

ACCESSIBLE ELECTIONS

Participation of Persons with Disabilities in political and public life



Republic of Serbia

Belgrade 2014

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Dear readers,

Following is a report on the accessibility of the electoral process and the participation of persons with disabilities in political and public life in the Republic of Serbia. On March 2014, early parliamentary elections were held. Following the calling for these elections, the Center for Society Orientation - COD and the National Democratic Institute NDI - developed a project that aims to show how and to what extent persons with disabilities participate in political and public life, with the aim of equalizing opportunities for political participation, including the electoral process.

Nowadays, persons with disabilities actively participate in both, policy-making and the monitoring the rights of persons with disabilities. However, whether this scope is sufficient, acceptable and what does it mean for persons with disabilities are some of the questions that this report answers, using the methodology of holistic monitoring.

Scope of participation of persons with disabilities in political and public life is an important issue for the civil society organizations dealing with various aspects of disability. We would like to thank the organizations that have recognized the importance of this topic and contributed to the preparation of the report: the Association of Serbian Sign Language Interpreters, Mental Disability Rights Initiative of Serbia (MDRI-S), the Accessibility Audit Association Serbia, Belgrade City Association of the Deaf, the Association of the Blind and Visually Impaired Serbia “White Cane”, Creative Educational Center for People with Development Disabilities, Center “Living together” (“Živeti zajedno”), the Associations “Will to live” (“Volja za životom”), organizations “Soul” (“Duša) and “Talos”. We would also like to thank the individuals who participated in its development as authors and Gordana Rajkov and Milan Dobričić who expressed their opinions on this topic. We want to express gratitude to the Disability Rights Promotion International, which recognized capacities of the Center for Society Orientation, which, together with the National Association of Serbia for Autism opened a regional center for monitoring the rights of persons with disabilities in Belgrade. The highest appreciation goes to all individuals, persons with disabilities who were involved in the research and with their life stories gave a special mark to this report.

We would like to thank the British Embassy in Belgrade, which financially supported the project “Accessible Elections” and the preparation of this report, which describes the exercise of voting rights of persons with disabilities in political life, accessibility of political campaigns and the electoral process and gives recommendations for the development processes and the role of persons with disabilities in public and political life.

Goran Lončar

Editor

# ABBREVIATIONS AND ACRONYMS

|  |  |
| --- | --- |
| DRPI | Disability Rights Promotion International |
| EU | European Union |
| ECHR | European Convention for the Protection of Human Rights and Fundamental Freedoms |
| ECOSOC | UN Economic and Social Council |
| ECSR | European Committee of Social Rights |
| ECHR | European Court of Human Rights in Strasbourg |
| CESCR | UN Committee on Economic, Social and Cultural Rights |
| DPO | Disabled people’s organisation |
| PWD | Persons with disabilities |
| RTS  RS | Radio Television of Serbia  Republic of Serbia |
| RBA  REC | Republic Broadcasting Agency  Republic Electoral Commission |
| CoE | Council of Europe |
| SSL | Serbian Sign Language |
| UNCRPD | UN Convention on Rights of Persons with Disabilities |
| UN | United Nations |
| LED | Law on Election of Deputies |
| M | Monitor |
| I | Interviewee |

# INTRODUCTION

Monitoring the participation of persons with disabilities in public and political life, including the accessibility of the electoral process in 2014 in the Republic of Serbia is the focus of this report. Based on the individual experiences of persons with disabilities (monitoring individual experiences), media monitoring and analysis of the laws and policies (system monitoring), this publication attempts in a comprehensive (holistic) way to assess the degree of participation of persons with disabilities in social processes, to point out the problems and the ability to overcome them in order to achieve full participation of persons with disabilities in political and public life without discrimination.

The right to vote belongs to the fundamental rights and it applies not only to the electoral process, but also to the active social inclusion with the impact on the development processes. Exclusion from this process is primarily reflected in the approach that persons with disabilities in the same way participate in the elections and it points to the fact that a large number of persons with disabilities are affected by the inaccessibility. The voting right of all citizens is included in international human rights instruments, such as Article 21 of the Universal Declaration of Human Rights which guarantees the right of all citizens to participate in the government directly or through freely chosen representatives, or in the International Covenant on Civil and Political Rights which guarantees the right of all citizens to elect and to be elected. With the ratification of the UN Convention on the Rights of Persons with Disabilities and its Optional Protocol, the Republic of Serbia is obliged to guarantee persons with disabilities the enjoyment of political rights on the basis of equality, i.e. to elect and to be elected, by ensuring accessible and easy to understand election process, polling stations and election materials. Secrecy of voting is one of the fundamental democratic principles and it must be met by facilitating the use of assistive and new technologies. Promotion of inclusive environment free of discrimination involves participation of persons with disabilities in all public activities, including the conduct of political parties. Increasing the participation of persons with disabilities in political and public life at all levels is also the target of the Council of Europe Disability Action Plan by 2015.

According to the 2011 Census in the Republic of Serbia, published by the Statistical Office of the Republic of Serbia, out of the total population of 7,186,862 people, 7.96% or 571,780 residents identified themselves as persons with disabilities[[1]](#footnote-1). According to the type of disability, the highest percentage refers to persons with mobility impairments and the least to people with communication problems. The average age of persons with disabilities is 67, while in the total population with disabilities women have a higher share of 58.2%. According to the civil society organizations, the number of persons with disabilities could be much higher, and the number of persons who have the right to vote could be close to a census required for participation in the parliamentary life of political parties, which only indicates the fact how important it is to enable persons with disabilities to participate equally in the electoral process and the creation and implementation of policies relating to disability, but also in other spheres of social life.

## Information about the project

The project “Accessible elections” was supported by the British Embassy in Belgrade and is implemented in partnership with the National Democratic Institute (NDI). The project builds on the established mechanism for monitoring the respect for the rights of persons with disabilities in the Republic of Serbia and uses access to disability based on human rights in monitoring, the exercise of political rights of persons with disabilities, that is, systemic discrimination and exclusion of persons with disabilities from political life. Knowledge about human rights violations based on facts and evidence will be an important tool for initiating social changes, changes in policies and programmes that would lead to the enhancement of political participation of persons with disabilities in the Republic of Serbia.

In order to gain an insight into the human rights violations of persons with disabilities, the project uses a holistic approach to monitoring. The methodology consists of three elements and focus areas: monitoring of individual experiences, which included 59 interviews with persons with disabilities, systemic monitoring with the aim to provide an overview of laws, policies and programmes in the area of political participation of persons with disabilities and their shortcomings, as well as media monitoring, in order to gain an insight into the accessibility of information for persons with disabilities during political campaigns, as well as the representation of issues relevant to persons with disabilities.

Holistic approach to monitoring of human rights of persons with disabilities is based on fundamental principles of human rights contained in the Convention on the Rights of Persons with Disabilities: ***dignity, autonomy, non-discrimination and equality, participation, inclusion and accessibility and respect for diversity***.

## Structure of the Report

The report “Accessible elections” is consisted of several parts. The first part, which refers to a general overview of the participation of persons with disabilities in political and public life was made ​​by the representatives of civil society organizations from different perspectives in the field of disability, which resulted in the inclusion of persons with physical, sensory, intellectual and psychosocial disabilities. Part that is related to systemic monitoring presents an analysis of the legal framework relating to participation in public and political life, with reference to international instruments relating to the Republic of Serbia. Media monitoring is divided into two parts, the first part focuses on the accessibility of campaign content for deaf and hard of hearing persons, while the second part analyses the representation of disability issues in the print media, which applies to all persons with disabilities. Finally, part which is based on research that has included persons with disabilities brings monitoring of the human rights and analyses individual experiences of persons with disabilities related to the electoral process in 2014, i.e. participation in public and political life.

# GENERAL OVERVIEW OF THE PARTICIPATION OF PERSONS WITH DISABILITIES IN POLITICAL AND PUBLIC LIFE

## Participation of persons with physical disabilities

### Background

The Constitution and legislation provide conditions for full accessibility of buildings, programmes and activities of political parties for undisturbed participation of persons with disabilities. However, bylaws, regulations and practice do not follow the conditions laid down by the Constitution and laws. Political parties very rarely have committees that deal with this issue outside the field of social policy and/or protection of the rights of minority and vulnerable groups. According to the information of the Accessibility Audit Association of Serbia, no political party has a person in charge to deal with issues of accessibility of political party facilities, web presentations and communication with citizens.

The elections are held at polling station, without prior assessment of the accessibility of the premises.

### Barriers to the exercise of the guaranteed rights

We consider that the main obstacle to the realization of guaranteed rights is the lack of procedures. If there is an explicit prohibition of denial of access to public buildings, areas, services and public transport in the Law on Prevention of Discrimination against Persons with Disabilities, and that there is a need to make *necessary adjustments*, it remains unclear to what extent and by what standards. Namely, there is only one bylaw: Regulation on Technical Accessibility Standards (2013), specifying technical standards to be applied in order to building became accessible. This bylaw enumerates all standards pertaining to the construction of the building, but not specific situations during *necessary adaptations*, i.e. measures necessary to be taken during the adaptation of the building to become accessible. For that reason, scope and standards for providing access are reduced merely to the assessment of persons responsible for carrying out the *necessary adaptations* that may or may not have to meet the requirements of the Regulation on Technical Accessibility Standards.

Even more complex is the question of ensuring the accessibility of information. There is a general provision in the Law on Public Information that all information must be accessible to persons with disabilities, but there is not even one bylaw, which specifies what is meant by that.

### *Recommendations for improving the situation*

* It is necessary that each political party have a document, which specifies the procedures that provide accessibility of party facilities, information and communication.
* Every building in which voting is organized must pass the accessibility assessment.
* When designing and adapting buildings intended for public use, introduce the obligation of delivery of additional documentation - the Accessibility study where all the elements of accessibility with detailed descriptions will be listed.

## Participation of deaf and hard of hearing people

### Background

Deaf persons, who also use sign language, belong to culturally and linguistically diverse Community of Deaf People[[2]](#footnote-2). In terms of access, they are faced with similar problems as people who come from different cultural and linguistic environment. Although hard of hearing people generally identify themselves with the dominating culture of people who can hear, they are faced with the difficulties of participation in political and public life on a daily basis. Common for individuals from both models of deafness is communication, although in terms of accessibility and ways of information they are considerably different.

Although in legislation Serbian sign language (SSL) is affirmative and legal means of communication of the deaf community in Serbia, there is no institution that deals with documenting, standardisation, teaching and promotion of sign language. The draft law on the use of sign language[[3]](#footnote-3) is in the form of a draft since 2009, and although the public debate is finished, there is still no indication that it would soon be in the parliamentary procedure.

The United Nations Convention on the Rights of Persons with Disabilities[[4]](#footnote-4) recognizes the linguistic rights of the Deaf community and its linguistic identity. Article 9, which refers to the accessibility, guarantees the right to interact in sign language (obtaining information and expression in sign language in official communication). The same article identifies the need for qualified sign language interpreters. Article 29, guarantees deaf and hard of hearing people political rights and the opportunity to enjoy these rights on an equal basis with others, among others, by ensuring that the electoral process, electoral sites and materials are appropriate, accessible and easy to understand, that is, to be available in Serbian sign language.

### Barriers to the exercise of the guaranteed rights

There are no regulations or documents that clearly defines the ways of achieving legal rights, therefore the implementation is unsatisfactory. With the adoption of the Draft Law on the Use of Sign Language, each deaf individual will have a precondition for full participation in public life. The law has not yet been adopted, and we believe that the main obstacles to the adoption of this law are lack of qualified personnel and financial resources for its implementation. Linguistic and cultural barriers are present - lack of institutions dealing with documenting, standardising and promoting SSL. Also, there is a lack of adequate training of Serbian sign language for deaf persons, as well as teachers of deaf children and future Serbian interpreters for sign language. Technical and technological barriers are identified as lack of video relay service, emergency service for deaf persons and others. There is also lack of awareness of the community on issues affecting the community of deaf and hard of hearing people. Also, there is alarmingly low number of interpreters for sign language[[5]](#footnote-5).

### *Recommendations for improving the situation*

* In order for members of the Deaf community to have an opportunity to adequately enjoy their active and passive voting rights, i.e. to elect and be elected and to participate in political and public life, it is necessary to legally regulate the use of sign language. This would allow deaf people to receive and convey the information in the first language, by using an interpreter for the Serbian sign language. For full participation it is necessary that the largest possible part of the political content be adapted and translated into SSL. Providing interpreters is the requirement for undisturbed communication and adequate participation of deaf people in political life. In this sense, it is necessary to provide interpreters at all political rallies, parliamentary TV broadcasts, TV shows, gatherings and other political events. In addition to the SSL translation, broadcasters should subtitle content that is broadcasted as much as possible.
* At the polling sites, if members of the polling board do not know the Serbian sign language, it is necessary to have visual information on the procedure for voting and all polling places should have an induction loop[[6]](#footnote-6).
* It is necessary to develop and accredit training programmes for interpreters of Serbian sign language, as well as promote the availability of interpreters in order to make public events, media and any other content accessible to the Deaf community, which is a necessary step for its greater participation.
* In order to enable the Deaf community greater participation in political and public life, the Government of the Republic of Serbia and the relevant ministries should provide recognition of a specific cultural and linguistic identity of the deaf and hard of hearing persons on an equal basis with others, including sign languages ​​and culture, and provide appropriate support in order to exercise their identity.

**At the polling place no. 178 in the High School of Economics “Svetozar Miletić” in Novi Sad,** there is no accessible entrance to the building where the voting takes place. At the entrance there are two steps without a ramp for wheelchairs and without handrails that would enable people with mobility problems to enter the building more easily. In addition, the steps are damaged and made ​​of a material that is slippery in the case of the wet surface, which further complicates the movement. The door width at the entrance is not sufficient and it significantly hampers the movement of persons with disabilities. Inside the building, after the entrance from the street, there are additional 12 steps without ramp or moving platform for wheelchair users but with a handrail that makes movement easier. The voting is taking place on the ground floor, in the first classroom after the entrance steps. The width of the classroom door is adequate for wheelchair users, but there is a threshold that makes it difficult to enter the room. The height of ballot boxes is at the appropriate height and there is enough space for wheelchair users to make a man manoeuvre in the room. In the immediate vicinity of polling places there is properly marked parking space intended for persons with disabilities, but it is on the opposite side of the street and the kerb on the side where the school is located is not dropped, and there is no marked pedestrian crossing that would allow a smooth transition.

