



# **FREE MOVEMENT OF PEOPLE WITH DISABILITIES IN SOUTH EAST EUROPE:**

An Inaccessible Right?

2006

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## FOREWORD

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As the draft UN Convention on the Rights of Persons with disabilities is about to be adopted by the General Assembly of the United Nations, we know that currently most people with disabilities are deprived of their basic rights and face huge barriers in social participation. This marginalization occurs not only due to policies conceived in a protectionist framework but also because society itself ignores the rights of people with disabilities.

Waking up, taking a shower, going out of the flat, crossing the street, enjoying the park on the way to work, catching the bus at the last minute, greeting your colleagues at the entrance of the office, climbing the stairs to go to the Monday morning meeting.... to most, these are the basic parts of daily life but for thousands of people in South East Europe, they are inaccessible rights.

The challenges are numerous and many times insurmountable. The lack of personal assistance services, the excessively high costs of technical aids and assistive devices and millions of architectural barriers are all realities in the region today. In addition to this, there is little to no political will to enforce accessibility standards in construction coupled with an over-arching medical and charity approach to disability. The subsequent disability policies based on segregation and over-protection rather than inclusion and equal opportunities, are the roots of this silent and unacceptable situation.

However, throughout South East Europe, civil society along with actors from private, public and non-profit sectors have initiated some changes: from individualised services, to advocacy campaigns, from legislative reforms to trainings; these efforts are aimed at breaking the status quo and finding solutions where possible. Yet, these initiatives are carried out in a disjointed manner impacting only a minority of people. Even if these initiatives are still too sporadic or small scale to make widespread change, this report aims at showing the value some of these initiatives demonstrate proving that the free movement of people with disabilities is neither a utopia, nor a luxury; it is a feasible pre-condition to a truly inclusive society.

In order to achieve the needed changes, people with disabilities, local authorities, universities, national authorities, construction agencies, architects, urban planners, centers for social work, private business, inter alia, must join efforts to make the free movement of people with disabilities a reality. Each actor is obliged to up-hold their responsibilities and to take part in this needed effort.

Purchasing low floor bus, building with accessibility standards from the beginning, developing support services at the local level and training staff and future professionals are some of the actions that, if correctly conceived, planned and budgeted, can make major changes in the lives of people with disabilities. These are not challenging initiatives to undertake and, therefore, there is no excuse not to act.

Many wonder what impact the UN convention will have on the lives of people with disabilities. The Disability Monitor Initiative seeks to demonstrate that nothing in the convention is impossible and within this framework, the report "Free Movement of People with Disabilities" proves that this is an attainable goal.

The interconnectedness of rights which is fundamental to the convention is also critical for the free movement of people with disabilities; a person must have the proper support services, an accessible home, accessible transport and an accessible environment in order to create an unbreakable chain of movement in which a person can move seamlessly to any destination they choose.

This unbreakable chain of movement also highlights the leading role that public authorities play in developing comprehensive strategies that would take into consideration the complexity of issues. Implementing the unbreakable chain of movement is not mainly about spending more, but consulting and elaborating with all actors in order to develop and implement comprehensive plans and strategies that will truly respond to the diversity of challenges faced by people with disabilities in their attempt to participate equally with others in society.

Handicap International and all disabled people's organisations (DPOs) that have contributed to this report would like to thank the Department for International Development of UK and the European Initiative for Democracy and Human Rights from the European Union\* for their financial support to this report. It gives visibility to the problems that must be addressed and the existing solutions to be developed.

Building an inclusive society with a supportive and barrier-free environment for all including people with disabilities, is becoming an internationally acknowledged duty for states. However, it is the responsibility of all stakeholders to make sure that it will happen. We hope that this report will contribute to this struggle.

Alexandre COTE  
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## ACRONYMS AND ABBREVIATIONS

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AODA - Accessibility for Ontarians with Disabilities Act  
ADA - Americans with Disabilities Act  
ADRF - Albanian Disability Rights Forum  
ADS - Association of Disabled Students  
AODA - Accessibility for Ontarians with Disabilities Act  
BiH - Bosnia and Herzegovina  
CHF - Community Habitat Finance  
CIDA - Canadian International Development Agency  
CIL - Centre for Independent Living  
CVI/Rio - Centre for Independent Living, Rio  
DDA - Disability and Discrimination Act  
DPO - Disabled Person's Organisation  
DFG - Disabled Facilities Grant  
DRA - Disability Rights Activists  
EDF - European Disability Forum  
EIDD - European Institute for Disability and Design  
EU - European Union  
HAAS - House Adaptations Advisory Services  
HSUTI - Croatian Union of Physically Disabled Persons' Associations  
IC - Lotos Information Centre Lotos  
IRD - International Relief and Development  
ISO - International Standards of Operation  
NGO - Non-governmental Organisation  
OSCE - Organisation for Security and Co-operation in Europe  
UN - United Nations  
USAID - United States Agency for International Development  
SEE - South East Europe  
WHO - World Health Organisation



# GLOSSARY

## **Accessibility**

For the scope of this report, accessibility means that everyone has equal access to the built environment with no discrimination based on one's level of ability. It can be defined as being the opportunity that an individual, at any given location and of any given ability, possesses to take part in a particular activity or a set of activities within the built environment\*. It implies that the built environment must be truly usable for all.

\*Jones M P, 1975, Accessibility, Mobility and Travel Need: Some Problems of Definition and Measurement, Paper Presented at the I.B.G. Transport Geography Study Group Conference, University of Birmingham, September 11-12, 1975. Jones S R, 1981, Accessibility Measures: A Literature Review, Transport and Road Research Laboratory, Berkshire.

## **Accessibility audit**

An in-depth analysis of a building or space to assess what needs to be adapted or changed in order to make the existing space barrier-free to all. This kind of assessment is usually carried out by professionals including occupational therapists, architects, urban planners and engineers including people with disabilities.

## **Accessibility standards**

These are the minimum standards for designing accessible spaces to people with disabilities particularly geared to people with physical impairments.

## **Barrier-free environment**

A barrier-free environment, for the context of this report, implies that any person despite their age or ability can move throughout the environment without facing any barriers in the built environment.

## **Building codes**

These are a set of rules that specify the minimum standards for safety for constructed objects generally based on public health, safety and general welfare. Building codes become law when they are enacted by the appropriate authorities.

## **Built environment**

These are environments created or modified by human beings so that people may live in them such as buildings, squares, children's play areas, monuments, natural parks, designated paths and places where services are offered such as ramps, walkways and urban furniture.

## **Community**

A close environment of an individual including the population and all different stakeholders (public or private), on a confined geographical area, who share feeling of common belonging and experience common constraints and benefits.

## **Design-for-All**

Means designing developing and marketing mainstream products, services, systems and environments to be accessible and usable by as broad a range of users as possible.\*

\* Source: Background Document of the European Conference "Discrimination by Design" held on the European Day of Disabled People, 3 December 2001.

**Disability Movement**

In the present report the disability movement is defined, primarily, as the group of all organisations of people with disabilities and individuals at the local, national or international level. In a broader perspective, it encompasses as well, the other stakeholders and their allies in promoting the rights of people with disabilities in agreement with the principle of leadership of people with disabilities themselves within the movement.

**Disabled People's Organisation (DPO)**

A term commonly used to consider organisations of people with disabilities. The main characteristic of DPOs is that the leaders of the organisations (in the "driving seat" of the organisation) have to be people with disabilities. In addition, the organisations' mission should be oriented toward the representation of people with disabilities and the promotion of their rights.

**Environment**

The environment is the sum of all the physical or social dimensions that determine a society's organisation and context.

**Mainstreaming**

Mainstreaming disability is the process by which the state and the community ensures that people with disabilities can fully participate and have been supported to do so within any types of ordinary structures and services such as education, health, employment and social services. It implies that disability is taken into consideration in all sectors of legislation and reforms.

**Mobility**

Mobility refers to the ease with which a person can move about. It relates to the person's particular abilities, the accessibility of the built environment, and the support services and resources available to the person concerned.

**Mobility scooter**

This mobility aid is similar to a wheelchair but is configured like a motor scooter has a seat over two rear wheels, a flat area for the feet, and handlebars in front to turn one or two wheels that are easy to steer. A scooter is useful for persons without the stamina or arm/shoulder flexibility necessary to use a manual wheelchair. A mobility scooter is very helpful for persons with systemic or whole-body disabling conditions who are still able to stand and walk a few steps, sit upright.

**Participation (full participation)**

The principle of full participation is defined as the possibility for people with disabilities to take part in all aspects of life including decision-making processes, in equal manners. Equal opportunities are integral to achieving full participation of all individuals.

**Participatory planning**

This approach is intended to ensure that all relevant interventions are developed based on the needs and perceived problems of beneficiaries, local capacities, and lessons learned from previous experiences. A participatory process implies that all relevant stakeholders work together to develop a common goal and that everyone takes part in the decision-making process.

**Public procurement**

This is a term used for the purchasing of works, goods and services by national, regional or local public bodies including central government, local authorities, fire and police authorities, defense, health services, joint consortia of public bodies, and public and private utilities.\*

\*EU definition of public procurement available at: <http://www.publictender.co.uk/eu-procurement.html>.

**Ramp**

An inclined plane installed in addition to or instead of stairs. Ramps permit wheelchair users as well as people pushing strollers, carts or other assistive devices to access a building more easily.

**Share-SEE**

Self-help and Advocacy for Rights and Equal Opportunities South East Europe is a regional project established in January 2003 aimed at strengthening the disability movement through capacity building of Disabled People Organisations (DPOs) to be able to more effectively promote equal opportunities and full participation of people with disabilities in South East Europe. The project is implemented by Handicap International in partnership with DPOs under the slogan of "Nothing about us without us".

**Support services**

These are services aimed at supporting an individual with disabilities to achieve the greatest possible independence and facilitate their participation in society helping the person with disabilities to fulfil their potential as an active member of the community. They can include personal assistance services, rehabilitation, assistive devices, and interpretation services (sign language).

**Twin-track approach\***

In this report, the twin-track approach is defined as taking account of people with disabilities rights through mainstreaming disability into overall policies while ensuring implementing specific measures to address the particular needs of people with disabilities and thus enhance their empowerment.

\* This is the same definition for a twin-track approach to disability and development taken by DFID in "Disability, Poverty and Development" (London: February 2000): 11.

**Unbreakable chain of movement**

The unbreakable chain of movement entails that a person with any type of disability can move freely within their home and go from their bed to town to any building or space they choose by any means of transport and return home without facing barriers or being exhausted. One missing element is enough to cancel out all efforts and improvements conducted elsewhere, and can result in shutting out people with disabilities by making the environment inaccessible to them. The "continuity" of the "mobility chain" therefore appears to be the key element for facilitating free movement within the built environment for all.

**Universal Design\***

"Universal design is the design of products and environments to be usable by all people, to the greatest extent possible, without the need for adaptation or specialised design. The intent of universal design is to simplify life for everyone by making products, communications and the built environment more usable by as many people as possible at little or no extra cost. Universal design benefits people of all ages and abilities." What this concept implies is that spaces should not be adapted but should be designed and built in a more inclusive way that meets the needs of all people, including people with disabilities.

It is based on seven principles:

- Equitable Use
- Flexibility in Use
- Simple and Intuitive Use
- Perceptible Information
- Tolerance for Error
- Low Physical Effort
- Size and Space for Approach and Use

\* As defined by Ron Mace, Center for Universal Design, NC State University, North Carolina, 1997

**Watchdog force**

This is a group composed of diverse actors from civil society to monitor a specific situation to ensure implementation of policies and to alert the public in the case of non-compliance or violation of legislation. This kind of force acts as a transparent monitor to check that laws and policies are being applied properly and that duty bearers are upholding their obligations.



# EXECUTIVE SUMMARY

Disability is a unique issue within the wider human rights framework. Because of the multifaceted nature of disability, it requires widespread changes in the environment as a pre-condition for the full enjoyment of human rights including a fully accessible community and proper support services. In comparison to other groups that confront discrimination, such as women or ethnic minorities, people with disabilities face multiple barriers to full participation; from being denied access to education and employment to lacking the support services needed to complete daily activities.

Being denied access to the built environment and prevented from moving freely is not only an act of discrimination against people with disabilities but also a violation of one's right to take part in society on equal footing with others. A person who is a wheelchair user cannot exercise their right to participate in political and social life if they are not able to enter government buildings or go to the post office due to physical barriers. This is also an issue of vulnerability. When a person with disabilities cannot leave their home to access health care, education and employment because the proper support services<sup>1</sup> are missing, it places them in a situation of extreme vulnerability.

The inaccessible environment throughout South East Europe leaves people with disabilities living in exclusion with limited opportunities to explore their potential as active members of society. As a result, the **isolation perpetuates common misconceptions of disability** by the majority of people in the region including decision makers who classify people with disabilities as incapable and in need of protection or care outside of mainstream society under the medical model of disability. The time is at hand to view the free movement of people with disabilities<sup>2</sup> as a human rights issue before further violations of a person's rights and dignity take place.

This isolation that people with disabilities tackle **can be reversed** through the creation of an **unbreakable chain of movement**. This chain starts with individualised support services and an accessible home and continues to all public buildings, transportation, and outdoor environments. As the unbreakable chain of movement is a **holistic concept**, this report will look closely at each of the links to see where they are implemented, where the gaps are and what policies are needed to support the process to make the unbreakable chain of movement widespread and sustainable.

## ABOUT THIS REPORT

In the frame of the Disability Monitor Initiative, this report examines the prevailing **policies** and ensuing **practices** in the SEE region and how they impact the **lives of people with disabilities** given the obstacles they face in trying to participate in community life with the extensive barriers in the built environment. The paper also looks at **good practices** in the field to change the environment in a positive way removing barriers as well as establishing individualised support services needed for greater independence and their capacity for widespread change. Equally important was to assess the steps needed to make the free movement of people with disabilities a reality in South East Europe by looking at the various responsibilities that stakeholders have in the reform process with concrete **recommendations**.

The research was carried out by Handicap International South East Europe in partnership with DPOs throughout the region through field assessments in Albania, Bosnia and Herzegovina, the UN administered province of Kosovo, Macedonia, Montenegro and Serbia. The basis for the information comes from interviews held from 2005 to 2006 with various stakeholders including local and national authorities, professionals working in the field of building and planning, service providers, DPOs and people with disabilities.

This report looks specifically at 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 information and communication must be available in accessible formats for people who have sight impairments such as Braille texts and audible recordings or Sign interpreters who can communicate important information to people with hearing impairments as well as "Easy-to-Read" formats for people with intellectual disabilities.

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<sup>1</sup> Support services such as personal assistance, assistive devices or Sign language interpreter services.

<sup>2</sup> This term "free movement of people with disabilities" is not to be confused with freedom of movement, the legal concept of the right of a citizen to leave the state wherever they are welcome and to return without the interference of the state. In this context, free movement of people with disabilities is the right of people with disabilities to move in the built environment without facing barriers or discrimination as other citizens.

## **AN INTERNATIONAL FRAMEWORK FOR THE FREE MOVEMENT OF PEOPLE WITH DISABILITIES TAKING SHAPE**

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 others<sup>3</sup>.*

In fact, both the disability movement and the international community have put the removal of environmental barriers as a priority on the agenda. Both the UN Standard Rules on the Equalisation of Opportunities for People with Disabilities<sup>4</sup> and the UN draft Convention on the Rights of Persons with Disabilities cite accessibility and personal mobility<sup>5</sup> 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 barrier<sup>6</sup>." Several countries have tried to address the issue through antidiscrimination legislation such as the Americans with Disabilities Act (ADA) or the UK's Disability Discrimination Act (DDA). The EU addresses the issue by mainstreaming disability using anti-discrimination as the base for policy formulation.

## **CHALLENGES FOR SOUTH EAST EUROPE**

In South East Europe, the challenges to ensure free movement of people with disabilities are multiple; there is a general lack of public investment in infrastructure, a lack of enforcement of regulations and standards in building and planning and an overall deficit in terms of stakeholder awareness on disability and accessibility issues. On a policy level, disability is still mainly dealt with by using a medical approach and is mainly sequestered to the realm of health and/or welfare policies. The lack of awareness by actors at all levels on the social model for disability prevents a cross-sectoral approach to policy formulation needed to tackle the issues.

However, despite the multiple challenges in the region, there is a momentum for change given the EU association and pre-accession processes and the agendas for reform laid out in the Poverty Reduction Strategy Papers (PRSP) in many of the countries. Accompanying these processes, there are many examples of good practices taking place on a grass-roots level, mainly executed by DPOs. This is strengthened by clear indications that the disability movement is growing stronger as the majority of disability organisations are now lobbying for inclusion and equal opportunities.

## **THE UNBREAKABLE CHAIN OF MOVEMENT: THE HOLISTIC APPROACH**

Free movement is a holistic concept and demands understanding that the first step in creating an unbreakable chain of movement is achieved by having greater personal mobility. This can be done through individualized support services such as a wheelchair, a Sign language interpreter or a personal assistant. The unbreakable chain of movement is not only about making built objects accessible but it entails that a person with any type of disability can go around their home and from their home, to town, to their work environment and to any building or space they choose, by any means of transport, and return home without facing barriers, experiencing discrimination or being exhausted. This can only be created once a barrier-free environment has been established along with individualised support services.

The fundamental concept behind the unbreakable chain of movement is that it must be considered in a holistic framework and each part of the chain must be implemented in order to allow for seamless movement throughout the built environment. The unbreakable chain can be applied to the local community or expanded to a wider context such as an entire municipality, city or country.

The unbreakable chain of movement can be broken into the following elements: First, individual support services including, personal assistance, door-to-door transportation, interpreter services for Sign language and assistive devices; second, an accessible home or dwelling; third, buildings which are accessible to all (public, private and public service buildings); fourth, the outdoors posing no barriers (parks, urban furniture, thoroughfare) and fifth, a fully accessible transportation (cars, buses, trains, taxis, subways, transportation interchanges).

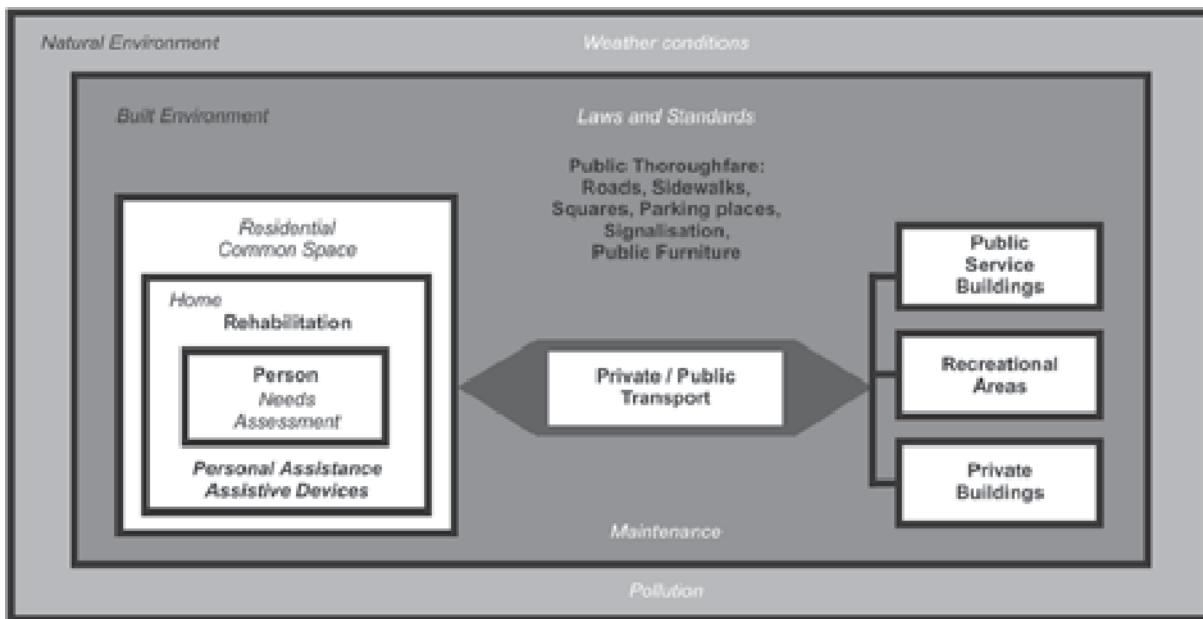
<sup>3</sup> The full draft text of the UN draft Convention on the Rights of Persons with Disabilities, which is expected to be adopted in December 2006, is available at: <http://www.un.org/esa/socdev/enable/rights/ahc8adart.htm>.

<sup>4</sup> The full text of the UN Standard Rules is available at: <http://www.un.org/esa/socdev/enable/dissre00.htm>.

<sup>5</sup> Accessibility differs from personal mobility as it deals specifically with access to the built environment, information and communication while personal mobility deals with the individual support services a person needs in order to be able to move such as personal assistance, assistive devices and interpreter services.

<sup>6</sup> International Classification of Functioning, Disability and Health (ICF) available at: <http://www.who.int/classifications/icf/en/>





**The unbreakable chain of movement**

### THE PROPER POLICIES NEEDED TO IMPLEMENT THE CHAIN

According to experience, in order for the unbreakable chain of movement to exist, proper policies with effective enforcement mechanisms need to be put in place. The comprehensive policy process for implementing the unbreakable chain of movement includes: 1. Legislative framework including standards, laws and by-laws and implementation mechanisms, such as anti-discrimination legislation on disability, regulatory mechanisms for social services, laws on construction, urban planning, and transportation and strong measures for their enforcement and accessibility standards in public procurement legal frameworks; 2. Accessibility planning, such as national disability action plans with clear accessibility directives, budgets allocated to accessibility planning for both existing and new buildings and responsible government bodies established for the implementation of accessibility plans; and 3. Training on Universal Design and accessibility standards for architects, builders, engineers, urban planners and local authorities

### AWARENESS RAISING AND PARTICIPATORY PLANNING: THE KEY PARTS TO ACCOMPANY THE POLICY PROCESS

Critical to the success of any policy process is the *awareness raising* of the general public and key stakeholders responsible for the built environment including: architects, engineers, construction firms and urban planners. Awareness raising must also be carried out on the importance of social services including individualised support services.

Awareness raising, however, is not enough. Participatory processes are vital for effective policy implementation. People with disabilities must be involved in the planning processes for the development of support services and all planning related to urban design, public transportation and building. Therefore, **partnership and consultation** amongst all stakeholders is critical for the sustainability of the unbreakable chain of movement and includes all relevant actors including: people with disabilities and their representative organisations, local authorities, private sector including investors, national authorities, actors in the built environment and mainstream civil society.

### OPPORTUNITIES FOR CHANGE IN THE REGION: ENFORCEMENT OF LEGISLATION AND OF ACCESSIBILITY STANDARDS

There is a good political momentum for change in South East Europe currently. The increasing strength of the disability movement in the region means more pressure on governments to make changes. Coupled with this is the on-going trend towards investment in institution building as a result of the EU association and pre-accession processes which brings opportunities and resources for reforms of the social protection system as well as changes in the environment. National development plans and poverty reduction strategies are being implemented throughout the region offering additional opportunities to work with local stakeholders on disability issues.

**Intervening in these processes to ensure disability is on the agenda is critical.** Lobbying governments to mainstream disability into country development strategies getting governments to commit to the creation of barrier-free environments is essential.

There are good **grass-roots initiatives** taking place throughout the region but they need to be scaled up by gaining government support so that they can be more widespread and effect wider changes. **Anti-discrimination** legislation on disability was just passed in Serbia and this should provide momentum for other countries in the region to adopt similar legal frameworks. On a government level, Albania and Croatia have adopted **national**

**disability strategies** while Serbia and Montenegro are in the process of adopting their own. On the local level, many development initiatives are being implemented by civil society organisations that need stronger support from public authorities.

There is a need to **emphasise the enforcement of legislation and accessibility standards** in the region. Despite efforts to reform policies and adopt new legislation, if they are not implemented they will do nothing to change the situation for people with disabilities. Civil society must make strong efforts to act as a watchdog force to monitor implementation and non-compliance to ensure enforcement.

Additionally, there is a common misconception amongst investors and builders in the region that accessibility costs more. This **myth of extra cost must be dismantled** as the costs to add accessibility features when planning a building are significantly low and the costs for adaptations are also greatly overestimated. The fact is that both adaptations to existing buildings and the planning of new buildings with accessibility standards are both insignificant compared to the cost of the overall building.

**Participatory planning** is also a key issue in the region that needs to be addressed. Most of the DPOs in the region already have links with interlocutors in the ministries and among local authorities through their work to promote the equalisation of opportunities of persons with disabilities. However, the dialogue and cooperation with other stakeholders dealing with the built environment and development of support services have to be reinforced to become a real participative process where people with disabilities will be active partners, advisors and monitors of the change.

### LOOKING AHEAD

A wheelchair ramp and an accessible bus are not enough; individualised support services must be available for all who require them. Alongside support services, hallways, bathrooms, doorways, lifts, streets, signalizations and side-walks must be accessible as well. This evidently requires a lot of changes on a policy level which will need to be done in partnership with local authorities and DPOs. However, the severe lack of enforcement of accessibility standards as well as an absence of individualised support services in the region makes the reform process challenging.

The **key changes** that need to happen in order to make the free movement of people with disabilities a reality include:

- A new legislative framework with strong enforcement mechanisms and anti-discrimination legislation;
- Regulatory mechanisms for social services including individualised support services
- Monitoring bodies to check that these standards are being implemented;
- Budgets allocated to making the environment barrier-free with responsible bodies assigned to the task and;
- Clear deadlines for implementation set with reasonable timeframes;
- Major training and re-training to be carried out on Universal Design and accessibility standards for actors working in the built environment such as builders, contractors, architects, urban planners, engineers and local authorities;
- Accessibility standards and Universal Design must become a part of the formal curriculum for faculties of architecture, civil engineering, urban planning and design;
- Awareness raising of the public as well as policy makers on the importance of barrier-free environments and individualised support services for facilitating the participation of people with disabilities in community life.

With the current climate of change in the region, disability as a human rights issue must be put on the agenda of all decision makers. The role and presence of DPOs is vital in all stages of the development processes to advocate, meet with decision makers, implement and monitor. The great opportunity to take part in the change process is at hand so that reforms are established ensuring seamless movement in a barrier-free environment for all.

