

INTRODUCTION

Accessibility for all is a fundamental right, and any environmental barrier which denies access and free movement for disabled persons or other persons with reduced mobility is and must be recognised as discrimination.

Richard Howitt Member of European Parliament, President of the Disability Intergroup of the European Parliament, June 2003

When people with disabilities cannot access the built environment, they are de facto denied access to services as well as participation in community life. When public buildings, government institutions and places of work are inaccessible to people with disabilities, it means they cannot exercise their rights as citizens the same way that people without disabilities can. More importantly, when government officials, urban planners, architects and designers are not sensitive to disability issues, discrimination against people with disabilities is perpetuated. A lack of access to the built environment further maintains the exclusion people with disabilities face whereas accessibility would allow people with disabilities to go to school, find housing, get a job and form a family.

People with disabilities around the globe continue to face barriers that prevent them from enjoying their civil, political and human rights on an equal footing with other citizens - one of which are barriers to movement within the built environment. The time is at hand to understand how these barriers can be removed to facilitate equal opportunities for people with disabilities.

Disability on the international agenda

Disability is being recognised as a priority around the world with the UN Standard Rules on the Equalisation of Opportunities for Persons with Disabilities (UN Standard Rules) adopted in 1993 and the completion of the negotiation process for the UN draft Convention on the Rights of Persons with Disabilities in August 2006 which is due to be adopted in December 2006. The growing importance of disability as a human rights issue implies a shift in the disability paradigm from the medical to social model, no longer viewing disability as a medical issue mediated solely by medical experts and welfare policies but as a human rights issue to be dealt with using positive measures and inclusive policies. This shift of paradigm implies a change in accountability from considering disability as an individual's responsibility in which the person must be treated and cured by medical professionals to viewing disability as society's responsibility; an individual is not disabled but it is society that disables them and must be changed. The aim of the social model is to break down the social and environmental barriers to allow people with disabilities to live independently and enjoy the same rights that other citizens do. This change of paradigm places a greater emphasis on the environmental factors that effect people with disabilities, namely the barriers in the built environment preventing access to services and hindering their participation in social life.

On an international level, the definition of disability has evolved to acknowledge the importance of environmental factors in the lives of people with disabilities. In both the preamble and article 1 of the UN draft Convention on the Rights of Persons with Disabilities it states that the convention recognizes that:

...disability is an evolving concept and that disability results from the interaction between persons with impairments and attitudinal and environmental barriers that hinders their full and effective participation in society on an equal basis with others⁷.

⁷ The full draft text of the UN draft Convention on the Rights of Persons with Disabilities is available at: <http://www.un.org/esa/socdev/enable/rights/ahc8adart.htm>.

In fact, both the UN Standard Rules on the Equalisation of Opportunities for People with Disabilities⁸ and the UN draft Convention on the Rights of Persons with Disabilities cite accessibility and personal mobility as necessary pre-conditions for the full participation of people with disabilities and as such should be addressed as priorities by states. This is also acknowledged by the World Health Organization's (WHO) International Classification of Functioning, Disability and Health which was updated to include a section defining how "Environmental factors interact with a health condition to create a disability or restore functioning, depending on whether the environmental factor is a facilitator or barrier⁹." Although several countries have tried to address the issue through antidiscrimination legislation, the Americans with Disabilities Act (ADA)¹⁰ and the UK's Disability Discrimination Act (DDA) are two of the strongest pieces of legislation that have forced major changes in the built environment. The EU addresses the issue by mainstreaming disability using anti-discrimination as the base for policy formulation.

For a region in transition, the countries in South East Europe (SEE) are in a unique position to review their policies and practices towards people with disabilities especially in light of the ongoing EU pre-accession/association and PRSP processes. With the political commitments all states in the region have made to improve the infrastructure and develop economic and social conditions, there is a great opportunity to include disability on this agenda.

Objective of the report

In the frame of the Disability Monitor Initiative (DMI) for South East Europe, this report follows the first annual assessment, "Beyond De-Institutionalisation: The Unsteady Move towards an Enabling System in South East Europe" in which access to the built environment and the free movement of people with disabilities were identified by disability advocates as priorities and key pre-conditions for building an inclusive society.

The term "free movement of people with disabilities" implies that a person with any type of disability can move throughout the built environment using the proper support services, if needed, without facing any barriers, feeling exhausted or discriminated. Free movement can be described as an unbreakable chain of movement in which a person with disabilities can leave their home, travel anywhere using any type of transportation they choose and go anywhere in the built environment and return home without encountering major barriers.