## Participation of blind and visually impaired people

### Background

From the viewpoint of the blind persons, basic rights are guaranteed by various documents - from the Constitution of the Republic of Serbia to the large number of laws that enable persons with disabilities to fight for their fundamental rights. In practice, the situation is slightly different, insufficient understanding of the type of disability, such as sensory disability, the possibilities that are available to the institutions of the Republic of Serbia are not used enough or there are even no information on assistive technologies that could facilitate the participation of blind and visually impaired persons who would like to participate more actively in political life. The election process is not accessible in a format that enables blind persons to follow the election cycle equally.

### Barriers to the exercise of the guaranteed rights

The laws that were adopted in the Republic of Serbia related to reduce discrimination against persons with disabilities and the methods in which all citizens are informed are evident, but their full implementation must be taken into account. Positions where there is a possibility to influence in some of the sectors involved in working with persons with disabilities are mainly run by people who are not individuals with disabilities. But, due to lack of knowledge of the reality in which persons with disabilities live and work, it became increasingly difficult to exercise their rights as the participation of persons with disabilities in the preparation of documents such as draft laws is not enough. In public discussions, proposals that are coming from persons with disabilities at a later stage are not sufficiently included in the final documents.

### *Recommendations for improving the situation*

* One of the conditions for greater participation of persons with disabilities in the electoral cycle and participation in policy making requires more training of persons with disabilities about their rights, the way in which they can be engaged in self-advocacy and to ask from the various services to provide them with everything they need to be equally informed of all developments.
* It is not sufficient just to pay attention to persons who are not able to go to the polling place only on the day of the elections, such as the visit of a group of representatives of political parties, but continuous, systemic and equally solved accessibility before and after the elections is necessary. Also, it is necessary that the relevant institutions make available information and documents for the blinds and visually impaired and similar.
* Political parties should involve persons with disabilities through their work more, as well as to make their premises accessible to persons with disabilities, not only in terms of the physical environment, but in terms of the accessibility of communication and information as well. Also, a continuous communication with persons with disabilities is extremely important and creating the preconditions through important legislation for greater inclusion, such as the Law on the Use of Facsimile or the Laws on the Use of a Guide Dog. In this sense, persons with disabilities should intensify and introduce as many of the parties and their representatives to the way that persons with disabilities live, and thus through a number of educational programmes get to the essence of the problems and solutions that occur not only during elections.
* It is necessary to influence on the creation of preconditions for greater participation of persons with disabilities in political and public life and the basis of all lies in the knowledge in order to find the most appropriate solutions.

## Participation of persons with intellectual and psychosocial disabilities

### Background

Political participation of persons with intellectual and psychosocial disabilities in Serbia is practically non-existent due to various political and social causes.

The main reason for the violation of rights of persons with intellectual and psychosocial disabilities in practice is prevalent system of deprivation of legal capacity or extension of parental rights. The terms of deprivations are regulated by the Family Law, and the procedure is carried out through two related but separate processes: deprivation of legal capacity as the court proceedings (in accordance with the Law on Extra-Judicial Procedure) and setting up guardianship by a guardianship authority as an administrative procedure (in accordance with the Law on administrative Procedure)[[7]](#footnote-7). The analysis of about 1000 court decisions on deprivation of legal capacity in Serbia for a period of 2008-201[[8]](#footnote-8) has shown that persons with intellectual and psychosocial disabilities are most often affected by this practice (in total 75.4% of cases, of which 45.3% persons with intellectual disabilities and 30.1% of persons with psychosocial disabilities). More than half of the persons deprived of their legal capacity (53.2%) had a history of institutionalization. In 99% of the cases the type of disability is clearly specified, usually in the form of medical records pointing to the fact that these people are deprived of legal capacity just because they have some form of disability, which completely violates the principle of equality. The disturbing fact is that in Serbia from 2011, the number of cases of legal capacity deprivation is rapidly increasing.

Although Article 52 of the Constitution of the Republic of Serbia states that the electoral right is universal and equal for all, it also defines that people with no legal capacity cannot elect or be elected. This provision is repeated in terms of elections of the President of the Republic[[9]](#footnote-9). A person deprived of his/her legal capacity cannot be registered in the electoral rolls, i.e. will be removed from it, and when their business capacity is reinstated by a finally-binding court decision, they shall be enlisted into the electoral rolls again[[10]](#footnote-10). Also, persons deprived of their legal capacity cannot be founders or members of political parties[[11]](#footnote-11), founders of the associations[[12]](#footnote-12) or volunteers[[13]](#footnote-13).

Even in the case when persons with intellectual and psychosocial disabilities are not deprived of their legal capacity, they are faced with barriers in exercising political rights, because they are traditionally viewed as people who lack the mental capacity to make decisions. Systems of supported decision making do not exist in Serbia.

Equally important is that the election procedures, materials and information about public policy and political activities are not presented in the form, which is easy to understand.

### Barriers to exercise guaranteed rights

The key obstacle to the exercise of political rights of persons with intellectual and psychosocial disabilities is a denial of the principle of autonomy, inherent dignity, freedom of personal choice and equality. Constitutional and legislative provisions on deprivation of legal capacity are restrictive, outdated and not in line with international standards to which the Republic of Serbia is committed to.

The Convention on the Rights of Persons with Disabilities, Article 12 states that the States Parties shall recognize that persons with disabilities enjoy legal capacity on an equal basis with others in all aspects of life. In addition, the State Parties have to guarantee political rights and opportunities for the realization to all persons with disabilities on an equal basis with others (Article 29). This includes that the electoral procedures, facilities and material are appropriate, accessible and easy to understand and use. The importance of providing accessible material and information easy to understand was also highlighted in the Recommendation of the Council of Europe on the Participation of Persons with Disabilities in Political and Public Life and the Declaration of the Venice Commission. Recommendation of the Council of Europe states that States Parties must ensure the legislation which will be free of provisions that deny the right of persons with disabilities to vote and be elected at all levels. All persons with disabilities, regardless of whether they have physical, sensory or intellectual disability, mental health problems or chronic diseases, are entitled to vote on the same basis as other citizens, and should not be deprived of this right by any law limiting their legal capacity, any judicial or other decision, or by any other measure based on their disability, cognitive functioning or perceived capacity[[14]](#footnote-14). The principles of universal, equal, free and secret suffrage shall apply equally to persons with disabilities without discrimination[[15]](#footnote-15). Also, participation in political and public life must be provided to persons with disabilities who reside in hospitals or other residential types of institutions.

None of these recommendations or binding international provisions are applied in Serbia when it comes to the accessibility of the electoral process for persons with intellectual and psychosocial disabilities.

### *Recommendations for improving the situation*

* Legislative changes: changes to the Constitution, the harmonization of other laws with the Convention on the Rights of Persons with Disabilities and the Recommendations of the Council of Europe and the Venice Commission;
* Changes to the legislative provisions concerning deprivation of legal capacity in accordance with the Convention and the Draft General Comments of the Committee on the Rights of Persons with Disabilities, that is, complete abolition of legal capacity deprivation and extension of parental rights;
* Empowering persons with disabilities in decision-making and capacity building of representative organizations to advocate the right to full political participation;
* Reducing the stereotypes and prejudices towards persons with intellectual and psychosocial disabilities, their right to independent decision-making at all relevant stakeholders, including representatives of political parties, public authorities, experts and the general public.

## From the perspective of Gordana Rajkov

The president of the Center for Independent Living of Persons with Disabilities

The first person with a disability who became a deputy in the Parliament of Serbia (in its session of 2007 and 2008-2012)

*In my opinion, persons with disabilities should be involved in political life, because politics in a broader sense, certainly deals with us, it makes decisions, laws, measures that directly affect our lives. For the time being, there is still very small number of persons with disabilities who participate in making certain decisions or are consulted when making policy decisions at the national and especially at the local level. We can be included in several ways: one is, of course, to participate in the elections as a fundamental right of all citizens of Serbia, to elect and be elected. Legislation in Serbia is in this respect very much improved in the last few years. There are still lots of problems, such as, for example, accessibility of polling places and election material. I think that this problem will be unsolvable for a long time, because these places do not exist per se, but they are the premises of local communities, schools and similar which are used for that purpose. One option is voting from home, when the Commission brings the election materials, or going to the polling place and if it is not accessible to make a request to the committee members to bring the election material in front of the building, and to vote. I personally had both experiences and from the practice I know that it is possible. What now would have to be done is the accessibility of the electoral materials. There are examples in the world how to do it. For example, for persons with visual impairments there are special ballots with the names of candidates in Braille, and the boxes in which you can tag candidates for whom you vote. There is also a possibility of providing assistance, a person whom you trust. But that is not good, it is inconsistent with the secrecy of voting, but what can I do if I cannot raise my hand because it is getting more difficult for me to write, and if it is not adjusted, I have to use someone’s assistance. In some countries, there is the possibility of on-line voting. There should be also the adjustment of election materials for persons with mild intellectual impairments, who could also vote, in some modified materials where it should be in some appropriate way explained what the voting is, why do we do that, with drawings, etc. We should also fight for the accessibility ourselves. When I became a deputy in the Assembly, I could not get into the plenary hall in Kralj Milan Street, because there were 6-7 marble steps up to the hall. And during the first session in the Assembly, five people carried me up and down the stairs, and the toilet, which was at that level also, had four steps. I immediately presented it as a problem, and I sent a request to allow me unhindered access before the Assembly’s constitution and before the next session a moving platform was set, which now allows absolutely unrestricted access to all the halls at that level. Other ways of involvement in the political life is raising awareness of members of the political parties and their leaders to include in their programmes issues of improving the position of PWD, as well as the direct involvement of PWD as members of any political parties. In addition to this, raising the capacities of the organizations of PWD should be done, which as an organization should not support any particular political party, but should work with all parties, to be familiar with documents on human rights of PWD and to learn the skills of negotiation, so that can make changes for the better for all persons with disabilities, regardless of which political party is the governing party.*

# SYSTEMIC MONITORING

## Legal framework for participation of persons with disabilities in political and public life

The current Constitution of RS defines electoral right as universal and equal for all, elections as free and direct, and the voting procedure as secret and private. Each citizen 18 years of age and working ability of the Republic of Serbia has the right to vote and to be elected[[16]](#footnote-16). Since not all citizens to whom this right is guaranteed are in the same position, the state has the obligation to, in accordance with its legal system, eliminate the negative effects of discrimination and ensure full enjoyment of these rights, which, given their importance and universality, undoubtedly belong to the corpus of human rights[[17]](#footnote-17).

Participation of persons with disabilities in political life in terms of candidacy, voting, information and general enjoyment of political rights largely depends on the normative acts regulating this area. Such guarantees can be found in the text of the ratified United Nations Convention on the Rights of Persons with Disabilities[[18]](#footnote-18). Therefore, at this point we should mention not only the electoral laws, but also the important sources in the Republic of Serbia, which create a base of the electoral system on the legal level and enable persons with disabilities to approach it by eliminating the factors that lead to inequality.

The right to vote of persons with disabilities and their participation in electoral activities is identified as a prerequisite for the realization of the idea of the Council of Europe Action Plan to promote the rights and full participation of persons with disabilities in society - improving the quality of life of people with disabilities in Europe 2006 – 2015[[19]](#footnote-19). More recent EU Disability Strategy 2010-2020, requires efforts aimed at removing barriers that persons with disabilities encounter, and where, among other things, highlight those obstacles that hinder the achievement of their participation in political life[[20]](#footnote-20).

When we talk about international law, human rights and election accessibility for persons with disabilities, the Article 29 of the said convention, where in the part “Participation in political and public life” stipulates the obligations of states to ensure to persons with disabilities political rights and the opportunity to enjoy them on an equal basis with others is important[[21]](#footnote-21). According to this article, it should be ensured that voting procedures, facilities and materials are appropriate, accessible and easy to understand, that citizens with disabilities have the option to vote by secret ballot in elections and referendums without intimidation, as well as to provide the ability to stand for elections and perform all public functions at all levels of government. It was also provided the possibility to use assistive and new technologies where appropriate, allowing an assistance in voting by a person of their choice, if it is for the purpose of the expression of free will of persons with disabilities as voters, and if such request exists.

The Law on Prevention of Discrimination against Persons with Disabilities[[22]](#footnote-22) creates a good legal framework for the legal regulation of the accessibility of the electoral process for persons with disabilities from the perspective of the foregoing principles of the Convention. Article 4 envisages the duty of public authorities in ensuring the rights and freedoms without discrimination of persons with disabilities. Article 33 elaborates specific measures to create an accessible environment, stating that local authorities are obliged to take measures with a view to make accessible physical environment, buildings and public spaces and transport to persons with disabilities. Article 34 states that government bodies shall ensure the equality of persons with disabilities in proceedings before those bodies. In order to provide access to information of persons with disabilities, Article 35 emphasizes that government bodies, territorial autonomy and local self-government are responsible for culture and media to take measures with a view to make accessible information and communication through the use of appropriate technology for persons with disabilities, whereby in particular emphasises the need for daily communication of information intended for persons with disabilities with appropriate technology for simultaneous written text. This is in line with Article 51 of the Constitution which states: “Everyone shall have the right to be accurately, fully and timely informed about issues of public importance and the media shall have the obligation to respect this right”.