# 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 others<sup>7</sup>.*

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<sup>7</sup> 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 Disabilities<sup>8</sup> 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 barrier<sup>9</sup>." Although several countries have tried to address the issue through antidiscrimination legislation, the Americans with Disabilities Act (ADA)<sup>10</sup> 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 captioning<sup>11</sup> or Sign language interpretation for television programmes. "Easy-to-Read"<sup>12</sup> 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

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

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

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

<sup>11</sup> 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>.

<sup>12</sup> 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?



# PART I

## THE FREE MOVEMENT OF PEOPLE WITH DISABILITIES

The free movement of people with disabilities is about building a more inclusive society and helping to prevent the barriers in the environment that can cause discrimination. It is also a key issue for independence and autonomy of people with different abilities and it is essential for inclusion. This is not just an issue of making the environment accessible. It is a matter of putting efficient policies and practices in place that would facilitate an **unbreakable chain of movement** so that people with disabilities can move freely anywhere they choose.

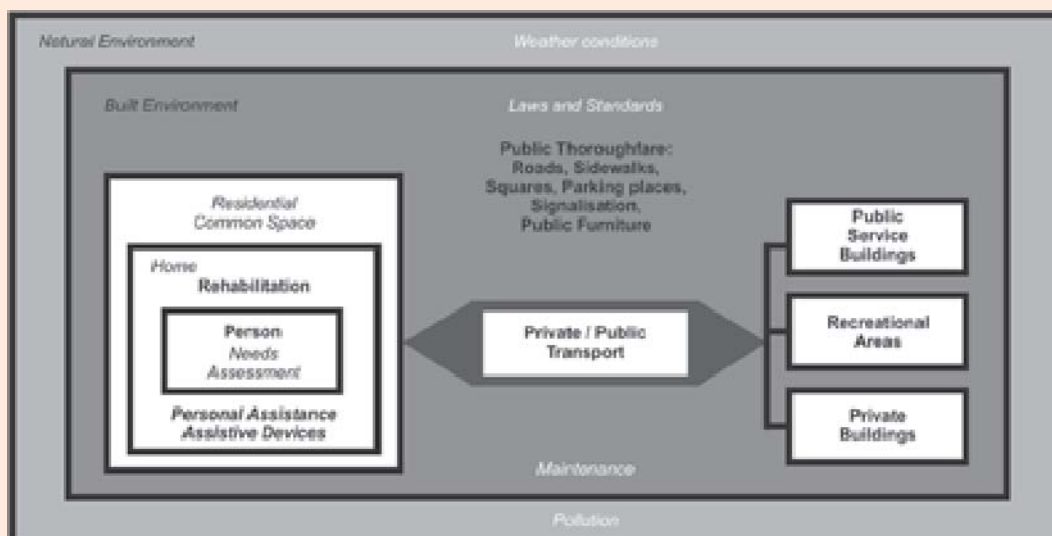
### BOX 1

#### The unbreakable chain of movement:

This diagram illustrates the holistic nature of the unbreakable chain in that each part of the chain has to be engaged in order for people to move freely from their home to any part of the built environment. Each element of the chain must exist and be applied within a local or a larger context of the built environment whether it is a city, town or municipality.

The unbreakable chain of movement can be broken into the following elements:

- Individual support services including:
  - personal assistance,
  - rehabilitation and,
  - assistive devices,
- An accessible home or dwelling,
- Buildings accessible to all (public, private and public service buildings),
- The outdoors pose no barriers (thoroughfare, parks, urban furniture such as lamp posts and public telephones),
- Transportation is fully accessible (cars, buses, trains, taxis, subways, transportation interchanges).



## 1. The unbreakable chain of movement

Free movement is a holistic concept and demands understanding that the first step in creating an unbreakable chain of movement is achieved by having greater personal mobility. This can be done through individualised support services such as a wheelchair, a Sign language interpreter or a personal assistant. The unbreakable chain of movement is not only about making built objects accessible but it entails that a person with any type of disability can go around their home and from their home, to town, to their work environment and to any building or space they choose, by any means of transport, and return home without facing barriers, experiencing discrimination or being exhausted. This can only be created once a barrier-free environment has been established along with individualised support services.

## 2. The proper local and state policies needed to implement the chain

According to experience, in order for the unbreakable chain of movement to exist, proper policies and enforcements need to be developed. The comprehensive policy framework for implementing the unbreakable chain of movement includes the following key elements:

- The continuum of movement requires not only a **barrier-free environment** but also **proper support services** such as personal assistance, assistive devices and sign language interpreter services in order to ensure that people requiring more specialized services have access to them in order to achieve independence;
- Legislative framework including standards, laws and by-laws and implementation mechanisms:
  - Anti-discrimination legislation on disability
  - Laws on construction, urban planning, and transportation and strong measures for their enforcement
  - Accessibility standards in public procurement legal frameworks
  - Regulatory mechanisms for social services at the community level<sup>13</sup>
- Accessibility planning
  - National disability action plans with clear accessibility directives
  - Budgets allocated to accessibility planning for both existing and new buildings
  - Responsible government bodies established for the implementation of accessibility plans
- Participatory processes is vital for urban planning, transportation and construction planning in which organisations of people with disabilities are involved in the planning process
- Training on Universal Design and accessibility standards for architects, builders, engineers and urban planners

### Awareness raising and participatory planning: the key parts to accompany the policy process

Critical to the success of any policy process is the **awareness raising** of the general public and key stakeholders including policy makers and private sector actors on the importance of a barrier-free environment. Awareness raising must also be carried out on the importance of individualised support services for facilitating the participation of people with disabilities in community life.

Political will is not enough. Sustainable changes in the environment must be implemented with the **active participation of disability advocates** and people with disabilities themselves to guide the process and ensure that measures undertaken are practical and relevant to user's needs. People with disabilities must be involved in the planning processes for the development of support services and all planning related to urban design, public transportation and building. In addition to being active in planning, disabled people's organisations along with mainstream civil society must form an **active watchdog force** to ensure that new construction and newly acquired transportation are accessible. Therefore, **partnership and consultation** amongst all stakeholders is critical for the sustainability of the unbreakable chain of movement and includes all relevant actors:

- People with disabilities and their representative organisations
- Local authorities
- Private sector including investors
- National authorities
- Actors in the built environment
- Mainstream civil society

A participatory process ensures **diversity** is respected and that the environment is more inclusive of all people's needs. In the end, a barrier-free environment is more accessible to all and is the first step in building a more **inclusive society**.

<sup>13</sup> For more information see the working paper: Chiriacescu, Diana, "Ensuring Access of People with Disabilities to Social Services: The Need for Regulatory Mechanisms in South East Europe", (Belgrade: Handicap International, 2006).



**BOX 2**

**A barrier-free environment ensures a more inclusive society**

In the end, a more accessible environment benefits everyone. A barrier free environment is more comfortable and less risky for all. It is not only people with disabilities who benefit from an accommodating built environment. For example, an entranceway without stairs using a gentle sloping ramp is more comfortable for all to use especially those with children, elderly people, those experiencing temporary impairments such as a broken leg, and people with disabilities. Features such as wider lifts, even pedestrian walkways free of traffic, audible signals at crossings and stairways that are less steep with handrails make spaces safer and more usable for all.

In fact, it is estimated that **over a quarter of the population in Europe face mobility problems on a daily basis**. In this way, a barrier-free environment is important for a large group of society, including:

- People with temporary impairments
- People with disabilities
- Elderly populations
- Families or carers with small children
- Pregnant women

In the region, stakeholders are becoming more aware of the importance of supporting diversity. With the ageing of society and the increasing diversity throughout Europe, it is essential for authorities to recognize the importance of building a more inclusive society.

Therefore, a barrier-free environment can no longer be seen as affecting only a minority group but instead policy makers, designers, planners and architects should see it as a way of accommodating a diversity of performance. Facilitating the free movement of this large population group with mobility problems including people with disabilities requires widespread changes in the built environment making all spaces accessible and usable for all ages and abilities such that it contributes to the establishment an **unbreakable chain of movement**.

*Sources: report by the Group of Experts set up by the European Commission, "2010: A Europe Accessible for All", (Brussels: 2003): 6-7) and European Concept for Accessibility: Technical Assistance Manual (Brussels: 2003).*

**3. Design-for-All and Universal Design:  
Putting the unbreakable chain into practice**

Concepts such as Universal Design or Design-for-All are new ways of planning that can benefit a diversity of users catering to different needs and abilities allowing everyone to participate in society while enabling users to access and understand the various parts of the built environment independently irrespective of age, ability, gender or cultural background. In this way, Design-for-All or Universal Design are planning with everyone in mind and acknowledging the changes we all experience during the life cycle.

Universal Design was developed in the United States in the 1970s. Universal Design is the design of products and environments to be usable by all people to the greatest extent possible without the need for specialized design or adaptation<sup>14</sup>. Design-for-All, developed in the early 1990's in Ireland, similar to Universal Design, is design for human diversity, social inclusion and equality. Design-for-All aims to enable all people to have equal opportunities to participate in every aspect of society. To achieve this, the built environment, everyday objects, services, culture and information – in short, everything that is designed and made by people to be used by people – must be accessible, convenient for everyone in society to use and responsive to evolving



Fully accessible building in the UN administered province of Kosovo built using principles of Universal Design



The interior of the building is barrier-free

<sup>14</sup> The Center for Universal Design, available at: [http://www.design.ncsu.edu/cud/newweb/about\\_ud/udprinciples.htm](http://www.design.ncsu.edu/cud/newweb/about_ud/udprinciples.htm).

human diversity. This holistic and innovative approach presents a creative and ethical challenge for all planners, designers, entrepreneurs, administrators and political leaders. The practice of Design-for-All or Universal Design makes conscious use of the analysis of human needs and aspirations and requires the involvement of end users at every stage in the design process<sup>15</sup>.

Universal Design and Design-for-All are guided by the concept of holistic planning meaning that a ramp or a widened doorway is not enough to ensure accessibility. However, ramp building and other partial accessibility features are commonly used as a final solution both in the region and beyond. It must be stressed that ramps are not enough and that design and planning must go beyond partial adaptations.

### **BOX 3**

#### **Ramps are not enough**

Very often accessibility is equated with ramp building for wheelchair users. Short-term accessibility solutions are frequently carried out to add a ramp to entrances of buildings but the projects stop there. While adding ramps to a building is important, it must be underlined that they are not enough for making a building accessible. Once inside of the building, it must be fully accessible equipped with accessible toilets, lifts, grab bars, and audible and visual signalisation for people with sight and/or hearing impairments. People associate often accessibility with ramps and many projects are undertaken with this in mind. What is problematic about this is that the assumption is made that accessibility is accomplished once a ramp is installed. However, access to the entrance of a building is only one step in making the space fully accessible.

In addition to viewing barrier-free planning from a holistic perspective, stakeholders must be made aware that these changes do not have to cost significantly more. In fact, it is a common misconception that investors can save by eliminating accessibility standards.

### **BOX 4**

#### **Breaking the common myth: accessibility costs more**

It is a common misconception that accessibility features cost significantly more. In fact, it is estimated that when adding accessibility standards in the planning of new buildings, the extra **costs can be as little as 1% of the total cost** for the entire building (according to a study done in Switzerland). Even adaptations of existing buildings are commonly overestimated. According to a study done in the US, of 436 adaptations made by a company, 69% cost nothing, 28% cost less than \$1,000 and only 3% cost more than \$1,000 (see part II 3.2). These added costs are significantly low and must be kept in mind by stakeholders claiming to save money by omitting accessibility standards.

However, it is significantly less expensive to make a building accessible from the beginning of the planning process rather than through adaptations once construction is finished so it is advantageous for investors to include accessibility from the start.

In addition, it is often underestimated **the benefits wider accessibility** can bring such as an increase in the number of clients with disabilities. For example, in Barcelona the city experienced a dramatic increase in tourism after the city was made more accessible. Many other countries who have undertaken accessible tourism programs have also been impressed by the increase in business. For example, in Portugal, some coastline towns began making their beaches accessible and because of the increase in tourism, many other towns are beginning to implement similar changes.

## **4. International and EU standards and directives related to free movement**

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 People with Disabilities it states that the convention recognizes:

*...disability is an evolving concept and that disability results from the interaction between persons with impairments and attitudinal and environmental barriers that hinders their full and effective participation in society on an equal basis with others<sup>16</sup>.*

In fact, both the UN Standard Rules and the UN draft Convention on the Rights of Persons with Disabilities site accessibility and personal mobility as pre-conditions for the full participation of people with disabilities. The UN Standard Rules deals with the issues through provisions on accessibility and support services. The UN draft Convention on the Rights of Persons with Disabilities addresses the unbreakable chain of movement with articles on accessibility, living in the community and personal mobility. This is also acknowledged by the World Health

<sup>15</sup> The European Institute for Design and Disability Stockholm Declaration, 9 May 2004.

<sup>16</sup> 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>.

**BOX 5****UN Standard Rules**

**Rule 4 Support services:** States should ensure the development and supply of support services, including assistive devices for persons with disabilities, to assist them to increase their level of independence in their daily living and to exercise their rights. States should ensure the provision of assistive devices and equipment, personal assistance and interpreter services, according to the needs of persons with disabilities, as important measures to achieve the equalisation of opportunities.

**Rule 5 Accessibility:** States should recognize the overall importance of accessibility in the process of the equalisation of opportunities in all spheres of society. For persons with disabilities of any kind, States should (a) introduce programmes of action to make the physical environment accessible; and (b) undertake measures to provide access to information and communication

**BOX 6****UN draft Convention on the Rights of Persons with Disabilities**

**Article 9 Accessibility:** To enable persons with disabilities to live independently and participate fully in all aspects of life, States Parties shall take appropriate measures to ensure to persons with disabilities access, on an equal basis with others, to the physical environment, to transportation, to information and communications, including information and communications technologies and systems, and to other facilities and services open or provided to the public, both in urban and in rural areas.

**Article 19 Living independently and being included in the community:** States Parties to this Convention recognise the equal right of all persons with disabilities to live in the community, with choices equal to others, and shall take effective and appropriate measures to facilitate full enjoyment by persons with disabilities of this right and their full inclusion and participation in the community.

**Article 20 Personal mobility:** States Parties shall take effective measures to ensure personal mobility with the greatest possible independence for persons with disabilities.

Organization's (WHO) International Classification of Functioning, Disability and Health which was up-dated 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 barrier"<sup>17</sup>.

On a national level, most countries around the world face major challenges regarding the free movement<sup>18</sup> of people with disabilities in the built environment. Although many countries try to address the issue through anti-discrimination legislation, the Americans with Disabilities Act<sup>19</sup> and the UK's Disability Discrimination Act<sup>20</sup> are one of the two best examples for forcing changes in the environment. The EU tackles this issue through mainstreaming of disability in policy formulation.

**Free movement of people with disabilities on the European Union (EU) agenda**

The EU has made accessibility a priority within disability policy formulation citing it as a pre-condition for full participation of people with disabilities. This is further articulated by the expert group established by the European Commission in their report, "2010: A Europe Accessible for All"<sup>21</sup> and further emphasised by mainstreaming of disability in EU policy and the new public procurement directives which include accessibility criteria. Policy-makers in Europe have also begun to make shifts in disability policy away from the medical approach to addressing accessibility of the built environment in national and local disability plans of action. The European Year of people with disabilities in 2003 ushered in a new emphasis on mainstreaming disability in policy making. Still, despite the recent attention to disability as a human rights issue, the active participation of people with disabilities in social and cultural life is still quite limited due to keeping people with disabilities as one of the most marginalised groups in terms of socio-economic integration<sup>22</sup>.

<sup>17</sup> International Classification of Functioning, Disability and Health (ICF) available at: <http://www.who.int/classifications/icf/en/>.

<sup>18</sup> This term "free movement of people with disabilities" is not to be confused with freedom of movement, the legal concept of the right of a citizen to leave the state wherever they are welcome and to return without the interference of the state. In this context, free movement of people with disabilities is the right of people with disabilities to move in the built environment without facing barriers or limitations as other citizens.

<sup>19</sup> The full text of the Americans with Disabilities Act is available at: <http://www.usdoj.gov/crt/ada/adahom1.htm>

<sup>20</sup> The full text of the Disability and Discrimination Act is available at: <http://www.opsi.gov.uk/acts/acts1995/1995050.htm>

<sup>21</sup> Report from the Group of Experts set up by the European Commission, "2010: A Europe Accessible for All", (Brussels: 2003).

<sup>22</sup> According to World Bank estimates, people with disabilities make up the poorest of the poor, especially in developing countries.

**BOX 7****European Action Plan on the rights of people with disabilities**

In April of this year, the Council of Europe adopted the recommendations of the Council of Ministers, Rec (2006)5 on a European Action Plan to promote the rights and full participation of people with disabilities in society: improving the quality of life of people with disabilities in Europe 2006-2015. This action plan seeks to translate the aims of the Council of Europe with regard to human rights, non-discrimination, equal opportunities, full citizenship and participation of people with disabilities into a European policy framework on disability for the next decade. This action plan provides a comprehensive framework that can be adapted to country-specific conditions and is intended to serve as a roadmap for policy makers in EU membership countries. The plan is made up of 15 action lines covering various areas.

An accessible and barrier-free environment outlined in action area No.6 - The built environment, applies the principles of Universal Design for the creation of a barrier-free environment. The development and implementation of accessible transport at all levels (action area No. 7 - Transport) is set out as a prerequisite for active participation and access to employment. The move towards community living (action area No. 8 - Community living) requires strategic policies to shift from institutional living to community-based supportive living with provisions for user-driven community services and individualised support services.

**European commitments to disability policy reform**

In 2003, the EU committed itself to making Europe accessible for all by 2010. According to the EU report on an EU Accessible for All by 2010<sup>23</sup>, the definition of accessibility recognises importance of holistic planning:

*"Accessibility" means providing buildings and places, which are designed and managed to be safe, healthy, convenient and enjoyable to use by all members of society. It implies that buildings should be accessible, that they should be really "usable" from ground floor to the top, and that adequate means of autonomous exit should be provided."*

This EU commitment included the mainstreaming of accessibility in policy making including public procurement directives. One of the major accomplishments of this initiative is the Resolution ResAP(2001)1 on the introduction of the principles of Universal Design into the formal curricula and training for all occupations working on the built environment. Another major milestone are the **new EU public procurement directives**, which include accessibility standards and access to goods, services and markets for all in the criteria for public procurement<sup>24</sup>. In addition to these changes, due to lobbying from the disability movement including the European Disability Forum (EDF), the EU adopted directives that make accessibility standards mandatory for the purchase of new lifts and coaches.

**5. The situation in South East Europe regarding the free movement of people with disabilities**

In South East Europe, barriers in the built environment to free movement are pervasive and there are many elements of the built environment that discriminate against people with disabilities by denying them access even to basic public service facilities such as post offices, government buildings and hospitals. This is perpetuated by the fact that in the region, disability has long been viewed through the medical model as well as with a welfare approach seeking to protect people with disabilities and keeping them isolated from society. Under this paradigm, people with disabilities were treated in hospitals and institutions or remained at home with their families so there was no need to make the built environment accessible since people with disabilities were and in fact still are, rarely seen in the public. Since the late 1990's in the region, disability is beginning to be considered within a social approach, and even a human rights perspective, focusing on equal opportunities and social inclusion thanks to the work of disability advocates. However, it is challenging to realise social equality when the built environment is highly inaccessible.

The current situation for much of South East Europe is that the built environment is largely inaccessible to people with disabilities as well as elderly people or others experiencing changes in mobility (temporary impairment, illness, pregnancy, ageing etc...). Most public buildings have stairs without ramps or railings, public transportation is old and inaccessible and the support services needed on an individual level to facilitate personal mobility such as personal assistance or rehabilitation services exist only sporadically and invariably with the support of international donor.

However, the challenges for changing the environment are multiple; there is a general lack of public investment in infrastructure, a lack of enforcement of regulations and standards in building and planning and an overall deficit in terms of stakeholder awareness on disability and accessibility issues. Furthermore, construction is one of the fastest growing economies in South East Europe today but due to challenges in the enforcement

<sup>23</sup> Report from the Group of Experts set up by the European Commission, "2010: A Europe Accessible for All", (Brussels: 2003).

<sup>24</sup> For more information on the EU public procurement directives visit: [http://www.edf-feph.org/en/policy/publicpro/pubpro\\_news\\_co.htm](http://www.edf-feph.org/en/policy/publicpro/pubpro_news_co.htm)

of regulations and a general lack of awareness on accessibility standards, new buildings are mainly built to be inaccessible. On a policy level, disability is not being addressed as a crosscutting issue and so it is not yet dealt with on an inter-institutional level (including the relevant ministries for education, employment, social protection, health, capital investments, construction and planning). In the region, coordination between ministries or an inter-ministerial approach to social policy in general is not well developed, making disability related reforms challenging to implement cross-sectorally.

Another more recent challenge is the growing corruption pervasive within the building and construction sectors and the impenetrable connections between the investors, construction companies and local authorities. The growing strength of a corrupt construction industry allows for buildings to continue being built without proper recognition of building codes and standards and without facing sanctions. In addition to this, there is a common misconception that accessibility costs more which is a myth that must be dismantled.

Local and national actors lack awareness on disability issues including the importance of a barrier-free environment and proper support services. In general, local actors, including the private sector, are not sufficiently engaged in the overall reform process and they are the key stakeholders who will play a critical role in implementing of the unbreakable chain of movement. Local engagement in barrier-free planning is challenging as Universal Design or Design-for-All are not included in the formal curriculum at architecture faculties and there is no training on accessibility standards for builders, engineers and urban designers.

Despite the challenges, there is a good political momentum for change in South East Europe. Disability stakeholders in the region are strong, showing clear evidence of movement towards a unified voice demanding inclusion and equal opportunities. There is a trend towards investment in institution building as a result of the EU association and pre-accession processes, which brings opportunities for reforms of the social protection system as well as changes in the environment. As local development action plans and national poverty reduction strategies are being implemented throughout the region they offer additional opportunities to work with local stakeholders on disability issues. Intervening in these processes to ensure disability is on the agenda is critical.

Most importantly, despite all of the challenges in the region, there are important initiatives taking place on a grass-roots level to implement the unbreakable chain of movement. Part II of the report will take an in-depth look at these initiatives to examine the challenges and successes DPOs experience in getting free movement of people with disabilities on the reform agenda.



# PART II

## BUILDING THE LINKS OF THE UNBREAKABLE CHAIN OF MOVEMENT: A LOOK AT PRACTICES IN THE REGION

This section of the report will look closely at all of the parts that make up the unbreakable chain of movement within the context of South East Europe examining where parts of the chain of movement are beginning to be implemented in the region and what needs to be done to make the chain truly unbreakable. In this section, the report will bear witness to individual's stories about how they tackle an inaccessible environment on a daily basis. It will also present success stories of how people with disabilities have found it possible to move in the built environment with limited barriers.

Section II is divided into five parts: individual support services, accessible housing, public buildings, the outdoors, and transport - each part of the unbreakable chain of movement. Each section is accompanied by good practices and life stories.

### **The situation in South East Europe: The challenges and opportunities for implementing the unbreakable chain of movement in the region**

The built environment is far from meeting the needs of people with disabilities; in particular, the existing private buildings and many public ones – even new ones – are not accessible, and information to direct people within buildings is very poor. Moreover, the outdoor infrastructure is seldom accessible to people with disabilities and the lack of maintenance only worsens the situation. In addition to this, the means of transport existing in big towns are mainly not accessible and without any information for people with sensory impairments. At the same time, the rural areas, in general, do not have any efficient or accessible transportation network.

Enforcement of existing legislation and accessibility standards on construction and planning that exist in the laws are almost never implemented. The bodies responsible for enforcing standards in construction, building and planning do not systematically monitor new buildings and construction. If they are monitoring the built environment, they almost never regulate the implementation of accessibility requirements. This is exacerbated by the fact that urban planning is weak in the region and many things in the built environment are not planned in a coordinated way but are constructed in an ad hoc manner. The lack of enforcement and planning is further aggravated by the fast-growing construction industry that is plagued by corruption throughout the region which is difficult to control and to monitor.

Implementing a barrier-free environment is even more challenging because accessibility and Universal Design are not included formally in the curricula at faculties for architecture, urban planning and design or in the training for construction and or transportation<sup>25</sup>. Most stakeholders responsible for the built environment are not familiar with accessibility standards or disability issues in general. Physical barriers are generally the result of careless construction or insensitive planning. This is reinforced by the fact that people with disabilities in general are not visible in the community making them a forgotten component of the planning process.

At the same time, given the EU association and pre-accession processes taking place alongside decentralization and institution building, the opportunity to make real changes in the built environment must be grasped. The current climate of change also opens the door for the development of national disability policies and the mainstreaming of disability into policy formulation. As countries establish national development strategies, it is important that people with disabilities are included in these policies specifically when addressing education programmes, labour plans and access to healthcare with clear commitment to accessibility of the built environment and access to communication and information for all.

Even though there is political momentum given the EU reforms, the implementation of the unbreakable chain of movement is only likely to happen when projects and initiatives are carried out at the local level in collaboration between local authorities, built environment stakeholders and people with disabilities, mirroring the increasing power not only of the local authorities but of civil society as well. It is an occasion for local stakeholders to make a change in their environment working in participation with DPOs and members of mainstream civil society.

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<sup>25</sup> When accessibility standards are a part of the curriculum they are usually only included at the post-graduate level.



Most of the DPOs in the region already have links with ministries and local authorities through their work to promote the equalisation of opportunities of persons with disabilities. However, the dialogue and cooperation with other stakeholders specifically dealing with the built environment, has to be reinforced to become a real participative process where people with disabilities will be active partners, advisors and monitors of the change.

### 1. Individualised support services including assistive devices and personal assistance: the first link in the chain

Individual support services such as personal assistance, assistive devices and interpreter services are an essential pre-condition for free mobility, for persons with disabilities. They make up the first part of the unbreakable chain of movement and are critical for achieving independence. Put in plain terms, how can wheel-chair users leave their home if they do not have the proper assistive devices to get out of bed and move around in their own home? How can persons with severe disabilities plan to go to the theatre if they do not have personal assistance service to assist them in their home to get ready?

