;
4. Awarding of subsidies to unemployed person for self-employment;
5. Awarding of subsidies to the employer for creating new jobs;
6. Programme of vocational practice.

In practice, there are employers who employ more persons with disabilities from the NES register. Several security agencies employed between 5 and 10 persons, among whom are war veterans who were employed as guards without the use of weapons. This data is interesting because the war veterans generally do not belong to the group of active job seekers. In this year, there have been some employers seeking mediation of the National Employment Service for the employment of persons with disabilities, although they have no legal obligation. The employer ‘Angkor’ from Novi Beograd, which is engaged in the wholesale, although has no legal obligation hired three persons with disabilities with the second-degree disability as administrative workers. They are all users of the subsidy programme, while in the preparation is a contract for the refund of expenses incurred for the adjustment of a workplace and the refund of income for providing professional support, i.e. personal assistant. According to the deputy director, they have decided to employ persons with disabilities because they believe that the administrative tasks can be performed well even though the employees are the wheelchair users, but there is also an idea to establish a social enterprise. Incentives are considered desirable and appropriate.

After the initial mutual distrust between employers and unemployed persons with disabilities, there are visible changes now. The employers decide more easily to employ, while the unemployed take the initiative to find a job and be employed, even without the participation of the National Employment Service.

The experiences of unemployed persons with disabilities, who were referred to an interview with the employer or are employed, are different. Certain number of them are satisfied with the conditions and the attitude of the employers towards them, while there are those who have encountered problems, such as irregular payment of salaries, poor working conditions and inadequate work tasks (the example of the bakery where it was required from a person with an estimated first-degree disability and who cannot lift anything heavier than 5 kg, to wash trays and carry flour on the floor). This employer has indicated in his request for mediation that jobs include the preparation and processing of food.

From the current programmes that provide incentives for the economic entities for employment of persons with disabilities, most persons were involved in the income subsidy for employing persons with disabilities without work experience for a period of 12 months, if they are employed with permanent contracts. Incomes are funded at the level of the minimum wage in accordance with the occupational regulations. At the territory of Belgrade, from the beginning of the public call announcement in February to September 2012, 55 persons were employed with this subsidy. Upon the end of the programme, the associate of the National Employment Service interviews and visits the employer. For the time being, it was determined that the majority of persons remained employed.

115 Official terminology used is different from the contemporary terms that are based on the principles of non-discrimination and human rights
116 First-degree disability-employment under general conditions, second-degree disability - employment under special conditions, third-degree disability - job centre
Refund programmes of expenses for adjustment of a workplace and the refund of expenses for the job assistance are used mainly by associations and organisations dealing with the protection of the rights and improving the quality of life for persons with disabilities, because one of the conditions is the permanent employment of a person with disability with an assessed second degree of disability, as there are not many of them in the unemployed register. Also, the person who is supposed to provide assistance in the workplace must have relevant work experience, in order to provide assistance to the person with no work experience. This type of financial support is rarely used by the employers in the private sector, up till now only three employers have used it.

When comparing the situation and the relationship of active job seekers and employers in terms of employment of persons with disabilities, certain conclusions can be drawn:

- Work on informing unemployed persons with disabilities and employers by the governmental and non-governmental organisations has given a certain improvement, as the relevant information were provided to the subjects in the labour market. Various types of information (conferences, presentations, direct contacts) have led to the improvement of general knowledge as the basis for any further activity or employment.

- Employers have less resistance to the employment of persons with disabilities and employ them, regardless of their legal obligations. Although there are still few such examples, it seems to be a big step because it indicates that there is less prejudice.

- Financial incentives that are available to the employers with meeting certain conditions are proving in practice as good and useful. With smaller or bigger adjustment that a practice requires, it would be necessary to strengthen and expand these forms of assistance to the business entities. With the recommendation that more attention should be paid to the opportunities of persons with disabilities, as well as to develop their potential in the workplace.

Compared to last year’s report in which the presence of prejudices and poor information regarding the entry into force of the Law on Professional Rehabilitation and Employment of Persons with Disabilities was noted, at this point, it can be said that the situation has improved and that the progress has been made. However, it is necessary to continue to lead the strong promotion of the rights and employment of persons with disabilities in order to come to the proper inclusion in the labour market.

6.2. Individual experiences (personal stories) of persons with disabilities at the local level

M.J. 1987, Ponikve

A person with disability: milder form of cerebral palsy (triparesis spastica)

The interviewee was born and lives in the rural area of Zlatibor district - Ponikve. She works in the city of Užice, and takes a bus to and from work.

M. participated in the survey in 2011, and a year later the changes and satisfaction with the job are visible. Namely, M. works on organisation and implementation of the workshops for persons with intellectual disabilities in occupational therapy. The beginning was difficult, but now, when she gained experience, she has adapted to the work duties and feels integrated in the work environment.
How did it all start? M. joined a local organisation of persons with disabilities - the ‘Association of Children and Cerebral Palsy’ in Užice. She was engaged through the public works for a period of 6 (six) months, and this period expires at the end of October.