The **aim** of the report, therefore, is to take an in-depth look at all of the links that make up the unbreakable chain of movement, comparing them to the current situation in the region while examining good practices taking place on the local level. The **objective** is to assess the steps needed to make the free movement of people with disabilities a reality in South East Europe looking at the various responsibilities stakeholders have in the reform process. Finally, the report will examine the policies in South East Europe regarding disability and accessibility making recommendations for the steps needed to produce concrete changes in the environment. Throughout the report, the lives of people with disabilities from the region are presented as testimonies to the barriers they face and overcome on a daily basis within the built environment.

Scope of the report

This report looks specifically at movement within the built environment and therefore access to information, communication and new technology are not inside the scope of this study. However, it must be stated that access to information, communication and new technology must be available in accessible formats for all. Braille texts and computer screen readers should be available to people with sight impairments and Sign language should be offered to communicate important information to people with hearing impairments such as closed captioning¹¹ or Sign language interpretation for television programmes. "Easy-to-Read"¹² formats of important public information should be obtainable as well for people with intellectual disabilities.

Organisation of the report

This report seeks to analyse the **policies** and **practices** in place that affect the free movement of people with disabilities. Part I begins with a theoretical overview of free movement and what that implies for people with disabilities around the world. This part also summarises key international relevant legislation. Part II goes on to make an overview of the separate components of the unbreakable chain of movement in South East Europe. Part III makes an analysis of the policy process needed to implement the chain of movement evaluating what best practices are taking place in the region. It puts an emphasis on the best practices happening on the grass-roots level to make the environment accessible while looking at real **people's lives** giving testimony to the barriers they face and the lengths they must go to overcome them on a daily basis.

Methodology of the report

Defining the term – Good practices: As opposed to a best practice, the initiatives in the report do not meet all of the principles of the unbreakable chain of movement and are therefore classified as good practices. The organizations and initiatives cited in this report as a good practice show potential to meet some key principles of

⁸ The full text of the UN Standard Rules is available at: <http://www.un.org/esa/socdev/enable/dissre00.htm>.

⁹ International Classification of Functioning, Disability and Health (ICF) available at: <http://www.who.int/classifications/icf/en/>

¹⁰ Americans with Disabilities Standards for Accessible Design are available at: <http://www.usdoj.gov/crt/ada/stdspdf.htm>

¹¹ Closed captioning allows people with hearing impairments to have access to television programming by displaying the audio portion of a television program as text on the television screen. More information available at: <http://www.fcc.gov/cgb/consumerfacts/closedcaption.html>.

¹² Easy-to-read is a way of communicating in written format in a clear and easily understandable way which is accessible to people with intellectual disabilities. Very often easy-to-read texts include pictures and easily understandable symbols.

the unbreakable chain of movement. The key principles are:

- Free movement is seen as a fundamental right of all individuals;
- A person has the proper support to facilitate autonomous and free movement;
- From one point to another, an individual's movement is seamless without encountering any physical barriers;
- The built environment is easy to use and to approach without requiring extra physical effort and without discrimination according to ability.

These initiatives for change move beyond accessibility to making changes towards enabling the free movement of people with disabilities. Under the framework of the unbreakable chain of movement, a good practice should apply most of the following criteria:

- Initiatives that have the potential to make wider changes in the built environment following the concept of the unbreakable chain of movement;
- Changes made to make an environment more accessible do not stigmatise people with disabilities and facilitate autonomous mobility;
- Initiatives are holistic, not creating only partial accessibility;
- They apply the principles of Design for All or Universal Design;
- They are participatory in methodology and involve all actors including people with disabilities and their representative organisations;
- Projects can be replicated.

The initiatives cited in this report show the potential to become best practices with further development as many times they fulfil parts of the criteria but lack some of the essential elements. While good intentions are admirable, they are not enough. Therefore, in this assessment, it will identify initiatives that have potential to be stronger and highlight what the missing pieces are or how the project could be improved.

Empirical methodology of the report

Handicap International SEE staff has visited all of the initiatives and organizations during this assessment in collaboration with our partners. Far from being an exhaustive list of all the activities and practices taking place, this is a brief overview giving in-depth examples of some of the social innovation changes occurring in the region.

Life stories: During the regional assessment, numerous interviews with people with disabilities were conducted to discuss the different aspects of the unbreakable chain of movement and how it actually applies to their lives on a daily basis. Each life story tells about an individual's experiences to face and overcome architectural and urban barriers as well as highlighting what is important to them in terms of accessibility and free mobility.

Intention of the report

The time for change is at hand and this report will help to show that reforms are possible and feasible even with limited resources. Enabling the free movement of people with disabilities can no longer be seen as a token of good will but as a necessity and an obligation. If the free movement of people with disabilities is not seen by all stakeholders as a fundamental right, the question remains, is the free movement of people with disabilities an inaccessible right?