#### BOX 8

##### Support services

Support services are a specialised group of services aimed at enhancing the self-determination and participation of people with disabilities in society and they facilitate access to regular services including education and employment. They are key elements for mainstreaming disability and include the provision of **ortho-prosthetics and assistive devices, personal assistance, specialised transportation and interpreters for persons with sensorial disabilities.**

According to the UN Standard Rules, personal mobility facilitated by access to proper assistive devices including personal assistance is a pre-condition for people with disabilities to participate in social life. In South East Europe, support services exist only infrequently and are implemented mainly by non-governmental organisations receiving support from international donors<sup>26</sup>. In most cases, personal assistance services in which the user controls the service as well as the service provider do not exist at all and the state is not responsible for implementing door-to-door transportation services but rather DPOs provide these services on an ad-hoc basis. The states in all countries do not uphold their responsibility to ensure the provision of as well personal assistance services and assistive devices and they are of varying quality and standards.

In addition to the lack of individualised support services, regulatory mechanisms are missing throughout the region to guarantee the effectiveness of the social service sector. Social services can act as a lever towards full participation if they respond to user's needs:

- in an individualised way,
- at the community level,
- in a mainstreamed way,
- with a twin-track approach to specialised quality services,
- enhancing the participation of all stakeholders in the provision of services<sup>27</sup>.

**Regulatory mechanisms** are instruments that ensure the respect of these fundamental principles in the social service provision and are, therefore, crucial for guaranteeing the effectiveness of the social service sector<sup>28</sup>. Regulatory mechanisms include:

- **Gate-keeping** - the system of decision making that guides effective and efficient targeting of services<sup>29</sup> for people with disabilities and other vulnerable groups;
- **Quality standards** are criteria or indicators generally accepted to evaluate a desired level of performance in the provision of a service<sup>30</sup>;
- **Licensing** (authorisation) is a procedure which attests the right of an organisation to provide a particular service to the users, following the respect of the minimal standards defined by the law<sup>31</sup>;
- **Accreditation** is a voluntary process that offers service providers recognition for obtaining standards of excellence defined by an accreditation agency<sup>32</sup>.

<sup>26</sup> For further reading, see Chiriacescu, Diana, "Ensuring Access of People with Disabilities to Services: The Need for Regulatory Mechanisms in South East Europe", Disability Monitor Initiative (Belgrade: Handicap International, 2006).

<sup>27</sup> European Association of Service Providers for Persons with Disabilities, presentation at the third regional conference on social services, organised by Handicap International South East Europe, Belgrade, September 2005.

<sup>28</sup> Chiriacescu, 12-13.

<sup>29</sup> Bilson, A., Harwin J. "Gate Keeping Services for Vulnerable Children and Families", (Florence: Innocenti Centre, UNICEF and World Bank, 2003).

<sup>30</sup> Wright and Whittington (1992) in Chiriacescu (2006).

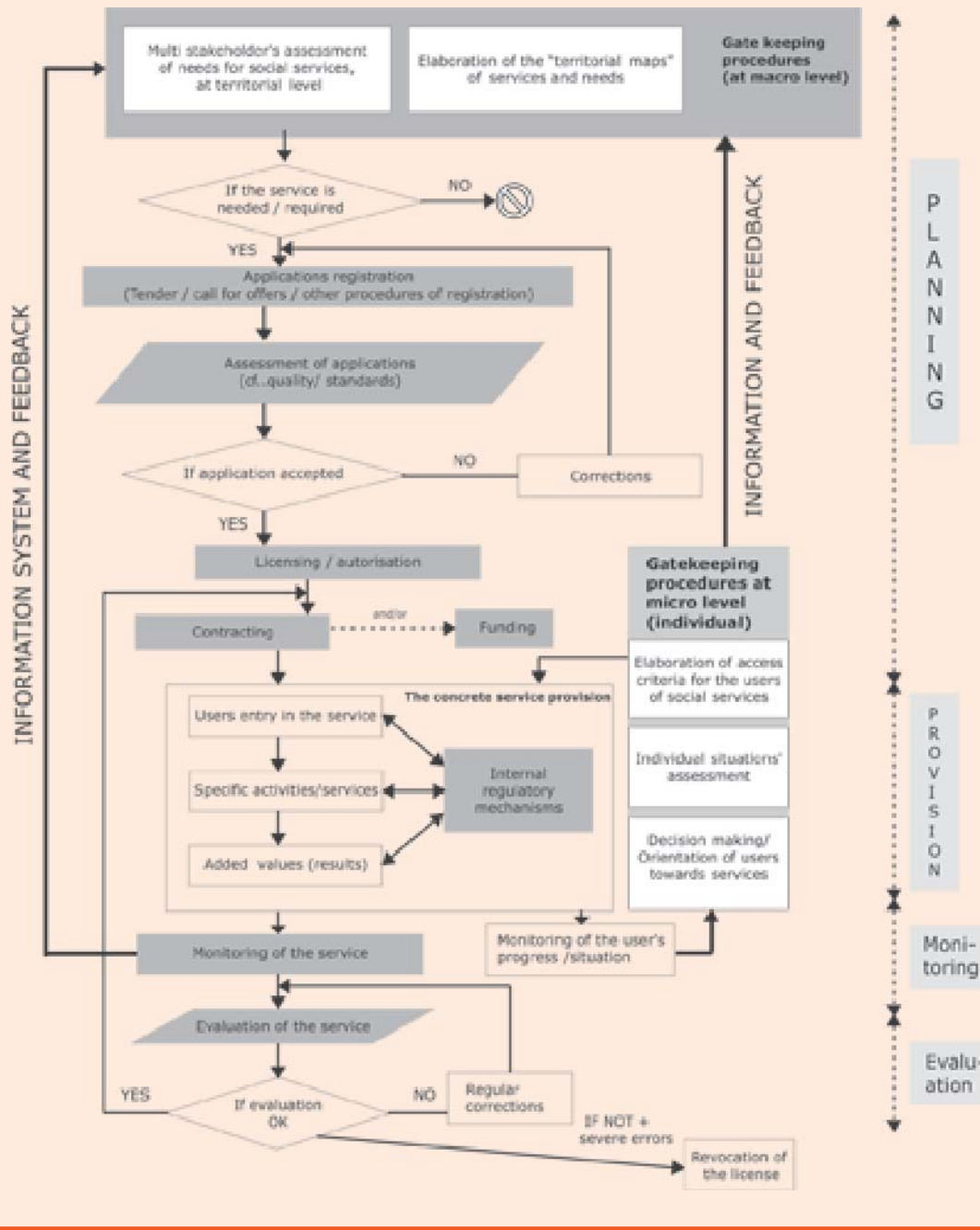
<sup>31</sup> Bilson, A., Gotestam, R. "Improving Standards of Child Protection Services", (Florence: Innocenti Centre, UNICEF and the World Bank: 2003).

<sup>32</sup> Bilson, A., Gotestam, ibid.



**BOX 9**

**The overall process of social service provision, including regulatory mechanisms**



There needs to be a coherent and comprehensive system of regulatory mechanisms established on a national level throughout the region to ensure that service provision meets the needs of the users on the community level. These regulatory mechanisms will help the sustainability of quality services in the long-run especially as service provision becomes more and more decentralised. Having a regulatory system is particularly important for the development of individualised support services. The key things they provide are: criteria for minimum quality standards and a system for monitoring and evaluation the quality of service provision as well as mapping the needs of the users.

**1.1 Assistive devices**

Assistive devices include ortho-prosthetic devices, wheel chairs, walking aids, technical aids and adapted controls for cars. Adequate assistive devices are often financially inaccessible to many users because of their high cost despite the fact that they should be covered by social and insurance schemes. Under the current system, most assistive devices



One of the few electric wheelchair users in the UN administered province of Kosovo

are covered only partially by the state and require user co-payments, which can be exorbitant in cost<sup>33</sup>. Within the socialist system, assistive devices were generally provided for free within the public health care system<sup>34</sup>. This is a crucial issue in South East Europe as one of the largest barriers to accessing assistive devices is financial. Ortho-prosthetic devices are partially subsidised by the state and in most countries, co-payments have been set up but the financial burden is still heavy, especially for mid to low-income households. For example, in Bosnia and Herzegovina, co-payments can range from 10-50%, which can range from EUR 100-1,000 depending on the device. In the UN administered province of Kosovo there is an absence of a health care financing system so patients must pay the full price for their wheelchairs or other devices<sup>35</sup>.

Another major issue regarding the ortho-prosthetic sector is that there is limited manufacturing of devices coupled by a lack of professionally trained staff to make them which leads to inconsistent quality from one facility to another. This is primarily linked to the fact that there is limited recognition for the profession itself and an absence of formal education programs. Furthermore, there is **limited quality control of the manufactures producing devices**<sup>36</sup>. As a result, even for people who have money it can be difficult to get appropriate devices and ortho-prosthetic aids that suit their needs. This is a significant issue in terms of mobility. If a user has devices that do not fit correctly or are not suited to an individual's needs, they will be very difficult to use.

### Good practice 1: Upgrading of professional training for ortho-prosthetic technicians in Romania

Developing high-level ortho-prosthetic technicians is a prerequisite for improving the quality of assistive devices. This requires adequate educational programs to upgrade the current skills of technicians training them on international standards. Romania initiated a three-year education program for ortho-prosthetic technicians in 2003. The program is a post-secondary level and the Ministry of Education and Research validated the curriculum according to Western European professional standards. The ministry also added high-level ortho-prosthetic technicians to the official list of professions. Before this initiative, technicians working in ortho-prosthetic workshops were low-level technicians with no formal education. Romania is the first country in the region (except Slovenia) to establish a formal training program to high-level technicians according to professional standards.

<sup>33</sup> Handicap International "Beyond De-Institutionalisation: The Unsteady Transition to an Enabling System in South East Europe", Disability Monitor Initiative (Belgrade: Handicap International: 2004): 58.

<sup>34</sup> Ibid: 58.

<sup>35</sup> Handicap International and UNICEF, "Landmine Victim Assistance in Bosnia and Herzegovina – working paper to support the elaboration of a long-term strategy," (Bosnia and Herzegovina: Handicap International and UNICEF, 2004).

<sup>36</sup> Handicap International, Beyond De-Institutionalisation: The Unsteady Transition to an Enabling System in South East Europe, 58-59.

## LIFE STORY 1

### THE IMPORTANCE OF QUALITY ASSISTIVE DEVICES FOR FACILITATING INDEPENDENT MOBILITY

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NEDZAD, WALKING DAILY THROUGHOUT TOWN TO STAY IN SHAPE IN BOSNIA AND HERZEGOVINA

*"I was a truck driver for a Belgrade building company. I travelled through many countries, such as Russia, Turkey, and Iraq, driving large trucks.*

*However, on the 4 April 1992 I was obliged to enrol in the military when the war began and was stationed near Tuzla as a soldier. On 22 August, I stepped on a landmine. At the time of the accident, I only lost a toe. However, we were surrounded and had to run through the woods for 13 hours trying to escape. When I finally got to the hospital, they decided to amputate half of my foot hoping it would stop the gangrene infection. After six days, they had to amputate my leg above the knee. The time between the accident and the hospital was too long, accelerating the gangrene".*

*Nedzad returned to his home 10 days after the second operation without any prosthesis; in 1993, he received one to be used as a trial. Then, as part of a group of hospital patients sent to Zenica, he got his first prosthesis. After ten days of rehabilitation to learn how to walk with it, he could move without the help of crutches. "I was persistent, you must have will power. However, the prosthesis wasn't good and gave me wounds, so later I threw it away and chose to use two crutches instead.*

*Finally in 1997, at the end of the war, people injured during their military service could receive a prosthesis through the new Ministry for War Invalids. Nedzad received one from this ministry and kept it until 2002. Actually, since 1999, you had the right to receive a new one every three years and a pair of orthopaedic shoes every year.*

*It was very hard with crutches during the war as I did not have a car and there was no fuel, I had to walk 5-6 km per day and a lot of people would stare at me. In addition, I had blisters because of the crutches. It's much easier now.*

***I can't imagine living without a prosthesis.***

*I don't even need to think about it: I just put on the prosthesis like a shoe in the morning, put a sock over it and take it off in the evening".*

*It's not like before the accident but I can do almost all activities. For example, I could drive a car, if it has an automatic transmission. I'm not working but many much younger people aren't too so it is even tougher for me to find a job. Instead, I receive a pension that is just enough to live on. In fact, after our house was destroyed in 1992, we had a temporary one given to us by the Ministry of Defence. Then I bought an old house and restored it so I could live together with my wife who doesn't work and my son who is studying. During the winter, we moved into a flat and there is a lift in the building.*

*After the war, everything was made accessible in Tuzla. I don't meet any barriers. Not all of the old buildings have a lift but when needed, as was the case with my former neighbour, the municipality builds a personal elevator. Additionally, the main public services have accessible entrances, the buses are low-floor ones and the sidewalks have dropped kerbs.*

*During the day, I sit at my favourite café and usually go to the post office and the bank.*

*I go by foot from one place to another or take the bus. Nevertheless, I walk everyday through town to stay in shape and not put on weight, otherwise the prosthesis won't fit anymore".*

## 1.2 Personal assistance

Personal Assistance services are considered to be one of the pre-conditions for independent living facilitating greater mobility both in the UN Standard Rules and the UN Convention.

### **BOX 10**

#### **The Concept of Personal Assistance**

The service works as follows: a personal assistant is chosen and employed by the user to provide services for the individual according to their needs. The type of support work plan for the Personal Assistant is developed by the users in accordance with local labour laws. The personal assistant can work in the person's home to assist them with tasks such as getting dressed, cooking, or preparing to leave the home. They can also be employed to help the user go about daily activities within the community such as shopping, going to meetings, or getting to work depending on the needs defined by users themselves.

#### **Good practice 2: Making user-controlled Personal Assistance Services possible in Serbia**

The Centre for Independent Living Serbia (CIL Serbia) developed a Personal Assistance Services (SPAS) that is carried out currently in various municipalities throughout Serbia with the support of Catholic Relief Services and Development Cooperation Ireland. At the end of 2005, there were approximately 70 users and 72 personal assistants. Currently, there are close to 55 users, as funding was reduced from the Irish government. The personal assistant service project began as a pilot in 2000-2001, supported by OXFAM as an alternative form of support service for people with disabilities. The pilot phase included a research study estimating the demand for the service, identifying changes in the lives of users of personal assistant service and analysing the quality of the service. At the end of the pilot phase, on the basis of the research results, with the support of the Irish and Serbian governments and Catholic Relief Service, CIL Serbia implemented a new Personal Assistance Service called SPAS, Serbian Personal Assistance Services project in 2003. In 2006 the SPAS project got funding extension from the Irish Government for a decreased number of users until the end of 2006.

This CIL Serbia initiative is the first consumer-controlled Personal Assistance service in the region, which means that the user is in full control of the service. The principle is that the person with disabilities decides for him/herself how they live their life, which underpins the philosophy of Independent Living.

Users of Personal Assistance benefit from the service by being able to take part in society more easily. They are often excluded from participation without the assistance of another person, because of the large and pervasive barriers in the built environment among other things. These 40 users can bridge the gaps that have separated them from neighbours, friends, social events, educational opportunities and a host of other activities that their fellow citizens take for granted. For example, one user in Jagodina who used to spend his life reading books at home with sporadic visits to the village centre or to a sports event is now one of the most active leaders in the disability movement. With a group of friends, also users of PA service, he managed to acquire from the municipality of Jagodina a working space for the local CIL Serbia branch. Although a wheelchair user, he now travels three times a week with his assistant thirty kilometres in each direction to lead the group in its planning and activities<sup>37</sup>.

In order to continue the Personal Assistance Service, CIL Serbia will have to find solutions with the Ministry of Labour, Employment and Social Affairs. In fact, it is currently negotiating with this Ministry to mainstream personal assistance into social services. It has received partial funding for 2006 from Development Cooperation Ireland but this means that it will have reduced funding and reduced services in the future unless it finds other sources of funding. The project will be more focused on the development of standards and further research.

In 2005, CIL engaged the G17 Institute to carry out a cost analysis of personal assistance services according to the SPAS experience called, "The Cost of Independence" and a team of researchers were commissioned to make a participatory research called "The Experience of Independence". Both Documents were published and demonstrated that it is not only possible to have this kind of support service in Serbia but also that SPAS has significantly contributed to improving the quality of life of the beneficiaries.

CIL Serbia recently completed an external evaluation of the SPAS project 2003- 2005 and is in negotiations with the Ministry for long-term sustainability of personal assistance in Serbia. It has received support from the Ministry to cover part of the costs for 2007.

## 1.3 Looking ahead

This kind of user-controlled personal assistance to support independent living is not supported by any of the states in South East Europe. Instead, the state provides third-person cash allowances for the assistance of another person. This cash benefit is generally used by a family member to supplement to the family's total income.

<sup>37</sup> This information comes from CIL Serbia's Interim Project Activity Report January 2004-January 2005.

## LIFE STORY 2

### PERSONAL ASSISTANCE HELPS TO OVERCOME THE EXISTING BARRIERS IN THE BUILT ENVIRONMENT THAT LEAD TO ISOLATION

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SRDJAN, MEMBER OF THE MULTIPLE SCLEROSIS SOCIETY AND CIL SERBIA AND PERSONAL ASSISTANCE USER

Transcribed from an interview

*Srdjan, 43 years old, has been living with multiple sclerosis (MS) for 22 years now. He started noticing some changes that he did not give importance to at the time when coming back from his military service. At that period, he could easily move and didn't mind that he was living in a completely inaccessible building with spiral stairs and no lift.*

*When this building was destroyed 15 years ago, he moved into a flat where he lives currently. Five years ago, however, his chronic illness got worse and he needed to use a wheelchair.*

*Srdjan can move about with the wheelchair, but not for very long as he gets tired very quickly.*

*His sight is now very poor and everything is blurry "as if I was underwater"; however, he is able to see things when they are very close. He can use the computer as it allows him to enlarge the letter size so he reads a lot of e-books, writes articles for MS newspapers such as, "My MS world", watches movies, communicates with friends, and listens to music, in particular, Spanish guitar and classical.*

*However, as Srdjan says, "For all areas of life, I couldn't do it by myself."*



Srdjan with his personal assistant

*Thanks to the CIL Serbia project funded by the Irish Government, he can actually be supported by a personal assistant he couldn't afford with the pension he receives from the State.*

*So, Milutin, a young physiotherapist, comes six hours a day, 30 hours per week to assist Srdjan with his daily activities.*

*"We can even go out of town for seminars or holidays after making a mutual agreement."*

*"I can walk in my flat because we adapted it by installing handles on the walls; but I don't use the one in my bedroom as it is placed on a wall that is in bad condition and I fear that I will fall. I prefer the one on the wooden doorframe as it is stronger."*

*"I've got a special bed too with a lift from the hospital. Like the wheelchair, I got it through the social security system after going through a long procedure to receive it. The bathroom is very small and the bathtub too high so I bought a chair and Milutin helps me to go in and out. As my mother does the cooking, he does the cleaning instead."*

*"Sometimes I want to go out of my flat, but without him I'm in jail".*



Personal assistance services schemes that are user-controlled and of good quality need to be implemented by the states in the region with the help and consultation of DPOs and people with disabilities. The pilot project in Serbia, SPAS conducted by CIL Serbia is an excellent example of how these services can be designed and implemented. With state support, services like personal assistance can be sub-contracted to DPOs and other service providers on the local level who have the knowledge and capacity to deliver quality services.

## 2. Accessible Housing: The second link in the chain

Similar to individualised support services, an accessible home is a pre-condition for independent living or self-determined living as it enables individuals to do what they need and desire to do as independently as possible within their living space. This definition is addressed to all people meeting difficulties in performing daily activities at home as a result of a disability. It means that not only people with physical disabilities, people who we automatically have in mind when talking about accessibility, but also people with sensory or intellectual disabilities or even elderly people who might have lost certain capacities and therefore meet obstacles in their homes - all need accessible housing<sup>38</sup>. For some, this can be achieved with accessible features that are permanently fixed such as **wide doors, grab bars, a tub seat in the bathroom** or by using adaptable features adjustable in a short time without involving structural or material changes. For individuals with sensory disabilities, a blind person, for instance, requires **tactile markings for changes in the floor level** and **Braille markings on appliances**. Individuals with hearing impairments will **need visual adaptations** for things such as **telephone ringers, the doorbell** and **smoke alarms**. For wheelchair users, access may require **ramps at the entrances, lower counters, no thresholds, wider toilets, a shower rather than a bathtub**, and ensuring there is an **accessible lift** if the dwelling is above the ground floor<sup>39</sup>.

Accessible housing helps to facilitate independent living and helps to provide a way for people with disabilities to live in the community. With the provision of Personal Assistance and an accessible home, a person with disabilities can live independently. In the current environment, many people with disabilities live in unsuitable housing - either in institutions or they remain living with their families even into adulthood. Inadequate housing for disabled people has serious consequences. In Britain for example, one study showed that there are over 4 million people with mobility impairments but only 80,000 accessible dwellings. In fact, between 1980 and 1988 the number of homeless disabled people rose by 92% and this did not include those living in institutions or in their family's home<sup>40</sup>.

### Private homes vs. residential collective buildings

For existing collective residential buildings, the principle of Universal Design or Design-for-All should be applied if the building is being modified or adapted to be accessible. For individual private homes, they should be adapted according to the individual needs of the occupant. As to individual adaptations, making a private space accessible requires precise planning according to the needs of the person, which should be carried out by a multi-disciplinary team including an occupational therapist. When planning adaptations, the evolution or changes in the occupant's abilities must be anticipated so that the adaptations are more sustainable over a long period of a time. For example, the existing home will not be adapted in the same way if the person can partly use their legs or not at all.

### Existing residential buildings vs. new ones

However, the construction standards that should be applied to new residential buildings and private homes are different. Universal Design or Design-for-All must be applied to all new homes so that all new residential spaces can easily be adapted.

#### 2.1 Accessible housing in South East Europe

There are few examples in the region of accessible housing and the ones that exist are generally adaptations that individuals themselves carried out at their own expense according to their needs. In many countries in Europe there are accessible housing consultation services that exist to make housing audits and guide individuals on how to go about home adaptations in an efficient and affordable way. In general, these kinds of housing services do not exist in the region leaving most people who want to make home adaptations without professional sources of information to assist them.

However, the most concerning fact is that in South East Europe, the reality is that many people with disabilities are isolated in their homes. One of the reasons for this isolation is the large barriers a person must face when trying to leave their home. In fact, many people with disabilities face the largest barriers when leaving the home as the common spaces such as lifts, corridors and foyers are very often inaccessible. This vicious cycle of isolation can begin to be changed easily by making new homes and residential buildings accessible. However, since private investors who as a rule have little knowledge about disability issues and accessibility standards, most new residential buildings are now inaccessible. This is only reinforced by the fact that **most legislation on accessibility applies only to public buildings**, investors building private spaces can get away with non-compliance.

<sup>38</sup> "Consumer's Guide to Accessible Housing" available at: [http://www.abledata.com/abledata\\_docs/icg-hous.htm](http://www.abledata.com/abledata_docs/icg-hous.htm).

<sup>39</sup> ABLEDATA, "Informed Consumer's Guide to Accessible Housing" (1995), available at: [http://www.abledata.com/abledata\\_docs/icg-hous.htm](http://www.abledata.com/abledata_docs/icg-hous.htm).

<sup>40</sup> French S. and Swain J., "Housing, the User's Perspective", in Clutton S. and Grisbrooke J. (eds.) *An Introduction to Occupational Therapy in Housing*, (Whurr Publishers Ltd. London: 2006): 4.

### Collective residential buildings

Most of the existing collective residential buildings in the region (large apartment buildings and high-rise apartment blocks) are not accessible. In general, collective buildings have stairs to the main entrance door, all buildings under four stories have no lift and when there is a lift, it is too narrow for wheelchair users and/or they are accessible only by a set of stairs. A person with disabilities in Bor, Serbia explains: "...in most cases, persons with disabilities, who have difficulty with mobility, or persons who seek the help of others, do not go to town, but stay at home. As a consequence, we face the problem of social auto-isolation and inertness. When people can move in their apartment itself it is often the collective spaces within the apartment buildings that are inaccessible," A wheelchair user from Belgrade added, "Lifts are often too small and become a problem when you try to manoeuvre yourself in them or have to carry things."



Apartment building in Gorazde, BiH



Apartment building in Novi Beograd, Serbia



Collective residential building in Pristina, UN admin of Kosovo



Apartment building in Skopje, Macedonia

### Private housing

As investors and builders almost never apply Universal Design standards to private residential buildings there are little to no examples of accessible housing that was implemented in the planning process within new construction. As explained earlier, accessible housing is mainly done on an individual case basis and mostly in the form of adaptations and usually at one's own expense. As Ardhmëria (Future)<sup>41</sup>, an organisation of women with disabilities in Prizren, the UN administered province of Kosovo explains: "While building houses, families that don't have a member with a disability do not think about making their home accessible. On the other hand, families that have a disabled member often do not make their home accessible. Instead of improving the personal mobility of its disabled member by adapting the home, they often compensate by moving the person themselves throughout the home." Sometimes families choose to adapt their home and do so with the help of DPOs as the director of Handikos in Pristina explains, "As flats are private, they provide peer counselling for the adaptation of one's home. However, nobody cares about common spaces, once the private contractor builds and sells the property." Nevertheless, there are a few good examples of home adaptations throughout the region.

<sup>41</sup> This group is not an independent organisation but is an interest group inside of Handikos Prizren branch.

### Good practice 3: Home adaptations made to suit one's needs but paid at one's own cost

In Sarajevo, BiH, a wheel-chair user living alone adapted his home to be fully accessible. He made all of the adaptations himself at his own cost. From the bathroom to the kitchen, the balcony to his bedroom - each corner of his apartment is accessible. However, despite this, being on the fourth floor of a building without an elevator made him feel as if he were living in a cage. He thought of investing his own money to build an accessible elevator from his balcony to the street. He learned that the municipality of Sarajevo has included a budget line dedicated to promoting accessibility so he applied for funds to make the adaptation. It took a long time to gather together all the needed documents to build a relevant dossier but after two years of struggling without any help from administrators at the municipality, he succeeded to fulfil the required conditions for funding. The elevator will be built soon as the last step for creating an accessible home. He is very satisfied to finally have achieved this but he stresses how difficult the journey was to get there.