In the current review of legal norms in terms of the election accessibility for persons with disabilities, the requirements which aim at eliminating potential physical barriers are emphasized, while on the other hand a requirement for successful providing information and communication is present. One of the key laws governing this issue, the Law on Election of Deputies **[[23]](#footnote-23)** , sets down the forms and appearances of the ballots, the method and control of their printing, as well as the delivery and handling of the ballots[[24]](#footnote-24). Although not directly related to the accessibility of the facility in which the voting is taking place or informing about the election process and the candidates, in practice, election ballots represent factors that may lead to violations of the right to vote. Article 72 of the Law on the Election of Deputies states: A voter which is not able to vote at the polling place (blind, disabled or illiterate person)[[25]](#footnote-25) has the right to bring a person who shall instead of him, and in the manner determined by him, fill the ballot, i. e. vote. It should be noted that if a person with sensory disabilities can be helped with the use of Braille at this point, it should be used when making ballots since such adjustment may provide confidentiality and the possibility of personal voting, which are the core principles of the voting in a democratic society. Although quoted text of Article is corresponding to the Convention, which itself provides for the possibility of a personal assistance, the emphasized principles must be in the first place in conducting elections. Since Article 72 does not recognize other, more appropriate ways of voting, the Ombudsman of the Republic of Serbia commented this provision in his Opinion and concluded that any reduction of the content that shapes the ability of respect for basic political right must be precisely regulated[[26]](#footnote-26). The need for more precise regulation of the law is also provided in Article 63 of the LED which also does not consider the use of an alternative form of the ballot in order to have the list with the names of the electoral lists and the names of all the candidates, which must be visibly displayed at the polling place for everyone, be tactile-readable as well.

The Law on the Uniform Register of Voters[[27]](#footnote-27) has foreseen that one day after the elections had been called, the municipal, i.e. city/town administration, which updates the Register of Voters for the territory of the ​​local self-government unit, shall make public to the citizens the part of the Register of Voters for the territory of ​​the local self-government unit, and this shall be announced through the media and, if necessary, in other ways, and the way in which the part of the Register of Voters for the territory of the local self-government unit shall be displayed shall be prescribed in details by the minister competent for public administration[[28]](#footnote-28). These provisions could allow further regulation of the sub-legislation that would contribute to better informing of persons with disabilities.

The Law on Local Elections[[29]](#footnote-29)for the election of councillors enforces the regulations of the Law on Election of Deputies which, among other things, refers to the maintenance of the Register of Voters, balloting material, polling places, informing the citizens on the proposed candidates, ban on duration of election propaganda and announcement of early results or estimations of the election results, voting, ascertaining and announcement of election results.

Pursuant to Article 34 of the Law on Election of Deputies, the Republic Electoral Commission adopted the Guidelines for the Election of Deputies of the National Assembly, scheduled for March 16, 2014[[30]](#footnote-30). This document is important for persons with disabilities because Article 30 states that in determining the polling place, it should be taken into account that the polling place is accessible to persons with disabilities. However, Article 61 indicates that in the funds for conducting the elections provided in the budget of the Republic of Serbia for 2014 according to the financial plan of the total costs determined by the Republic Electoral Commission, which can be used for the procurement, printing and translation of election materials, there is no visible item in the projected costs that could facilitate the accessibility of elections for persons with disabilities because the translation services are related to the translation into the languages ​​of national minorities.

The delicacy of defining and predicting election accessibility for persons with disabilities is seen in the already mentioned Article 52 of the RS Constitution which guarantees that “every citizen 18 years of age and working ability of the Republic of Serbia shall have the right to vote and be elected”. The Institute of deprivation of legal capacity which is allowed by the Law on Extra-judicial Proceedings[[31]](#footnote-31) and the Family Law[[32]](#footnote-32) is causing concern among those who are dealing with the rights of persons with disabilities for years. Some of the main targets of criticism can be found in the fact that the possibility of partial deprivation of legal capacity is almost not used in practice. In this way, citizens with psychosocial and intellectual disabilities with this court proceedings often end up with a decision on the full deprivation of legal capacity in which they lose the right to vote, association and membership in political parties, as well as other political and civil rights. Taking into consideration the specificity of each individual person they de facto and de iure don’t have to be deprived each time[[33]](#footnote-33). The accessibility of elections for persons with disabilities in the normative sense encompasses a variety of legal documents that have to take into account the individuality of persons with disabilities, which may seem like a difficult request. Fortunately, human rights have rather clear principles that can always serve as a landmark and help to overcome mere administrative harmonization of national legislation with international commitments and requirements and achieve an essential role in helping persons with disabilities to exercise their rights in this area.

**\*\*\***

In order for citizens with disabilities to effectively and fully participate in political and public life on equal terms with other citizens, it is necessary that the state undertake targeted and effective measures both in regulation and in the area of ​​practical application of the standards[[34]](#footnote-34). This means that the exercise of the right to participate sometimes requires specific actions of the state, and so the person with sensory disabilities may require material for voting in Braille, or if the polling place has no ramp or is too far from the house of persons with physical disabilities which can prevent him/her from voting, the state should ensure the realization of the right to participate in political life. Contrary to the economic, social and cultural rights, civil and political rights are not subject to progressive realization and the state must protect and improve these rights immediately. Persons with disabilities should be involved and participate in all aspects of the society, including political public life which includes the provision of consultation with persons with disabilities in the implementation of the Convention and the adoption of measures or laws that affect them, revision of electoral laws, etc.[[35]](#footnote-35)

The problem of disability is based on the factors of the environment, in social and political context. The participation of persons with disabilities in social life is therefore not seen as a result of the limited capacity for social participation, but as an indicator of the willingness of the social environment to engage the available capacities of persons with disabilities[[36]](#footnote-36).

### *Recommendations for improving the situation*

* It is necessary to improve the accessibility of the electoral system for persons with disabilities in accordance with the Convention on the Rights of Persons with Disabilities so that the electoral process, polling places and material are appropriate, accessible and easy to understand, that citizens with disabilities have the possibility of secret voting in the elections which in the case blind persons is not enabled;
* It is necessary to improve the situation of persons with disabilities to enjoy guaranteed rights without barriers and to create equal chances for participation in political and public life through the new legislative solution;
* Information and communication during the election process must respond to the needs of deaf and hard of hearing persons, information should be translated information into sign language and/or transferred by a technology of simultaneous written text as well as being easy to understand when it comes to persons with intellectual disabilities;
* Ensure that the electoral process is available to persons with disabilities so they can be properly informed and participate in debates, which encourage both passive and active voting rights.

**Polling place no. 16. “Streljana”, Novi Beograd** is not accessible to persons with disabilities. Persons with physical disabilities cannot vote in the polling place; it is also inaccessible to the senior citizens, since before the entrance there are 15 steps. At the entrance is a narrow door with a threshold that is the width of a step and the height of more than 2 cm. There are no handrails to make it easier to overcome obstacles. There is another step in the interior of the building, and there is not enough space to maneuver a wheelchair in the place of voting. There are no instructions easy to understand, there is no possibility for blind people to vote secretly. Polling board members are willing to help and try to find solutions which unfortunately do not allow the secrecy of the ballots in case people do not see. Since the inside of the polling places is without windows and very dark people with low vision are also denied the possibility to vote appropriately. There are no special instructions for communicating with persons with disabilities. The ballot box is not accessible to people who use wheelchair, but since it is impossible to enter the polling place due to the above mentioned obstacles, this obstacle is almost impossible to reach.

Aware of the limitations in access, polling board members recommend to use the possibility of voting from home, although there is an understanding that such voting breaks down the basic postulates of human rights and that is not associated with free choice of individuals.

# MEDIA MONITORING

## Accessibility analysis of the election content for deaf and hard of hearing people in the campaign for the 2014 parliamentary elections

The accessibility analysis of election media content for deaf and hard of hearing persons was made in the framework of the research that was conducted in the period from February 15 to March 13, 2014, with the aim to investigate whether and to what extent the content of the electoral campaign for parliamentary elections that were held on March 16, 2014 was accessible to deaf and hard of hearing persons, with special emphasis on the treatment of broadcasters in accordance with the General Binding Instruction for broadcasters to allow unhindered informing of viewers with hearing impairment during the election campaign[[37]](#footnote-37) (the Instruction).

### The conduct of broadcasters during election campaign

The Constitution of the Republic of Serbia in Article 51 guarantees that “everyone has the right to be accurately, fully and timely informed about issues of public importance and the media public notification are obliged to respect this right“. The Broadcasting Act[[38]](#footnote-38) delegated the national Broadcasting Agency the competence to supervise the work of broadcasters in the Republic of Serbia[[39]](#footnote-39). This law stipulates the principles of regulating relations in the field of broadcasting, among which particularly important are the principles of “freedom of expression and diversity of opinion”, and “application of internationally recognized norms and principles relating to the broadcasting sector, especially the respect of human rights in this sector”[[40]](#footnote-40). This law defines general programme standards and obligations of broadcasters in respect of programme content[[41]](#footnote-41), so all broadcasters, within their programme concept, are bound to ensure free, comprehensive and timely informing of citizens. In the part that defines the obligations of the public broadcasting service carriers with the aim of achieving public interest [[42]](#footnote-42), it is stated that they are required to produce and broadcast programmes for all segments of society, without discrimination, particularly taking into account specific social groups such as “handicapped”, deaf and mute (with the obligation of the parallel broadcasting of printed text descriptions, description of sound segments of actions and dialogue), etc.

The instruction stipulates the “conduct of broadcasters in order to allow viewers with hearing impairments unhindered access to information on the progress of the election campaign through television programme”[[43]](#footnote-43). This Binding Instruction recommended the broadcasters to use specific standards regarding the use of subtitles and sign language, that is, to meet certain requirements[[44]](#footnote-44). Obligations of broadcasters are defined, depending on whether it is a public broadcasting service institution, broadcaster of local or regional community and civil sector broadcaster[[45]](#footnote-45), or commercial broadcasters[[46]](#footnote-46). Thus, the commercial broadcasters that broadcast their programmes on the territory of the Republic of Serbia are obliged to “make the content of at least one news programme, which in whole or partially deals with the campaign, available to viewers with hearing impairments through the use of Serbian subtitles or sign language content. The obligation to make more content than prescribed accessible is not defined, but it is stated that the broadcaster should apply the same standard to all other related contents “if they have financial and technical conditions”. The obligations of the Broadcasting Institution of Serbia, Broadcasting Institution of Vojvodina, local or regional community broadcasters and civil sector broadcasters are defined differently. These broadcasters are obliged to make the election programme accessible to viewers with hearing impairments, except for the content of campaign advertising messages, through the use of subtitles or Serbian sign language. Thus, these broadcasters are obliged to make *all* such content more accessible, regardless of financial and technical conditions.

### Accessibility of 2014 electoral process for persons with disabilities

Milan Dobričić, author and host of the programme “A place for us” (Mesto za nas), RTS, said

*The campaigns of political parties and election programme are accessible to persons with disabilities as much as they are accessible to the media through which the campaigns are served, therefore very little. We know that the part of the news programmes related to the election was “more accessible” this year, as it was, for example, translated into sign language. However, the question is why only this part? Is that everything that, for example, deaf people need to know? Are they just voters and nothing else?*

*My polling place was in a primary school. The steps lead to the main entrance to the building, which can be avoided only through the car entry and the bumpy yard. In the school some polling places were on the ground floor and some on the floor to which there are only stairs with no elevator. I didn’t notice the presence of a sign language interpreter, or ballots in Braille. I know that there were problems with the companions of some people who wanted to vote. Therefore, almost completely inaccessible.*

*The legal framework is often assessed as good, in some segments even very advanced, but as soon as you go “down” to the implementation, the situation is almost unchanged. A universal “mobilization” in this field is necessary. The society must be informed, the laws understood, and the money must be found for the implementation, and there must be an awareness that this is about human rights, and not the “will” to “help”.*

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Table: Accessible election content in the framework of broadcasters programme | | | | | | | | |
| *(the number of the minutes of accessible content to users of sign language)* | | | | | | | | |
|  | RTS | Prva | B92 | Pink | StudioB | Happy | RTV | Nova |
| 15.02.2014 | 4 | 7 | 7 | 8 | 9 | 4 | 4 | 0 |
| 16.02.2014 | 4 | 5 | 7 | 7 | 9 | 4 | 6 | 0 |
| 17.02.2014 | 6 | 11 | 8 | 7 | 11 | 4 | 6 | 0 |
| 18.02.2014 | 5 | 5 | 8 | 6 | 8 | 4 | 4 | 0 |
| 19.02.2014 | 4 | 6 | 7 | 8 | 10 | 4 | 5 | 0 |
| 20.02.2014 | 6 | 6 | 5 | 8 | 8 | 6 | 5 | 0 |
| 21.02.2014 | 6 | 7 | 10 | 6 | 10 | 7 | 6 | 0 |
| 22.02.2014 | 6 | 5 | 5 | 5 | 5 | 5 | 5 | 0 |
| 23.02.2014 | 6 | 8 | 7 | 7 | 10 | 6 | 5 | 0 |
| 24.02.2014 | 5 | 9 | 5 | 9 | 10 | 7 | 7 | 0 |
| 25.02.2014 | 6 | 4 | 7 | 5 | 9 | 5 | 5 | 0 |
| 26.02.2014 | 6 | 5 | 6 | 4 | 9 | 6 | 5 | 0 |
| 27.02.2014 | 6 | 5 | 4 | 7 | 9 | 5 | 5 | 0 |
| 28.02.2014 | 6 | 8 | 7 | 5 | 11 | 4 | 4 | 0 |
| 01.03.2014 | 7 | 5 | 5 | 8 | 10 | 6 | 5 | 0 |
| 02.03.2014 | 6 | 7 | 5 | 5 | 10 | 6 | 4 | 0 |
| 03.03.2014 | 6 | 7 | 4 | 6 | 10 | 0 | 4 | 0 |
| 04.03.2014 | 6 | 6 | 5 | 5 | 10 | 6 | 3 | 0 |
| 05.03.2014 | 5 | 5 | 4 | 8 | 12 | 6 | 5 | 5 |
| 06.03.2014 | 8 | 6 | 5 | 6 | 10 | 6 | 5 | 5 |
| 07.03.2014 | 14 | 5 | 5 | 5 | 12 | 5 | 4 | 6 |
| 08.03.2014 | 8 | 5 | 5 | 6 | 11 | 5 | 5 | 7 |
| 09.03.2014 | 11 | 6 | 4 | 8 | 12 | 6 | 4 | 6 |
| 10.03.2014 | 17 | 7 | 5 | 6 | 10 | 5 | 4 | 5 |
| 11.03.2014 | 17 | 6 | 5 | 7 | 12 | 5 | 5 | 5 |
| 12.03.2014 | 15 | 10 | 5 | 5 | 12 | 5 | 6 | 6 |
| 13.03.2014 | 20 | 9 | 16 | 12 | 11 | 4 | 8 | 8 |
| **Total** | **216** | **175** | **166** | **179** | **270** | **136** | **134** | **53** |
| **Daily average** | **8.0 \*** | **6.5** | **6.1** | **6.6** | **10.0 \*\*** | **5.0** | **5.0** | **2.0** |

Table 1 (description). Information on the length of accessible content was on a daily bases collected by the volunteers, members of the Belgrade City Organization of Deaf. They recorded the beginning and the end of the information programme that was translated into sign language and recorded the duration of accessible programmes. In case of news programmes overlapping, volunteers would record contents and subsequently processed them. During the period from February 2 to March 13, the following programmes of broadcasters were assessed: *RTS News 2 at 19:30* and *Belgrade Chronicle at 17:45; Prva, News at 19; B92, News at 16; Pink, the National News at 19:30; Happy, Telemaster at 17:55; Nova News at 19 and 22; Studio B, News at 19:30; RTV News at 17h*.