- ‘I hope that I’ll stay to work in the organisation. If there is no option to be engaged through the public works or otherwise, I would like to continue with the activism and stay in the organisation. Also, if there is no such possibility, I will try to look for another job.’

M. said that after finishing the secondary school, the biggest change that happened to her is a job.

- ‘I like working with people, I like changes and foreign languages, I speak Russian and English.’

Also, during the interview, we talked about the issues of education and the way in which it facilitated the process of job seeking, obtaining and at the end, performance of the work related tasks. She has finished the Secondary Commercial School and then High Business School, majoring in Economics of Tourism in the city of Užice. M. pointed out that the practice in school was actually the biggest problem, and that the lack of practice influences the later work engagement and that it should be resolved.

The interviewee didn’t have her work capacity assessment, which had to be done in order to be employed. Less than a year ago, she was assessed the first degree of disability.

- ‘I have a feeling that the assessment comes down to copying from one paper to another. They look, rewrite it from the paper and that’s it, it is a routinely performed assessment. A few questions they have asked were scarce, they asked me to stretch out my hands. My opinion is that the assessment was done quite shallow, and I also think that they were not clear how to carry out the assessment.’ – they do not quite understand how to perform the assessment.

It is very important to M. to keep the job. She is ready for all trainings that would assist her in conducting her job. Whether there will be trainings and what kind of, she has no knowledge. Also, her satisfaction with the job she describes with the work environment, which she considers being excellent, she feels like home and her colleagues are like brothers and sisters to her.

- ‘It would be great if the public works were constant and current, which would allow continuous employment.’

M. believes that also a positive attitude is very important for persons with disabilities, when it can be seen through the work of the organisation how the people struggle, it is an additional boost to the further development of her work.

- ‘The beginning is difficult, but when you see the effects, you realise how important is to continue to develop yourself. It is very important not to close yourself, and all solutions are actually outside. The world is really not a scary place. It is important for people to open up. I am very sorry that I didn’t start with the activism earlier, I could be happy earlier.’
surgery. The second surgery was only a few months later and it had to be done urgently, and his father managed to obtain the funds through the company he was employed. Also, in the future he will have to go to another surgery, because he has grown and developed and it became obligatory. Every six months M. has examinations in Belgrade in Hospital in Tiršova Street, where his condition is monitored.

M. lives and works in the city of Užice. He has graduated from the High Business School, department of Economics of Tourism and became an economist for tourism.

The work capacity assessment was completed in 2010 on his own initiative, because he went to the National Employment Service and explained his situation to them. He had assessed the first-degree disability and can perform jobs that do not require physical activity and stress.

- ‘I started to look for a job in 2008, but it was difficult. The Law on Professional Rehabilitation and Employment of Persons with Disabilities has helped me to involve into the labour market. After the work capacity assessment, I asked for the approval of the programme of professional practice which began in June 2011.’

He has finished his practice in the accounting department of the Kindergarten (which has a total of eight kindergartens) which lasted for nine months. In February this year, a story on public works was announced. Tijana Petrović from the Association of Dystrophy Disabled Persons of Zlatibor region has initiated the possibility of employment through the public works programmes in the association and obtained the authorisation from the director.

In May, a realisation of the programme for a period of six moths started. During the interim period kindergarten itself financed the salary. The director and his colleagues are willing to M. continue and keep his job.

- ‘I am more than satisfied with the work environment, employees are educated and they taught me new things.

I do not know what will happen, but I hope to soon find a job or keep the current position. I am more than satisfied with the current situation.’

M.K. 1982 – Užice

A person with the cerebral palsy. An active member of the Association of Cerebral Palsy, by profession economic technician. She works in the company ‘Telekom’, and she got the job immediately after graduation on her own initiative, because she has heard from a friend that telephone operators were required. Since 2004, she worked with the employment contract and in 2007 she was working based on a brokerage agreement. Only in 2012, from 1st of September, she has got a permanent contract as an operator of service 988 in the yellow-white pages. department

- ‘I remember when I first came to the company, my legs were short.’

M. was among the first to be hired as a person with disability. She has initiated the meeting and the employer came to her assistance and offered her a job. At the first, the environment was sympathetic which she did not want, as she wanted to be equal with the others, and she had a need to prove herself in order to achieve this.
‘You always have to prove yourself at work, especially in the environment without persons with disabilities. Also, it was strange for persons without disabilities when they met me in a club or a cafe. It was a problem for them to understand it, because of the prejudice they had at the beginning.’

M. is currently undergoing the work capacity assessment, because she was not employed on a permanent basis in the previous period. She wanted to do the work capacity assessment on her own initiative even before, but she was told by the company that there is no need for that.

In the interview M. pointed out that she works in a good work environment that supports her and that in a quite complex economic situation for both the company and at the state level she has managed to get a job, which is a great success for her.

B.B. (Vranje) participated in the last year’s interviewing of persons with disabilities within the report ‘Employment of persons with disabilities in the Republic of Serbia‘ in 2011117.

