

Emergency response to the need of people with disabilities: Priorities of the sectoral policy in the aftermath of war in Artsakh



International
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One of the calamities of the second war in Artsakh is the sharp increase in the number of people with disabilities. The results of the consistent monitoring of the Human Defender's Office since 27 September show that failing to address the social-economic, psychological and rehabilitation needs of the people with disabilities effectively and rapidly will inevitably aggravate the crisis of diminished trust towards a number of state institutions.

Defining the status of people with disabilities and providing relevant services

To discuss how the rights of people with disabilities are protected is possible when people with disabilities have already been granted a relevant status. Before the status, the social-economic and healthcare services and benefits are not available to people with disabilities. Care and personal assistance services can be available only if one pays for these services. Often the person injured or having acquired a disability at war is the only or the main breadwinner in the family and such services are an insurmountable burden for them or their families.

Meanwhile, granting a disability status is a cumbersome process and the current procedures take up to several months. Moreover, a person who has acquired a disability during a military action should apply both to the Ministry of Defense and the Ministry of Labour and Social affairs, which creates additional and sometimes overwhelming difficulties for thousands of Armenians and forcibly displaced people from Artsakh, who have found themselves in difficult life circumstances and are facing numerous uncertainties. For instance, the sometimes disorderly recruitment of new manpower for the Armed Forces has resulted in a situation when many volunteers who had been deployed to war had not been registered with any military division. Consequently, if such a person acquires a disability, he is legally liable for clarifying the circumstances of his acquiring a disability. In such cases, the process of getting a disability status can be put off for an indefinite period, whereas, the role and significance of social support differs for people who have acquired disability after participating in military actions and those who have acquired it in peaceful life. Indeed, people injured or having acquired a disability in the result of participating in military actions often need disability aids (walkers, crutches, orthopaedic shoes, etc.); they need medical rehabilitation and care. Publicly supported disability aids and relevant assistance are available, but to have access to those requires application of complex procedures. Therefore, the process is quite long, whereas immediate provision of relevant rehabilitation services to thousands of military, volunteers and reserve personnel has a key role both in preventing disability and decreasing the medical severity of the impairment. Thus, presently it is absolutely crucial to ensure the availability of the necessary support and services from early on, often before the final decision on the status of disability is made.

Reality that is getting more complex with every day

The current procedures of granting a disability status are not resilient and the system is unable to address the new challenges emerged in the results of the large flow of forcibly displaced people from Artsakh. In such a complex situation for many displaced people, who are also facing the necessity of



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reissuing various personal documents, the process of getting a disability status has turned into a nightmare. Registration of forcibly displaced people from Artsakh, and among them people with disabilities, has become the responsibility of local governments. Incidentally, the results of the monitoring of the Human Rights Defender show that the real number of people with disabilities is larger, than the registered number, as the staff responsible for the registration often lack the necessary knowledge, skills and instruments to carry out the registration effectively, specifically when it comes to identifying and registering hidden or invisible disabilities. Numerous issues, such as mapping, maintaining contact with the displaced people and getting information about their place of residence complicate the new challenges even further. The necessity of effective collaboration, coordination and functional operation of referral mechanisms among various actors is quite obvious and urgent. Developing a common database would allow all the relevant stakeholders to understand the needs of people with disabilities for specific services and what services they are already using.

Provision of social and medical services to the people with disabilities has become even more difficult due to the COVID-19 pandemic. There are cases when about 50-70% of the experts of Social-Medical Expert Commissions are unable to participate in the sessions of the commission, because they are infected.

In a nutshell, currently, the system of public care of people with disabilities and the current mechanisms of ensuring their rights are not resilient and cannot respond to the concerted complexity of the issues. Meanwhile Armenia lacks a crisis management model which could have ensured protection of the rights of people with disabilities.

**Introducing a new disability category:
'temporary disability'**

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In order to address the issues of people having acquired a disability in the result of military actions and to ensure protection of their rights, we recommend reducing the time of granting a disability status through introducing an intermediary mechanism, temporary disability. The medical case history or another document provided by a medical facility, which confirms the fact of a disability or the risk of acquiring a disability, can become legal and expert basis for granting this intermediary status. This document will allow the person to get access to at least some of the relevant services and financial support available. In future, when according to the existing procedures, they get the relevant disability status, the scope of social and financial support will be clarified, thus giving them a chance to get ahead with the necessary, and sometimes urgent medical interventions.

The policy brief is elaborated based on the results of the online off-the-record discussion "Emergency response to the need of people with disabilities: Priorities of the sectoral policy in the aftermath of war in Artsakh", held on 20.11.2020. The online discussion brought together staff of the National Assembly, state officials and independent experts.