**\*** RTS has increased the volume of accessible content from March 07, 2014 by introducing an interpreter in the electoral programme of the Belgrade Chronicle at 17:45;

**\*\*** StudioB broadcasted election content that has been translated into Serbian Sign Language at 19:30 and then repeated it at 22:30 and the next morning at 8:30. This stands out as an example of good practice.

Based on data from the attached table, it can be concluded that during this campaign the broadcasters showed higher level of awareness compared to the previous election campaigns. It is also noted the growth in the number of minutes of accessible content as the campaign became more intense. However, it also has to be noted that the volume of accessible media content is still not adequate in terms of the needs of deaf and hard of hearing people to receive information. Single digit minutes of the electoral accessible content in a single day is certainly not enough for a deaf person to make a decision which electoral list to entrust their vote.

The method that broadcasters make their content accessible was also monitored. This analysis did not include the qualitative analysis of translations but dealing of broadcasters in terms of recommendations from the Guidelines that “the space on the screen intended for the person who through the sign language interprets sounds of program content should be placed in the lower-right corner of the screen and not be less than 1/6 of the broadcasted picture”. The size of the space on the screen in which an interpreter is located is essential for the broadcasted programme to be accessible. For the purposes of this analysis, we give the example of good and bad practice:

|  |  |
| --- | --- |
| Screenshot of a TV personality speaking. The sign language interpreter is confined to a very small box on the bottom right of the screen.  Example of bad practice: TV Nova | Screenshot of a TV program. The sign language interpreter takes up about a third of the screen directly to the right of the main image.  Example of good practice: RTS |

The instruction clearly defines the obligations of the Broadcasting Institution of Serbia, Broadcasting Institution of Vojvodina, broadcasters of local or regional communities to make their content accessible. Unfortunately, these broadcasters have not fully complied with their obligations. The Republic Broadcasting Agency released a report on the supervision of the work of broadcasters during the election campaign, which covers the period from January 29 to February 28, 2014 (the Report)[[47]](#footnote-47).

### Accessibility of the election campaign of the electoral lists

This section will discuss the way in which the electoral lists made their activities (or failed to make) accessible to deaf and hard of hearing people. The analysis applies not only to the accessibility of the media content, but also the accessibility of public appearances of the representatives from the electoral lists. It was observed that political parties generally are not familiar with the needs of deaf and hard of hearing persons.

When it comes to the accessibility of rallies, debates, conventions and similar public events, the researchers were able to record only one public event that was translated into sign language, where an interpreter was engaged on the stage (the Convention of SPS[[48]](#footnote-48) - PUPS[[49]](#footnote-49) - JS[[50]](#footnote-50) in Kombank Arena[[51]](#footnote-51)). This is a significant step backwards from the earlier election campaigns, especially from 2007, 2008 and 2012 election campaigns, when a large number of electoral lists sought to make available the content of their conventions by hiring interpreters. However, as in previous campaigns, the method on which political parties engage interprets in general is not adequate, and that was also the case with the above-mentioned Convention of the SPS- PUPS - US. This Convention was not accessible to viewers because the interpreter was only occasionally in the frame, and in a way that is certainly not adequate in terms of monitoring the translation. Engaging an interpreter in this way certainly fulfilled the obligation, but unfortunately, not the purpose of engaging an interpreter.

During this election campaign, the researchers have not noticed that any electoral list made accessible the content of their advertising messages, the lease terms or other media contents. As an example of good practice we emphasize the press conference of the Democratic Party of Serbia, Zrenjanin Municipal Board, which was accessible to users of sign language[[52]](#footnote-52).

### Accessibility of the election content – the views of sign language users

As a part of the research a focus group was organized in Belgrade, attended by the members of the Belgrade Deaf Association of various age, gender and educational structure. The interviews were conducted in Serbian Sign Language. In a conversation with a group, the research team sought to become familiar with their views on the accessibility of the election programme and campaigns. It was observed whether and to what extent election programme, information and the method of communication during the election campaign were adapted to their needs.

The focus group participants agreed with the view that it is good that the RBA issued the Guidance, but that the amount of accessible content is insufficient. The problem is an insufficient number of minutes of translated content and overlap of the news programmes on more than one programme at the same time. Due to the very limited accessible content, deaf people have to adapt their daily chores to the terms of accessible TV programmes if they want to obtain the information they need. Also, interviewees considered that they are not adequately informed about the broadcast of the accessible content and the time in which the programmes that are translated into sign language will be broadcasted. That was the reason why it took some time for the deaf people to notice accessible content and establish whether they are broadcasted on a daily basis. Focus group participants noted that it would be better if the broadcasters announced via “ticker”, the information in the angle of the screen visibly marked (announced), programmes that are accessible to the users of sign language. Specifying accessible programmes in weekly or daily newspapers in the “TV programme” section could do the same.

The focus group participants expressed dissatisfaction with the fact that most of the election content was inaccessible, and indicated that if they want to collect information, they rely on daily press. However, one focus group participant described the advantage of informing deaf people by using the Serbian Sign Language:

*Newspapers can be a source of information, however, for many deaf persons Serbian language is a second language and they do not understand it very well, especially written form and complicated structures. I think that the translation into Serbian Sign Language is the only way in which deaf people can obtain complete information.*

One participant said that he wants to be informed in a timely manner, along with other citizens, which is not always possible with the press.

*When there are no subtitles in Serbian Sign Language or subtitle on the TV, I have to wait to read tomorrow’s newspaper and I always get the information later. Everyone already knows the information and obtained it a lot before I did. This is not equality. We should receive information at the same time as everyone else, today, not to wait for tomorrow’s newspaper to find out today’s news.*

In the absence of information, some deaf persons rely on the internet portals and web sites of daily newspapers, but also on TV programme tickers. However, tickers contain only titles or scarce information and are changing too quickly, which is why the focus group participants agreed that even this method of informing is not adequate for the deaf persons. Insufficient amount of accessible information influences that deaf people as a rule do not have enough information about the programmes of political parties and their candidates. In this regard, the focus group participants agreed that in the period between two election campaigns they even have less information about the political situation and the activities of the party. According to one focus group participant:

*Everyone else, citizens without hearing problems know who is who of the candidates, what they were doing during the year, what they did or did not do, what they have promised, they know who is who. It was not available for us, and only when they started translation campaigns we received the first information about the candidates. For us, the first translation at the beginning of the campaign is the zero position for each candidate. We only then get to know the candidates and expand our horizons.*

**Polling place no 33, kindergarden - “Zemunski biser” in the Belgrade municipality of Zemun**, is not fully accessible to persons with disabilities, especially for wheelchair users. There are seven steps at the entrance of the building. There are handrails that can facilitate access to the elderly or people with mobility impairments on the stairs. The room where the voting takes place has no obstacles but is quite narrow which is a problem when entering and leaving the polling place. On the proposal of the electoral committee, persons with mobility impairments, the elderly, people with small children and pregnant women are entitled to vote without waiting in line, which is posted on the door at the entrance to the room where the voting takes place. The majority of persons with disabilities voted at the polling place, while 10 persons, wheelchair users, voted at home.

The focus group participants consider that they are deprived of information outside the election campaign. The following is the comment of one focus group participant that indicates this problem:

*I think the RBA should adopt binding instructions (on the accessibility of content to users of sign language) for every day, not just during the election campaign. I do not understand how during the election campaigns translation can be organized, while during other days it cannot. I would like someone could explain that to me.*

The following states are also important:

*In 2012, the presidential debate was translated. That was the last thing that was accessible to us.*

*We, deaf people, have to be involved in political life. We are citizens of this country, we pay taxes like everyone else, and we need to get complete information.*

Currently, deaf persons can only receive information about the extracts of party programmes and clippings from the speech of candidates to the gathered members or citizens.

Deaf people also believe that political parties can make their own presentation accessible to deaf people. Although there is no obligation of the electoral list to make ads accessible within the lease term, at the same time, nothing prevents them to do so. The focus group participants agreed that the electoral lists would need to devote more attention to the needs of deaf people, especially in terms of breaking down the barriers in communication, and emphasise that they feel they have the right to expect something like that, bearing in mind that the election campaign is partly financed from public funds as well. One participant stated:

*Nothing is translated for the conventions and conferences, although I believe that we can get to know the candidates and programmes in these places. It makes ​​me very angry. Also, we should fight that the parties commit themselves to engage an interpreter for conventions and meetings, since they already took the money from the budget.*

The focus group participants also commented on the way that broadcasters make their content accessible. The major objections are on the space provided for the interpreter on the screen. They cite RTS as an example of good practice because interpreters are positioned so as to have a clearly visible translation. It also stated that it is very important for an interpreter to be in close-up as they rely on the lip reading during translation as well. They believe that the window with the interpreter in the frame should occupy one-third of the screen, and that the minimum standard prescribed by the RBA (1/6 of the broadcasted image) is not sufficient. We present some of the views of the participants:

*The interpreter should be on about 1/3 of the screen rather than on 1/6. Many of us read from the lips when follow the translation.*

*The interpreter must be on 1/3, everything below that demands a terrible effort to follow.*

*Behind the interpreter must be a neutral colour. It is very difficult to follow the translation when behind interpreters is some blatant colour.*

*What I watched on one channel today was very bad. While I was changing the channels, I have noticed an interpreter in the corner of the screen, and he was so small, I’ve measured – the square occupied 1/15 of the screen. I could not figure even the interpreter’s face, not to mention what she was translating.*

At the end of this chapter we would like to single out a statement by one focus group participant that summarize many previously represented views of deaf people:

*I feel discriminated against, and I think that the whole Deaf community in Serbia is discriminated. I thought they would never make the programme accessible for us and I hoped that I was wrong. But what they offered us is not serious. They offered us just a translation of the election campaign. The election campaign is almost on every channel at the same time. I have installed a programme that can record the campaign on one programme until I watch it on another, and later I can look at the recorded programme. Sign language is the language of the Deaf community, and all its members want information solely in Serbian Sign Language. Translation of TV programmes is the only valid solution. Therefore I would like the practice of translation to be improved.*

**Polling place no. 55 “Društvo za očuvanje i negu tradicije” in the Belgrade municipality of Stari Grad** is not accessible to the wheelchair users as there is one step at the entrance to the polling place. There is a large handle at the door that can facilitate the entry of people with mobility impairments. The room where the voting takes place does not contain any obstacles and have enough room to move around. The ballot box is at a height that allows a person in a wheelchair to insert the ballot, but because of the steps at the entrance, the access with wheelchairs is not allowed. The members of the electoral commission showed willingness to help and clarify the voting process for people who need it. On the initiative of the members of the electoral commission, people with mobility impairments and older people were allowed to vote without waiting in the queue. Persons with disabilities were usually accompanied by family members or assistants. From a total of 400 people who voted in this polling place, three persons voted at home.

### Engagement of sign language interpreters in the media

The following paragraphs will present views of the sign language interpreters, members of the Association of Serbian Sign Language Interpreter (11 of them) who were engaged during the election campaign in the media about their cooperation with the broadcasters. Some interpreters cite examples of good practice, that the broadcaster made the final content of the program available for them an hour before recording, so that the interpreter had time to prepare for the task.

*Every day, an hour before the start of the electoral block an announcement of every political party in a written form was prepared. Also, a recorded content to be broadcasted was available to me.*

Sometimes it happened, however, that the interpreters did not get the material that needed to be translated in time. There have been cases when the content was changed just before broadcasting. Thus the interpreters were often in a position not to be able to prepare themselves well for the translation. Preparation is very important for high-quality translation and the reputation of broadcasters and interpreters can be brought into question if the translation is not satisfactory. Also, some broadcasters have provided interpreters adequate facilities to prepare for the translation, isolated from the rest of the editorial staff. Interpreters have agreed that one of the major problems was the dynamic of reading of some presenters and speakers, who were too fast to be able to be translated simultaneously.

Some interpreters say that they were occasionally confronted with the problem of the noise in the studio, more than in periods when the content that is not translated was broadcasted. It also happened that the presenter would finish reading the electoral block, while it took the interpreter few seconds more to complete the translation. But the programme would be stopped at the time of termination of the reading content, so users were deprived of a part of the information. For that reason, interpreters were forced to educate employees about their role. One interpreter finds that the cooperation was improved over the time, employees have become accustomed to the presence of an interpreter, which resulted in higher quality translations.

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It can be concluded that broadcasters met the statutory minimum in terms of creating accessible election content, but this practice is not in accordance with the actual needs of the deaf people. Institutions of the Public Broadcasting Service did not entirely act in accordance with the obligations of the Instructions. The Electoral lists made their contents less accessible than during the previous election campaigns. Cooperation between broadcasters and interpreters was satisfactory and was developed towards the end of the campaign. Finally, deaf people have expressed dissatisfaction with the amount of accessible media content, stating that they need incomparably more information in order to make a decision on electoral list they will give preference on the day of voting.