After a long wait, B. has managed to get a job in Vranje. He has got fixed-term employment contracts as an archivist at the Historical Archives of Vranje. Also, he is currently unassigned because he doesn’t have a work place, but he works depending on the needs and does not have a permanent office.

- ‘I’ve tried hard to find a job and now I’m satisfied because I’m employed. I got a job at the beginning of May through the programme of limited duration, that is, until November. I hope that my engagement will be extended.’

The interviewee is satisfied with the work environment. However, in the future he would prefer to work in his profession. He sees himself in the future as a successful man with a family and a steady job, a dignified life.

- ‘I was looking for a job too long, I hope it will all end up with the permanent employment. People support me in an effort to keep a job. I’ve been looking for a job since 2007. The job I’m working now does not correspond to my qualification profile.’

V.M. was born in Niš in 1978, now lives in Vranje. She is a person with disability, with cerebral palsy. She has finished Secondary School of Economics in Vranje, and after that she has completed a school of journalism in Belgrade. From the age of 15 she has been engaged in journalism, she was an associate, the author and the editor of numerous shows, also on the topic of persons with disabilities and their rights. She has undergone the work capacity assessment before the Law on Professional Rehabilitation and Employment of Persons with Disabilities was adopted.

- ‘I am currently employed through the public works programmes for persons with disabilities. I work in the library and I am very satisfied with the work. All the time I

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117 G. Lončar and others, Employment of persons with disabilities in the Republic of Serbia, 2011. See p. 16, Individual experience 1
work on part-time contracts, sporadically, and until now I have not had a contract that would enable me social and health insurance. The library has already hired a person with disability, so according to the law, they will not try to keep me on this job, ‘I know they won’t.’

V. sees herself as a person with a permanent job in the media in a few years.

**S.S. born in 1965, Kriva Feja under the mountain Besna Kobila.** She lives in Vranje since 1980. By profession S. is a textile technician, and for 22 years she has worked in the famous Vranje company ‘Yumco’ with her husband. Due to the reduction in capacity of the company, they both lost their jobs which significantly worsen the financial situation of their family of four. S. was engaged in one-month temporary-service contract for auxiliary maintenance work in the Republican Geodetic Institute in Vranje. After that, she was employed through the agency ‘Telus’ on three months period on auxiliary maintenance work in Bujanovac, where she travelled to work.

Due to the worsening of health condition (in this period the interviewee was waiting for a hip replacement in Belgrade), she had to resign.

After the operation, she has registered with the National Employment Service for the work capacity assessment. This year in March, her work capacity was assessed as the first degree disability.

S. has tried to apply for the disability pension but there were not sufficient grounds, because she did not have enough hospital treatment, regardless that beside disability S. also has a psychiatric disorder. Regardless of the result of the commission, she will try again to obtain the disability pension.

She is currently employed in the library.

- ‘I’ve learned from a neighbour about the public works programme. I am currently working on the books sorting in the library of Vranje. Sometimes it happens that in the afternoon no one comes to the library, except pensioners in the morning who are flipping through newspapers. However, I am satisfied with 22,000 dinars per month.’

S. would like her daughter to finish the faculty. She doesn’t like when her son sees his father unemployed and constantly at home. But, regardless of him trying to find work, and then completed a course in the computer programme, he could not find a job. She hopes that soon she will be able to solve the issue of her disability pension.

- ‘Disability led me into depression. I was left without a permanent job and had to go into surgery.’

**D.Ţ. born in 1990 (22) in Kruševac, lives in Aleksandrovac**

D. has Down syndrome and she works in the Association for Helping Persons with Developmental Impairments of Aleksandrovac Municipality.

- ‘I'm fine, I like it a lot at work, and I receive a salary. My working day is cheerful and happy. We work and socialize at work. I run the library and register children when
they come. After that, I arrange the toy library for tomorrow. We have a variety of toys and books so our children can read.’

D. comes to work with her mother. When the job is done, she goes home with her mum. She has finished her Secondary school in Kruševac, department of horticulture; she has attended the classes for three years. It was not hard for her to live without her parents at the time, because she had company.

- ‘I see myself in a company of my friends. I think I would be able to live independently without my parents.’

**G.V. 1967, lives and works in Smederevska Palanka;** he was born in a village Vlaški Do near Smederevska Palanka. He got his disability when he was two years old when due to high temperature he lost his hearing.

G. has more than 20 years of work experience in the welding position with the secondary education. First eight years he worked in Goša Foping, but the company had closed down and he continued his work in Goša Solko, where he still works.

After finishing the Secondary School, he enrolled in High Technical-Mechanical School in Zemun. He has attended the school for only one year, but because of disability he could not follow the regular programme and did not continue his education.

- ‘I am satisfied with the work and the working conditions, although they could be improved. I receive salary regularly. I had planned to go to the additional training to obtain the fifth degree of education and to be able to advance and become a manager. Since it is necessary to cover the costs of education and I support my family of four, it's not possible. If my wife had a job, then it would be easier, thus I failed.’
7.1. Collection of statistical data

Collecting data on disability as well as inclusion of data on persons with disabilities in the government statistics and research is very important because it represents the necessary tool for policy development and monitoring of the rights of persons with disabilities. Many international instruments and strategies emphasize the importance of this issue, especially the state’s obligation to collect statistics on disability and include persons with disabilities in the process of data collection, analysis and distribution of results.