Adapted shower



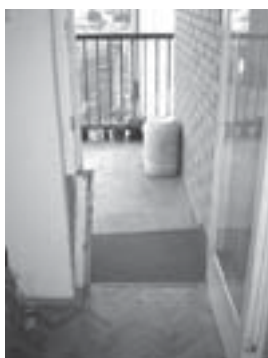
Widened doors and adapted kitchen



Ramp to the balcony

### Good practice 4: Home adaptations made with available resources

A woman in Leskovac Serbia, who is a wheelchair user, adapted her home using mainly her own resources. The adaptations are modest but effective. In some cases, she made the adaptations herself using the materials at hand with the help of friends. Other adaptations required more professional work such as the sliding door to the bathroom and the adapted wheelchair for the toilet. In addition to these modest adaptations, she had an external lift installed since the building has only an inaccessible elevator.



Removable door frame



Adapted wheelchair



Lift



### Good practice 5: A look at an adapted home for a blind person

In Sarajevo, a blind woman who lives with her mother in an apartment has made many adaptations to her home. In the kitchen, she has Braille labels fixed to the different appliances so she can easily use them and Braille signage on the thermostat to control the heating. Her clothing is organised so that she can easily choose things that go well together without requiring her mother's help. She has books, magazines and letters recorded on tapes for reading and she has a screen reader on her computer. As for leaving her apartment, she uses a White cane for getting around and has learned all of the streets in her neighbourhood to be able to find her way easily.

## LIFE STORY 3

### A LOOK AT ONE SOLUTION TO HOME ADAPTATIONS

#### FARUK, THE CHALLENGE OF BEING MOBILE IN PRISTINA

*Faruk immigrated to the UN administered province of Kosovo with his family in 1968. Originally from a small Albanian village in Montenegro, they came to Pristina where the economic situation was better. Faruk was born with a disability known as paraplegia but his family was in a good economic situation and they were able to create a favourable environment for him to grow up in. For example, he was one of the first people in the region to have an electric wheelchair. Owing to this, he became quite independent at an early age. He was able to finish primary school without any problems but faced a significant amount of prejudice when trying to enter secondary school. As a result, he decided to continue his education from home instead. His mother helped him with his lessons and went to the school to collect lessons and books. The teachers, however, were not supportive of this initiative.*

*Currently, Faruk lives with his parents who are quite elderly. Until two weeks ago, they were carrying him into the building, as it was completely inaccessible. Now they have built a ramp to the flat and widened the doors for his wheelchair. They had no problems acquiring permission for these adjustments from the municipality. When asked if he would like to adapt his living space any further, Faruk replied that the main thing for him was to have the computer in an accessible place. Beyond this, he can either manage on his own or he relies on his parents' help, like, for example, entering the bathroom, which is not adapted for his wheelchair.*



*An extensive ramp built outside of Faruk's home in Pristina, the UN Administered Province of Kosovo*

*To get from his home to his workplace he uses his electric wheelchair as a mode of transportation. He drives along the main streets of Pristina, going against the traffic. Faruk explains, "I don't face too many barriers leaving the house and going to work. However, one problem I face daily is that sidewalks are not accessible". Consequently, he was hit by a car on three different occasions.*

*Through his work for the Council on Education and Sciences, he goes to their twice a month meetings. Yet, he has to be carried into the building in order to attend them. Like most of the municipal buildings, this one is completely inaccessible and, as he explains, "When they are made to be accessible, only the first floor is usually adapted"; moreover,*

***"When I want to enter a shop or a café, I have to ask people for help, as only few are accessible and in the winter they are completely inaccessible because of the snow".***

*On the other hand, for leisure, he likes to play chess, read books and spend time on the computer. The national theatre is accessible in a wheelchair, but, Faruk states, "I don't like plays and would prefer going to the cinemas which are, unfortunately, all inaccessible".*

Home adaptations in the region are often limited in scope due to insufficient resources and support. Despite some good initiatives to adapt one's living space, there are many examples from the region in which a person only adapts their home partially, having to rely on others' help to use the bathroom, leave the house and move from room to room. In an assessment of adapted housing made by Handicap International South East Europe program (HI SEE) in 2005, an overwhelming number of people with disabilities felt that their situation at home did not need to be changed despite the fact that they faced many barriers daily<sup>42</sup>. This is a phenomenon faced in many countries where without the appropriate supports in place people believe that no other options exist so they "make do" in inappropriate settings<sup>43</sup>.

State resources for supporting home adaptations are limited and many people are not aware that this kind of funding exists or how to apply for it. Limited resources are one of the largest challenges for implementing home adaptations making it more practical for people to make only modest changes to their home that they can afford. In addition to limited resources, when home adaptation consultancy services do not exist and information on making a home accessible are not widely available, it makes it challenging for home owners to know how to make proper changes to their home that are sustainable and functional. Furthermore, the legislation in the region does not make accessibility mandatory for private buildings making it difficult to demand that new residential buildings be accessible.

## 2.2 A comparative look at accessible housing services in other countries

### Canada and the UK providing consultation services

Another common problem people face in the region when adapting an inaccessible dwelling is that there are no services available to provide guidance and consultation on making the adaptations. In Calgary Canada, there is an Accessible Housing Society providing consultation services to people who wish to adapt their home. With this service, an occupational therapist and an architect visit individual homes to assess what needs to be adapted to suit the needs of the person and then draw up plans for modifications. They also provide information such as names of the relevant vendors and contractors, accessibility products and standards. There is no charge for the service if the client qualifies for income-tested government funding programs that include: Residential Access Modification Program, Residential Rehabilitation Assistance Program, Home Adaptations for Senior's Independence under the Alberta government housing support programs<sup>44</sup>. Under these programs, applicants who qualify receive a grant to make proper adaptations. The government housing support programs contain an accessible housing registry for people seeking barrier-free dwellings. This registry refers clients to available accessible housing while documenting housing needs for future planning and construction.

In the UK, The Centre for Accessible Environments provides House Adaptations Advisory Services (HAAS) to clients undertaking major adaptations under a Disabled Facilities Grant (DFG). A DFG is a grant given to people with disabilities wanting to adapt their home based on an occupational therapist's assessment. The amount of money given is based on a person's financial circumstances through a means test<sup>45</sup>. HAAS helps people to adapt their homes safely, conveniently and more independently and the service is offered free of charge<sup>46</sup>. The common thread in housing policies in these countries is that government grants are given to people with disabilities to help cover the cost of making adaptations to their home.

### Good practice 6: A counselling centre for accessible housing opened by a DPO in Croatia

There is a good example of home adaptation consulting services in Croatia. The Croatian Union of Physically Disabled Persons' Associations (HSUTI) opened an architectural counselling centre in 2001 called "For a Quality Life without Barriers" as a resource centre advising people how to make their home accessible. As this kind of service is missing in the region, HSUTI launched this centre as a pilot project. 'For a Quality Life without Barriers' is staffed with young architects serving their civil military service, who in turn offered over 1,250 consultations free of charge throughout Croatia. In the beginning the counselling centre was mainly giving consultations for private home adaptations but since 2005, they have broadened their services to include hospitals, public beaches and schools.

This pilot project has in the meanwhile received funding from the state through the National Institute for the Protection of Motherhood and Youth. It now provides permanent counselling services on accessibility solutions<sup>47</sup>.

<sup>42</sup> Assessment on home adaptations throughout the region carried out by Handicap International South East Europe in 2005.

<sup>43</sup> Kama Soles, "Affordable, accessible housing needs assessment at the North Saskatchewan Independent Living Center", (Saskatchewan: Community-University Institute for Social Research, 2003): 3.

<sup>44</sup> More information available at: [http://www.ahscalgary.ca/services\\_design.html](http://www.ahscalgary.ca/services_design.html).

<sup>45</sup> A means test is an investigative process undertaken to determine whether or not an individual or family is eligible to receive certain types of benefits from the government. The "test" can consist of quantifying the party's income or assets or a combination of both.

<sup>46</sup> More information available at: <http://www.cae.org.uk/HAAS.html>.

<sup>47</sup> For more information please see HSUTI's website available at: <http://www.hsuti.hr/EasyWeb.asp?pcpid=36>.

### Good practice 7: Making new residential buildings accessible

In Doboj, Bosnia and Herzegovina, most of the existing apartment buildings are inaccessible. However, in 2004 a standard called "Regulating Conditions of Planning and Building without Barriers to Mobility of Children and Persons with Reduced Physical Mobility" was enacted and is currently being implemented. According to this new regulation, all new dwellings must be accessible, meaning that not only the entrance and common spaces but also the first floor flats have to be accessible to people with disabilities. Five buildings in Doboj were built thus far in accordance to these standards. This standard was drafted with the Ministry of Health and Social Welfare, the Ministry of Urban Planning and Ecology of Republika Srpska in collaboration with local DPOs during a series of round tables on accessibility issues. This is one legal solution for ensuring that new residential buildings provide accessible housing; however it is important that it is followed with training and awareness raising campaigns for those responsible for building and planning.

#### Accessible housing under US legislation

The difficulty for ensuring accessible housing in most countries is that residential buildings are private and not subject to the same requirements as public buildings. In the US this is also the case for single-family homes but the Fair Housing Act includes provisions that help to ensure multi-family or collective dwellings include accessibility standards:

Fair Housing Accessibility Guidelines (effective for first building occupancy after 3/13/91) - These Guidelines describe the requirements for compliance with the accessibility requirements of the Fair Housing Act Amendments of 1988. The Guidelines provide technical guidance on the design and construction of elevated multifamily buildings consisting of four or more dwelling units, or for ground floor units in other buildings of four or more units. The Guidelines address:

- Accessible building entrances on an accessible route;
- Accessible and usable public and common use areas;
- Usable doors for wheelchair passage;
- Accessible route into and through the dwelling unit;
- Light switches, electrical outlets, thermostats, and other environmental controls;
- Reinforced walls for grab bars; and
- Usable kitchens and bathrooms.

#### 2.3 Looking ahead

In order to make housing accessible, services need to be available at the local level to help people to make home adaptations correctly and efficiently. Local budgets allocated to housing adaptations must be put in place so that the government can share the financial burden. Finally, there needs to be more sensitivity on the part of the builders, investors (both public and privately owned) and urban planners on accessible housing already in the process of planning and then in constructing of the new residential buildings. For multi-dwelling buildings it is essential that some of the flats created are accessible. One way to accomplish this is to have local registries for people requiring accessible housing. That way builders and investors can have an idea of the demand for barrier-free homes and incorporate it into their planning.

## LIFE STORY 4

### LIVING IN AN INACCESSIBLE HOME

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WHAT LIFE IS LIKE IN AN INACCESSIBLE HOME:  
JASMIN, 23 YEARS OLD FROM SARAJEVO, BIH

*"I study at University but I failed my exams last year..."*

*"What happened?"*

*"I didn't attend to the courses!"*

*"Why not?"*

*"I couldn't go out of my yard!"*

*Jasmin is 23 years old and has been using the wheelchair since he was very young; it is a part of him. He lives with his sister who works and helps him financially. The little disability allowance that he's getting is not enough for him to live decently. Soon she will get married and Jasmin will try to live alone. Their home is located in the centre of Sarajevo surrounded by a small garden.*

*He has learned to be independent like anyone else although he needs a wheelchair to move around. But for him being independent has a financial price, a high one. His small disability allowances do not allow him to adapt his house in a way that would allow him to complete his daily activities. So he has to make the adaptations himself in order to save up on costs.*

*Jasmin is attending courses at the Sarajevo University. When asked if someone helps him to leave the home he replied:*

*"Not really, since my sister is at work all day. I have to help myself to do that."*

*In order to leave the house, which has stairs to the street he explained, "I step out of my chair and sit on the top stair and go up or down one step after the other with the support of my arm."*

*As to his wheelchair, he explained that he must carry it, "Oh sorry, I almost forgot it...of course I carry it with me and once I reach the street, I step up in it. That's the only way I have to get out of here! In winter it is almost impossible because of the snow that I cannot clean by myself. Unfortunately, then I have to stay home all day long."*

### 3. Public buildings: The third link in the chain

Throughout the region, the majority of the existing public buildings are not accessible and the situation is often the same with the newly constructed ones. These include post offices, banks, hospitals, town halls and centres for social work, theatres, and schools. According to findings quoted in the Poverty Reduction Strategy Paper (PRSP) in Serbia, public service buildings such as municipal buildings, post-offices, and police are inaccessible to 35% of people with disabilities<sup>48</sup>. The reasons for this are multiple, including non-compliance with building and construction regulations and a lack of awareness about accessibility standards and disability issues in general.

There are many different definitions used for public buildings but in this report, the term is defined to include all buildings and facilities that serve the general public, excluding private housing<sup>49</sup>. Public buildings such as schools, hospitals, banks, government buildings, post offices, cafes and restaurants must be fully accessible to all.

However, a differentiation must be made between a privately owned building that receives the public, facilities open to the public such as a café or restaurant, and a public service building such as a hospital or municipal building that is built with public funds. Both types of buildings must be accessible. If a person with disabilities is denied access to public service buildings because of inaccessibility, this is not only discrimination but it also prevents a person from exercising basic human rights and from accessing essential services such as medical care or education. Furthermore, when public service buildings such as post offices or government buildings are inaccessible to people with disabilities, it limits their ability to take part in civic duties such as voting or participating in public debates on legislation.

#### **BOX 11**

##### **Creating a public space that is truly accessible to all: A brief guideline**

When planning a public space there are several aspects that should be taken into consideration to make the building accessible to all. These include:

- Entrances should be at the street level and when this is not possible, ramps with a gentle slope should be provided. Alternative entry points should be avoided as much as possible as this creates stigmatisation;
- Lever handles for opening doors rather than twisting knobs; no threshold at entranceways;
- Information about the layout of the buildings showing the number of floors, the location of lifts, stairs, ramps and emergency exits should be provided near the entrance of the building. Information about the services provided should also be available in the lobby of the building;
- Guidance systems and/or personal assistance should be provided;
- Lifts should be accessible with acoustic and tactile information for people with hearing and sight impairments; speed and volume control on auditory output;
- Corridors must be wide enough to enable various users to pass one another easily;
- Interior and office doors should be wide enough to enable anyone to pass and they should allow for wheelchairs to manoeuvre within the office;
- There should be adequate accessible toilets on each floor with space for wheelchair users and all of the fixtures such as sinks and paper towel dispensers accessible for people of different heights and manoeuvre capacities;
- For emergency evacuations when lifts cannot be used, provision should be made for alternative escape routes accessible for all. There should be visual and acoustic alarms provided as well;
- Signage should be clear and understandable for all and should be provided in Braille for visually impaired persons;
- Walls should be free of obstacles so that people can use them as guides;
- Unnecessary dangerous elements of a building should be avoided such as waxed floors, which are easy to slip on, as well as floor rugs which are not fixed to the floor and can block wheelchair users from moving.

Source: These guidelines come from the European Concept for Accessibility Technical Assistance Manual, 2003.

#### 3.1 Public buildings in South East Europe

At present, the majority of public buildings in the region have stairs at the entrance, the existing lifts do not meet accessibility standards and bathrooms are almost never adapted. In fact, "in most collective buildings, you find stairs and inaccessible lifts, so people with disabilities have to be carried in and out", reports the President of the Paraplegics Association in Tirana, Albania. Even when a gentle slope ramp is built outside of the building, once you are inside a person with disabilities is often stuck because there is no vertical accessibility to other floors and toilets are usually not adapted. As a member of IC Lotos, Tuzla states: "I can find the service or the premise I'm looking for but always with the assistance of someone else. Offices are mainly located upstairs, and very rarely can you find public buildings that are internally accessible to beneficiaries."

<sup>48</sup> Republic of Serbia, Annex to the PRSP for Serbia, (Belgrade: 2004): 27.

<sup>49</sup> This is the definition for public buildings used in the European Concept for Accessibility technical reference manual.





Inaccessible post office in Smederevo, Serbia



Inaccessible lift in the economic faculty in Sarajevo, BiH



Inaccessible university in Skopje, Macedonia

In many cases, when a building has an accessible entrance, little to nothing is done to make the interior of the building barrier-free. **Accessibility is not seen as a continuum or an unbreakable chain of movement** as a member of the Paraplegic Association in Tirana explains, "Most public buildings are accessible from the outside, but once inside the building you are stuck." In Pristina, a disability advocate confirms a similar pattern saying, "Now schools have ramps, but no lifts, no accessible toilets and the windows are not accessible to wheelchair users meaning they are above the eye level of a wheelchair user preventing them from looking out or opening them."

The Association of Youth with Disabilities in Montenegro conducted a survey of public buildings in the capital and concluded, "It is especially indicative of society's lack of knowledge on disability that all of the institutions

of justice (courts, attorney's offices etc...), the Parliament, the Republican's Assembly, the Employment Bureau and many other public buildings are not accessible. According to our survey, as high as 97% of the buildings in the capital of Montenegro, Podgorica, are not accessible or are not in accordance with the adequate standards of construction."

Nevertheless, a number of useful transformations have been undertaken mainly upon the initiative of DPOs or architects who are aware of the problem. This is sometimes the case in towns where strong awareness-raising campaigns have been carried out. Such is the case in Svrlijig, Serbia where approximately 80% of the public buildings are now accessible as a result of strong lobbying by the Sizif association.



School with ramp but nothing on the interior of the building is accessible, Gorazde, BiH

## Good practice 8: A look at different solutions to make public buildings more accessible

### Cultural buildings: Reconstructing Belgrade Philharmonic Concert Hall

An interesting project to adapt the Belgrade Philharmonic Concert Hall took place during the reconstruction of the building in 2003. CIL Serbia lobbied the manager of the concert hall to apply accessibility standards within the reconstruction process. In spite of the considerable technical challenge, the reconstructed building was finally made accessible. The entrance was placed on the street level without stairs and the first floor can be reached by a clever use of platforms, keeping the narrow space of the foyer available. As the old toilet was situated in between two floors and therefore inaccessible, a new one was built on the ground floor according to accessibility standards. Inside the concert hall, the first row made accessible for wheelchair users. The delegation of CIL Serbia was at the grand opening of the concert hall and the event received considerable media coverage. A member of CIL Serbia involved in the project explained that they had had good cooperation with the director of the philharmonic concert hall as well as the architects working on the project. The architects were especially enthusiastic to work with members of CIL Serbia, as they were not familiar with accessibility issues.



Accessible lift in the philharmonic concert hall, Belgrade



Accessible entrance to post office in Belgrade, Serbia



Accessible area for seating inside the concert hall

### Public service buildings: a post office made accessible

As part of recent renovations of a post office in Belgrade, the entrance of the building was made completely accessible and several adaptations were made in the interior to reduce barriers. During the restoration of the building, the director of the post office hired an architect to make it accessible. The director of the post office was sensitised to disability issues, as his good friend is a wheelchair user. The architect contacted the Muscular Dystrophy Association (MDA) for advice and they cooperated during the planning process. The MDA were able to consult with the architect on accessibility standards, which were successfully implemented in the reconstruction process.

Although not all post offices in Belgrade have been made accessible, this is a good example of how awareness of disability issues is vital to accessibility planning. Furthermore, because the architect cooperated with an organisation of people with disabilities, who were already familiar with accessibility standards, the accessibility features were implemented properly.

### Universities: Experience in Montenegro

The Association of Students with Disabilities in Montenegro carried out a project called "Faculty for All" aimed at making the University of Montenegro accessible to all students. Once they developed their project, they received support through a partnership with the Government of Republic of Montenegro, the Ministry of Labour and Social Welfare, the Central Bank of Republic of Montenegro, the Ministry of Culture, Opportunity Bank, and the University of Montenegro which provided logistic support. Along with this support, the students' association seized the opportunity to ask for the remaining funding needed from international donors implementing a project called "Community Revitalisation through Democratic Action", funded by USAID, and executed by International Relief and Development (IRD) in central and southern Montenegro. This program was, at that point, simultaneously carried out in several community councils each representing one or more communities. The students' association was granted support from IRD and was able to include community council members in this project as well. The total project value was 20,476 € with a time frame of three months, and the result of the project was construction of a special ramp at the main entrance of the university along with the installation of an accessible lift. A building company from Belgrade installed the staircase elevator, while community council members participated with labour and other contributions. The project was covered by a media campaign on the importance of accessibility.



## LIFE STORY 5

### FACING BARRIERS AS A STUDENT WITH DISABILITIES ATTENDING UNIVERSITY

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BORJANA: ONE DAY IN MY LIFE AS A SECOND YEAR STUDENT AT THE PHILOLOGY FACULTY IN SKOPJE

*My day usually begins at 7:40 a.m. I go to the faculty, of course, taking a special bus for people with disabilities; more specifically, for students with disabilities. Most of the time, my mother comes with me as a personal assistant.*

*Depending on how much time it takes to pick up all of the students with the bus, I arrive at university around 9 o'clock. Fortunately, the philology faculty is equipped with a ramp as well as a lift, and I am able to move about in order to meet some of my obligations, such as meetings and discussions with teachers and other students.*

*However, I still have some problems with the inaccessibility of the professors' offices and classrooms where I have to ask someone to move the tables in order for me to enter and attend. Sometimes, I must make an agreement with the lecturers to take my exams on the first floor because the interior doors, as well as the desks are completely inaccessible for wheelchair users as the wheel chair cannot fit. .*

*After this, I usually have a coffee at the faculty café, which luckily is accessible. Also, if I need to go to the bank, there is one on campus I can get to without any difficulty.*

*Around 1 p.m. I return home, again using the same bus.*

*From my point of view, I invest a lot of energy to live my life as normally as other people. In my opinion the Macedonian government should assume its responsibility to introduce changes in as many as possible aspects of social life of people with disabilities.*

*For instance, our family house has been adapted and is completely accessible to suit to the needs of my physical disability. It stands in striking contrast to collective buildings that have flights of stairs.*



*Borjana on her way to university  
Skopje, Macedonia*

*Everywhere in town I face different kinds of architectural barriers, especially in public cultural places such as the Macedonian National Theatre and the cinemas.*

*Besides, it is very difficult for me, as a wheelchair user, to find my way without any outside help. This is the reason why I suggest having good signs, ramps at entrances and a reduction of barriers throughout the city to make the urban environment more accessible.*

*Finally, as a wheelchair user, I cannot use public transportation. So, before this special bus for students with disabilities, which now I take every day, my only means of transportation was by taxi. Needless to say, this was very expensive for my family and me.*

**BOX 12****Political access: Making public institutions and voters polling stations accessible in UN administered province of Kosovo**

A lack of accessible public infrastructure prevents people with disabilities from having full access to different institutions in UN administered province of Kosovo. Furthermore, this problem has been perpetuated across generations as this lack of accessible facilities and equipment discouraged young persons with disabilities from identifying themselves with democratic and civil governance systems. Consequently, Handikos a DPO in UN administered province of Kosovo, carried out an initiative to ensure full participation and greater access for persons with disabilities in registration and elections for the 2002 municipal elections and the general elections for 2004 with the support of World Vision and Handicap International.

According to Handikos, there are two consequences resulting from inaccessible state institutions; first, the under representation of people with disabilities in all facets of democratic and electoral systems, such as voting, running for and being elected to public office; and second, the risk of not having the needs of the disabled community included and addressed in subsequent public policy making and implementation, which in turn further perpetuates under-participation and under-representation.

One of the main priorities of the project was to have access to all polling stations in the UN administered province of Kosovo by ensuring the entrances were equipped with ramps. Local staff of Handikos identified the inaccessible entrances and the OSCE financially supported the building of ramps for these buildings. There were 96 ramps built in total and in addition 38 polling stations were made fully accessible to people with disabilities. An amount of EUR 1,000 was planned for each polling station for carrying out the necessary changes. Each of the 38 polling stations was equipped with 2 wheelchairs used to assist people with disabilities and others (such as elderly people).

For the election process, there was a need for professional staff able to offer voter education to people with disabilities, to raise awareness of society and, in doing so, to give advice and support by involving people with disabilities actively in the election process. An Election Day team was formed to give direct support to people with disabilities coming to the polling stations to vote.

During the election process Handikos produced materials for the campaign such as posters and brochures, as well as media campaigns on the inclusion of people with disabilities in the voting process.

**Why some accessibility solutions do not work: A look at Croatia and BiH**

A common solution to creating an accessible entrance for a public building is to install an electronic ramp for wheelchairs, which then requires the assistance of another person to operate. While this kind of device does provide access to wheelchair users it is problematic as it prevents the autonomous movement of the person entering the building.

In Zagreb, the Union of Associations of People with Disabilities of Croatia, SOIH, spearheaded a project aimed at using public funds to provide accessible entrances to public buildings. Electronically operated wheelchair lifts were installed at the entrances of several public buildings including two of the main post offices in Zagreb and a ramp was built outside of a pharmacy in the centre of the city. Despite the good intentions of this project, people in wheelchairs explained that when they want to enter the post office, they must ask someone inside to carry them as the lift is almost inoperable and even when the lifts are operable their use is limited during bad weather. The ramps actually create more stigmas for people with disabilities and they end up breaking the seamless chain of movement. In Sarajevo, there are many public buildings with such electronic ramps that are also rarely used and often times inaccessible due to this infrequent use.



Post office in Zagreb with an electronic lift



Theatre in Sarajevo, the electronic lift is blocked by a car



Electronic lift covered due to lack of use in Sarajevo

As emphasized before, accessibility does not stop with a gentle slope ramp alone. The ramp is only a part of making a building accessible. Accessible approach paths to the building are also necessary as are accessible interior doors, bathrooms and lifts.

### 3.2. The cost of adapting an existing public building vs. the cost of building with accessibility standards in the planning process

Studies made outside of the region show that it is significantly less expensive to make a building accessible from the beginning of the planning process rather than through adaptations once construction is finished. However, when a building must be adapted, research shows that accessibility costs are commonly overestimated. In a study commissioned by the Sears Corporation in the US, it shows that of 436 reasonable accommodations made by the company under the ADA, 69% cost nothing, 28% cost less than \$1,000 and only 3% cost more than \$1,000<sup>50</sup>. In the UK, in a regulatory assessment of costs for new construction and extensions according to accessibility standards, it would be EUR 173 million a year, which is 0.01% of the overall GDP<sup>51</sup>.