### *Recommendations for improvement of situation*

* Adopt the Law on the use of Sign Language, which is under construction since 2009. This law should contain provisions relating to the clear obligations of broadcasters in terms of the minimum amount of accessible media content to users of sign language, as well as the appropriate standards of quality;
* It is necessary to follow the development processes of modern terminological units, therefore in the general instructions to broadcasters relating to the definition of sign language[[53]](#footnote-53), the following definition is suggested: Sign language is a natural human language of the visual and the manual type that is characterized by phonological, morphological, syntactic and semantic structure. Also, it is suggested to use the following definition of a sign language interpreter: *A professional sign language interpreter is a person who, besides being fluent in two working languages ​​(Serbian language and Serbian sign language or language of a national minority and sign language of that minority) has the knowledge about social and cultural characteristics of the community, the process of translation and the role of the interpreter as confirmed by a certificate of professional sign language interpreters;*
* For a closer definition of quality standards for the provision of translation services it is proposed that RBA use standards defined by the Code of Ethics of the Association of Serbian Sign Language Interpreters.[[54]](#footnote-54)
* It is recommended that the RBA, in accordance with the authorizations that are defined by the Law on Broadcasting, oblige broadcasters to make their content accessible to deaf and hard of hearing people, not only during the period of the election campaign, but in the period between the two election campaigns;
* It is recommended to the political parties to make their content accessible not just in the time of election campaigns. If there are forums and other events where there is no large number of participants, the interpreter should be located in a visible place, near the speakers. If it is a convention or a rally, it is necessary to see the translation at least once on a video beam. If the convention is broadcasted on TV, it is necessary to ensure that viewers follow the work of interpreter as well.

## Analysis of the representation of disability issues during the election campaign in the print media

The analysis of the representation of topics important to persons with disabilities has been created as part of a research conducted for the period from January 29 to March 16, 2014, that is, during the period of the election campaign. The aim of this research was to examine the way in which the media conveyed information of importance for PWD during the election campaign and in which way the people with disabilities are being represented or portrayed in the media in the election period. With the analysis of the articles we wanted to gain an insight into two things: the representation of these topics by the political parties, as well as the general approach to the reporting of the print media in relation to persons with disabilities. In data collection support was provided by the Center for Research, Transparency and Accountability (CRTA) provided support in collecting the data.

### Methodology

The analysis of print media is done through targeted search of media archives of most print media[[55]](#footnote-55) for a period of from January 29 to March 16, i.e. from the date of the election announcement until the Election Day. For the purpose of the analysis, the search was also done for the period from March 6 to May 13, 2012, when the previous parliamentary elections in the Republic of Serbia were held. Due to the nature of the project, the analysis was limited to a search of the articles that contain pre-determined terms as well as qualitative analysis of the articles pertaining directly to persons with disabilities and the election campaign. This analysis is not comprehensive and is aimed at providing insight into a segment of the media representation of persons with disabilities during the election campaign.

### Analysis

Bearing in mind that social attitudes and public opinion have a strong impact on the realization of the rights of persons with disabilities, one way of insight into these attitudes is an insight into the media image that reflects and influences public opinion.

Based on the data from the following table, it can be concluded that, unfortunately, persons with disabilities and disability topics are not present in large numbers in the print media, especially not in the context of the election campaign. Those articles that were related to the election campaign, which are included in this analysis, are in most cases related to the news of the signing the protocol of cooperation between different political options and the National Organization of Persons with Disabilities (NOPWD), or the statements of some party leaders regarding access to their party, social policy and marginalized populations, including the aforementioned persons with disabilities. This indicates the lack of specific policies and programmes of different parties toward persons with disabilities and confirms that this topic is used only demagogically in the political campaign. The rest of the articles mainly related to the provision of free privileges for transport, stamps for parking spaces and the participation of the team of Serbia in the Paralympic Games.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Table: ELECTION CAMPAIGNS (2014 and 2012) | | | | | |
| **January 29 – March 16, 2014** | | | **March 13 – May 06, 2012** | | |
| Term | Total number of articles | Articles related to the election campaign | Term | Total number of articles | Articles related to the election campaign |
| Persons with disabilities | 100 | 17 | Persons with disabilities | 237 | 21 |
| Disabled | 28 | 1 | Disabled | 37 | 3 |
| Persons with handicap | 5 | 0 | Persons with handicap | 14 | 0 |
| People with special needs | 17 | 1 | People with special needs | 55 | 3 |
| Persons with developmental disabilities | 1 | 0 | Persons with developmental disabilities | 7 | 0 |

On the other hand, the data of the analysis indicate the positive approach of the media in using the term “person with disabilities” and it also talks about a certain level of awareness of journalists on the socially acceptable terminology. It is also important to note that the articles that use terms such as disabled, the context is mainly related to disabled workers and disabled war veterans whose names still retain the old concept of disability access.

For the purpose of the insight and data comparison, the same kind of analysis was performed for the period preceding the election campaign, that is, from March 13 to May 16.

Based on these data, it can be concluded that during the election campaign 2012, there was more than double number of articles related to persons with disabilities compared with the campaign of 2014. In addition to these facts, the difference in the number of articles that are related directly to the election campaign is not significantly higher compared to the number in 2014. As it is the case with the articles on the campaign of 2014, in 2012, most of the articles also related to the news on the signing of the protocol of cooperation between political parties and the representatives of persons with disabilities. The other topical issues in this period were the topic of employment of persons with disabilities (45 articles) and the issue of transportation for the PWD. It is interesting that in 2012, there were a couple of announcements in the media by the Republic Electoral Commission in relation to providing accessibility to polling places, which was not the case for the elections in 2014.

Regarding the use of positive terminology, in 2012, there were significantly higher number of articles, both general and those related to the campaign, in which they were used less acceptable terms such as *disabled, persons with handicap, persons with special needs*, etc. Based on this, it can be concluded that between 2012 and 2014 elections it has been worked on awareness raising of journalists which is definitely worth of praise for the governmental and non-governmental sector.

**Polling place no 27 - “Štamparija”, Velika Plana** is not accessible to persons with disabilities. The entrance is fully accessible, everything is all-straight, there are no stairs, the door is wide, but persons with physical disabilities cannot vote at this polling place because the room for voting is on the first floor. There is a narrow stairway, but there is no elevator. The room is large, the ballot boxes are accessible.

### Conclusions and recommendations

Taking into consideration that persons with disabilities represent roughly 10% percent of the general population, their representation and representation of issues of importance to the target audience in the print media should be much higher. In most cases the problem is not in the media, but in the absence of emphasizing these issues by the politicians, representatives of the government institutions and NGOs.

Recommendations for future campaigns involves starting an initiative with political parties to develop specific and comprehensive policies regarding persons with disabilities, initiating a systemic solution to the problem of accessibility to polling places and election materials as well as the initiation of a general campaign to increase political participation of persons with disabilities with the support of the media and all other relevant stakeholders.

# MONITORING OF HUMAN RIGHTS OF PERSONS WITH DISABILITIES - INDIVIDUAL EXPERIENCES

## The sample of respondents

Participants in this study were represented by men and women of different age groups and different types of disabilities, from three geographic areas. The project included respondents from Belgrade City, the South Bačka District (Novi Sad and neighbouring municipalities) and Podunavlje district (Velika Plana and neighbouring municipalities). The following socio-demographic characteristics are taken into account: gender, age group, type of disability, place of origin, membership in Disabled People’s Organization, membership in a political party, participation in elections and way of voting as well as the way of informing during the political campaigns.

The following is the review of the sample:

### Table: Gender

|  |  |  |  |
| --- | --- | --- | --- |
|  | Total number of respondents | male | female |
| No. of persons | 59 | 26 | 33 |

### Table: Age Groups

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  | Total number of respondents | 18-30 | 31-45 | 46-60 | 60-70 | Over 70 |
| No. of persons | 59 | 15 | 17 | 15 | 8 | 4 |

### Table: Place

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | Total number of respondents | Belgrade | Novi Sad | Velika Plana |
| No. of persons | 59 | 22 | 17 | 20 |

### Table: Type of Disability

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | physical disability | sensory – visual impairment (blind and visually impaired) | sensory – hearing impairment (deaf and hard of hearing) | intellectual | psychosocial |
| No. of persons | 28 | 10 | 10 | 9 | 2 |

### Table: Membership

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  | Membership in Disabled People’s Organization | | Membership in a political party | | | |
| yes | no | no answer | yes | no | yes, in the past |
| No. of persons | 57 | 2 | 4 | 9 | 45 | 1 |

### Table: Going to the Polls

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | no answer | always | sometimes | never |
| No. of persons | 1 | 40 | 14 | 4 |

### Table: Voting from Home

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | no answer | N/A | yes | no | sometimes |
| No. of persons | 1 | 2 | 1 | 4 | 5 |

### Table: Voting with Assistance

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | no answer | N/A | yes | no |
| No. of persons | 1 | 2 | 23 | 33 |

### Table: Način informisanja u toku političke kampanje

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  | no answer | N/A | internet | print media | TV | radio | political parties activists | other |
| No. of persons | 2 | 1 | 15 | 7 | 34 | 0 | 0 | 0 |

## The areas of ​​political participation by the principles of human rights

This research has shown how five key principles of human rights are respected in the four areas of political participation: Participation in decision-making, Participation in public life, Information/communication and Participation in elections. The principles of human rights that have been taken as the basis for this project are: Dignity, Autonomy, Participation, inclusion and accessibility, Non-discrimination and equality and Respect for diversity. For each of the aforementioned areas of life, the respect of all five principles in a given field in its positive (experience when given the principle respected) and negative variations (experience when given the principle violated) were analysed.

**Note:** In most cases in each interview one respondent described more experiences, that is, situations he/she faced in their life because of a disability. For that reason, the presented tables relate to the number of respondents who cited their experiences in a particular area.

### Table 1. Number of persons with experience in the area of political participation[[56]](#footnote-56)

|  |  |  |
| --- | --- | --- |
| Area of political participation | No. of persons | No. of persons in % |
| Influence on decision-making | 43 | 72.88% |
| Participation in public life | 49 | 83.05% |
| Participation in elections | 59 | 100.00% |
| Information/ communication | 57 | 96.61% |
| Total no. of respondents | 59 | 100.00% |

From the attached Table 1. it can be seen from which areas of political life most respondents cited their experiences related to political participation. All respondents link the term participation in political life predominantly to the **polls and exercise of the voting rights**. The area of information and communication is highly represented in the guided experiences of the respondents (96.61%), because the topic is closely linked to the elections and the way of informing during political campaigns and accessibility of published information from political campaigns.

When it comes to participation in public life, this area implied social engagement through political parties or civil society organizations and disabled people’s organizations and is represented somewhat less than in the two aforementioned (83.05%). From the above Table no. 4 it is shown that the vast majority of the respondents are the members of some disabled people’s organizations (57 of 59 respondents), and that only 9 respondents are members of any political party and thereby participate in political life. Finally, the area of ​​Influence on decision making in the experiences of the respondents is represented least, in the percentage of 72.88%, which implies that this area is least recognized by persons with disabilities as a form of political participation and that persons with disabilities often have no or very little impact on adoption and implementation of laws, policies and programmes that affect them directly. The causes of exclusion from decision-making will be specifically referred to in the part of the report that deals with this topic.

Table 2. shows the five principles of human rights in its positive and negative varieties, that is, it is shown how many people experienced respect or violation of any of the principles. In view of that we can see that all the respondents cited experience concerning the principle of **participation, inclusion and accessibility**, and that 57 of them experienced a breach of this principle. A large percentage of respondents had experienced the denial of the **principle of autonomy** (74.58%), mostly due to the lack of accessibility, in relation to the respect of the principle that has a relatively high share (57.63% of respondents) and usually concerns the ability to make a decision to vote independently without outside influence.

### Table 2. Principles of human rights

|  |  |  |
| --- | --- | --- |
| Principles of human rights | No of persons | % |
| Participation, inclusion and accessibility | 59 | 100.00% |
| EXCL[[57]](#footnote-57) | 57 | 96.61% |
| INCL | 48 | 81.36% |
| Autonomy | 56 | 94.92% |
| SD | 34 | 57.63% |
| LA | 44 | 74.58% |
| Respect for diversity | 25 | 42.37% |
| RES | 29 | 49.15% |
| DISRES | 25 | 42.37% |
| Non-discrimination and equality | 31 | 52.54% |
| INEQ | 26 | 44.07% |
| EQ | 9 | 15.25% |
| Dignity | 37 | 62.71% |
| POSDIG | 12 | 20.34% |
| NEGDIG | 29 | 49.15% |
| Total no. of respondents | 59 | 100.00% |

## Influence on decision-making

When it comes to human rights principles represented within this area, the most common is the principle of **Participation, inclusion and accessibility** (55.93%), mostly in its negative form (47.46%). The following excerpts from the interview in support this:

*M: Did they, in such meetings, discussions, consultations, take into consideration the needs of the participants of the meeting in the sense that they have prepared some accessible formats of material or electronic versions?*

*I: No, until they were not suggesting, it means from the moment ... not before, but the moment when I would express a desire and a need for it, then I would usually get it.* -Female, 21

### Table 3: Influence on decision-making by the principles of human rights

|  |  |  |
| --- | --- | --- |
| Influence on decision-making | No. of persons | % |
| Participation, inclusion and accessibility | 33 | 55.93% |
| EXCDEC | 28 | 47.46% |
| INCLDEC | 8 | 13.56% |
| Autonomy | 26 | 44.07% |
| SDDEC | 6 | 10.17% |
| LADEC | 23 | 38.98% |
| Respect for diversity | 8 | 13.56% |
| RESDEC | 3 | 5.08% |
| DISRESDEC | 5 | 8.47% |
| Non-discrimination and equality | 9 | 15.25% |
| INEQDEC | 7 | 11.86% |
| EQDEC | 2 | 3.39% |
| Dignity | 3 | 5.08% |
| POSDIGDEC | 1 | 1.69% |
| NEGDIGDEC | 2 | 3.39% |
| Total no of respondents | 43 | 72.88% |

The principle of **Autonomy** was cited in a negative form (38.98%). This suggests that persons with disabilities are often excluded from decision-making processes that directly concern them and that they often are not consulted, thus they are not in a position to influence the decision. Exclusion from the decision-making process is related to the lack of preconditions for participation in decision-making, such as an accessible venue of consultation meetings at various levels of government, public events in political life as well as information in accessible formats for persons with disabilities who are in need of the same.