**UN Convention on the Rights of Persons with Disabilities extract from Article 31, Statistics and data collection**

(1) State Parties undertake to collect appropriate information, including statistical and research data, to enable them to formulate and implement policies to give effect to the present Convention;

(3) (...) State Parties shall assume responsibility for the dissemination of these statistics and ensure their accessibility to persons with disabilities and others.

*Text box: UN Convention on the Rights of Persons with Disabilities, Article 31*

The United Nations Statistics Division is committed to the advancement of a global statistical system that compiles and disseminates statistical information, develop standards and norms for statistical activities, and support countries’ efforts to strengthen their national statistical systems. In recent years, representatives from national statistical agencies have started to meet informally to address selected problems in statistical methods. Some of these groups have become formally known as ‘city groups’. One of them is the ‘Washington Group’ set-up in 2001, with the main purpose to promote and co-ordinate international co-operation in the area of health statistics focusing on developing methods to include disability in censuses and
national surveys. The major objective is to provide necessary information on disability that is comparable throughout the world. More specifically, the Washington Group has set a goal of developing a short set of disability measures, suitable for use in censuses, sample-based national surveys, or other statistical formats, for the primary purpose of informing policy on equalization of opportunities. A second priority is to recommend one or more extended sets of survey items to measure disability, or guidelines for their design, to be used as components of population surveys or as supplements to specialty surveys. The World Health Organisation (WHO) International Classification of Functioning, Disability and Health (ICF) has been used as the basic framework for the development of the sets. Officially, Serbia has a country representative from the National Statistical Office within the Washington Group.

According to the European Disability Strategy 2010-2020, in the part related to statistics and data collection and monitoring, it is said that ‘the Commission will work to streamline information on disability collected through EU social surveys (EU Statistics on Income and Living Conditions, Labour Force Survey ad hoc module, European Health Interview Survey); develop a specific survey on barriers for social integration of disabled people and present a set of indicators to monitor their situation with reference to key Europe 2020 targets (education, employment and poverty reduction).’ The Commission will also establish a web-based tool giving an overview of the practical measures and legislation used to implement the UNCRPD. The EU seeks to support and supplement member states’ efforts to collect statistics and data that reflect the barriers preventing persons with disabilities from exercising their rights. It will supplement the collection of periodic disability-related statistics with a view to monitoring the situation of persons with disabilities.

Statistical data and research in the field of disability could answer questions on how persons with disabilities live and cope with discrimination and poverty. This is very important for the state as well, since it provides important information for developing new policies and strategies. ‘Disability related statistics, as well as an integrated information system at national level (including aggregated data about disability-related aspects in the regular statistic tools) represent key elements for elaborating effective and evidence-based policies in the field of social services. In the decentralisation processes that are progressively taking place in the region, a redirection of resources from national to local levels and to priorities fields of intervention, require precise information about the number and the living conditions of persons with disabilities in their communities, as well as to what extent their rights have been realised.’

National Strategy for Improving the Position of Persons with Disabilities of the Republic of Serbia from 2006, has one specific objective of creating an institutional framework for common planning and monitoring of policies related to disability issues, and one of the measures is to ensure continuous data collection on persons with disabilities and their living conditions, through introducing questions on disability in regular research and measurements of the general population done by the Statistical Office of the Republic of Serbia or specialized agencies for research in certain fields (education, employment, health and other).

The official statistics in Serbia and its fundamental principles are established upon the European Statistics Code of Practice and UN Fundamental principles on official statistics. The census of population and households is actually a mainstream tool that could contain questions about the number and situation of persons with disabilities. The census represents the organised data collection about the population of one country and the most significant source of statistical data. The latest census of population, households and dwellings in Serbia was done in 2011 and for the first time it included specific questions related to disability, specifically in the questionnaire related to the functioning and social integration. Questions are basically related to the difficulties one person could have with vision, hearing,
communication, walking, concentration and memory, independence in personal hygiene, dressing, feeding. There is also a question related to the fact if the person is using some of the assistive devices, such as wheelchairs, crutches, prosthetics or orthotics, etc. The person being interviewed has also the possibility not to give any detail considering his/her situation, since there is an option not to answer to specific question. Within the Guidelines for Census Questioners, it is clearly emphasized that they have no right to make personal judgements when they examine the person with disability and should not write down the personal impressions. Also, it is clearly said that answer to these questions do not depend on the fact if the person has the official document of the authorized state institutions on physical or other type of impairment or disability.

7.2. Budget Fund – with rational investments to the highest level of employment of people with disabilities, utopia or reality?