A relevant study was conducted in Switzerland to assess the costs of implementing the Equity for Disabled Persons Act (EDPA) and the costs needed for making Switzerland barrier-free. Some 140 buildings throughout Switzerland were analysed and evaluated as part of this study to compare the costs of making an existing building accessible as opposed to costs of new construction using accessibility standards<sup>52</sup>. The results of the data show the significant cost savings when using accessibility standards at the beginning of the building process. The chart below shows the differences in cost to adapt a residential space versus to make a new building accessible compared to the original construction costs.

#### BOX 13

##### Costs of adapting a building vs. making the building accessible at the start

	2.0 < 5.0 million	2.0 < 5.0 million	> 15.0 million	Average
Adapted residential building	6.99%	6.17%	3.96%	5.89%
New residential building	3.40%	2.49%	1.65%	2.64%
Adapted public building	1.69%	0.58%	0.28%	2.63%
New public building	1.47%	0.44%	0.12%	1.73%

The Swiss study showed that new construction with accessibility standards is significantly less expensive than adapting a space to meet new building requirements. In fact, the total estimated costs for implementing a barrier-free environment in Switzerland were considerably lower than expected: 0.45 billion CHF (0.29 billion Euros) annually and these would most likely include the costs of renovating existing buildings rather than new construction. As time goes by, the annual additional costs for making a barrier-free environment would likely drop close to zero as modifications are completed and new buildings use smarter architectural accessibility solutions.

<sup>50</sup> Source: US Department of Justice ADA fact sheet.

<sup>51</sup> 2010: A Europe Accessible for All, pg. 8.

<sup>52</sup> Manser, Joe A., Meyer-Meierling, Paul, Huber, Manfred, Curschellas, Paul, Christen, Kurt, Frei-Reichert, Denise, Dr. Gutscher, Heinz, Dr. Siegrist, Michael, "Building for the disabled: problems in the planning process", report carried out in the framework of "Problems of the Welfare State" in the National Research Programme 45, (Zurich, 2003): 3-5.

### 3.3 Looking ahead

#### Adapting existing buildings and spaces: Accessibility audits

Existing buildings and open spaces need to be audited for accessibility adaptations. **Access auditing tools** and the participation of disability advocates are essential. Once these assessments are finished, the time frame for adaptations should be fitted with appropriate budget allocations and responsible bodies such as an **accessibility commission** assigned to manage the implementation process. It is highly recommended that these transformations are carried out with the participation of disability advocates and people with disabilities from the community who can help to set priorities and ensure that changes are relevant and useful.

One of the recommendations made by the expert group set up by the European Commission for the 2010 Europe Accessible for All report is to require **accessibility audits** of existing buildings to be carried out on a mandatory basis every five years<sup>53</sup>. In this way states will be made continuously responsible for what needs to be done in terms of accessibility for existing constructions within a reasonable timeframe.

#### New construction and planning

All new construction and urban planning including public transportation must comply with accessibility standards. The establishment of an **independent local accessibility commission that includes people with disabilities and professionals** can help to monitor compliance of accessibility standards and legislation. This kind of body can also lobby for the inclusion of other standards on accessibility in design and planning such as Universal Design or Design-For-All. Including accessibility standards in public procurement legislation can also help to ensure that all new public works are undertaken respecting the needs of people with disabilities.

#### Private businesses

Possibly the most efficient tool for making private businesses accessible, would be strong lobbying directed at shopkeepers and business owners, based on outlining their responsibility to implement accessibility codes. This could result in drawing up of a kind of contract or a "Traders Convention" between DPOs, all shopkeepers and business owners to agree upon making their property accessible. This can be carried out by promoting the publication of a **code of practice**, as in the UK, containing advice to service providers and private businesses on how to transform and make their premises accessible. Relevant and accurate information about accessibility issues should be available through resource centres led by DPOs and professionals such as architects and planners where construction teams can be consulted on the topic. These centres should also circulate and diffuse the updates on accessibility issues to as many private entrepreneurs as possible.

However, one of the most effective ways of ensuring that private businesses apply accessibility standards is through **anti-discrimination legislation**. Anti-discrimination legislation on disability has the power to force changes in the built environment by implying that an inaccessible space open to the public is a form of discrimination and a breach of law. In the anti-discrimination legislation recently passed in Serbia, it is stated that public buildings and services must provide access to people with disabilities. It also stipulates that if a person with disabilities is refused access to public transportation it is an act of discrimination.

As Damjan Tatic, a legal expert on disability and human rights, a member of CIL Serbia and an advocate in the disability movement explains, anti-discrimination is also important for another reason: it can encourage a new perception of disability and the importance of a barrier-free environment. In anti-discrimination laws, they make it very clear that if the present environment is not accessible, all new buildings must be, and that deadlines and resources must be dedicated to adapting the current built environment. The power of example is crucial with the adoption of anti-discrimination, Mr. Tatic explains. Real change will happen when an actor is sanctioned for non-compliance. The anti-discrimination law will be enacted in Serbia as of January 2007.

## 4. Outdoors: The fourth link in the chain

### 4.1 The outdoors in South East Europe

For the most part, roads, sidewalks, parks and streets in countries of the South East Europe are inaccessible. The outdoors is a vast and complex part of our environment. It encompasses the part of the built environment that leads us to our destination whether it is a public building, a shop, an apartment or public transportation. It includes: thoroughfare, kerbs, parking spaces, cross-walks, lamp posts, telephone booths, pedestrian walkways, sidewalks, parks, urban furniture such as benches, signage, textured pathways and audible signals for people with sight impairments and visual signalization for people with hearing impairments. In major cities throughout South East Europe there are dropped kerbs and reserved parking spaces but they exist sporadically and with inconsistent use of standards.

It is worth repeating at this point that creating a barrier-free outdoors is more durable and sustainable in the long run and it is part of building a more inclusive society.

<sup>53</sup> 2010 A Europe Accessible for All: Report of the Group of Experts set up by the European Commission, October 2003, available at: <http://www.eca.lu/upload/egafin.pdf>





A street in the town of Stimje, UN admin province of Kosovo



The outdoor area in Tirana, Albania



A street in Tuzla where cars block people from using the accessible sidewalks



Sidewalk in Sarajevo



The old town of Herceg Novi, Montenegro is only reachable by steep stairways

In the places such as the UN administered province of Kosovo and Bosnia and Herzegovina, road network is still fairly poor, especially in rural areas. Even larger towns and cities with paved streets and sidewalks are usually in poor condition because of a lack of regular maintenance making it difficult to use not only for people with disabilities but also for the overall population.

In Montenegro, many old towns on the coast are in hilly areas and are traversable only by stairs. With their narrow cobblestone alleyways and flights of stone stairways, these ancient parts of present day cities make it almost impossible for a person with mobility difficulties to get around. While many of these Mediterranean towns are historical landmarks, some transformations can be made to make the cities accessible without spoiling the integrity of the old buildings.

### Urban areas

Many towns and cities still have high sidewalks without dropped kerbs but major cities are beginning to make sidewalks accessible, but this is still reserved to the city centres. However, dropped kerbs are rarely built throughout the entire town thus limiting the flow of persons with disabilities as well as of parents with prams, elderly people or those experiencing temporary impairments. As a member of the Association of Disabled Students in Belgrade explains, "I find my way around with substantial difficulty as many accessible alleys tend to end in inaccessible dead ends." Another challenge in the outdoor environment is that there are many examples around the region of ramps that are built without real understanding of accessibility standards and are too steep for anyone to actually use. A member of the Association of Citizens with Cerebral Palsy and Muscular Dystrophy in Gorazde reports: "There are sidewalks adjusted for people with disabilities but we call them "deadly ramps"



Pharmacy in Sarajevo, the ramp is difficult to use and the kerbs are not cut properly to allow easy access

since they are too steep. They are simply building without planning for true accessibility."

In addition to this, in many towns around the region, priority is given to cars rather than pedestrians. Almost as a rule, parked cars encroach upon the sidewalks reducing the space and obstructing the movement of normal pedestrians let alone people in wheelchairs, mobility scooters or those walking with a guide dog or white cane or those using walkers or other assistive devices that require more girth. In places where dropped kerbs exist, cars are often parked without consideration and negligibly so as to block the access to dropped kerbs thus making them unusable. As a wheelchair user and member of IC Lotos Tuzla explains, "My problem in town, and not only mine but also for people who are not wheelchair users or not disabled at all, is that although paved sidewalks are indeed accessible owing to dropped

kerbs, but are at the same time full of parked cars and I am forced to be part of the road traffic in my wheelchair which is very dangerous. But it is difficult to change as it is a cultural behaviour."

Different kinds of audible and visual signalisation for people with sight or hearing impairments at traffic light or at cross walks rarely exist. Also, textured pathways for blind people on sidewalks and, in particular, on crossroads can be found only on few main streets in major cities. A blind member of IC-Lotos in Tuzla explains, "As to accessibility of information for blind persons, there should be markings in all public buildings in Braille letters, such as in elevators or in places, where it is necessary and audible signalisation should be provided such as at traffic lights and intersections.

A blind person in Belgrade characterises the multiple barriers in the city inhibiting people's movement: "...Cars parked on the pavement, uncovered underground manholes, crossings without audible signalisation and poor general urban planning. We would need audible signalisation on the crossings and in buses and adapted pavements for wheelchair users. I would simply suggest the implementation of European standards." A member of the Union of the Blind of Macedonia gives their input on the situation, "There are no textured pathways for blind people on sidewalks in Skopje, neither are there reserved sidewalks for people with disabilities - a portion

of the sidewalk where no one can park a car or put up a newsstand so that people with disabilities can pass easily." A member of the Association of Blind and Visually Impaired People in the UN administered province of Kosovo further explains, "It is almost as if we are immobile people not because of our disability, in our case blindness, but just because of a completely inaccessible infrastructure of our environment."

Finally, visual signalisation hardly exists for people with hearing impairments, especially outside of large cities and capitals. A member of the Deafmute association, ANAD, in Tirana reports, "As we see it, accessibility is related to urbanism and visual information. It is dangerous to move in town when you cannot hear the horn or police sirens or when there are not any traffic light signalisations."



Small town in the region made up largely of dirt roads

### Rural areas

However, in rural areas the situation is much more severe with very little attempted to facilitate mobility in the outdoors. In rural places, roads, streets and thoroughfare are often in poor condition and suffer acutely from a prolonged lack of investment and maintenance. In many places such as rural parts of Macedonia, the UN administered province of Kosovo and Albania, the streets are not paved, pathways are not in good condition and open spaces are undeveloped. As Enver from a village in Ferizaj (Uroševac) municipality in the UN administered province of Kosovo describes in Life Story 7.

## LIFE STORY 6

### THE CHALLENGE OF MOVING FREELY IN AN INACCESSIBLE URBAN SETTING

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TRAVERSING THE OUTDOORS WITHOUT PROPER SUPPORT: ERVIN DEMIRI, MEMBER OF ASSOCIATION OF BLIND, TIRANA, ALBANIA

*My name is Ervin Demiri and I am 28. I graduated Sociology and Philosophy from the Faculty of Social Sciences, in Tirana. Before this, I completed my primary school in Tirana. I think it is important to mention that before all of this, I finished elementary school for blind children.*

*But let me say something about two problems in Albania, both arising due to lack of resources. They seem completely impossible to overcome and they are a sole source of dependency for blind people on others.*

*The first problem is the need to be accompanied at all times when walking through the streets. It is difficult for me to move by myself in town or even within my own neighbourhood because personal assistance or guide dog services do not exist. Also, as to physical barriers, because of traffic jams, the poor condition of the streets and the absence of voice signalisation at the crossroads it is very difficult to move about independently. For all of these reasons, blind people tend to stay at home.*

*I am obliged to move around only with friends and family, and, in effect, have no autonomy.*

*The second problem is that I have no access to books, newspapers, magazines and other materials, because they are rarely written in Braille or recorded onto tape. The other blind people and I are forced to record something by ourselves - with the help of others of course.*

*Lastly, let me say that so far I have done most things independently, except moving by myself in the streets and writing or reading when Braille or an audible format is not available. Recently, however, I bought a computer and it allows me to do things I have not done before.*

**BOX 14****Good intentions are not enough**

The critical part of implementing the unbreakable chain of movement is ensuring that when steps are taken to make a space accessible, they are implemented in compliance with the accessibility standards.

In South East Europe, it is often the case that resources are used to make ramps or dropped kerbs but without applying standards. These are subsequently not usable by people with disabilities, a waste of resources and an example of insensitive planning. Ramps are very often far too steep and cannot be used by wheelchair users. In Sarajevo, a ramp was built inside of a municipal building entranceway again too steep to be used. In Skopje, audible signals for people who are blind or sight-impaired were installed at a crossing in the city but they do not exist anywhere else in the city. Several streets in Belgrade were recently reconstructed with textured pathways for the blind people but at some places manholes were placed in such a way that they disrupt the flow of the pathway. In addition, the islands that were built around the tram tracks were built without dropped kerbs at all crossing points leaving wheelchair users stuck.



Manhole built on textured pathway on a new street in Belgrade



Ramp built in New Belgrade



New street in Belgrade, kerbs are not cut on both sides of the street



Trash bin obstructs textured pathway



## LIFE STORY 7

### TRAVERSING THE OUTDOORS IN A RURAL SETTING – FOR A WHEELCHAIR USER IT IS A DAILY BATTLE

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ENVER, DREAMING ABOUT ASPHALT IN THE UN ADMINISTERED PROVINCE OF KOSOVO

*My name is Enver Kosumi and I was born in 1976 in the village of Burrnik in the municipality of Ferizaj (Uroševac).*

*There was no primary school in Burrnik so I had to attend the one which was in the neighbouring village Gaqkë. This was not a problem at first but then when I was 12 my health problems became evident. It was at that time the first symptoms of my disease, muscular dystrophy, had appeared. I was not aware of what was happening with me. I grew everyday, but unfortunately, I could see that my muscles were becoming weaker and weaker everyday rather than getting stronger.*

*With each new day I found it more and more difficult to walk some three kilometres to my school and back. Not only the distance, but the road was also in very bad condition, especially during autumn and winter when it rained or snowed. In addition to this, my classroom was on the fourth floor and I had to climb many stairs. This was a very demanding daily struggle. Finally, in 1991-1992, I completed my primary education but it was with much physical pain.*

*However, the most difficult period for me was the year 1994 when I had surgery, an appendicectomy, which was followed by medical complications. After leaving the hospital and as the disease progressed, I definitively became a wheelchair dependent person.*

*Since the war, I have not received any rehabilitation treatment as the physiotherapist assigned by the state died and there are only two other private rehabilitation centres, which are not affordable.*

*Now I work in the Association of People with Muscular Dystrophy (MD) in the UN administered province of Kosovo as a volunteer and as the Activity Coordinator for the region of Ferizaj (Uroševac) where the general environment is still very inaccessible. I believe adaptation should start from one's home and garden.*

*As to urban environment, there are some improvements in terms of accessibility, such as ramps. However, for people with MD it is very difficult to move, even in a wheelchair, especially on the roads in the UN administered province of Kosovo, which are uneven, rough and jagged. The State should repair the roads, but they do not seem to care.*



Enver getting into the car with his brother's help – Ferizaj (Uroševac), the UN administered province of Kosovo

*The State also claims it does not have the budget or another kind of support. We very much depend on a third person as I do, relying on my brother's assistance on the daily basis and the State is of no help there either offering nothing to compensate for their services.*

*As I am no longer independently mobile and my family does not own a car and on top of that, there is no public transportation from our village, so when I want to go to Ferizaj (Uroševac), I have to ask a friend who is a taxi driver to pick me up. I am able to pay a lower rate but I am not free as I depend on his availability.*

*So, personally, instead of adapting our house, I would rather change my location altogether and if we succeed to sell a piece of our land,*

*I will happily move to town where there are asphalt roads.*

### Good practice 9: Making the outdoors accessible in Novi Sad, Serbia: An in-depth analysis of how to make the outdoors truly barrier-free

In 2000, a city board for the reduction of architectural barriers has been established in Novi Sad with several local DPOs as members. From 2002-2003 on, the municipality agreed to support the board and began implementing changes in the city. They chose to begin with the area around the Serbian National Theatre as this was one of the parts of the city identified as a community priority by DPOs. An additional reason for this priority was that this is one of the oldest theatres in former Yugoslavia and as such totally inaccessible to people with disabilities despite the fact that it was renovated in 1981. In 2003, the Institute for Urban Construction, the main body responsible for public spaces, accepted the project and agreed to cover the costs from the city budget. The project mainly consisted of building a ramp for the entrance and adding a parking garage behind the theatre.

The problem, however, was that, despite demonstrated willingness on the part of the local authorities to do something, they did not make an effort to consult DPOs during either the planning or implementation process. The DPOs did not have a chance to give their input or to point out what was wrong and the project was finished before they could intervene. Consequently, the changes made around the theatre were inappropriate or insufficient. For instance, the ramp at the entrance of the theatre cannot be used in bad weather conditions. From the accessibility audit, it was made clear that the lack of accessible outdoor space is due to the inappropriate regulations as well as a lack of knowledge on accessibility standards and no multidisciplinary and systematic approach to these issues.

#### **Making an in-depth accessibility assessment**

Following this project, a traffic engineer involved in the initiative carried out an accessibility audit of the outdoor area to detect what remains to be done to fully remove barriers. His assessment broke the outdoor area into five elements:

1. The walkways to the theatre,
2. The crossroads in the surrounding area and the kerbs,
3. The accessibility of the parking garage,
4. Urban furniture,
5. The main entrance to the building.

#### ***The walkways (sidewalks and pathways) to the theatre***

The walkways leading to the theatre are generally not wide enough and they face obstructions by various types of urban furniture such as bus stations, billboards and kiosks. These are placed chaotically making the pathways even smaller and often dangerous for blind or visually impaired persons. For wheelchair users, blind or visually impaired, elderly persons and people who use other assistive devices, movement in such outdoors is limited.

In addition, the existing pathways to the theatre have many curbs and steps. The differences in height along these walkways make movement of a large number of public space users more difficult.

#### ***The crossroads***

The greatest problem with the crossroads is that the kerbs are not cut and cannot be traversed by wheelchair users. In addition to this, the islands do not have cut kerbs so a wheelchair user cannot access them and must wait at the traffic light on the street level. Because the islands are a great obstacle, many

Photos: Srđan Doroški



Islands are not cut for wheelchair users



Kerbs are not cut

people in wheelchairs go around them on the road, risking their safety. If wheelchair users choose to go around the traffic islands they must have excellent manoeuvring skills and great speed. Around the area near the theatre, there are no acoustic signalizations for people with visual impairments and no textured pathways indicating pedestrian crossings. Finally, at pedestrian crossings, the light switches too for people with difficulty in moving to cross the street.



Phones are difficult to reach  
Photo: Srđan Doroški

**The parking area**

The parking garage near the theatre was not planned keeping in mind the movement of people in wheelchairs, parents or carers with children in prams, or others using assistive devices. There are no accessible entrances to the garage and the connection to the theatre is completely inaccessible. There are parking spaces for people with disabilities marked in yellow but their dimensions are too narrow, making it almost impossible for wheelchair users to manoeuvre around.

**Access to public phones**

Wheelchair users, children and people of different heights cannot reach the phone in the phone booths around the theatre. Furthermore, there is no Braille or tactile signalisations available on the phone for people with visual impairments and no adaptable volume on the phone for people with hearing impairments.

**The entrance to the theatre**

The ramp built outside of the entrance is 32 metres long with an 8% slope<sup>54</sup>. The problem is that in some places, the ramp is in fact steeper than 8%. The ramp’s length and narrowness and a relatively steep slope in places make it difficult to use without assistance.

In conclusion, this assessment clearly points to the barriers that still persist in the outdoor environment. According to local disability advocates, the main challenge with projects like this is the lack of awareness of the need to consult with various DPOs, to begin with. Involving them in the process of planning and construction would be the next step. This is particularly important for local development projects where there is a real opportunity to work in partnership to implement proper accessibility standards.

Among the key gains ensuing from this initiative is the thorough diagnostic audit that was conducted afterwards to professionally assess the work of the city board on the removal of architectural barriers. More importantly, this type of assessment can be used as a tool for future projects capitalising on lessons learned, with more in detailed explanation the elements that need to be considered when removing barriers in the outdoors. It shows the importance of a continuity of movement for creating an unbreakable chain of movement.



The ramp is long and narrow with a steep slope in places  
Photos: Srđan Doroški



<sup>59</sup> For more details on standards for ramps see the ADA accessibility guidelines: [www.access-board.gov/adaag/html/adaag.htm](http://www.access-board.gov/adaag/html/adaag.htm)

### Good practice 10: Making an accessible beach in Croatia – but can separate accessible outdoor places create further segregation?

SOIH organisation in Zagreb spearheaded a project to make an accessible beach on the Jarun Lake. As part of this truly outstanding project, an accessible toilet was built in addition to regular toilets, textured pathways placed throughout the beach area and a long gentle ramp was built going from the beach into the water so that wheelchair users can access the lake. In addition, a playground was set up for children of different abilities. The beach is also equipped with reserved parking spaces and is well marked with clear signage providing information to all users.



Ramp extending from the beach into the water  
textured pathways running throughout the park area



Accessible showers and water fountains



Accessible bathrooms next to regular toilets



Playground made for children of all abilities

Although the accessible features of this beach are remarkable, it should be pointed out that there are no other accessible toilets, pathways or parking spaces at the other beaches along the lake. While it is excellent that at this beach there is a ramp for wheelchair access into the water, there should be accessible facilities at all of the beaches so that people with disabilities have choice in where they go rather than being forced to go to the only accessible beach on the lake.



**BOX 15****Design-for-All creates new opportunities for increased tourism in Barcelona**

Barcelona committed itself to making all public places accessible in a ten-year period from 1996-2006. The accessibility plan came about when the city authorities were planning for the 1992 Olympics and realised how difficult it was for people with disabilities to get around. An accessibility consortium, made up of architects, planners, engineers, political authorities and representatives of DPOs was created, to coordinate the plan. Some 85% of Barcelona's buses are now accessible and the rest will soon follow. The metro system has been adapted so that the majority of stations are accessible. Most public buildings and spaces have been renovated and are fully accessible as well (source: Adams-Spink, Geoffrey, "Europe: Access all areas?" BBC, 31 July, 2004, available at: <http://news.bbc.co.uk/1/hi/uk/3930873.stm>).

According to research carried out by the European Institute for Design and Disability (EIDD), tourism rose tremendously after the city was made more accessible. Before the city was adapted in 1990, the number of over-night stays in hotels was 1,732,902. In 2003, after the city had implemented Design-for-All standards, the number of overnight stays had risen to 3,848,187.

There is an economic value as well as human rights one for making tourist areas accessible to all especially as many cultures are facing an aging population with more of a need for accessible environments. Australia, for example, has recently launched a campaign to develop accessible tourism offering tours that are accessible to all. In Portugal, a large campaign to make beaches accessible has brought in such a large increase in tourism that local communities on the coast are making more and more beaches accessible.

**4.2 Looking ahead**

In trying to make changes to the outdoors, collaboration and partnership between all stakeholders in the planning and implementation is critical. This is particularly important as most of the region is in the process of developing their infrastructures and renewing towns and cities. The process of urban reconstruction includes new roads, streets, sidewalks, parks, pathways, passageways and other elements of the outdoors. As the thoroughfare and outdoor spaces of cities and towns are being developed, it is imperative that local authorities, urban planners, engineers cooperate with various DPOs to ensure that accessibility standards are applied as extensively and consistently as possible in new spaces. Local development commissions in charge of renewal and reconstruction initiatives provide an excellent opportunity and target for lobbying for the inclusion of accessibility standards in any and all urban renewal projects.

Also critical for planning outdoor accessibility is to consider all the various elements that make up the outdoors. This is one of the most demanding and complicated links in creating an unbreakable chain of movement and requires different competencies and actors to participate in the planning and implementation processes.

**5. Transportation: the fifth link in the chain**

Transportation that supports free movement means that an individual has some sort of control in the choice of transport services, primarily meaning going where and when one wants to travel. This includes being informed about the services, knowing how to use them, being able to use them and having the financial means to afford them<sup>55</sup>.

Like the unbreakable chain of movement, an important concept for planning of accessible transportation is that it must be considered as **a continuum of movement** in a so-called "**trip chain**" in which a trip consists of many links such as: home to kerb, kerb to vehicle, ride in vehicle, transfers, vehicle to kerb, kerb to walkway, and walkway to entrance of building. If any one link is not accessible, then the journey becomes impossible. Every link in the chain must be taken into consideration and improved as necessary<sup>56</sup>. At the same time, transportation planning must consider not only vehicles but also the interchanges and interfaces between trips so that travel is seamless for all passengers with clear information in accessible formats<sup>57</sup>.

For transportation to be usable by all, the following conditions must be met:

- Public transportation must be universally accessible,
- Terminals, stations, stops and interchanges must also be accessible,
- Drivers must be sensitised to the needs of users with disabilities so as to allow adequate time and support for them to board transport vehicles,
- Information about travel must be made available to people with sensory, cognitive or linguistic impairments.

<sup>55</sup> Suen, Ling S., "Accessible Transportation and Mobility" in Transportation for the New Millennium no. 4, (Transportation Research Board: ): 1.

<sup>56</sup> Ibid, 3.

<sup>57</sup> Stanbury, J. and J.S. Hugo, "Formulation of policy for transportation of Special Needs passenger", Proceedings from the 9th Conference on Urban and Regional Transport in Developing Countries (CODATU), Mexico City, 2000.

Accessible public transportation is best provided through a variety of services, but all boiling down to two essentials:

- **Mainstream public transportation** made accessible to people with disabilities: wheelchair users, blind, deaf or those with sight and/or hearing impairments, as well as those with intellectual disabilities;
- **Door-to-door special transportation services**, for passengers who cannot use any mode of public transport alone.