*Simply put, persons with disabilities will have as much impact in the politics as they are strong and capable target groups to address their problems. We have lived in a time when people were deciding about the destiny of a person with a disability. Currently we don’t have enough capacities among persons with disabilities to share the story of what they actually need. So you have a case, that some sort of social rights or social benefits are more important than the crucial rights, not in the society and politics, but among persons with disabilities. As long as this target group is not politically interested to influence on reality, until that moment, nothing will change much.* - Male, 34

**Polling place no. 28. – Primary school “Nadežda Petrović“, Velika Plana** is not fully accessible to persons with disabilities. At the entrance of the school there is a ramp for wheelchair users, but there are no handrails to make it easier to overcome obstacles. There is a wide door at the entrance, but with a threshold with a height of more than 2 cm. The room in which the voting takes place is a gym for the physical education, with no threshold and with enough space to maneuver a wheelchair. There is a possibility that all persons voting in secret, except for those who do not see. Electoral commission members are willing to help and find solutions which, unfortunately, do not allow the secrecy of the ballot in case people who cannot see. The ballot box is accessible to persons who use wheelchairs.

## Participation in public life

The analysis of compliance and violations of human rights principles within the field of **Participation in public life** (Table 4) which includes social and public engagement in civil society organizations or political parties suggests that the principle of **Participation, inclusion and accessibility principle** of human right is the one that has been brought the most in connection with the experiences mentioned by the respondents (74.58% of respondents). As expected, the majority of negative experiences were made in this regard (55.93%), in relation to the denial of their right to participate in public life due to the inaccessibility of public events, places of residence, political party facilities and so on.

*M: When arranging these meetings, do they take into account accessibility, the venue, materials which are possibly used in meetings, do you have any examples of barriers?*

*I: Sometime the venues were physically inaccessible, but the material was often not or material was subsequently received, I obtain it later .... a lot later. -* Female, 31

*I did not want to go because of the stairs and ... actually the entrance .... the entrance to the headquarters of the party has four steps .... four steps, but did not want to go. -* Male, 39

### Table 4. Participation in public life

|  |  |  |
| --- | --- | --- |
| Participation in public life | No of persons | % |
| Participation, inclusion and accessibility | 44 | 74.58% |
| EXCPL | 33 | 55.93% |
| INCLPL | 21 | 35.59% |
| Autonomy | 6 | 10.17% |
| SDPL | 2 | 3.39% |
| LAPL | 5 | 8.47% |
| Respect for diversity | 14 | 23.73% |
| RESPL | 7 | 11.86% |
| DISRESDPL | 9 | 15.25% |
| Non-discrimination and equality | 7 | 11.86% |
| INEQPL | 6 | 10.17% |
| EQPL | 1 | 1.69% |
| Dignity | 5 | 8.47% |
| POSDIGPL | 1 | 1.69% |
| NEGDIGPL | 4 | 6.78% |
| Total no of respondents | 49 | 83.05% |

The analysis of participation in public life by gender has shown that when it comes to **exclusion from public life** (EXCPL), women are more excluded than men (57.58% compared to 53.85%). On the other hand, when it comes to **active participation in public life** (INCLPL), which includes activism in civil society organizations, political parties and various public events, women are also in a worse position than men (only 27.27% as compared to 46.15%). The difference is also evident when analysing the **Principle of respect for diversity**, which indicates that women are more faced with labelling and contempt in public life (21.21%) compared to men (7.69%). Also, women are faced more with discrimination in this area (INEQPL), in 12.12% of cases compared 7.69% of cases in men[[58]](#footnote-58).

There are also significant differences in **participation in public life between the different age groups** of persons with disabilities. Thus, it is evident that the population of young persons with disabilities (20%), older, i.e. between 60 and 70 years old (50%) and the oldest (0 %), the least involved in public life (INCLPL) compared to the population of middle-aged (between 31 and 45 - 82.35%, and between 46 and 60 years of age - 80%)[[59]](#footnote-59). **Exclusion of the oldest citizens with disabilities** (EXCPL) is also significant as compared to the younger group of persons with disabilities.

## Information and Communication

The area of information and communication relates primarily to the availability of information in the course of a political campaign, relating to the programmes of political parties and the electoral process. It is evident that the **Principle of participation, inclusion and accessibility** is the one that has been linked with guided experiences of the respondents, but the characteristics of this area is identical percentage of respondents who cited positive experiences when they were informed and considered to have enough adequate information to make decisions in political life (64.41%) versus experiences when the respondents felt deprived of information due to their inaccessibility (64.41%). In this regard, **discrimination** in this field appears in 16.95% of cases, i.e. at 10 respondents.

*I was able to follow something in daily press and the Internet, and I watched from time to time what was translated in the media. And then I realize that what I saw on TV, I didn’t read in the daily newspapers. And then I actually realize that I missed a lot of things. When I talk about it, I mean about these programmes, of those duels. “Word to word”, “The Questionnaire” - there were quite a few now. They talked a lot about anything and everything. And who knows, maybe they even talked about us, and I have no idea*. - Male, 33 years

### Table 5. Information and Communication

|  |  |  |
| --- | --- | --- |
| Information and Communication | No. of persons | % |
| Participation, inclusion and accessibility | 57 | 96.61% |
| EXCINF | 38 | 64.41% |
| INCLINF | 38 | 64.41% |
| Autonomy | 6 | 10.17% |
| SDINF | 2 | 3.39% |
| LAINF | 4 | 6.78% |
| Respect for diversity | 4 | 6.78% |
| RESINF | 1 | 1.69% |
| DISRESINF | 3 | 5.08% |
| Non-discrimination and equality | 10 | 16.95% |
| INEQINF | 10 | 16.95% |
| EQINF | 1 | 1.69% |
| Dignity | 9 | 15.25% |
| POSDIGINF | 2 | 3.39% |
| NEGDIGINF | 8 | 13.56% |
| Total no of respondents | 57 | 96.61% |

After examining the accessibility of information for particular groups of persons with disabilities, that is, people with certain type of disabilities, a clear indicator is that the most deprived of information are persons with hearing impairments who, in this field all cited experiences related to negative form of the principles of **Participation, inclusion and accessibility**, which affects also to the violation of the principle of **Autonomy** in their case, because the lack of information leads to the fact that they are not able to make independent decisions in political life (30% of deaf respondents). In this regard, it was also evident high level of discrimination of the deaf respondents in terms of accessibility of information (60%) but also with violated **dignity** with 60% of the deaf respondents[[60]](#footnote-60).

It is interesting to note that **persons with visual impairment** cited more experience related to respect the **Principles of participation, inclusion and accessibility** (80%), than its violations (40%), estimating that they can get the **required amount and quality of information** during election campaigns, noting that the information published on the Internet are available for them in most cases but still not completely accessible, in support of which is the following interview:

*M: Let’s go back to the informing, do you have a habit of reading the programme of some party*

*I: Yes.*

*M: Do you have a habit to read their sites and are they are accessible?*

*I: Yes, I do.... some are accessible, but some are not accessible through a screen reader. We manage even with these inaccessible but some are less and some are... kind of ... accessible.* -Female, 31

## Participation in the elections

The analysis of the area of participation in the elections provides an insight into the realization of voting rights for persons with disabilities and a variety of obstacles, which persons with disabilities face when trying to exercise their right to vote. In Table 6, which is shown below, an insight into the respect or violation of the five principles of human rights in this area is given. It should be noted that this is the field in which persons with disabilities largely cited their experiences and perceived it as a key area of ​​participation in political life. As expected, the **Principle of participation, inclusion and accessibility** is the most common in the experiences of respondents and in its negative form (77.97%) compared to the positive (52.54%). The reason mainly lies in the fact that polling places are not accessible enough, although through the number of positive examples it can be noticed that there is a shift, or that the voting material is not accessible to persons with disabilities.

*Well, I participate as much as the accessibility allows me in terms of physical accessibility at the polls. I’m not too interested since I cannot vote because of physical inaccessibility. -* Female, 48

*M: So you believe that you exercise your right to vote in the same way as everyone else?*

*I: No, because I don’t have accessible election material. It means I do not have a ballot that is available to me. I exercise it, but not equally as other citizens. -* Female, 29

*Upon the request to the electoral commission to enable me to vote in front, before them, they did not allow me, then, they could not provide me with any entry into the school where the voting was; third, they could not even provide me with a number of the commission that makes visits to the PWD, they said that they do not know the phone number.* - Male, 38

Persons with intellectual disabilities who are not deprived of the legal capacity were not given any support in decision-making and voting, nor were provided with accessible and understandable information about the voting procedures:

*M: Tell me, how did you feel when you went to vote earlier?*

*I: Well, I was a little bit nervous.*

*M: Why were you nervous?*

*I: Well, you know, it was the first time I went ... I do not know for whom, I do not know how to approach. All that is there and I have to circle. And I am kinda scared when I am around people. I have some fear of the crowd. I’m afraid that someone will see who I voted for, and that will create a problem.* - Male, 25

It also happens that persons with intellectual disabilities with preserved legal capacity are discriminated against in the electoral process:

*M: Your son is also PWD and has a speech problem; does he have a desire to vote?*

*I: He would like to vote, but no one has offered him, no one asked him to go out, for example, to the shop, to the village. No one ever asked whether that child exists. When they came to the house for me to vote, they did not allow, they said that he cannot, that we cannot give him that chance as it should. I even said… How come when he gets his money, he puts his finger. This means that he is illiterate. Can he put his finger on that…? -* Female, 74

It is worth mentioning that even 44.07% of the respondents stated positive experiences in terms of the **Principle of respect for diversity**, which is primarily related to the positive treatment of persons with disabilities in the polling places by the electoral commission members, as illustrated by the following examples:

*I: No ... they offered me help, because they saw that I had a stick, assistive device... whether they need to help me, hold the stick and bring me a chair while I am signing the register list. I said no thank you, I can stand on my feet because I have a support of the appropriate assistance.* - Male, 61

For persons with disabilities the **Principle of autonomy of the electoral process** (54.24%) is violated, which is reflected in the deprived opportunity to vote in terms of accessibility of voting stations and/or election material which violates the ability of voters to vote independently and in secret or lack of independence, which is the results of the lack of information about the candidates:

*Well, yes. At the last parliamentary elections, I could not enter the polling place because of the stair or two, and the next time when I asked them to move the polling place to the accessible place, they didn’t do it, but they said I should call them home and I did not want to. The main reason is that political parties are not interested to provide people with reduced mobility accessible polling places, but take the path of least resistance. They gave us kind of opportunity just to come to our house, they didn’t give us a choice.* - Female, 48

### Table 6. Participation in the election according to the principles of human rights

|  |  |  |
| --- | --- | --- |
| Participation in elections | No. of persons | % |
| Participation, inclusion and accessibility | 5 | 96.61% |
| EXCLEL | 46 | 77.97% |
| INCLEL | 31 | 52.54% |
| Autonomy | 50 | 84.75% |
| SDEL | 30 | 50.85% |
| LAEL | 32 | 54.24% |
| Respect for diversity | 37 | 62.71% |
| RESEL | 26 | 44.07% |
| DISRESEL | 15 | 25.42% |
| Non-discrimination and equality | 20 | 33.90% |
| INEQEL | 13 | 22.03% |
| EQEL | 7 | 11.86% |
| Dignity | 27 | 45.76% |
| POSDIGEL | 8 | 13.56% |
| NEGDIGEL | 20 | 33.90% |
| Total no of respondents | 59 | 100.00% |

The field of **Participation in the elections** by geographical distribution, that is, the places where monitoring was carried out, it is noticeable that in Velika Plana, the situation is more favourable when compared to larger urban areas, Novi Sad and Belgrade. This may seem surprising, but we should bear in mind that Velika Plana is a specific municipality that has managed to make significant steps towards improving the accessibility of their institutions and therefore it should not be surprising that the respondents from Velika Plana stated that they were included in the electoral process (INCEL - 70%) compared to only 58.82% in Novi Sad, or 31.82% of Belgrade[[61]](#footnote-61).

## Recommendations of the Interviewees

This part of the report deals with recommendations for improving the political participation of persons with disabilities, which came from the respondents through the conducted interviews. As it can be seen from Table 7, the largest number of recommendations, that is, the largest number of respondents (49.15%) as the main recommendation formulated **greater representation of persons with disabilities in politics** and government at all levels, keeping in mind that persons with disabilities are the best experts in terms of their rights and that inevitably must have a direct influence on making decisions regarding themselves.

*In general, I think that PWD should be included in political life, in politics in general, because politics, as far as I understand, in broad terms, deals with us, because they make decisions, laws, measures that directly affect our lives. So, if they are already dealing with us, without our participation, which is not very good, then it will be good that we engage in this process, in order to be able to influence the decisions, laws and policies in general which is developed in relation to the PWD?* - Male, 34

For persons with disabilities the **accessibility to election places, methods of voting and the election process** in general are essential to be able to exercise their own voting rights (44.07%).

*For example, I am informed that it already exists in the UK, and... I’ll explain roughly how it looks like. It is a small table with circles. The table of a ballot size can be made ​​of cardboard or any other material. And when it is placed on the ballot, the circles are exactly where the numbers are. So the blind person, provided that he/she knows what the order on the list is, knows where each number is and he can choose the one he wants to vote for.* - Male, 47

In addition, respondents cited the importance of **economic and social support** (40.68%) which includes support services for persons with disabilities that are the main prerequisite for greater and more effective participation of persons with disabilities in public life and employment, as according to many respondents, material existence is perceived as one of the key barriers to greater political participation of persons with disabilities. Persons with disabilities consider that the **issues that are relevant to the PWD should be represented in the political programmes and campaigns** (33.90%) considering that problems of persons with disabilities are very little mentioned during the campaign or in the political programme of the party.