The Budget Fund for the Professional Rehabilitation and Employment Promotion of Persons with Disabilities (hereinafter: Budget Fund) was established in 2009, with the Law on Professional Rehabilitation and Employment of Persons with Disabilities, and since then it is managed by the ministry in charge of the employment issues118 which in 2012 becomes the Ministry of Labour, Employment and Social Policy119.

Sources of the Budget Fund financing are revenues from the RS budget, as well as own revenues of the budget users120. The Republic of Serbia as an employer to direct and indirect budget users, whose salaries are provided from the budget of the Republic of Serbia, performs the obligation to employ persons with disabilities by allocation of the resources in the budget for the current year for the purpose of refunding incomes of persons with disabilities employed in the enterprises for professional rehabilitation and employment of persons with disabilities, in order to improve the working conditions, advance production programmes and other purposes, all in accordance with the Law121. Thus defined way of performing duties does not directly stimulate the employment of persons with disabilities, allowing employers in the private sector to be deprived of the positive examples of practice that would come from the state, which thus loses the possibility of higher realisation and promotion of the right to work.

The money from the Budget Fund is used to promote employment, professional rehabilitation and special forms of employment and the employment of persons with disabilities122. The enterprise for professional rehabilitation and employment of persons with disabilities shall be compensated out from the budget of the Republic of Serbia, i.e. the Budget Fund, on a monthly basis, for the participation in the income in the amount of 50% of the average income in the economy of the Republic, and they may be provided with the funds for improvement of working conditions and production programmes, introduction of standards, improvement of product and service quality, adjustment of workplaces or other purposes123. Broadly defined purpose of these funds presents the possibility to develop programmes for the employment of persons with disabilities, which would thus deepen the role of the Fund124.

118 See Article 28, Law on Professional Rehabilitation and Employment of Persons with Disabilities
119 See Article 17, Law on the Ministries
120 See more in Law on budget of the Republic of Serbia RS for 2012.
121 See Article 8, Regulation on the procedure for monitoring the compliance with obligatory employment of persons with disabilities and manner of proving the compliance
122 See Article 29, Law on Professional Rehabilitation and Employment of Persons with Disabilities
123 See Article 40 and 41, Law on Professional Rehabilitation and Employment of Persons with Disabilities
124 For information on funding models of the Budget Fund in 2012, see the tables at the end of this part of the report
Given that the need for transparent and publicly accessible ways of spending funds is within the development of this part of the report, we have addressed the Ministry of Labour, Employment and Social Policy by sending a request for free access to information of public importance in order to gain better insight into documents relating to the resources and revenues of the Budget Fund for Professional Rehabilitation and Employment Promotion of Persons with Disabilities. In the previous period, since its inception until the end of August 2012, the Budget Fund was managed by the Ministry of Economy and Regional Development. The Law on Ministries\(^{125}\) have transferred the responsibilities in the field of employment to the Ministry of Labour, Employment and Social Policy, based on which the government adopted a Decision Amending the Decision on the Opening of the Budget Fund for Professional Rehabilitation and Employment Promotion of Persons with Disabilities\(^{126}\), and thus confirmed the change in jurisdiction for this Fund. Therefore, in response to our request, we were referred to the Ministry of Economy and Regional Development. One of the recommendations of these important issues for monitoring the resources of the Budget Fund is that it should in a transparent way allow the insight into the resources by merging the necessary documentation in the Ministry which has assumed the jurisdiction or on some other way.

The resources of the Budget Fund are intended for the activities and measures undertaken by the National Employment Service, as follows:

1. Measures and activities of professional rehabilitation - the acquisition and development of active job search techniques, work capacity assessment and improvement of social work skills and competencies in order to qualify for a suitable job and employment (training for active job search, retraining, additional training, vocational training and other programmes of additional education and training), measures and activities aimed at sensitizing and encouraging the employment of persons with disabilities and others;

2. Encourage employment of persons with disabilities - by granting subsidies for self-employment, subsidies to employers to create new jobs, income subsidies for persons with disabilities without work experience, persons employed with the permanent employment contracts, income compensation for persons with disabilities employed on public works and other measures of active employment policies aimed at encouraging employment of persons with disabilities;

3. Reimbursement of expenses incurred for the adjustment of a workplace of persons with disabilities who are employed under special conditions and refund of the expenses of providing professional support to persons with disabilities employed under special conditions - in initiation to the job or a workplace, through counselling, training, assistance services and support at the workplace, work monitoring and others.

In addition to the recommendation for a better insight into the resources of the Budget Fund, it should be noted that the resources used from this fund could be diverted (depending on the surplus that we were not able to get by requesting the free access to information of public importance due to the different jurisdictions) to the continuation of the public works

\(^{125}\) ‘Official Gazette of the Republic of Serbia’, No 72/12

\(^{126}\) ‘Official Gazette of the Republic of Serbia’, No 83/12
programmes of the National Employment Service as it is noticeable that they are short in duration and there is an increasing need for continuity of engagement and permanence of employment which this programme cannot fulfil.