### 5.1 Transportation in South East Europe

Generally public transportation is not accessible to people with disabilities in the region. Adapted seating, ramps or low-floor entrances, independent exits and signalization for people with sensory impairments do not exist on the different types of existing public transport such as buses, trolley buses, trams and trains. Furthermore, transportation interchanges such as bus stops and train stations are mostly inaccessible as well. Most people with disabilities trying to enter a bus or tram must rely on the help of others as well as the willingness of the driver/conductor to let them enter. There are some accessible means of transportation that exist but they are usually in capital cities only and are often quite limited in their service. According to the Paraplegics Association of Doboj in BiH, "In rural areas, as there are no accessible buses, children cannot go to school unless their parents drive them but most of the families cannot afford that." In Novi Sad, Serbia, out of 200 public buses, there are only 5 low-floor ones. In the UN administered province of Kosovo, according to 'Ardhmëria', a group of women with disabilities, most people with disabilities do not at all use public transportation because it is inaccessible.

Another common problem in the region is that, when accessible transportation is provided, the service is quite limited. The few low-floor buses that exist in Zagreb run infrequently and only along certain bus lines which makes them inconvenient for more widespread use. Because the accessible transportation is so restricted, any travel for a person with disabilities is complicated and time-consuming preventing an individual from commuting freely to any destination they choose. As a member of the Association of Disabled Students from Belgrade reports, "Virtually all regular buses, trams and trains in the territory of Belgrade are inaccessible which seriously undermines my freedom of movement. Another problem is that the information on when and where accessible buses operate is not available, at least not to me."



Inaccessible bus in Novi Sad, Serbia  
Photo: Srđan Doroški



Bus stop without transport information in Kosovska Mitrovica, the UN administered province of Kosovo

Regarding transportation interchanges, most bus stops and train stations are inaccessible and information and schedules are almost never available in audible or tactile formats. These schedules are often not available at all, especially away from the city centre. Another challenge in the region is that bus stops are not built properly to fit low floor buses making it difficult for wheelchair users to access. "The problem is that not only buses but also bus stations and bus stops must be accessible. They need to be adapted in such a way that a wheelchair user can actually get in the bus. In addition to this, drivers would need to receive some training on disability," comments a member of the Muscular Dystrophy Association of Belgrade. Both the drivers and the conductors need to be trained on how to help people with disabilities to enter a vehicle. The training should also comprise of an awareness raising component to achieve greater sensitivity.

#### Door-to-door transportation

Door-to-door transportation for people requiring specialised services does exist in some countries in the region but is mainly provided by DPOs with limited funding.

However, in major cities, there are small transportation firms establishing accessible transportation by van. For example, in Belgrade, there are 10 adapted vans providing door-to-door services within the public transportation system. However, this number is far below the actual needs. A member of the Muscular Dystrophy Association explains, "What we do use as means of public transportation are 10 specially adapted vehicles which are part of the city public transportation system. According to certain data, there are 150, 000 people with disabilities living in Belgrade, compared to the 10 vehicles which is a very small, almost insignificant number. Unfortunately, for the time being, it is the best solution for a wheelchair user. There is a list of the so-called regular passengers

## LIFE STORY 8

### THE DIFFICULTY OF FINDING ACCESSIBLE PUBLIC TRANSPORTATION THAT CAN MEET A USER'S NEEDS

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#### VESNA, A DAY OF COMMUTING THROUGH BELGRADE USING PUBLIC TRANSPORTATION

*My name is Vesna and I am a wheelchair user. Despite this fact, I live an active life: I have a family (three kids), a job and friends...There are two conditions required in order for me to live an active life:*

- to have the desire to be an active woman, and*
- to have some preconditions met in order to realize this aspiration.*

*Each person makes choices in their life, independent of one's gender, race, age, disability or social status. We choose to advance and improve ourselves or to stay trapped within four walls. So I decided long ago to move forward and luckily I have some personal preconditions with which to do it: my desire, energy, family support and the opportunity to do my share in improving the situation of people with disabilities.*

*The condition sine qua non for having an active life, particularly if you are a person with disabilities, is good transportation, especially when you live in a big city.*

#### *One day in my life when I take the bus*

*Today I have a lot to do! This morning, I have to go to the shopping mall then to a press conference and in the evening I am going to a birthday party.*

*The shopping mall, which is fully accessible to me, is 5 km away from my home. However, there are no low floor bus lines that go there so I have to take an accessible van instead.*

*Yesterday, I called the van dispatcher; I was lucky, they told me that they have enough time to schedule my ride, so I arranged for the van to arrive at 10 am. I rarely use taxi service because most of the time, the taxi drivers do not want to come to my home when I call them, viewing this distance as very short and, therefore, not lucrative.*

*The van arrives on time, the driver helps me to enter and I go to the shopping mall with my personal assistant (often it is my husband, who likes to go with me there). I spend about one hour at my hairdresser's getting myself prepared for the press conference. After that, I will take the low floor bus number 65 from the shopping mall to the press conference centre. On this bus line almost all of the buses are low floor ones so I don't have to wait very long for them. My personal assistant helps me to enter the bus because the sidewalk at the bus stop is not high enough and the bus driver does not know how to activate the bus inclination system to make my entrance easier... But, I am happy and do not want to be bothered by these minor problems.*

*The press conference goes really well and I still have some time before the birthday party. I decide to have coffee, visit an exhibition and linger until the party begins because it takes too much time to wait for the low floor bus and return home. Also, we are not allowed to use the van more than twice a day which is why I reserved the van to go home in the evening.*



Vesna taking accessible transportation in Belgrade

*Finally, after a few hours, I go to the bus stop to wait for the trolleybus, which passes near my cousins' home where the birthday party is taking place. I wait for the trolleybus for more than 30 minutes...*

*The birthday party is very amusing: the music, barbecue and party in the garden make a great atmosphere, but we have to leave for home early as the working time of city van ends at 10 pm. It is already 9:30 pm, the van is waiting for us in front of the house.*

*After 15 minutes of an agreeable ride, we arrive home.*

(students, employees, etc.) and if you are not one of these passengers and you need transportation, you need to book a vehicle 24 hours in advance. Even then, you don't usually get the vehicle precisely at the time you asked for but you need to make a compromise with other passengers and the schedule."

#### **A bit of history on door-to-door transportation services**

Door-to-door transportation services began appearing in the 1970's in Sweden and the UK to serve people with disabilities and soon spread to other parts of Europe and North America. These services were created to offer people with disabilities transportation from their home to any destination. Door-to-door transportation systems are mandated in the US by the ADA and fares for these services are usually subsidised by funds from city or state governments. It is critical that drivers of these services get training to assure they are sensitive to the needs of passengers with disabilities including the mechanics of how to board and secure persons with disabilities<sup>58</sup>.

#### **Private door-to-door transportation services**

Taxis and private transportation services in general are not accessible. The major concern with private transportation is that drivers are not at all sensitised to disability issues and do not know how to help a person with disabilities enter their vehicle. However, with limited accessible transportation and a lack of door-to-door transportation services, people with disabilities often rely on taxis as the only form of transportation that might suit their needs. As a student from Belgrade admits, "Taxis are the only form of public transportation I can readily use, but it is over twenty times the price of the bus ticket, so I cannot always afford it. There are several free public services of special transportation for people with disabilities that are provided by City's Public Transportation Company and several organisations of people with disabilities, but these services are inflexible and using them often means sacrificing freedom of choice, so I rarely use them." In a rural part of the UN administered province of Kosovo, an individual with severe disabilities also reported having to rely on taxis as the only form of door-to-door transportation available. He uses them despite the high cost, as specialised door-to-door services do not exist in his village.

#### **The importance of door-to-door transportation services**

In addition to making all public transportation accessible, it is important to provide specialised services to those people requiring door-to-door service using a **twin-track approach**, mainstreaming accessibility into public transportation planning while supporting the development of specialised door-to-door services available for all users requiring it. Besides and despite the process of making all transportation accessible, specialised transportation services will continue to be required for people who require door-to-door service. As the president of IC Lotos in Tuzla explains, "Besides having low-floor buses incorporated within public transportation, a van with a mobile platform will also be needed. This van should function according to the needs expressed by those who require such service in conjunction with personal assistance."

People with more severe disabilities will always require specialised transportation services even once all public transportation has become accessible.

#### **Good practice 11: Making accessible public transportation a reality in BiH**

In the Tuzla canton in Bosnia and Herzegovina, the state only purchased low-floor buses after a strong lobbying campaign carried out by IC Lotos in 1999. The initiative began when the IC Lotos learned that the cantonal public transportation company was planning to purchase new buses. IC Lotos contacted the director of the company and began lobbying him to purchase low-floor buses. After strong lobbying, the public transportation company agreed to buy 8 used low-floor buses and all future purchases will be exclusively low floor buses. Six years later, Tuzla is the only town in Bosnia and Herzegovina in which citizens within the city and those living in the suburbs of the city can travel by low floor accessible buses.

This initiative illustrates the important relationship of accessibility to **public procurement**. If accessibility standards are included in the criteria for public procurement it guarantees that all transportation bought with public money will be accessible. This will be dealt with in depth in Part III. Still, having accessible buses is not enough: bus stops need to be barrier-free and drivers or conductors must be given sensitivity and skills training to know how to appropriately serve a disabled citizen travelling on public transport.

#### **BOX 16**

##### **Door-to-door transport operated by the city of Belgrade**

There is one door-to-door wheelchair accessible van transport unit within the Public City Transport of Belgrade. In addition to this, since the spring of 2006, two public transportation operators in Belgrade, Public City Transport of Belgrade and "Lasta" that operates in suburban areas of the city, are obliged by the City Secretariat for Transport to admit blind persons with guide dogs into public vehicles.

<sup>58</sup> Rickert, Tom, "Mobility for All: Accessible Transportation Around the World", (San Francisco: Access Exchange International, 1998): 13.



### Good practice 12: Specialised transportation for students with disabilities for the first time in Macedonia

In Skopje, Macedonia, the Association of Students with Disabilities in Skopje set up a special transportation service for students with disabilities requiring door-to-door service as part of a project called "Informative Services for Students with Disabilities" supported by Share-SEE in 2005<sup>59</sup> and in partnership with Polio Plus. The organisation conducted an assessment of the needs of students with disabilities and accessible transportation was pointed out as a priority. Once this became prioritised, the association began negotiations with the city council to obtain a bus that the city public transportation company was no longer using. After a month of strong lobbying, the city donated a bus to the association and agreed to cover the costs of a driver and maintenance for one year (ending in 2006).

The bus was completely adapted and operates daily during the working week. The bus makes stops in different parts of the city while providing its passengers with a schedule with the exact times of picking up and dropping off of passengers. The interviews with the students reveal very positive impressions. This constitutes a very good base for further implementation as well as motivation to continue in the same direction and eventually to extend this project. In addition, the association of students with disabilities will provide personal assistance as the next step towards creating conditions for equal opportunities: to attend and complete mainstream high school and university education.

A student from Skopje explains how important the accessible bus is for her, "Before this special bus for the students with disabilities which I now use every day, I was using only taxis. This was so expensive for me and my family."



Bus adapted for wheelchair users and the interior of the bus has reserved spaces for people in wheelchairs

### Good practice 13: Training women with disabilities to drive in adapted cars in the UN administered province of Kosovo

To increase the independence of people with disabilities, Ardhmëria, a women's group in Prizren started a driving school supporting both urban and rural women with disabilities to learn to drive adapted cars. There are currently 20 women attending the course. The driving idea behind the initiative was that since the public transportation is largely inaccessible in the UN administered province of Kosovo, people with disabilities could increase their independence and mobility by adapting their own vehicles and learning to drive.

Going beyond the driving lessons, the organisation lobbied the Ministry of Transport to provide each driving school in the UN administered province of Kosovo with at least one adapted car. While they failed to get the Ministry's support, they did manage to convince a private driving school to buy one adapted car with the argument that people with disabilities are clients too.

In Europe and North America the number of physically disabled drivers has rapidly increased due to more effective driver training by driver rehabilitation specialists in formalised programs. In addition, the increase in technological innovations for car adaptations has helped to make driving much more accessible<sup>60</sup>. In the US, driver rehabilitation specialists exist to help people to assess their needs and find the right professionals to modify their car with adaptive devices<sup>61</sup>. This adaptive equipment include ramps that can attach to one's car for passengers in wheelchairs, grab bars to offer balance and support, hand controls on the steering wheel that allow a driver without use of their legs to fully operate the car or even devices to accommodate for sight or hearing impairments<sup>62</sup>.

<sup>59</sup> Share-SEE – Self Help and Advocacy for Rights and Equal opportunities in South East Europe, a regional project to enhance the disability movement, implemented by Handicap International and four local partners, CIL Serbia, Association of disabled students Belgrade, IC Lotos and Polio plus. For more information see [www.share-see.org](http://www.share-see.org)

<sup>60</sup> Suen, Ling S., "Accessible Transportation and Mobility" in Transportation for the New Millennium no. 4, (Transportation Research Board: ): 5.

<sup>61</sup> More information available at: <http://www.nhtsa.dot.gov/cars/rules/adaptive/brochure/brochure.html>

<sup>62</sup> More information available at: <http://www.dynamic-living.com/news-car-accessories.htm>



Adapted car in Kosovska Mitrovica, UN administered province of Kosovo

### **BOX 17**

#### **The cost of adapting a car**

The costs to adapt a private car are as follows: if the car is an automatic, the adjustment is cheaper and costs about EUR 500; if the car has standard transmission, the adaptation is much more difficult and the price is between EUR 800 to 1000.

### **BOX 18**

#### **Making public transportation accessible: Universal Design at work in Barcelona, Spain**

Barcelona adopted a 10-year plan to make the city accessible to all. The plan was seen as a continuation of the massive urban renewal that took place to prepare the city for hosting the 1992 Olympics. The aim of the 10-year plan, running from 1996-2006, is to make the public areas in the city accessible to all including the public transportation system. The responsibility for drawing up the plan was given to the Municipal Institute for Town Planning and the Accessibility Consortium made up of a staff of over 50 people including architects, urban planners, engineers and ergonomists. The board is made up of representatives of disabled people's organisations as well as political officials. In practice, one of the main drivers of the accessibility initiative is Spain's largest DPO, Organización Nacional de Ciegos Españoles (ONCE), National Spanish Organisation of the Blind.

The planning process began by assessing the accessibility of the city. Regarding public transportation the assessment revealed that only 27 % of the public bus connections and only eight percent of the under-ground stations were accessible. The year 2008 is set for the train lines to become completely accessible. By 2002, 50% of Barcelona's buses were low-floor ones (European Institute for Design and Disability available at: <http://www.design-for-all.org/>). Since 1992, with the adoption of an accessibility plan, a financing programme was established by the national government to cover a substantial part of the difference in price between a low floor and a high floor bus and since 1992, all new buses purchased in Barcelona are low floor ones with an automatic ramp at the central door.

From a stakeholder point of view, the element that helped the Barcelona transportation system to become fully accessible is that all transportation actors and all sources of funding were considered in the planning process including public and private transport companies as well as non-profit agencies.

Customer satisfaction surveys carried out in Spain show that a better quality low floor bus is something highly appreciated by users, specifically the greater accessibility, particularly because of the increase in the number of elderly and disabled passengers. In addition to this, there has been a steady increase in the number of passengers recorded in the last years at a rate of 2% every year ((Lozana, Oscar Sbert, "Low Floor Buses: the Barcelona Experience" in *All Aboard: The Case for Accessible Buses* (Liverpool: 1998): 4-8). With the refurbishment of one station of the Barcelona Rapid Transit railway making it fully accessible, there was an increase in the number of its users by 14% immediately after. Furthermore, it has been shown that the use of low floor buses invariably increases the number of passengers with small children, prams, baggage as well as the number of elderly passengers (Design-for-All Foundation, Barcelona, this information was presented by the European Institute for Disability at a conference on Design-for-All in Belgrade, Serbia, 2006).

**BOX 18 (continued)**

The Accessibility Code Definition Decree adopted in Spain in 1995 required that all public transport means be adapted accordingly and most importantly, made it mandatory that all buses be low-floor ones from then on. This decree is considered to be the real starting point for significant accessibility changes in transportation on a regional level due to the fact that it requires establishing of an Accessibility Promotion Council as well as a financing fund mainly dedicated to architectural purposes at the local level and that the relevant procedures are defined (Lozana, Oscar Sbert, "Low Floor Buses: the Barcelona Experience" in *All aboard: The Case for Accessible Buses* (Liverpool: 1998): 3).

**5.2 Looking ahead****Legal frameworks on accessible transportation**

Many countries have implemented legislation and regulations requiring accessible transportation services. Canada, the US, the UK and Australia have anti-discrimination legislation making accessible transport mandatory with codes of practice and standards for implementation and with effective complaint mechanisms for non-compliance.

In 1990, the Americans with Disabilities Act (ADA) made accessible and usable transportation a qualified civil right. In 1995, the Disability Discrimination Act (DDA) in the UK set the general framework for accessibility legislation and regulations now apply to all new rail vehicles and for buses and coaches. In Canada, the National Transportation Act of 1987 applied the concept of equal access to all and the Canadian Transportation Agency investigates complaints and conducts compliance reviews with regard to the National Transportation Act and Codes of Practice established for air, rail, intercity bus, communication, and related accessibility matters<sup>63</sup>. In Europe, the bus and coaches directive passed in 2004 stipulates that all buses in the EU will have to be accessible by 2007<sup>64</sup>.

Besides having legal frameworks for accessible public transportation, planning and implementation are critical for making transport systems truly accessible, usable, affordable and relevant to all.

**What is needed beyond legislation?**

1. Comprehensive planning on transportation accessibility taking into consideration not only vehicles but transport interchanges and information,
2. Public procurement of public transportation vehicles to include accessibility criteria for all new purchases,
3. Driver and transport operator training,
4. Fully accessible information available on the buses themselves, at the bus stops and available online.

**The importance of training of drivers and transportation operators**

Training of drivers on being aware of disability issues is critical to make public transportation truly accessible to all. In the South East Europe, many people with disabilities face difficulties when trying to enter a bus, tram or even taxi because drivers refuse to accept them or, if they do allow them in, they do not know how to properly help the person alight. Additionally, with the use of new technologies to increase accessibility, drivers need to be trained on how to operate the adapted buses properly. Especially important to the region, there are several low-cost improvements that can be made to transportation regarding driver practices. They also need sensitivity training to ensure that attitudes and behaviour towards passengers with disabilities does not create greater barriers<sup>65</sup>. Raised awareness and skills would benefit a great number of passengers that do not have severe mobility impairments<sup>66</sup>.

<sup>63</sup> Suen, Ling S., 2.

<sup>64</sup> European Parliament legislative resolution on the joint text approved by the Conciliation Committee for a European Parliament and Council directive relating to special provisions for vehicles used for the carriage of passengers comprising more than eight seats in addition to the driver's seat, and amending Directives 70/156/EEC and 97/27/EC (C5-0278/2001 - 1997/0176(COD))

<sup>65</sup> Venter, Rickert, Maunder, "From Basic Rights to Full Access: Elements of Current Accessibility Practice in Developing Countries", 2002: 5.

<sup>66</sup> Venter, 7

**BOX 19****Disability awareness training for drivers, conductors and other transportation operators: a look at UK practices**

The training of public transport staff has emerged as an important component of accessible transportation planning in Europe. Many European states now deliver disability awareness training courses and regularly train drivers of buses, taxis and minivans.

The UK's Disabled Persons Transport Advisory Committee recommends that disability awareness training courses should include (DPTAC, September 2000):

- Barriers faced by disabled people, covering attitude, environment and organisation
- Principles of access audits
- Suggestions for removing barriers faced by disabled people
- Information on all disabilities, including hidden disabilities
- Enabling staff to deal with unexpected occurrences – to 'think on their feet' when a problem arises
- Communication and interpersonal skills for communicating with disabled people, particularly those with a hearing impairment or with learning disabilities.

Source: This information comes from the DPTAC, September 2000

**6. Conclusion**

At the present, the unbreakable chain of movement is only being implemented sporadically throughout the region, generally initiated by DPOs on a grass-roots level. When parts of the chain are implemented, they are done so only partially, removing only some barriers in selected parts of the built environment without making widespread changes in accessibility. As stressed throughout this section, **the unbreakable chain of movement entails comprehensive planning ensuring that all links of the chain are engaged** - a ramp and an accessible bus are not enough; bathrooms, doorways, lifts, streets, signalisations and side-walks must be accessible as well. This requires a lot of changes on a policy level for both new construction and development as well as for adaptation of the existing environment, which will need to be done in partnership with local authorities and DPOs. Part III will examine all of the key legislative elements needed to implement the unbreakable chain of movement.

Below are listed large-scale changes that are priorities and some concrete initiatives that can be undertaken at the local level. All of the activities outlined can be achieved without large amounts of resources but by mobilizing all relevant actors.

Large-scale changes needed:

- Individualised support services which are widespread and mainstreamed
- All planning related to urban plans, infrastructure and roads and new buildings should include accessibility standards
- More rigorous inspection overlooking the construction of new buildings
- All new buildings and spaces must be accessible
- Plans and budgets set for adaptation of existing public buildings (prioritising public service buildings) making both the exterior and interiors fully accessible
- Public transportation to be made accessible whenever new means of transport are acquired
- More regular and flexible door-to-door transportation services available for people who are not able to use accessible public transport
- New roads, thoroughfare and outdoor spaces must be constructed taking into account accessibility standards

Some concrete initiatives that can be undertaken at the local level:

- Registries established for people in communities needing accessible housing
- "Trader's Convention" to be drafted and signed by shopkeepers and businesses owners to make their facilities accessible
- Services in place and available for accessibility auditing and consultations on adapting one's home
- Services in place and available for adapting cars for the people with disabilities and training people to drive
- Lobbying for local transportation procurement to include accessible buses
- Lobbying for the inclusion of Universal Design when the plans for a new public building are being drawn up
- Advocating for barrier-free planning when urban plans are put on public debate
- Lobbying for accessibility during reconstruction or renovation of a public building
- Establishing an independent local accessibility commission that includes people with disabilities that can help to monitor compliance to accessibility standards and existing legislation. This kind of body can also lobby for the inclusion of other standards on accessibility in planning, design and construction

Most importantly, people with disabilities and their representative organisations need to be part of the planning and implementation processes to ensure accessibility standards are in place and meet their needs. As a barrier-free built environment becomes more pronounced throughout the region, disability advocates will need to be working alongside professionals and authorities to make sure the unbreakable chain of movement are truly implemented and well conceived to suit the needs of all people with varying abilities.

However, DPOs need to be well informed by authorities so that they can participate in the planning process. Transparent mechanisms should be in place so that when a new urban plan is being drafted, citizens can participate in the public debate. In addition to this, DPOs themselves need training on accessibility standards so that they can monitor effectively. It could be advantageous for DPOs to appoint a person with a relevant background such as engineering or architecture to be an advisor or consultant on accessibility monitoring issues. Well informed DPOs with a competent advisor on accessibility issues will make monitoring the implementation of the unbreakable chain of movement more effective and sustainable.



# PART III

## ENSURING THE LINKS OF THE UNBREAKABLE CHAIN OF MOVEMENT ARE IN PLACE AND ARE WIDESPREAD: THE POLICY PROCESS NEEDED TO IMPLEMENT THE UNBREAKABLE CHAIN OF MOVEMENT

In order to achieve the unbreakable chain of movement, there are key policy changes that need to take place along with awareness raising, training and partnerships between the disability community and local authorities.

The policy “package” should include a new legislative framework consisting of **anti-discrimination legislation, public procurement laws with accessibility standards, and laws on construction and planning with mandatory accessibility standards** in-line with European countries and international standards. The legislation must be accompanied with **enforcement mechanisms** and **monitoring bodies**. Parts of budget should be allocated specifically to accessibility, with responsible bodies assigned to the task and **clear deadlines** set.

In addition to legislation, there needs to be **major training and re-training** undertaken for actors involved in the built environment such as builders, contractors, architects, urban planners and local authorities as well as for DPOs, on accessibility standards. Besides training, accessibility and Universal Design or Design-For-All needs to become a part of the formal curriculum for faculties of architecture, civil engineering, urban planning and design.

Finally, **participatory accessibility planning** needs to become a common practice. Engaging all actors and including people with disabilities and their representative organisations can ensure much more comprehensive execution. Participatory planning is an especially important factor in the context of decentralisation as resources are reallocated to better address local needs. Local development offers opportunities for ensuring a barrier-free environment is part of the reform process.

### **The situation in South East Europe**

#### ***An inadequate legal framework to implement the unbreakable chain of movement: construction and urban planning***

In South East Europe the accessibility standards are included in legislation but they are rarely implemented and many stakeholders are not even aware that they exist. **Monitoring and enforcement** are not frequent in practice, facilitating a culture of non-compliance with standards. Anti-discrimination legislation on disability is also needed in the region to force changes in the environment when people are denied access.

As it is, a great lack of compliance with accessibility standards in the existing legislation is manifested when new buildings and spaces are built or when new transportation is put in place without proper enforcement bodies monitoring the situation. Furthermore, when legislation is put in place, it is generally not accompanied with a **thorough policy formulation** assigning responsible bodies, budgets allocated to finance implementation, regulatory frameworks with specific procedures and standards and time plans defined for implementation.

#### ***Insufficient urban planning plagues the region***

There is a great lack of proper urban planning in the region. Out of zone building without permits is widespread, and this also leads to severe non-compliance with the existing regulations. Furthermore, the bodies responsible for issuing permits and carrying out inspections often fail to apply the official standards because there is so much building on going, done outside of the technical standards and not according to official urban plans.

To help better understand the tangled situation, an architect from Belgrade explains, “Each municipality has an urban planning directorate made up of urban planners and local authorities but in many municipalities, private architecture planning studios are commissioned to come up with urban plans. These are then put on public debate. In theory, there should be one master plan per municipality and then detailed regulation plans for each region within the area. However, many municipalities don’t have any urban plan. Furthermore, even when they do exist, they are often not compatible with existing plans and data is often overlapping. Every plan or project goes before a commission which should make sure it complies with technical requirements, but most of the time



they do not comply with all standards. All this is coupled with the fact that the issuing of land permit is acutely underpinned by bribery or corruption.”

In the haziness of inadequate urban planning and a lack of enforcement of regulations amongst building officials, the free movement of people with disabilities remains the least concern for those regulating the built environment.