*I: Well, I think the lack of interest, a great indifference of politicians. A little care is given to us ... about... persons with disabilities, very little attention is paid.... at least in Serbia.... at least here.*

*M: When you listen about the campaign, do you hear that they mention some of the issues that are important to you and persons with disabilities? Do they mention us in their programmes?*

*I: I haven’t.... I have not noticed. When I listen, I listen really carefully, but no... they are not mentioning us a lot. I would like to change that.* - Female, 85

Further, the **accessibility of information** is an issue that is crucial for persons with disabilities to be able to get information on political agendas freely and based on that independently decide who to vote for in the elections (32.20%).

*Interpretation must last longer. It should last as long as the election campaign, and to be translated that long. To be subtitled. Also, to organize, for example, some educational workshops for deaf people to be informed. You can see how much I do not know! I do not know who to complain to. It did not occur to me that I could report it to the non-governmental organization. I think it would be good for us to strengthen ourselves and to have the information who we can contact in these cases, to have some kind of workshops.* - Female, 36

It should also be noted that in the recommendations highly ranked are those related to **greater influence of persons with disabilities in decision-making** (27.12%), bearing in mind the imperative that persons with disabilities should be closely consulted in the decision-making on issues that directly affect them, but also to **raise awareness and better information** (28.81%) not just persons with disabilities, who often do not have sufficient capacity to effectively participate in the political life, but decision- makers as well, who should be more sensitive to the disability issues.

*I would prefer that DPO organize, take care about electoral legislation and to influence governments and the political parties to stand up for us and our right to vote actively and passively and to enable us first available election material, and then accessible polling places and everything else.* - Female, 29

### Table 7. Recommendations

|  |  |  |
| --- | --- | --- |
| Recommendations | No of persons | % |
| Representation of issues relevant for PWD in political programmes | 20 | 33.90% |
| Representation of PWD in politics and government | 29 | 49.15% |
| Legislation | 10 | 16.95% |
| Greater influence of PDW on decision-making | 16 | 27.12% |
| Accessibility of information | 19 | 32.20% |
| Raising awareness and better informing | 17 | 28.81% |
| Economic and social support | 24 | 40.68% |
| Better accessibility of the electoral process | 26 | 44.07% |
| Other | 4 | 6.78% |

### Table: Legend for interpreting the codes in the framework of a project “Accessible elections”

|  |  |  |
| --- | --- | --- |
| **Codes and definitions of human rights principles** | **Interpretation** | **Codes by areas of political participation** |
| **DIGNITY**  Negative form: Feeling disrespectful and undervalued in their experience and opinion and not be able to form an opinion and view without fear of physical, psychological and/or emotional damage in situations related to political participation – NEGDIG  Positive form: Feeling respected and valued - POSDIG | This code is used whenever **feelings of a person are hurt** (grief, sorrow, despair, depression, low self-esteem, lack of confidence) as a result of treatment because of disability.  ENDANGERED DIGNITY refers to **how a person feels** | Influence on decision-making:  POSDIGDEC  NEGDIGDEC  Participation in public life: POSDIGPL  NEGDIGPL  Information and Communication: POSDIGINF  NEGDIGINF  Participation in elections:  POSDIGEL  NEGDIGEL |
| **NON-DISCRIMINATION AND EQUALITY**  Negative form: Experiencing any distinction, exclusion or restriction on the basis of disability and not to be able to enjoy and exercise human rights and fundamental freedoms on an equal basis with others – INEQ  Positive form: Experiencing the provision of equal opportunities for participation, enjoyment and exercise of human rights and fundamental freedoms on an equal basis with others, including anti-discrimination measures taken aimed at persons with disabilities - EQ | This code should be assigned each time a person experiences **different treatment** on the basis of his/her disability, either directly or indirectly.  Situations involving the comparison between the treatment of a person with and without disabilities, in which it is clear that a person with disabilities is at a disadvantage because of their disabilities, are encoded in the negative form of the principle of non-discrimination equality. | Influence on decision-making:  EQDEC  INEQDEC  Participation in public life: EQPL  INEQPL  Information and Communication:  EQINF  INEQINF  Participation in elections: EQEL  INEQEL |
| **PARTICIPATION, INCLUSION AND ACCESSIBILITY**  Negative form: Experiencing segregation and isolation on the basis of disability, including the lack of accessibility – EXCL  Positive form: Participate, experience inclusion and accessible environment or information - INCL | Whenever a person with disabilities is **absolutely prevented from participating** in an event or activity, or **he/she is** **absolutely denied entry or using** the physical environment, such situations are coded as an exclusion.  Code Exclusion also applies to the situations in **lack of access** to space, places, services and programmes, not allowing a person with disabilities to have the same opportunities that are available to others. | Influence on decision-making:  INCLDEC  EXCLDEC  Participation in public life: INCPL  EXCPL  Information and Communication:  EXCINF  INCINF  Participation in elections: EXCEL  INCEL |
| **RESPECT FOR DIVERSITY**  Negative form: Being disrespectful or marked on the basis of disability or situations in which disability-related needs are not adequately considered or respected – DISRES  Positive form: to be respected and experienced appreciation of disability in a situation where the needs related to the disability are adequately taken into account and respected - RES | This code is used in situations where a person is **convicted, labelled or insulted** on the basis of certain prejudices that others have related to his/her disability. It is also used in **situations where the needs of persons with disabilities (to be accepted or to perform certain adjustments) are not taken into account**. Finally, the code is used whenever a person emphasizes **with the exact words that he/she felt disrespectful**. | Influence on decision-making: DISRESDEC  RESDEC  Participation in public life: DISRESPL  RESPL  Information and Communication:  DISRESINF  RESINF  Participation in elections: RESEL  DISRESEL |
| **AUTONOMY**  Negative form: Indicates lack of independence. Being disabled in decision-making on issues that affect participation in political life or be forced to certain decisions and solutions based on disability in this context – LA (lack of autonomy)  Positive form: Enabled decision-making on issues that affect participation in political life and the existence of solutions of choice and/or decision – SD (self - determination) | This code for a negative form is applicable in situations where a person with disabilities **has no choice** due to limited or inadequate information; there are no available options or other influence decisions concerning it. | Influence on decision-making:  SDDEC  LADEC  Participation in public life: SDPL  LAPL  Information and Communication:  SDINF  LAINF  Participation in elections: SDEL  LATEL |

# CONCLUSION

The findings within the report “Accessible elections” indicate that many citizens with disabilities face barriers when voting due to problems of accessibility. Therefore, it can be concluded that there is exclusion of participation in the framework of the election process, polling places and materials, restrictions in terms of the legal capacity and lack of awareness of the rights of persons with disabilities. The right to vote of persons with disabilities must not be ignored and it is in line with the accepted international standards, primarily with the UN Convention on the Rights of Persons with Disabilities, therefore the need for normative adjustments becomes imperative to equal political participation.

Since 2006, with the adoption of the Law on Prevention of Discrimination against Persons with Disabilities, as well as the Anti-Discrimination Act of 2009, the country has improved the legal framework and enabled its further development. By ratifying the UN Convention on the Rights of Persons with Disabilities and the Optional Protocol to the Convention, the Republic of Serbia is committed to meet the standards of the Convention.

The Strategy of Prevention and Protection against Discrimination[[62]](#footnote-62) highlights the need to ensure the necessary conditions so that persons with disabilities participate equally in public and political life through the creation of policy, their implementation and the realization of their voting rights, which includes the provision of polling places, information and election material. Implementation of the standards set by the legislative framework and policy documents provides greater participation of persons with disabilities in the creation and implementation and further development becomes imperative.

## *Recommendations for greater participation of persons with disabilities in public and political life:*

* Policy-makers, decision-makers and institutions involved in the organization of the electoral process in consultation with civil society need to ensure that the entire electoral process becomes accessible to all citizens. Also, political parties play an active role in this process and it is necessary to ensure accessibility of the campaign, election material in order to allow more persons with disabilities to have equal access to exercise their right to vote. The aim is to allow universal suffrage including persons under the guardianship.
* The legal framework needs to be aligned in consultation with organizations that promote the protection of the rights of persons with disabilities in order to create the necessary assumptions for removing barriers and improving the participation of persons with disabilities. It is necessary to include persons with disabilities in this process as stakeholders in policy-making. Provide, through the legislative framework, the secrecy of voting.
* In order to provide equal access to information, it is necessary to remove all kinds of barriers and allow broader use of assistive technologies so that for equal access to information will be necessary to provide accessible formats of information, easy to understand, the use of sign language and Braille, a greater emphasis on the accessible tools of electronic communications.
* Make polling places more accessible by removing physical barriers. The flexibility in finding creative solutions for inaccessible polling places in order to make them permanently accessible. Providing reasonable adaptations such as tactile strips and similar and make polling places inclusive for the entire voting process.
* Greater informing on potential participation of persons with disabilities in the electoral process, politics and public life through the trainings of relevant stakeholders in the local communities that will enable better understanding of the rights of persons with disabilities, such as the possibility of voting at home.
* Training for the representatives of electoral commissions - how to assist persons with intellectual, physical and sensory disabilities is an important aspect in promoting the participation of persons with disabilities. Involve persons with disabilities in the monitoring of the elections and/or the work of the polling places.
* Modern trends and the use of new technologies undoubtedly suggest finding adequate solutions and they need to be involved in the planning of greater participation of citizens under the same conditions. Develop the ability of electronic voting or voting with the help of computers at the polling places, which in turn must also respond to certain aspects of accessibility, such as to be easy to understand, have appropriate fonts, audio and video accessibility and the use of sign language.
* In order to guarantee equal and full participation of persons with disabilities in decision-making processes and processes of adoption of different legal acts and regulations at all levels of participation of interested public (informing, counselling, inclusion and partnership), it is necessary to ensure physically accessible venue of meetings, public debates, round tables, conferences, etc. in line with valid Legal acts regulating accessibility standards. It is also necessary to publish information in accessible formats and to provide accessible web presentations following accurate web accessibility standards. It is needed to collect information in advance, regarding the needs of participants in terms of accessibility of information and communication, and to provide sign language interpretation or documents in alternative formats if needed.

*As long as a significant number of the population remains insufficiently politically involved, democratic development of the Republic of Serbia as well as the path to membership in the European Union will move slowly. There is a need to establish a practice that will enable long-term inclusion of persons with disabilities in political and public life. Currently, there are obvious gaps in the interaction, i.e. exchange of information and communication with the representatives of political parties, holders of decisions concerning the political participation of persons with disabilities and the organizers of the election cycle. One of the ways to overcome barriers and establish a sustainable system that includes all citizens in the social development lies in the exchange of knowledge and information with political parties and holders of political decisions in the application of standards of accessibility, both before the election and during the election, but also in the post-election period in order to achieve accessibility for all citizens in public life.*

*Center for Society Orientation*

# ANNEX 1.

# Report on the accessibility of the web sites by political parties for persons with disabilities in the electoral process in 2014.

While researching accessibility official Web sites of political parties for persons with disabilities during the 2014 electoral process, we used the following programmes:

1. Speech software - speech synthesizer for Serbian language – AnReader, which recognizes Cyrillic and Latin characters, and it is used by persons with visual impairments,
2. Internet Explorer 8 and Mozila Firefox,
3. Microsoft Word 2003, software to open files in DOC format and

4. Adobe Reader 9.5.0 which is used to open files in PDF format.

The study was based on four criteria:

1. Accessibility of the web site, implying the possibility of reading the page with the help of the speech software for persons with visual impairment,
2. The existence of tools accessible on the web site (adjust the font size, color contrast and audio recordings), which would enable persons with disabilities who are not users of the speech software, to obtain information about a particular political party,
3. Accessibility of documents in DOC and PDF formats, during which it is examined whether the documents on the web sites are adapted for reading using the speech software,
4. The representation of persons with disabilities on the website and in documents the parties, during which web site and documents of the party (articles, programme) are tested if they are placed on a particular website.

The research includes all political parties, participants in the election process in 2014, 33 in total.

### Table: Research results of accessibility of the web sites of political parties for persons with disabilities during the electoral process 2014

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Name of the electoral list | Name of the political party | Accessibility of the web site | Existence of tools for accessibility (font size , contrast , records the audio format) | Availability of documents in DOC and PDF format | Representation of persons with disabilities on the web site and party documents |
| Aleksandar Vučić – Future We Believe In | Serbian Progressive Party | Yes | No | Yes | Yes |
| Social Democratic Party of Serbia | Yes | No | Yes | Yes |
| New Serbia | Yes | No | Yes | Yes |
| Serbian Renewal Movement | Yes | No | Yes | No |
| Movement of Socialists | Yes | No | No | Yes |
| Ivica Dačić | Socialist Party of Serbia | Yes | No | Yes | Yes |
| Party of United Pensioners of Serbia | Yes | No | Yes | Yes |
| United Serbia | Yes | No | Yes | Yes |
| Democratic Party of Serbia – Vojislav Koštunica | Democratic Party of Serbia | Yes | Yes | Yes | Yes |
| Čedomir Jovanović | Liberal Democratic Party | Yes | No | Yes | Yes |
| BDZ Sandžak | No web site |  | Yes | Yes |
| Social Democratic Union | Yes | Yes | Yes | Yes |
| Alliance of Vojvodina Hungarians – Ištvan Pastor | Alliance of Vojvodina Hungarians | Yes | No | Yes | No |
| Serbian Radical Party – dr Vojislav Šešelj | Serbian Radical Party | Yes | No | Yes | Yes |
| United Regions of Serbia – Mlađan Dinkić | United Regions of Serbia | Yes | No | Yes | Yes |
| With the Democratic Party for Democratic Serbia | Democratic Party | Yes | No | Yes | Yes |
| Doors – Boško Obradović | Doors | Yes | No | Yes | Yes |
| PDA Sandžak – dr Sulejman Ugljanin | Party of Democratic Action of Sandžak | Yes | No | Ne | Yes |
| Boris Tadić | New Democratic Party | Yes | No | No | No |
| Greens of Serbia | Yes | No | Yes | Yes |
| League of Social Democrats of Vojvodina | Yes | No | Yes | Yes |
| Together for Serbia | Yes | No | Yes | Yes |
| VMDK | Yes | No | Yes | No |
| Democratic Left of Roma | Yes | No | Yes | Yes |
| Third Serbia – For all the Hard-working People | Third Serbia | Yes | No | Yes | Yes |
| Montenegrin Party – Josip Broz | Montenegrin Party | Yes | No | Yes | Yes |
| List of National Communities – Emir Elfić | Bosniak Democratic Union | Yes | No | Yes | No |
| It’s been enough – Saša Radulović | It’s been enough – restart | Yes | No | Yes | No |
| Coalition of Citizens of all Nations and Nationalities | Democratic Party of Roma | No web site |  |  |  |
| SDS | No web site |  |  |  |
| GG Patriotic Front - dr Borislav Pelević | GG Patriotic Front | No web site |  |  |  |
| Russian Party – Slobodan Nikolić | Russian Party | Yes | No | Yes | Yes |
| Party for Democratic Action – Riza Halimi | Party for Democratic Action | No web site |  |  |  |

From the table above it can be noted that from a total number of 33 political parties was included in the research, only five parties have no official Web site presentation. The other 28 political parties and groups of citizens have accessible Internet page for persons with disabilities, users of the speech software.