Table overview of payments made to the companies of professional rehabilitation and employment of persons with disabilities in 2012

<table>
<thead>
<tr>
<th>No.</th>
<th>Company</th>
<th>Income reimbursement for persons with disabilities</th>
<th>Resources for improvement of working conditions</th>
<th>TOTAL</th>
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<td>6</td>
<td>„Univerza” Leskovac</td>
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<td>„Mak dr” Kraljevo</td>
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<td>8</td>
<td>„Oprema” Jagodina</td>
<td>4,193,787,00</td>
<td>16,731,714,74</td>
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<tr>
<td>9</td>
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<tr>
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<td>12</td>
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<td>30,823,696,30</td>
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<td>14</td>
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<td>2,746,317,08</td>
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<td>19</td>
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<td>3,537,923,52</td>
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<tr>
<td>22</td>
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<td>591,955,00</td>
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<td>23</td>
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<td>26,595,500,00</td>
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<td>24</td>
<td>„Kosmos” Belgrade</td>
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<td>„Fiav zaštita” Prokuplje</td>
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<td>36,985,442,50</td>
<td>1,930,171,00</td>
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<tr>
<td>35</td>
<td>„Javor-teke” Ivanjica</td>
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<td>22,830,693,42</td>
<td>1,730,328,00</td>
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<td>36</td>
<td>„Lira” Kikinda</td>
<td>3,715,675,30</td>
<td>6,854,935,22</td>
<td>651,094,00</td>
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**Table overview of payments made to the companies of professional rehabilitation and employment of persons with disabilities in 2012**
<table>
<thead>
<tr>
<th>Disability category</th>
<th>Total number of unemployed persons</th>
<th>Women</th>
</tr>
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<tbody>
<tr>
<td>Disabled war veterans</td>
<td>3875</td>
<td>69</td>
</tr>
<tr>
<td>Disabled peacetime veterans</td>
<td>221</td>
<td>1</td>
</tr>
<tr>
<td>Disabled war veterans in civil service</td>
<td>56</td>
<td>26</td>
</tr>
<tr>
<td>Disabled workers - category 2</td>
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<td>297</td>
</tr>
<tr>
<td>Disabled workers - category 3</td>
<td>5350</td>
<td>1996</td>
</tr>
<tr>
<td><strong>Categorised youth:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Blind persons</td>
<td>74</td>
<td>35</td>
</tr>
<tr>
<td>Partially sighted persons</td>
<td>99</td>
<td>47</td>
</tr>
<tr>
<td>Deaf persons</td>
<td>353</td>
<td>160</td>
</tr>
<tr>
<td>Partially hearing persons</td>
<td>134</td>
<td>59</td>
</tr>
<tr>
<td>Persons with mild intellectual disabilities</td>
<td>3841</td>
<td>1689</td>
</tr>
<tr>
<td>Persons with multiple disabilities</td>
<td>103</td>
<td>45</td>
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<tr>
<td>Physically disabled persons</td>
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<td>85</td>
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<td><strong>Other categories of the disabled:</strong></td>
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<tr>
<td>Blind persons</td>
<td>27</td>
<td>19</td>
</tr>
<tr>
<td>Partially sighted persons</td>
<td>13</td>
<td>3</td>
</tr>
<tr>
<td>Deaf persons</td>
<td>68</td>
<td>35</td>
</tr>
<tr>
<td>Partially hearing persons</td>
<td>18</td>
<td>1</td>
</tr>
<tr>
<td>Persons with mild intellectual disabilities</td>
<td>231</td>
<td>99</td>
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<tr>
<td>Persons with multiple disabilities</td>
<td>18</td>
<td>5</td>
</tr>
<tr>
<td>Physically disabled persons</td>
<td>122</td>
<td>46</td>
</tr>
<tr>
<td><strong>Persons assessed for work capacity:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- first-degree disability (employment under general)</td>
<td>2770</td>
<td>1234</td>
</tr>
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</table>
### Official records of unemployed persons with disabilities by categories, the data of the National Employment Service for the territory of the City of Belgrade for 2012

<table>
<thead>
<tr>
<th>Disability category</th>
<th>Total number of unemployed persons</th>
<th>Women</th>
</tr>
</thead>
<tbody>
<tr>
<td>Disabled war veterans</td>
<td>1082</td>
<td>30</td>
</tr>
<tr>
<td>Disabled peacetime veterans</td>
<td>66</td>
<td>0</td>
</tr>
<tr>
<td>Disabled war veterans in civil service</td>
<td>21</td>
<td>6</td>
</tr>
<tr>
<td>Disabled workers - category 2</td>
<td>284</td>
<td>170</td>
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<tr>
<td>Disabled workers - category 3</td>
<td>1590</td>
<td>616</td>
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<tr>
<td>Categorised youth:</td>
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<td></td>
</tr>
<tr>
<td>- Blind persons</td>
<td>24</td>
<td>15</td>
</tr>
<tr>
<td>- Partially sighted persons</td>
<td>53</td>
<td>26</td>
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<tr>
<td>- Deaf persons</td>
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<td>- Partially hearing persons</td>
<td>31</td>
<td>14</td>
</tr>
<tr>
<td>- Persons with mild intellectual disabilities</td>
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<td>460</td>
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<tr>
<td>- Persons with multiple disabilities</td>
<td>17</td>
<td>9</td>
</tr>
<tr>
<td>- Physically disabled persons</td>
<td>37</td>
<td>16</td>
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<tr>
<td>Other categories of the disabled:</td>
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<td></td>
</tr>
<tr>
<td>- Blind persons</td>
<td>1</td>
<td>1</td>
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<tr>
<td>- Partially sighted persons</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>- Deaf persons</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>- Partially hearing persons</td>
<td>0</td>
<td>0</td>
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<td>- Persons with mild intellectual disabilities</td>
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<td>- Physically disabled persons</td>
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<td>2</td>
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<tr>
<td>Persons assessed for work capacity:</td>
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<td></td>
</tr>
<tr>
<td>- first-degree disability (employment under general conditions)</td>
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<td>215</td>
</tr>
<tr>
<td>- second-degree disability (employment under special conditions)</td>
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<td>17</td>
</tr>
<tr>
<td>- third-degree disability (job centre)</td>
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<td>7</td>
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</table>
Age structure of persons with disabilities in the City of Belgrade