### ***The complications of a mushrooming construction industry in South East Europe***

The construction industry throughout South East Europe is one of the fastest growing industries. While this includes a proportion of illegal building or building done without proper permits, due to the corruption within this industry, there are large numbers of building permits issued for plans not complying with all standards. Part of the problem is that those issuing permits and those inspecting and monitoring generally “shut their eyes” to accessibility regulations among other standards stipulated by law. Additionally, many of the people working in the construction industry today do not have formal training in urban planning or civil engineering for example. Many begin construction firms or become investors as it is a profit-making industry and lack any kind of background or training on building standards including those stipulated by law on accessibility.

### ***Lack of investor awareness on accessibility standards***

Additionally challenging in the region is an acute and deep rooted lack of awareness on disability issues amongst investors and contractors. With a limited knowledge or interest in disability, investors almost never include accessibility standards in their requested output when planning or drafting tendering specifications for new buildings or public spaces. This is a crucial issue where major awareness raising needs to be undertaken to get the investors interested in creating accessible environments for all.

### ***Professionals responsible for the built environment are not trained on accessibility standards***

To further complicate the situation, there is deficient knowledge or understanding of disability issues and accessibility standards amongst architects, builders, planners, designers, transportation operators and engineers themselves. In fact, most professionals responsible for the built environment are not aware of Universal Design or Design-for-All and have not had any formal training on accessibility standards in general let alone apply them in practice. In most faculties of architecture, urban planning and civil engineering, Universal Design and Design-for-All are not included in the formal curricula. There are some initiatives to change the situation but for the most part, disability issues and accessibility are not part of any formal training at the undergraduate level. There are some architecture faculties that include Universal Design and accessibility standards within the curriculum but only at the post-graduate level.

### ***Participatory planning is lagging behind***

The region is lagging behind in terms of participatory planning on accessibility amongst DPOs, local authorities, the private sector and professionals responsible for the built environment. As an exception, authorities do consult DPOs on accessibility issues from time to time, but they are seldom part of the initial phases and of final implementation. The majority of time, when different actors work collaboratively it is a DPO-led initiative.

Fortunately, there are some signs of change; the anti-discrimination law was recently adopted in Serbia and a comprehensive law on the rights of people with disabilities is being discussed in government in Macedonia currently. A National Disability Strategy written with the active participation of DPOs was adopted in Albania and one is currently also being drafted in collaboration with disability advocates in Serbia. Accessibility standards and Design-for-All are beginning to be introduced into some architecture curriculum albeit at the post graduate level and there are many grass-roots initiatives taking place to implement changes in policy formulation. These examples of good practice are mainly led by DPOs.

## **1. Awareness raising: the importance of getting free movement on the social agenda**

Widespread awareness raising around the issue of accessibility must be undertaken amongst the stakeholders responsible for the built environment as well as at the general public. Obtaining widespread public support is a highly effective tool for pushing governments to make appropriate changes. To this end, many examples of awareness raising campaigns on accessibility are indeed taking place.

However, what is truly needed is effective and relentless advocacy in order to get free movement of people with disabilities on the policy-making agenda. In countries where progress has been achieved with disability issues the process was characterized by vigorous advocacy of DPOs themselves.

### **1.1 Awareness raising in South East Europe**

What is greatly needed in the region is a civil society watchdog force monitoring the implementation of accessibility standards in the existing legislation.

DPOs along with mainstream civil society need to find an effective way to monitor all new buildings to ensure accessibility standards are being implemented and to alert authorities and the public when they are not. In fact, in countries where significant progress has been made in developing accessible environments, there has been vigorous advocacy of DPOs themselves. In countries where DPOs play both a watchdog role and an advocacy



role, the most successful changes in the built environment have been made<sup>67</sup>.

There is an overall lack of public awareness on disability issues in general in the region. The ensuing societal segregation also contributes to the barriers that people with disabilities experience daily. Increased public awareness is essential for changing people's attitudes on disability and ultimately for building solidarity around disability rights. In addition to public awareness raising, persistent and targeted advocacy is critical in the region for getting free movement on the political agenda to change from being viewed as something that should be demanded rather than requested. To make concrete changes in the built environment, disability advocates need to become a political force. In order to do that, they need to reach a political consensus amongst their various organisations.

That said, the political influence of people with disabilities appears to be growing. In many countries in the region disability affairs offices are being opened within governments and **disability action plans and strategies** are being drafted and/or adopted. The disability movement is showing signs of becoming stronger and more unified in its demands for rights and social inclusion. The political influence of people with disabilities appears to be growing in many countries as well with the creation of **departments or offices on disability affairs** within

government. For example, the Sector for the Protection of Persons with Disabilities under the Ministry of Labour, Employment and Social Affairs in Serbia was established several years ago. In Albania there is a governmental department dedicated to disability issues called the Secretariat to Disability within the Ministry of Labour and Social Affairs and Equal Opportunities within the department of Equalisation of Human Rights established in June 2006.

However, despite the obvious and encouraging signs of improvement, what is lacking throughout the region is, as described earlier, a **watchdog force**, monitoring the implementation of the unbreakable chain of movement and blowing the whistle when laws and standards are not upheld.



Campaign on accessibility in Pristina

#### Good practice 14: Large-scale awareness raising in Macedonia

Polio Plus from Skopje carried out a successful awareness raising campaign in 2003 called "A Parking Space Named Desire". The two key objectives were to uphold and promote mobility and access of people with disabilities to the built environment as a human right as well as to facilitate civic education aimed at engendering a spirit of collective responsibility for these rights.

The "A Parking Space Named Desire" initiative was broken into three parts; lobbying for **changes in the legislation** on designated parking for people with disabilities, **training** of police and **public awareness raising** on the importance this issue.

Initiatives taken as part of the "A Parking Space Named Desire", in Macedonia:

##### 1. Lobbying for stronger legislation

Polio Plus recognised that in order for designated parking spaces for people with disabilities to be available and respected, there needs to be stronger legislation with a mechanism for implementation and better punitive tools for non-compliance. Thus, they focused part of the initiative on a comparative analysis of legislation prevailing in the EU with the relevant legislation in Macedonia and used the results to draft amendments. Once the analysis was finished, a legally based advisory committee lobbied appropriate bodies and entities on the proposed amendment. The targeted bodies included: the legal departments of relevant line ministries, the Traffic Department within the Ministry of Interior and the Council for Traffic Security which is a part of parliament and is responsible for promoting policy in this area. In addition to this, lobbying was carried out for dedicated parking spaces in four areas encompassing 7 cities: Skopje, Tetovo, Gostivar, Prilep and surrounding area, Bitola, Ohrid and Struga

##### 2. Training of the civic sector

A training seminar was held for members of the police force in cooperation with the Traffic Department of the Ministry of Interior to raise their awareness on the importance of respecting these dedicated parking spaces by the wider population. One of the lecturers was a policeman who acquired a disability during the recent near-Civil War, and another the Dean of the Faculty of Architecture in Skopje.

<sup>67</sup> Source: Venter, Rickert, Maunder, "From Basic Rights to Full Access: Elements of Current Accessibility Practice in Developing Countries", 2002 pg. 3.

Going a step further, a civic patrol was also established to complement the work of the police force, in accordance with the provisions set out in the Law on Traffic Safety. The role of the civic patrol in this project was to assist the police in implementing the new changes in the law and by-laws. The police force and the civic patrol were to be assisted by a youth brigade. This brigade was composed of young volunteers, both with and without disabilities. It assisted in marking out parking spaces, in monitoring that they are respected by the public and in handing out informative flyers.

### 3. Public awareness raising

The official awareness raising campaign was launched with a press conference in which Polio Plus announced the opening of a competition for the most effective municipality to mark and protect dedicated parking spaces offering a prize to the most successful community.

For the purpose of taking the most advantage of this competition, the Polio Plus secured an agreement of co-operation with the dean of the faculty of architecture, Skopje. The dean provided guidelines in marking out parking spaces according to international standards and appointed one of his staff to serve as a point of consultation for municipalities on the subject. The core of the youth brigade was based in Skopje but its members travelled around the country, working together with peer members from local communities as a team in marking out parking spaces. Team Leaders were assigned to each of the 4 key areas in order to generate team spirit amongst volunteers and to undertake lobbying activities in relevant municipalities.

In total, 300 parking spaces were marked during the initiative, of which only 100 dedicated parking spaces were funded with the project's budget while the remaining 200 were financed by the business sector within each community. Once the parking spaces were marked, in the following three months, the Youth Brigade monitored compliance and issued warnings and fines to people who violated the law. During the monitoring phase, stickers and flyers on the free mobility of people with disabilities were handed out to the public.

As part of the awareness raising campaign, flyers, posters, billboards, a radio spot, TV clip and a short documentary were produced and disseminated. The TV spot highlighted the difficulties encountered by people with disabilities in finding parking spaces and the British government through the British embassy funded it. A supporting radio spot was also produced using the slogan and motif of the project. A short documentary was used as a learning tool in the seminar given to police. An important element of the media campaign was to liaise with the media. As one of the outcomes, the established media relations will help to regularly "feed" both press releases and related anecdotes to members of the press, keeping the general public informed and maintaining their interest in disability issues.

Finally, the second press conference was held at the end of the project presenting the successes of the initiative as well as delivering awards to the most successful municipality and showing video footage from the project itself.

Polio Plus carried out another awareness raising campaign called "**Unequal Treatment is Equal to Illegal Treatment**" in which they placed wheelchairs outside of the Law Faculty, the Centre for Employment and the Centre for Social Security - all inaccessible public buildings. After carrying out the demonstrations, Polio Plus put stickers indicating whether a building was accessible or not on businesses and public buildings working directly with those that expressed a strong interest in making their building accessible by providing them with guidelines for installing the ramps. In total, 85 ramps were built as a direct result of the protest. Some 30 more are currently under construction and there are promises of a further 40 to be built in the near future.



Campaign poster for a Parking Space Named Desire

### Good practice 15: Awareness raising aimed at involving local authorities makes a concrete impact: A look at an initiative in Bosnia and Herzegovina

In Doboj, BiH the Association Doboj South, carried out an awareness raising campaign on accessibility in cooperation with local authorities and the Ministry of Urban Planning and Ecology. The "Gradimo Srcem" (We Build with a Heart) campaign was carried out in 2003 supported by Share-SEE. As part of the campaign they held 5 educational seminars in five regions, bringing together 233 participants from 53 municipalities. The association prepared various promotional materials such as a handbook with technical solutions for accessibility and containing architectural guidelines. They also produced a television spot called "Gradimo Srcem" on the importance of an accessible environment that ran twice a day for 21 days. As a result of the awareness campaign, local authorities agreed to work with DPOs to ensure the accessibility standards within the legislation on urban planning and construction are implemented. As will be shown in good practice 20, this initiative sensitised local authorities paving the way for further reforms of legislation related to accessibility of the built environment.

### Good practice 16: Small-scale awareness raising - small but visible

**"This is My City Too"** was a project implemented by the **Association of Paraplegics** of the Nisava District, Nis, funded by Share-SEE. Its aim was to raise awareness on disability issues with an emphasis on the removal of architectural barriers. The project began with a survey of 100 people on general views about accessibility in Nis and lasted five months. The majority of respondents did not have a clear understanding of what accessibility means concretely but most felt that the city is not accessible to people with disabilities.



Wheelchair basketball match in Nis, Serbia as part of awareness raising campaign

The Association of Paraplegics of the Nisava District organised a public discussion on Universal Design at the Faculty for Architecture, moderated by a traffic engineer with expertise on accessibility. The organisation also planned a wheelchair basketball match in the main city square, which was attended by hundreds of people including several high political officials from Nis. This street event proved to be of essential importance for the visibility of this project. The media coverage of the campaign was solid, particularly of the wheelchair basketball match which received substantial coverage from the print and broadcast media. With a limited amount of resources, the Association of Paraplegics was able to get disability issues visible in the community and initiate a dialogue with local authorities, both important for long-term changes going forward.

### Good practice 17: Developing an accessibility city guide provides an interesting example of monitoring free movement

SOIH, the Union of Associations of People with Disabilities of Croatia, developed a city guide for Zagreb to assess the accessibility of public buildings. The guide uses pictograms to classify buildings by the level of accessibility as completely, partially or not at all accessible. Once completed, these guides have not only been useful for people with disabilities regarding independent tourism, but as an advocacy tool utilised to perform a sort of watchdog role. In each town where a guide had been produced, local DPOs organised a public presentation to review the accessibility situation with local authorities, administration and the local media. With the support of the guide, they pointed out what should be modified and integrated into the national and local strategies for accessibility. DPOs have used the guides to lobby local authorities to dedicate resources for making public spaces accessible and in 2005 they succeeded in getting EUR 200,000 from the government for the removal of architectural barriers in Zagreb.

## 1.2 Looking ahead

### **A watchdog force on free movement of people with disabilities is lacking in the region**

Having a watchdog force amongst disability advocates is lagging in the region. This is a vital part of the advocacy process because it helps to enforce the political influence of disability movement by calling governments to task for shirking their responsibilities. In Latin America in particular, DPOs such as Mexico's Libre Acceso and Rio de Janeiro's Center for Independent Living (CVI) fulfil both a watchdog role and a advocacy role. A lawsuit brought by CVI has, for instance, resulted in a court order that has led to making Rio's subway stations accessible. CVI also played a leading role in projects to provide accessible pedestrian infrastructure in the city<sup>68</sup>.

There are many examples of successful participation in accessibility planning and local development from developing countries. In Brazil, ONG Vida, a local human rights NGO and la Cocas, a local DPO formed of 15 organisations working in the field of disability and human rights, carried out a pilot study on accessibility for the city of Salvador with the participation of people with disabilities, architects, and urban planning professionals. For the purpose of the study, pairs were formed of a person with disabilities and a built environment technician to carry out the assessment together. The time frame for the pilot study was three years for a full analysis of the city to be made at the end of the three years and smaller surveys carried out each year. Each pair received training on accessibility standards prior to making the assessment. La Cocas is now emerging as the principle actor and specialist on accessibility in Salvador.

### **The advocacy message must highlight the holistic concept of the unbreakable chain of movement**

It is important when carrying out awareness campaigns and advocacy and lobby actions **to integrate in the communication the whole concept of the unbreakable chain of movement** in order to prevent a partial and reductive perspective of the issue (for instance, accessibility = ramp). Campaigns and actions should give a clear message of the importance of a holistic approach to free movement reinforcing the fact that good intentions are not enough.

### **Awareness raising must be diversified**

There is a need to diversify awareness raising campaigns by developing different kinds of activities through which to reach a variety of audiences. These are demonstrations, cultural events, seminars, workshops, but also articles in the newspaper, interviews and news reports on the radio or TV, documentaries and TV spots. For example, a seminar or workshop are appropriate for training and sensitising actors in the reform process such as disability advocates themselves, service providers, local authorities, members of the media, relevant ministries or mainstream NGOs. A demonstration is more relevant for getting public attention on a political issue while cultural events are a good way of gaining community support around disability issues.

However, many disability advocates pointed out the need for more **media attention on disability issues** from a human rights perspective. It is vital that the voice of the disability movement is reflected in the media and that disability issues are appropriately represented. One idea suggested by several disability advocates around the region is to publish articles on disability issues in the dailies working with **journalists who are trained by disability advocates** in order to raise public awareness. Media coverage of the free movement of people with disabilities is vital for effective advocacy and gaining public support around the issue.

Successful awareness campaigns and advocacy actions should result in "**first steps**" towards implementing the unbreakable chain of movement: the curb ramps, ramps to buildings, larger letters on signs and the beginning of door-to-door services. These first steps are important for gaining publicity on the community level<sup>69</sup>. Of course advocacy should not stop there but the initial changes in the built environment can be a good trigger and promotion tool for widespread changes.

## **BOX 20**

### **Small pilot projects to accompany awareness raising are important first steps**

However, awareness raising alone is not enough. The important thing is to begin with small projects such as pilot projects alongside awareness raising. In this way, people can have a chance to work together and understand how to properly implement accessibility standards while having a concrete output such as a newly accessible park or street that can be used for further awareness raising.

<sup>68</sup> Venter, C.J., Bogopane, H.I., Rickert, T.E., Camba, J., Venkatesh, A., Mulikita, N., Maunder, D.A.C., Savill, T., Stone, J., "Improving Accessibility for People with Disabilities in Urban Areas". United Kingdom Department for International Development (DFID) Engineering Knowledge and Research: Project R8016 (2002): 21.

<sup>69</sup> Rickert, Tom, "Mobility for All: Accessible Transportation Around the World", Access Exchange International, 3.

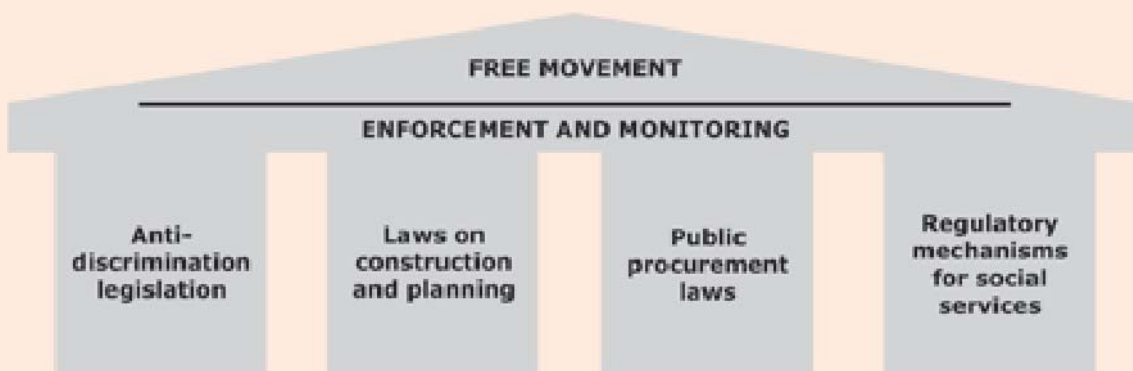
## 2. The legislative framework needed to ensure the free movement of people with disabilities

To accompany the development of an unbreakable chain of movement, a **strong legislative framework** is needed to remove barriers and force changes in the environment. The framework should include the following legal tools:

- A comprehensive anti-discrimination law on disability;
- Universal Design or Design-For-All included in specific laws on construction and planning, (accessibility standards in laws and by-laws on urban and environment infrastructure), public transportation and public information with enforcement mechanisms such as sanctions for non-compliance or revocation of professional license
- Accessibility audits as part of regular urban planning inspections;
- Access to goods, services and public works included in public procurement legislation;
- Regulatory mechanisms for social services including support services;
- All legislation must be accompanied with enforcement mechanisms and monitoring bodies, and passed with clear deadlines set.

### BOX 21

**The legal framework needed to implement a barrier free environment and facilitate the free movement of people with disabilities**



### 2.1 Legislative overview: Inadequate legal frameworks obstruct the concrete steps towards the unbreakable chain movement in South East Europe<sup>70</sup>

#### Anti-discrimination legislation on disability

So far, Serbia is the only country in the region to adopt anti-discrimination legislation on disability and this took place as late as in mid April of 2006. There is an urgent need to get disability anti-discrimination adopted in the region passed in collaboration with disability advocates. Anti-discrimination legislation is important for several reasons: through civil rights cases and punitive fines, changes in the built environment can be introduced: disability will begin to be mainstreamed in government programs and, therefore, policy making, but also a rights-based legal framework will develop changes in attitudes.

#### Laws on construction and planning

In all of the countries of the region, the lack of implementation of existing accessibility standards, with **ineffective enforcement and punitive mechanisms for non-compliance** are the largest problems with the current legislation related to construction and planning. As a disability advocate in Bosnia and Herzegovina explains, "Not a single case of non-compliance with accessibility standards has been brought to court! The chief inspector for building permits persists in granting building licenses even when civil engineering requirements are not met."

#### Public procurement legislation

Finally, accessibility standards and, more precisely, the technical criteria required are not included in public procurement laws in any of the countries in the region. This can be a major tool for assuring that new public buildings, public transportation, services and works commissioned with public money in fact adhere to accessibility standards. Still more detailed regulatory frameworks are needed to require accessibility features on new vehicles as well as adapting and retrofitting old vehicles to be fully accessible.

Opportunities to take the first steps to implement the unbreakable chain of movement are often presented during procurement for reconstruction or refurbishing of public transportation systems. This is an excellent opportunity for DPOs to lobby for low-floor buses and other accessible means of transport putting the free movement of people with disabilities on the transportation planning agenda as seen from the example in Tuzla.

<sup>70</sup> A comprehensive chart showing the legislative framework for each country/region according to the unbreakable chain of movement is presented in annex 3.



### Standards and regulatory frameworks: the gaps in SEE

As noted in part II, regulatory mechanisms for social services and support services are missing in the region. However, the other links missing throughout the region are regulatory frameworks with detailed technical standards on accessibility. An important mechanism for implementing the unbreakable chain of movement is the **standardisation process** with a set of regulations within the built environment. Looking again to Spain, a significant standardising effort was carried out by professional associations including an architects union, the officials responsible for inspecting building projects along with other specialists and other institutions<sup>71</sup>. Still anti-discrimination legislation and rights-based policies are particularly important in ensuring that disability issues become mainstreamed into government programs.

## BOX 22

### The importance of technical standards

Technical standards are the result of a universal process applied by a recognised standardisation process. According to the International Organisation for Standardisation (ISO), a technical standard is a document, arrived at by consensus and approved of by a recognised organisation that provides for a common repetitive use of rules, directives, or characteristics for activities or their results in order to achieve an optimal level of order within a given context (More information on the ISO system is available at: <http://www.iso.org/iso/en/ISOOnline.frontpage>). Technical standards should be based on results consolidated through science, technology, and experience and promote optimal community benefits. Systematic application of accessibility determinants in the process of establishing technical standards will generate appropriate technical support for both private and public terms of reference. Accordingly, a technical standard can provide guidance on the technical characteristics for building or public procurement of, for example, a specific transportation vehicle. Technical standards such as the ISO establish a universal methodology helping to ensure consistency in implementation. Accessibility guidelines generate differences in technical specifications and legal provisions. In turn, these disparities lead to resistance in directly applying these technical specifications generating oversight and non-compliance. This is true in South East Europe where technical standards such as the ISO have not yet been generated. A technical standard established by consensus with the participation of all interested stakeholders and institutions that include accessibility standards conveys the social acceptance of a legal instrument that can be applied uniformly (Alvarez, Eduardo, "Pathways to Accessibility: Disability and the Physical Environment in Latin America and the Caribbean", Inter-American Development Bank: 6).

## 2.2 South East Europe: the current legal frameworks regulating the built environment

In **Montenegro**, the law on construction of buildings states that the new public buildings must ensure full access to the persons with disabilities and that in newly constructed residential buildings with more than 10 apartments, accessibility standards should be respected in common spaces and that at least one apartment must be accessible to people with disabilities.

However, the law in Montenegro does not state anything about adapting existing buildings. It should also be stressed that the discriminatory side of this law is that it relates only to the needs of people with physical disabilities and nothing is said about people with sensory impairments and about, for example, voice signalization or adaptation of pedestrian crossings for visually impaired persons. According to disability advocates, this law is not respected even when some builders try to apply it because of the absence of clearly defined standards. As a member of the Association of Youth with Disabilities of Montenegro explains, "The work of construction inspectors must be overseen and regulated. They shouldn't give technical permits to buildings which are not in line with accessibility standards. Only strict sanctions that are imposed by inspectors such as large fines or revocation of one's professional licence for not complying with all standards can lead to real changes."

In **the UN administered province of Kosovo**, although it is ruled by the UNMIK and internal government bodies, there is still a gaping lack of standards and by-laws related to the free of movement of people with disabilities within the built environment. There is only one law on construction mentioning accessibility for people with disabilities, but the article talks about buildings in general, not differentiating between the public and the residential, and the technical specifications are very brief and not descriptive. Besides this, urban plans are seldom implemented and, according to an architect working at the municipal office for urban planning, the **inspection commission** that should be appointed to control the construction sites does not exist because of lack of money.

In **Bosnia and Herzegovina**, the legislative landscape is also inadequate for addressing the issue of free movement of people with disabilities. Like in most of the other countries in the region, an anti-discrimination law on disability does not exist. In addition to this, diagonally different from the other areas in the region, Bosnia and Herzegovina has a complex decentralized government system which, is divided into 10 cantons, two entities, the federation of Bosnia and Herzegovina and Republika Srpska, as well as the district of Brcko. Under this system, cantons are granted a large degree of autonomy and can adopt and implement their own laws as long as these do not conflict with the federal ones. Yet, because of large economic disparities between cantons and municipalities, this produces great gaps in the implementation of laws and standards throughout the country. For example, the Federal Law on Construction was adopted in 2002, while in the Tuzla canton it was adopted only in 2005. Once a federal law passes, the cantons have to apply and implement it; but as they usually do not have the money to do this, the process is quite slow. Many times in practice, it is civil society that pushes to implement legislation.

<sup>71</sup> Lozana, Oscar Sbert, "Low Floor Buses: the Barcelona Experience" in All aboard: The Case for Accessible Buses (Liverpool: 1998): 4.



The Federal Law on Construction adopted in 2002 in Bosnia and Herzegovina which regulates collective residential buildings with flats (would the funds be private or public ones) and public buildings, includes an article related to the 'elimination of architectural barriers for people with lower body impairments'. The law even contains an enforcement mechanism for non-compliance. However, in practice there is little obligation to follow building codes in general. An architect in Sarajevo working as a professor at the Faculty of Architecture explains the current situation: "In the federal law, 'the Article 27' is related to accessibility and enforcement; but as there is no enforcement mechanism functioning properly, no one cares and no one feels pressured to implement accessibility standards. Moreover, there is no awareness on disability and this is reinforced by the fact that there are no courses on accessibility taught at the Faculty of Architecture."

Regarding existing buildings, there is a new article in the Federal Law on Construction from 2002 that stipulates that all buildings must be adapted to be accessible in the next five years. Within this period, individuals and organisations must address responsible bodies to push for this to be implemented.

In **Albania**, the absence of standards, as well as very few by-laws with specific regulations on accessibility may partially explain the lack of implementation of existing laws that are mainly declarative and without any enforcement mechanisms. The situation in Albania as in the other countries is similar, there is a legal vacuum regarding disability and the need for comprehensive anti-discrimination legislation.