The results show that none of the parties included in the research has no tools for visual adjustment of accessibility. Only two parties have audio tracks on their web pages.

Only three of the 28 parties have no document in accessible form for persons with disabilities, users of the speech software.

The representation of persons with disabilities on the Web site of a political party or in some of the documents that are available on the Web site is a very important criterion, which shows that persons with disabilities are citizens on which specific party will think when it is in a position to come forward on behalf of this category of citizens. The result of the research showed that in 6 of the 28 examined web pages there were no information relating to persons with disabilities. It is important to mention that from 6 political parties, which on their web sites don’t have information about persons with disabilities, three are parties of national minorities, which would be somewhat justified by the fact that these political parties are already working for the interests of the minority groups.

It can be concluded that the accessibility of the Web sites of the political parties, the participants in the elections of 2014 is satisfactory. It should be, of course, suggested and advocate for better accessibility of the Web sites, because they are the source of information for most persons with disabilities who fully follow the trends of the technological developments, so the political parties should take into account the accessibility and availability of information to persons with disabilities who represent a significant part of the electorate, taking into account that according to the estimates approximately 10% of the population are persons with disabilities. It should also be emphasized that political parties must harmonize terminology with that adopted in the United Nations Convention on the Rights of Persons with Disabilities and therefore must talk about them just as persons with disabilities, not disabled, mentally challenged persons, persons with special needs, persons with reduced capacity and similar.

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1. Population, Disability (data by municipalities and cities), Census of Population, Households and Dwellings in the Republic of Serbia, Republic of Serbia, Statistical Office of the Republic of Serbia, Belgrade 2013 [↑](#footnote-ref-1)
2. The big 'D' is used to indicate the Deaf community as a society that is considered to be the bearer of the cultural and linguistic identity that is expressed using natural sign language - in this case, Serbian SL. However, little 'd' is used when we talk generally about deaf people as potential users of sign language and interpreting services because all of these individuals do not perceive themselves as 'Deaf' in a cultural sense, although using sign language in any form. (Guidelines for working with deaf and hard of hearing people, GOGB, 2014) [↑](#footnote-ref-2)
3. At the public hearing on the Draft Law on the Use of Sign Language, the Association of Serbian Sign Language, the interpreters emphasized that sign language is not universal and that it should be talked about sign languages, or Serbian Sign Language. [Link to PDF about Serbian Sign Language](http://www.atszj.org.rs/files/Nacrt%20zakona%20o%20upotrebi%20znakovnog%20jezika.pdf) [↑](#footnote-ref-3)
4. ”Official Gazette of the Republic of Serbia“, 42-09 [↑](#footnote-ref-4)
5. According to the Association of Deaf and Hard of Hearing of Serbia have information, there are 30,000 deaf and hard of hearing 100,000 people in Serbia. Association of Deaf and Hard of Hearing of Serbia keeps a register of 84 sign language interpreters, among which only 30 are actively engaged in translation/interpretation [↑](#footnote-ref-5)
6. Induction loop or ring transmission is a system for the improvement of the sound environment in a particular area (e.g. over the counter, in the waiting room, conference room, etc.) [↑](#footnote-ref-6)
7. Legal analyses are presented in the following publications: [*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,*](http://www.mdri-s.org/wp-content/uploads/2013/03/univerzalnost-prava-u-praksi.pdf.pdf) Dragana Ćirić Milovanović, Lea Šimoković, Snežana Lazarević, Mental Disability Rights Initiative of Serbia MDRI-S, July 2011; [*My right to make decisions by Kosana Beker*](http://www.mdri-s.org/wp-content/uploads/2013/03/pravo-da-donesem-odluku.pdf), publisher Initiative for Inclusion VelikiMali, May 2010 [↑](#footnote-ref-7)
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9. Law on the Election of the President of the Republic of Serbia, Article 2, ”Official Gazette of the Republic of Serbia“, No 111/2007 and 104/2009 – sec. law [↑](#footnote-ref-9)
10. Law on Election of Deputies, Article 13, Paragraph 6, and the Law on Altering and Amending the Law on Election of Deputies, Article 1 [↑](#footnote-ref-10)
11. Law on Political Parties, Articles 8 and 21, ”Official Gazette of the Republic of Serbia“, No 36/2009 [↑](#footnote-ref-11)
12. Law on Associations, Article 10, ”Official Gazette of the Republic of Serbia“, No 51/2009 [↑](#footnote-ref-12)
13. Law on Volunteering, Article 12, ”Official Gazette of the Republic of Serbia“, No 36/2010 [↑](#footnote-ref-13)
14. [Recommendation CM/Rec(2011)14 of the Committee of Ministers to member states on the participation of persons with disabilities in political and public life](https://wcd.coe.int/ViewDoc.jsp?id=1871285&Site=CM) (adopted by the Committee of Ministers on 16 November 2011) [↑](#footnote-ref-14)
15. European Commission for Democracy through Law (Venice Commission), Revised Interpretative Declaration to the Code of Good Practice in Electoral Matters on the Participation of People with Disabilities in Elections, adopted by the Council for Democratic Elections at its 39th meeting (Venice, 15 December 2011), and by the Venice Commission at its 89th plenary session (Venice, 16-17 December 2011) [↑](#footnote-ref-15)
16. Article 52 of the Constitution of the Republic of Serbia [↑](#footnote-ref-16)
17. Specific actions are in accordance with Article 21 of the Constitution of RS justified as special measures that Serbia may introduce to achieve full equality of individuals or groups of individuals in a substantially unequal position compared to other citizens [↑](#footnote-ref-17)
18. Law on Ratification of the Convention on the Rights of Persons with Disabilities, „Official Gazette of the Republic of Serbia“- International Treaties", No.42/09 [↑](#footnote-ref-18)
19. [Council of Europe Action Plan Serbia](http://www.coe.int/t/e/social_cohesion/soc-sp/Action%20Plan%20Serbia.pdf) [↑](#footnote-ref-19)
20. <http://www.inkluzija.gov.rs/?p=4487> [↑](#footnote-ref-20)
21. See more in Systemic Monitoring, Monitoring legislation and policies in the field of disability, Centre for Society Orientation, Belgrade, 2013 [↑](#footnote-ref-21)
22. Law on Prevention of Discrimination of Persons with Disabilities, “Official Gazette of the Republic of Serbia”, No 33/06 [↑](#footnote-ref-22)
23. Law on the Election of Deputies, “Official Gazette of the Republic of Serbia”, No 35/00, 57/03 – RSCC decision, 72/03 – sec. law, 75/03 – sec. law amd, 18/04, 85/05 – sec. law i 101/05 - sec. law [↑](#footnote-ref-23)
24. Article 60 [↑](#footnote-ref-24)
25. Centre for Society Orientation has already drawn attention to the used terminology, and assessed as inappropriate use of the attributes „blind, disabled or illiterate person“ or, as the same article states „powerless“ person [↑](#footnote-ref-25)
26. Supra 10 [↑](#footnote-ref-26)
27. Law on the Uniform Register of Voters, ”Official Gazette of the Republic of Serbia“, No 104/09 and 99/11 [↑](#footnote-ref-27)
28. Article 14, Making Public Parts of the Register of Voters for the Territory of the Local Self-Government Unit [↑](#footnote-ref-28)
29. Article 58, Law on local elections, ”Official Gazette of the Republic of Serbia“, Nos. 129/2007, 34/10 – CC dec and 54/11 [↑](#footnote-ref-29)
30. <http://www.rik.parlament.gov.rs/latinica/propisi/013-28-14%20UputstvoLat.htm> [↑](#footnote-ref-30)
31. Law on Extra-judicial Proceedings, ”Official Gazette of the Republic of Serbia“, Nos 25/82 and 48/88 and ”Official Gazette of the Republic of Serbia“, No 46/95 - sec. law, 18/05 - sec. law, 85/12 i 45/13 - sec. law [↑](#footnote-ref-31)
32. Family Law, ”Official Gazette of the Republic of Serbia“, Nos 18/05 and 72/11 - sec. law [↑](#footnote-ref-32)
33. Centre for Society Orientation has monitored and analyzed institution of legal capacity deprivation in their reports. For more information see “Employment of Persons with Disabilities in the Republic of Serbia, 2012”, Centre for Society Orientation, Belgrade [↑](#footnote-ref-33)
34. Opinion of the Ombudsman RS concerning the exercise of physical equality and effective decision-making and participation in public life of persons with disabilities, No. 4705, March 2012, Belgrade [↑](#footnote-ref-34)
35. See more in *From Exclusion to Equality: Realizing the Rights of Persons with Disabilities*, on the

    Convention on the Rights of Persons with Disabilities, Handbook for Parlamentarians and its Optional Protocol, United Nation, Geneva, 2007 [↑](#footnote-ref-35)
36. Petrović Jasmina, Dragana S. Zaharijevski, Social Status of Persons with Disabilites in Serbia, Book of abstracts social work and fight against poverty and social exclusion – professional dedication to the protection and promotion of human rights, Mostar: Faculty of Philosophy, Mostar, 2010 [↑](#footnote-ref-36)
37. Republic Broadcasting Agency, RRA, January 2014,[*General Binding Instructions to broadcasters enabling unhindered access to information to viewers with hearing impairment during the election campaign*](http://www.rra.org.rs/uploads/useruploads/PDF/2505-Opste%20obav%20upustvo%20emiterima%20za%20gledaoce%20sa%20ostecenim%20sluhom%202014..pdf) [↑](#footnote-ref-37)
38. Broadcasting Act (“Official Gazette of the Republic of Serbia”, Nos 42/2002, 97/2004, 76/2005, 79/2005 – sec. law, 62/2006, 85/2006, 86/2006 – amn. and 41/2009) [↑](#footnote-ref-38)
39. Article 8 [↑](#footnote-ref-39)
40. Article 3 [↑](#footnote-ref-40)
41. Article 68 [↑](#footnote-ref-41)
42. Article 78 [↑](#footnote-ref-42)
43. Instruction, Article 1, Basic Provision [↑](#footnote-ref-43)
44. Instruction, Articles 4-6 [↑](#footnote-ref-44)
45. Instruction, Article 2 [↑](#footnote-ref-45)
46. Instruction, Article 3 [↑](#footnote-ref-46)
47. [Republic Broadcasting Agency Report (http://www.rra.org.rs/uploads/useruploads/izvestaji-o-nadzoru/IZBORI-presek-29-01-28-02.pdf)](http://www.rra.org.rs/uploads/useruploads/izvestaji-o-nadzoru/IZBORI-presek-29-01-28-02.pdf) [↑](#footnote-ref-47)
48. SPS- Socialist Party of Serbia [↑](#footnote-ref-48)
49. PUPS - Party of United Pensioners of Serbia [↑](#footnote-ref-49)
50. US – United Serbia [↑](#footnote-ref-50)
51. [See part of the convention on YouTube](https://www.youtube.com/watch?v=denbwWsE4fk). From 01:57 begins a speech of the first candidate of the electoral list and the interpreter was only occasionaly framed [↑](#footnote-ref-51)
52. [See the accessible press conference on YouTube](https://www.youtube.com/watch?v=I4_Id9zUIz8) [↑](#footnote-ref-52)
53. Sign language, in terms of General Binding Instruction, is the language through special gestures and mimics sounds broadcast programming content interpret for viewers with hearing impairments [↑](#footnote-ref-53)
54. [Code of Ethics of the Association of Serbian Sign Language Interpreters](http://www.atszj.org.rs/files/Eticki%20kodeks%20tumaca%20srpskog%20znakovnog%20jezika.pdf) [↑](#footnote-ref-54)
55. Media that are the subject of the analysis are: Danas, Blic, Politika, Večernje Novosti, Dnevnik, Kurir, 24 Sata, Pregled, Informer, Naše novine, NIN, Novi magazin, Alo!, Akter, Nedeljnik [↑](#footnote-ref-55)
56. Each participant could specify three or more different situation and each situation could encompass positive or negative experience. The percentage presented in this part were obtained based on the total number of respondents [↑](#footnote-ref-56)
57. Codes used in tables for different principles of human rights, their positive and negative forms as well as for certain categories in other tables are explained in Annex “Legend of the used codes” at the end of the report [↑](#footnote-ref-57)
58. For more information, see the extended version of the report „ Monitoring individual experiences of persons with disabilities in political and public life“ [↑](#footnote-ref-58)
59. *Ibid.d* [↑](#footnote-ref-59)
60. For more information, see the extended version of the report „Monitoring individual experiences of persons with disabilities in political and public life“ [↑](#footnote-ref-60)
61. For more information, see the extended version of the report „ Monitoring individual experiences of persons with disabilities in political and public life“ [↑](#footnote-ref-61)
62. Strategy for Prevention and Protection against Discrimination, “Official Gazette of the Republic of Serbia”, Nos 55/05, 71/05 - amn 101/07, 65/08, 16/11, 68/12 – CC and 72/12, p. 55 [↑](#footnote-ref-62)