<table>
<thead>
<tr>
<th>Age group</th>
<th>Women</th>
<th>Men</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>15-19</td>
<td>12</td>
<td>23</td>
<td>35</td>
</tr>
<tr>
<td>20-24</td>
<td>94</td>
<td>99</td>
<td>193</td>
</tr>
<tr>
<td>25-29</td>
<td>95</td>
<td>107</td>
<td>202</td>
</tr>
<tr>
<td>30-34</td>
<td>92</td>
<td>171</td>
<td>263</td>
</tr>
<tr>
<td>35-39</td>
<td>143</td>
<td>269</td>
<td>412</td>
</tr>
<tr>
<td>40-44</td>
<td>145</td>
<td>428</td>
<td>573</td>
</tr>
<tr>
<td>45-49</td>
<td>201</td>
<td>381</td>
<td>582</td>
</tr>
<tr>
<td>50-54</td>
<td>327</td>
<td>521</td>
<td>848</td>
</tr>
<tr>
<td>55-59</td>
<td>515</td>
<td>655</td>
<td>1170</td>
</tr>
<tr>
<td>60-64</td>
<td>13</td>
<td>433</td>
<td>446</td>
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</table>

Educational structure of persons with disabilities in the City of Belgrade

<table>
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<tr>
<th>Educational structure</th>
<th>Women</th>
<th>Men</th>
<th>Total</th>
</tr>
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<tbody>
<tr>
<td>I</td>
<td>393</td>
<td>943</td>
<td>1336</td>
</tr>
<tr>
<td>II</td>
<td>227</td>
<td>215</td>
<td>442</td>
</tr>
<tr>
<td>III</td>
<td>509</td>
<td>1066</td>
<td>1575</td>
</tr>
<tr>
<td>IV</td>
<td>400</td>
<td>613</td>
<td>1013</td>
</tr>
<tr>
<td>V</td>
<td>14</td>
<td>95</td>
<td>109</td>
</tr>
<tr>
<td>VI</td>
<td>41</td>
<td>86</td>
<td>127</td>
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<tr>
<td>VII</td>
<td>48</td>
<td>74</td>
<td>122</td>
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</table>
Chart 1: ‘Unemployed persons with disabilities in Belgrade by educational level’

Age structure of persons with disabilities in the Republic of Serbia

<table>
<thead>
<tr>
<th>Age structure</th>
<th>Women</th>
<th>Men</th>
<th>Total</th>
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</thead>
<tbody>
<tr>
<td>15-19</td>
<td>106</td>
<td>175</td>
<td>281</td>
</tr>
<tr>
<td>20-24</td>
<td>462</td>
<td>754</td>
<td>1216</td>
</tr>
<tr>
<td>25-29</td>
<td>545</td>
<td>723</td>
<td>1268</td>
</tr>
<tr>
<td>30-34</td>
<td>524</td>
<td>923</td>
<td>1447</td>
</tr>
<tr>
<td>35-39</td>
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<td>1913</td>
</tr>
<tr>
<td>40-44</td>
<td>634</td>
<td>1599</td>
<td>2233</td>
</tr>
<tr>
<td>45-49</td>
<td>625</td>
<td>1851</td>
<td>2476</td>
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<tr>
<td>50-54</td>
<td>1034</td>
<td>2081</td>
<td>3115</td>
</tr>
<tr>
<td>55-59</td>
<td>1372</td>
<td>2365</td>
<td>3737</td>
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<tr>
<td>60-64</td>
<td>51</td>
<td>1350</td>
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Chart 2: Age structure of unemployed persons with disabilities in the Republic of Serbia

