



Gender-responsive Financing of Personal Assistants for Persons with Disabilities in Kosovo

Ernera Dushica, Co-author, Kosovo Women's Network

International Commitments

- United Nations (UN) Convention on the Rights of Persons with Disabilities (CRPD)
- European Disability Strategy 2021-2030
- Gender Action Plan (GAP) III

Kosovo's Legal Framework

- Law on the Training, Professional Rehabilitation and Employment of Persons with Disabilities
- Law on Family and Social Services
 - “Direct Social Care” as “the provision of help with domestic duties, personal care, mobility, communication or supervision. It can be provided in a person’s own home, in a specialist day centre or in a residential home.”
- Kosovo Program for Gender Equality 2020-2024
- National Strategy on the Rights of Persons with Disabilities in the Republic of Kosovo

Kosovo's Legal Framework: Upcoming

- Draft law for Assessment, Recognition of Status, Benefits, and Services for Persons with Disabilities
- Draft law for Social and Family Services
- Draft Law on amending and supplementing the Law No. 04/L-131 on State Funded Pension Schemes
- Annual Kosovo budgets

Situation Analysis

Table I. Total Beneficiaries with Personal Assistants, 2019-2021

Year	PTTP	Blind	# and % of Persons with Personal Assistants by Gender				
			Women	%	Men	%	Total
2019	2,238	1,593	1,717	44.8%	2,114	55.2%	3,831
2020	2,161	1,468	1,619	44.6%	2,010	55.4%	3,629
2021	2,108	1,391	1,576	45.0%	1,923	55.0%	3,499

Situation Analysis

Table 3. Beneficiaries of Disability Pension with Personal Assistants Compensation by Gender

	PPTP						Blind Persons					
	Women			Men			Women			Men		
Year	#	Amount	%	#	Amount	%	#	Amount	%	#	Amount	%
2019	1006	€383,125	45.1	1232	€465,625	54.9	711	€188,310	43.8	882	€241,532	56.2
2020	970	€363,720	44.9	1191	€445,875	55,1	649	€160,375	44.1	819	€202,850	55.9
2021	955	€370,275	46	1153	€434,595	54	621	€159,050	43.9	770	€202,925	56.1

Situational Analysis

Table 4. Estimated Costs for Government Financing of Personal Assistants

	Estimated Cost per Person				Estimated Cost in Total				Total
	PTTP		Blind		PTTP		Blind		PTTP & Blind
	Per month	Per year	Per month	Per year	Per month	Per year	Per month	Per year	Per year
Current flat pay rate	€150	€1,800	€125	€1,500	€316,200	€3,794,400	€173,875	€2,086,500	€5,880,900
Current minimum salary	€170	€2,040	€170	€2,040	€358,360	€4,300,320	€236,470	€2,837,640	€7,137,960
Planned minimum salary	€250	€3,000	€250	€3,000	€527,000	€6,324,000	€347,750	€4,173,000	€10,497,000
Average gross salary	€484	€5,808	€484	€5,808	€1,020,272	€12,243,264	€673,244	€8,078,923	€20,322,187

Recommendations

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- Amend existing laws to incorporate consistent, internationally recognised definitions of disability:
 - Law No. 02/L-17 on Social and Family Services
 - Law No. 2003/23 on Disability Pensions
 - Law No. 05/L-021 on the Protection from Discrimination
 - Annual Budget Appropriations
- Ensure these use an intersectional approach to gender, attending to intersections with ethnicity, age, and other factors that could hinder access to appropriate care services.
- Prior to amending/adopting, ensure a Gender Equality Impact Assessment is conducted as part of the required Regulatory Impact Assessment included in the Better Regulation Strategy 2.0 for Kosovo.

Recommendations

- Review the eligibility criteria for personal assistance and actual needs
 - Many more persons may need personal assistance.
 - Persons with disabilities amounting to more than 50% may require multiple personal assistants.
 - Some may require only part-time.
- Specify in secondary legislation the minimum experience, expertise, and qualifications that personal assistants must have to provide qualified services, such as via obligatory training and qualification testing.
 - Regulate continuous capacity-building for personal assistants.
 - Persons should still be selected by and in agreement with persons with disabilities.

Recommendations

- Establish a clear, permanent budget line specifically for financing the Personal Assistance Scheme.
 - Based on gender analysis, estimate the actual budget needed, considering time required.
 - Increase the amount budgeted per personal assistant from €150 for personal assistants of PTTP persons and €125 for blind persons to match at least the minimum salary (currently €170) and ideally the average salary (€484).
 - Plan for likely inflation.
 - Persons with disabilities could still distribute payments to minimise transfer costs, while the government could withhold 10% pension contributions for registered personal assistants, preventing poverty.

Recommendations

- To cover costs, improve collection of related revenues:
 - Implement increased fines for businesses not ensuring accessible physical locations and services in accordance with laws;
 - For those not employing persons with disabilities as per the law; and
 - For those found to have discriminated against persons with disabilities or violated their rights.
- Consider imposing higher taxes on luxury products, such as automobiles and alcohol.
- In drafting laws, budgets, and secondary legislation ensure meaningful consultation with women's rights organisations working with persons with disabilities.