Educational structure of persons with disabilities in the Republic of Serbia

<table>
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<th>Educational structure</th>
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<th>Men</th>
<th>Total</th>
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<tbody>
<tr>
<td>I</td>
<td>1867</td>
<td>4494</td>
<td>6361</td>
</tr>
<tr>
<td>II</td>
<td>999</td>
<td>1375</td>
<td>2374</td>
</tr>
<tr>
<td>III</td>
<td>1791</td>
<td>4244</td>
<td>6035</td>
</tr>
<tr>
<td>IV</td>
<td>1247</td>
<td>2044</td>
<td>3291</td>
</tr>
<tr>
<td>V</td>
<td>39</td>
<td>317</td>
<td>356</td>
</tr>
<tr>
<td>VI</td>
<td>141</td>
<td>263</td>
<td>404</td>
</tr>
<tr>
<td>VII</td>
<td>125</td>
<td>196</td>
<td>321</td>
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</table>
After examining the statistical data available to the National Employment Service, it was found that the unemployment register of the persons with disabilities on the territory of the Republic of Serbia counts 19,142 persons with disabilities of which 6,208 are women and 12,934 are men. Out of the total number of unemployed persons with disabilities 14,605 of them are active job seekers, 4,712 are women and 9,893 are men.

In Belgrade, the total number of registered unemployed persons is 4,724, of which 1,637 are women and 3,087 are men. Out of the total number of unemployed persons with disabilities in Belgrade 3,694 are active job seekers, 1,616 are women and 2,078 are men.

Chart 4: ‘Educational structure of unemployed persons with disabilities in the Republic of Serbia’

Chart 3: ‘Number of active job seekers in relation to the total number of registered unemployed persons with disabilities in Belgrade and municipalities included in the survey – National Employment Service’
### Total number of registered persons with disabilities

<table>
<thead>
<tr>
<th>City/Municipality</th>
<th>Total number of registered persons with disabilities</th>
<th>Active job seekers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Beograd</td>
<td>4724</td>
<td>3694</td>
</tr>
<tr>
<td>Vranje</td>
<td>297</td>
<td>234</td>
</tr>
<tr>
<td>Užice</td>
<td>361</td>
<td>259</td>
</tr>
<tr>
<td>Smederevo</td>
<td>322</td>
<td>266</td>
</tr>
<tr>
<td>Smederevska Palanka</td>
<td>156</td>
<td>94</td>
</tr>
<tr>
<td>Velika Plana</td>
<td>52</td>
<td>49</td>
</tr>
<tr>
<td>Aleksandrovac</td>
<td>54</td>
<td>51</td>
</tr>
<tr>
<td>Novi Kneževac</td>
<td>23</td>
<td>12</td>
</tr>
<tr>
<td>Majdanpek</td>
<td>46</td>
<td>46</td>
</tr>
</tbody>
</table>

### Total number of women

<table>
<thead>
<tr>
<th>City/Municipality</th>
<th>Total number of registered women</th>
<th>Number of women actively seeking</th>
</tr>
</thead>
<tbody>
<tr>
<td>Beograd</td>
<td>3087</td>
<td>107</td>
</tr>
<tr>
<td>Užice</td>
<td>203</td>
<td>254</td>
</tr>
<tr>
<td>Smederevo</td>
<td>200</td>
<td>73</td>
</tr>
<tr>
<td>Smederevska Palanka</td>
<td>110</td>
<td>40</td>
</tr>
<tr>
<td>Velika Plana</td>
<td>39</td>
<td>36</td>
</tr>
<tr>
<td>Aleksandrovac</td>
<td>22</td>
<td>10</td>
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<tr>
<td>Novi Kneževac</td>
<td>15</td>
<td>10</td>
</tr>
<tr>
<td>Majdanpek</td>
<td>24</td>
<td>22</td>
</tr>
</tbody>
</table>

### Total number of men

<table>
<thead>
<tr>
<th>City/Municipality</th>
<th>Total number of registered men</th>
<th>Number of men actively seeking</th>
</tr>
</thead>
<tbody>
<tr>
<td>Beograd</td>
<td>2078</td>
<td>166</td>
</tr>
<tr>
<td>Užice</td>
<td>166</td>
<td>203</td>
</tr>
<tr>
<td>Smederevo</td>
<td>200</td>
<td>73</td>
</tr>
<tr>
<td>Smederevska Palanka</td>
<td>110</td>
<td>40</td>
</tr>
<tr>
<td>Velika Plana</td>
<td>39</td>
<td>36</td>
</tr>
<tr>
<td>Aleksandrovac</td>
<td>22</td>
<td>10</td>
</tr>
<tr>
<td>Novi Kneževac</td>
<td>15</td>
<td>10</td>
</tr>
<tr>
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<td>24</td>
<td>22</td>
</tr>
</tbody>
</table>

**Chart 2: 'Number of women as active job seekers and the total number of women on the register in relation to men – National Employment Service’**
<table>
<thead>
<tr>
<th></th>
<th>with disabilities</th>
<th>employment</th>
<th>disabilities</th>
<th>employment</th>
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<td>2078</td>
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<td>203</td>
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<td>Užice</td>
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<td>203</td>
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<td>Smederevska Palanka</td>
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<td>37</td>
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<td>Novi Kneževac</td>
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<td>Majdanpek</td>
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