According to the law on construction adopted in 2003 in Albania, all new public buildings should provide "access for use", as well as "the premises of health institutions, social care institutions and public institutions should be adapted to be used by blind people and paraplegics"<sup>72</sup>. A decree in the law on the Status of the Paraplegic and Tetraplegics states that "All persons responsible for planning public buildings (hospitals, collective residential buildings and schools) should adapt the outer environment to the needs of invalids and of people with disabilities." Thus, the free movement of people with disabilities is only mentioned in relation to public places (airports, train station, stadiums, hotels, etc.)<sup>73</sup>. With respect to thoroughfares, roads, signalisation and public spaces, a single law mentions that adaptations should be made but for blind persons only<sup>74</sup>. However, there are no by-laws specifying standards and regulations, no budget allocated to implementing the existing laws and no time plan specified for accessibility adaptations.

#### Good practice 18: Campaigning to include accessibility in the law on construction in Macedonia

Before 2005 in Macedonia, the Law on Construction did not have any articles related to spatial accessibility. The Law on Spatial and Urban Planning does include principles on accessibility but without any punitive measures for non-compliance. Polio Plus, a DPO in Macedonia undertook concrete steps to achieve legislative reforms both within the Law on Spatial and Urban Planning and the Law on Construction (explained in more depth in Part III section 2).

In 2005, Polio Plus drafted amendments to the law on construction to include a provision on reducing barriers in the built environment for people with disabilities. The amendments were submitted for public debate at the end of March 2005. As a result the principle of overcoming the architectural barriers with respect to people with disabilities is now explicitly stated including the other principles mentioned in the law on spatial and urban planning related to accessibility. However, it is regrettable that despite the lobbying efforts, the provisions on the punitive measures for non-compliance drafted by Polio Plus were omitted.

#### Good practice 19 in the UN administered province of Kosovo: Creating information on technical standards for accessibility in cooperation with local authorities

In 2004, the DPO Handikos worked with students from the Faculty of Architecture at the Pristina University to publish a manual called, "Accessibility of Buildings for Disabled People" with technical specifications on accessibility standards to be used as a guideline in the construction of buildings. Handikos disseminated the manual to local and central authorities responsible for construction and planning but it was accepted by government as an official guideline and they are considering its adoption within the next year as they plan the implementation of new standards on construction.

<sup>72</sup> Law Nr. 9143 on the Status of Labour Invalids, dt 16.10.2003.

<sup>73</sup> Law nr 8626, dt 22.06.2000.

<sup>74</sup> Law nr. 8098, dt 28.03.1996.

### Good practice in Serbia 20: Building a proper legal framework for the free movement of people with disabilities

In order to ensure the implementation of accessibility standards, **legislation** related to building and planning must explicitly state that accessibility standards are mandatory. In Serbia, the law on planning and construction was recently amended accordingly and states that designers, architects, investors and builders who fail to implement these standards in planning and construction of new public spaces will be subject to economic sanctions. In reality, what the amended Law on Construction and Planning in fact says is that technical standards must be implemented **but without specifying which ones and without explicitly stating that they are mandatory**. It is only in the by-law that accessibility standards are mentioned so the law can be interpreted in the way that technical standards encompass the accessibility standards from the by-law. However, this is often not the case in practice as standards are either not implemented at all or are inadequately implemented (i.e. a ramp is built but it is too steep), which is even worse as funds are spent in vain and accessibility is not implemented in reality.

This amendment was initiated by the Department of People with Disabilities in the Ministry of Labour, Employment and Social Affairs in cooperation with DPOs and in consultation with the Ministry of Capital Investments. At first the amendments were not approved but after DPOs, the Department of People with Disabilities and the Association of Urban Planners lobbied together, the amendments were accepted by the Parliamentary Committee and adopted by the Parliament. Now that the amendment has passed, it will need to be implemented together with DPOs and competent actors. It is the DPOs who should work with competent state monitoring bodies to evaluate the implementation process regarding the accessibility standards.

Besides this, a time plan to adapt three old public buildings in all municipalities of Serbia was adopted by Ministries of Labour, Employment and Social Affairs, of Capital Investments and of State Administration, all in accordance with proposals of DPOs. Finally, some municipalities and cities, like Belgrade, include adaptation of street crossings and marking of parking spaces in the annual programs of their activities on a regular basis.

Despite all positive changes in legislation, they will not mean anything unless they are applied in practice at the local level. Local urban plans, local building permits and local development plans have to include accessibility standards. As previously mentioned, one of the main reasons that accessibility standards are not implemented is a lack of awareness amongst local authorities. Local actors such as building inspectors and those issuing building permits will need to be trained on accessibility standards as well as how to monitor compliance with the law. Therefore, there is a great need to work with local actors to raise their awareness around accessibility issues. DPOs in Serbia are currently trying to get the Ministry of Capital Investments to circulate a letter to local authorities on implementing accessibility standards in cooperation with DPOs.

In April 2006 disability anti-discrimination legislation was adopted in Serbia, regulating that a failure to provide access to public buildings, transport and services constitutes a prohibited act of discrimination against persons with disabilities. It also prescribes that state and public authorities shall take measures to ensure access to built environment for persons with disabilities. The Ministry of Labour, Employment and Social Affairs initiated this law after the strong lobbying of DPOs and it was drafted in collaboration with disability advocates. This is the first disability anti-discrimination legislation on disability to be adopted in the region and it sets an excellent example for the other countries to follow. The law will go into effect in January 2007.

There are two critical points to address within this legislation. First, the law stipulates that only **an organisation cannot file a suit**, thereby placing the responsibility solely on individuals. This factor can be intimidating thus preventing people from filing suits. Secondly, the new anti-discrimination law does not contain **burden of proof** placing the burden on the person filing the suit to prove they were discriminated against. Again, this can be daunting for a person filing a suit especially in a region where discrimination lawsuits are not common.

Looking at Hungary as an example, DPOs have begun to use court litigation to demand changes in the built environment.

### Good practice 21: Making changes in legislation happen on a local level in Bosnia and Herzegovina

In Doboj, Bosnia and Herzegovina, a group of DPOs in partnership with municipal bodies drafted a new regulation called "Regulating the Conditions of Planning and Building without Barriers to Mobility of Children and Persons with Reduced Physical Mobility" which was accepted in 2004. According to this new regulation, all new dwellings must be accessible; not only the entrance and common spaces but also the first floor flats have to be accessible to people with disabilities. So far, five buildings in Doboj were recently built in accordance to these standards.

**BOX 23****Accessibility and non-discrimination in Europe: Reaching an accessible environment through court litigation in Hungary, Nagy Bendeguz, Disability Rights Activists (DRA) Hungary**

NGOs in Hungary have begun to use court litigation to force private businesses open to the public to make their environments accessible. In doing this, the NGO's are looking at the US as a model. In the US, court litigation for accessibility non-compliance has been used for the past two decades since the Americans with Disabilities (ADA) was enacted. For example, there was a recent case in the US where Target, a large US retail corporation with a popular online shopping website, was sued by the National Foundation of the Blind for lack of access to their website for people who are blind or have sight impairments as a violation of the California civil rights act as well as the ADA. Using the U.S. example, the De Jure Foundation, an NGO in Hungary, and other local actors have begun filing lawsuits against businesses that are in non-compliance of accessibility codes. This particular case concerns access to new technologies, rather than to the physical environment.

The first lawsuit of this kind to be filed in Hungary was the case of Nagy Bendeguz against Central Café, a popular coffee house in Budapest, for being inaccessible. Bendeguz won the lawsuit but after the verdict the Central Café still did not make its premises accessible nor did the court enforce compliance with the ruling. Despite media attention and awareness raising campaigns around the issue, Central Café remains inaccessible.

Following this case, De Jure Foundation filed a lawsuit against a new national bus terminal built in Budapest on the grounds that it was inaccessible to blind persons and people with visual impairments. The building is however accessible to people with mobility impairments but the buses themselves are not wheelchair accessible. The outcome of this case is yet to be decided but from these examples, there are some key challenges to be examined regarding the effectiveness of court litigation in a country without anti-discrimination legislation for people with disabilities.

Challenges of using court litigation to achieve greater accessibility:

- It is difficult for judges to find an adequate connection between very distant fields of legislation such as codes regulating architecture and construction on the one hand and the law on equal opportunities on the other.
- Many judges and lawyers in Hungary lack knowledge on disability issues and do not view it as a civil rights issue.
- If a lawsuit passes for non-compliance with accessibility codes, it is difficult to get the defendant to comply with the ruling.

**Good practice 22 in Albania: Creating a National Disability Strategy and establishing priorities for a barrier-free environment**

In 2000, the Albania Disability Rights Foundation (ADRF) in Tirana supported the initiative of a group of associations and individuals to set up an advocacy group as an active instrument involved in intensive campaigns for improving and implementing legislation and working for the inclusion of people with disabilities in social life. The priority of the advocacy group was to lobby to remove barriers in the built environment as a pre-condition for full participation. To begin this process, ADRF pushed for changes in the legal framework related to free movement. An expert group was established composed of representatives of Ministry of Territory Management and Tourism, Ministry of Labour and Social Affairs, Urban Projections and Studies Institute, Construction Engineering Faculty, Albania Architects Association, Albania Constructors Association, and the ADRF expert. The group drafted an amendment for the law on construction to add a clause on reducing barriers for people with disabilities. This clause is still pending to be approved. The group also drafted a **policy called "Urban and Architectonic Rules and Norms for People with Disabilities"** approved in June 2004 by the decree of Council of Ministers as a special chapter within the Urban Rules, making this the most powerful document regarding legal obligations for all planning and implementation of public buildings. In addition to this, the group made a draft guideline for the norms defined in this policy for all Territory Management Councils which are the responsible bodies for urban planning on the local level. The Ministry of Territory Management disseminated the guidelines to all entities. Finally, the group supported ADRF's proposal for all schools being built or reconstructed to be made accessible.

In 2005, the National Strategy on Disability was approved by the Council of Ministers. This strategy was drafted with the participation of DPOs from throughout Albania and was based on the UN Standard Rules. As part of the drafting process, an inter-ministerial working group was set up with representatives of the Ministry of Territory Management and ADRF to develop a proper legal framework for creating a barrier-free environment.

To complement the drafting of the national strategy, ADRF strove to build a constructive dialogue with civil society and central institutions about the importance of an unbreakable chain of movement. According to ADRF, the reality of an unbreakable chain of movement demands the extension of such a dialogue at local level.

**BOX 24****Looking at the unbreakable chain of movement from a legal perspective:**

interview with Damjan Tatic a legal expert on disability and human rights, a member of CIL Serbia

**The role of anti-discrimination legislation:** Anti-discrimination legislation on disability has the power to force changes in the built environment by implying that an inaccessible space open to the public is a form of discrimination. Anti-discrimination is also important for another reason; it can encourage a new perception of disability and the importance of a barrier-free environment. The anti-discrimination laws make it very clear that if the present environment is not accessible, all new buildings must be, with deadlines and resources dedicated to adapting the current built environment. The power of example is crucial with the adoption of anti-discrimination. Real change will only happen once an actor is sanctioned for non-compliance. However, it is also important that the public is well aware of the cases and that they have access to information on how to file an anti-discrimination suit in plain text that is understandable to all.

**How the UN Convention on the Rights of People with Disabilities can impact the built environment?** The convention can impact the accessibility of the environment in two ways: legally the states that sign and ratify the convention will have a legal obligation to implement accessibility standards but this time the obligation will stem from the international level. Since accessibility is one of the key elements of the convention, it is natural that it should be one of the focal points in the monitoring process. Therefore, **every report on implementation of the convention will have to address the issue of accessibility.** This will additionally pressure the states to make the environment barrier-free.

Secondly, the UN Convention will bring tremendous awareness raising potential to disability issues in general. It will carry great strength when one can say to competent decision makers and institutions that **accessibility is now an international obligation.** If a state has little to no accessibility it will reflect badly on an international level.

**Public procurement**

As stated earlier, none of the countries in the region have public procurement legislation that includes provisions for accessibility. However, as shown in Tuzla (see good practice 11), campaigning on the local level to ensure that all new public transportation means are accessible can be an effective way of getting disability on the public procurement agenda.

In the EU, new public procurement directives were passed in 2004 with provisions to include accessibility in the procurement process. European Disability Forum (EDF) played a large role in getting disability on the EU agenda and Carlotta Besozzi, the Director of EDF explains the importance of these new directives in box 26.

**BOX 25****Public procurement from an advocacy perspective:**

An interview with Erzebet Szollosi, National Federation of Disabled Persons' Associations, Hungary (MEOSZ)

It is essential that the **technical specifications for a call for tender contain Design-for-All criteria.** By emphasizing "Design-for-All" principles in public procurement the disability community hopes to avoid unnecessary public expenditures on architectural or planning solutions for non-disabled persons and separate, special solutions for disabled persons. Disabled people do not want the privilege to enter separate entrances and to use special equipment when the environment can be designed in a way in which everyone can use it.

**Has Hungary begun to adopt similar public procurement directives to the EU ones?**

The Hungarian disability movement has actively lobbied to involve Design-for-All criteria in the awarding of public contracts and achieved the following results:

The Hungarian act 2003/CXXIX (as amended) on public procurement already contains a reference requiring goods, services and public works to meet the needs of persons with disabilities. In the amended law, the definition of 'public procurement technical specifications' stipulates that goods, public works or services must facilitate equal access to people with disabilities.

The law states that when drawing up a call for tender public authorities must give the technical specifications for the given tender and they shall be defined in accordance with the principle of equal access to people with disabilities – where relevant. 'Where relevant', of course, weakens this obligation since it requires a thorough knowledge of the needs of people with disabilities as well as a human rights based perspective on disability. It is very important, therefore, that public authorities and their officials who draw up a call for tender consult with organizations of people with disabilities during the defining of a tender.

If contracting public authorities are aware of the fact that public procurement must serve the community and be accessible to each member of society then even the small number of disability references in the Hungarian Act can contribute to greater inclusion of disabled people. Yet, if there is a lack of strong commitment from public authorities to establish real equality for their citizens then the use of public procurement regulations to benefit disabled people will be jeopardised.

**BOX 26****Public procurement and accessibility for all:**

Interview with Carlotta Besozzi, Director of the European Disability Forum (EDF)

**How does public procurement impact the accessibility of the built environment?**

Public authorities should ensure that all infrastructure and services available to the general public are accessible for all, including persons with disabilities. On the one hand, if accessibility concerns for people with disabilities are not taken into account from the onset, their implementation can entail high costs later on. On the other hand, when planned in the development of a project their impact can be great.

Through public procurement the public authorities are in charge of purchasing of goods, services and public works. Local and regional authorities and public utilities regularly purchase public works such as improvements to the urban environment, new public transport infrastructure, the construction of new buildings, services such as food catering or cleaning; and goods such as computers, office equipment or public transport vehicles. These are all activities that have an impact on the daily lives of persons with disabilities, and proper public procurement can make a dramatic change in their opportunities to access to education, employment, culture and participation in society in general.

In addition public procurement is financed through taxes paid by the community, including by persons with disabilities and their families. It is not acceptable that public money is not geared towards the public benefit, just as public money should not be invested in goods and services that impede people's participation in the community. Therefore, public authorities have a major tool at their disposal for fighting discrimination faced by persons with disabilities. Even if in some cases accessibility features might imply greater costs they are likely to reduce other costs, such as the cost of special services or employment benefits in the long-term.

**How do the new EU public procurement directives introduce accessibility standards?**

Public procurement rules are part of the competencies of the European Union as they relate to the functioning of the internal market. Two new European Union directives were **adopted in 2004 and are yet to be transposed in national legislation** in most of the countries concerned.

These new rules include a number of provisions that affect persons with disabilities because **social and accessibility considerations** can be included into the different phases of the public procurement directives.

When drawing up a call for tender, **public authorities must identify a number of characteristics that the product, work or service will have to meet.** Rules and an outline of these characteristics are specified in the technical specifications of a tender. In particular, the EU directives refer specifically to technical specifications relating to accessibility for disabled people and Design-for-All requirements. These conditions must be established in the call for tender. Companies which do not respect social legislation (such as non-discrimination legislation) can be excluded from a tender competition further on.

Social considerations such as accessibility (beyond legislative requirements) can be taken into account in the final choice of a tender. In practice public authorities can decide to include accessibility as one of the award criteria, specified in the call for tender, which will be used for the final assessment of a bid, in addition to the price and economic or other main technical aspects of the offer.

**What was the process for getting these new directives adopted and are there any lessons learned that can be shared with advocates lobbying for the adoption of similar standards?**

The European Disability Forum (EDF) took up the issue as soon as a draft proposal for legislation was put on the table in 2000 by the European Commission. The EDF managed to influence the decision makers, the European Parliament and the Council of the European Union which includes representatives of member States.

The EDF understood quickly that in order to achieve success it was important to work with a wide range of partners, which had similar concerns. In particular EDF was part of a coalition including main environmental organisations such as Greenpeace and World Wildlife Foundation, European Trade Unions, main social NGOs such as Oxfam and fair trade organizations. In fact, EDF faced similar obstacles to the inclusion of accessibility requirements that environmental organisations were facing. This alliance was crucial in terms of political influence and sharing of information. At the same time EDF always put disability issues high on the agenda so that they were always on the table for discussion.

The main lesson learned from this experience is that EDF became involved when a draft had already been presented. Environmental organisations were able to obtain much more as they lobbied consistently at the drafting stage.

**Have these directives made any impact on the accessibility of the environment thus far and if so, how?**

The process of transposing the legislation into national law is ongoing but an assessment of the implementation of the laws has not been made yet. It is, therefore, too early to measure the impact. It is also important that national organizations monitor the issue closely with their respective finance ministries in order to ensure that disability issues are included.

EDF is also participating in a European project promoted by the national federation of disabled people in Luxembourg on defining accessibility requirements for public works in construction called 'Build-for-All'. This project is being developed in partnership with the construction industry, architects and the European network of cities and municipalities. We hope that this will bring further awareness of the need and ways to address accessibility issues in public procurement.



**Public procurement's function in making public transportation accessible**

Public transportation legislation in the region is very general, which makes it difficult to amend. However, accessibility standards in public transportation can be introduced through public procurement regulations. Public procurement legislation can be very effective in making widespread changes in public transportation because it ensures that all new transportation obtained is accessible. Accessibility standards in public procurement legislation can also play a supportive role in moving towards a barrier-free environment by ensuring these standards are met in design and construction<sup>75</sup>.

**International development projects provide an opportunity for mainstreaming disability**

As in many parts of the region, there are many international development projects taking place that involve the construction of new buildings and spaces. The international donors often (but not always) demand that accessibility standards must be upheld within these projects. For example, a new project in the UN administered province of Kosovo which is run by UN-HABITAT and funded by the Swedish government to improve the decentralisation process and establish formalised urban planning. In the UN administered province of Kosovo, cities and towns are now in the process of preparing municipal and urban development plans under new parliamentary legislation. These plans are intended to give a general direction to the urban regulatory plans as well as direct private and public investments. The aim of the UN-HABITAT project is to build capacities of local authorities to develop urban plans and manage general urbanisation, including informal settlements and illegal construction<sup>76</sup>. At the same time, this project provides an excellent opportunity to mainstream disability issues related to free movement. This is especially important given the significant gap in urban planning that the region has been experiencing as this is one of the challenges to implementing the unbreakable chain of movement.

Nonetheless, it must be pointed out that many times international assistance does not include a disability perspective so that, when international funds are used for building new schools or hospitals, investments are made to improve infrastructure but accessibility standards are often not considered. It is important for advocates to remind international actors to ensure that assistance funds do not build greater barriers for people with disabilities.

**BOX 27****An example of a comprehensive accessibility act adopted at local level in Canada**

The Accessibility for Ontarians with Disabilities Act (AODA) adopted in 2005 sets standards for barrier removal with precise measures for compliance with penalties for non-compliance of up to 100,000 Canadian dollars. According to David Lepofsky, one of the leading accessibility advocates in the province, "The AODA comprehensively addresses barriers in both private and public sectors. It requires that accessibility standards be developed in all sectors. These standards will supplement the Ontario Human Rights Code in making the removal and prevention of barriers mandatory. It ensures that these standards will be developed through a consultative process that includes all affected stakeholders including the disability community." (David Lepofsky, Ontarians with Disabilities Act Committee in a May 24, 2005 email essay) The AODA also ensures that a monitoring process take place to track how effectively the legislation is being implemented alongside mandatory consultations with the disability community and others to measure the progress and suggest improvements. This monitoring process will take place four years after the law goes into effect and then every three years after that (The City of Kingston: Year 3 Accessibility Plan, submitted to City Council on September 20, 2005).

**2.3 Looking ahead**

The main priority for the region is to establish an effective legal framework to enable free movement of people with disabilities. In addition to adopting adequate laws the proper tools to ensure implementation need to be engaged:

- The establishment of bodies within government responsible for implementation of laws, allowing active participation of people with disabilities and their representatives,
- Enforcement mechanisms, such as an Ombudsperson who is sensitised on disability issues must be set up with the authority to impose sanctions for non-compliance,
- Specific budgets allocated to implementing the laws,
- The development of realistic time plans for implementation with allocated budgets and responsible bodies assigned to the task,
- The creation of an efficient monitoring mechanism achieved with active participation from the users'.

Given the importance of user consultation in the implementation of legislation, the example from Canada (see box 27) gives a good perspective on local level planning, with the active involvement of the disability community in implementing standards.

<sup>75</sup> Architects Council of Europe, CEMR, CO.IN, CEN, Eurocities, FIEC, EDF, EIDD, ELA, AGE, Info-Handicap, Neumannconsult, ProASolutions, The City of Gdynia, "Good intentions are not enough: a guide to the implementation of best practices in accessibility in public procurement", Build-for-All Reference Manual, (Brussels: EU Commission, 2006): 8.

<sup>76</sup> [http://www.unchcs.org/UN\\_administered\\_province\\_of\\_Kosovo\\_municipal\\_programme.asp](http://www.unchcs.org/UN_administered_province_of_Kosovo_municipal_programme.asp)



### 3. Training on Universal Design or Design-For-All and accessibility standards

#### 3.1 Training in South East Europe

It is clear that there is a lack of knowledge on accessibility standards and almost no awareness and understanding of Universal Design or Design-For-All concepts. Stakeholders responsible for the built environment and the business sector involved in the final stages of actual construction generally have little sensitivity to disability issues and are often unaware of accessibility concepts and principles. At faculties of architecture and design as well as urban planning, there is limited coursework on accessibility or Universal Design. As a city planner from Belgrade explained, she never learned about accessibility or Universal Design at faculty, but said that a lecture was held once but was not obligatory for the final mark. Moreover, the accessibility standards that do exist in the legislation are unclear and poorly illustrated making it difficult to implement them.

The importance of Universal Design in training is echoed by the 2001 ICF which provides a platform that supports Universal Design as an international priority for reducing the experience of disability and enhancing everyone's experience and performance.

One of the key issues in South East Europe, therefore, is to disseminate information on Universal Design or Design-For-All to stakeholders responsible for the built environment and get it included in the curricula at the high school and university level at architecture, civil engineering, traffic engineering and design studies. In most faculties of architecture, urban planning and civil engineering, Universal Design and Design-for-All are not included in the formal curricula. There are some initiatives to change the situation but for the most part, disability issues and accessibility are not parts of formal training.

#### Good practice in Novi Sad 23: Universal Design included in formal curricula for architecture students

In Novi Sad, Universal Design principles and accessibility standards have been included in the formal curriculum in the Department of Architecture at the Faculty of Technical Science. The Department of Architecture held a seminar on accessibility in cooperation with DPOs including the Association of Disabled Students (ADS) of Novi Sad who joined several lectures to offer personal testimonies and discuss the architectural barriers they face. The simple fact that members of ADS spoke about these issues raised the awareness of various professors and inspired them to introduce curricula on accessibility. In 2006 a course on designing spaces for people with disabilities was formally introduced into the Department of Architecture. The aim of the course is to show the different number of barriers people with disabilities face every day in the built environment and solutions for making it completely accessible, with a focus on Universal Design principles. While a separate course on accessibility is a good step, a more viable choice would be to have Universal Design or Design-for-All included in the general curriculum so that all students would have a chance to learn about the principles of designing spaces for people with disabilities.

In an interview with Suad Zahirovic, Director of Information Centre Lotos in Tuzla, BiH, he explains the importance of Universal Design for making real changes in the built environment and their first-hand experience in disseminating this information.

#### **BOX 28**

##### **The importance of Universal Design:**

interview with Suad Zahirovic, President of Information Centre Lotos, Tuzla, BiH

##### **What is Universal Design and why is it important?**

It is a new philosophy, a concept of organizing the community, environment, services and information in a way that all design provides access to as many people as possible (including people with all types of disabilities, elderly persons, and people with temporary impairments) without having to make any adaptations. The idea behind Universal Design is that any space, building, product, service as well as information are designed in a way to be accessible, usable, understandable and comfortable for all people. The principle is not to differentiate between able-bodied people and disabled people in design. In this way, Universal Design does not require additional equipment, special spaces and particular services for a certain group of people as it accounts for diversity at the very beginning of the design process. This is a new and innovative idea developed in the US and **it is part of the Council of Europe resolution ResAP (2001)1 on the introduction of the principles of Universal Design into the curricula of all occupations working on the built environment.**

Universal Design could be a tool for setting standards that allow all people, including those with disabilities, to enter the built environment and access services and information. It could also be a way for decision-makers and local authorities responsible for the built environment to learn to create societies that are acceptable and reachable for most of the population without having to invest extra resources in adaptations. For societies which have reached some level of inclusion, Universal Design could be a way of making these values more sustainable.

**BOX 28 (continued)**

**Universal Design can be looked at as a human rights issue:** it allows different people of different abilities to achieve their rights without any segregation caused by barriers in the built environment. For South East Europe, a region in transition, Universal Design might be especially important given the on-going reconstruction of cities and communities and numerous development programmes taking place within the EU accession process. There is an opportunity now to introduce the principles of Universal Design within the development agenda to prevent new spaces from being built inaccessible.

**Why is this issue so challenging in terms of implementation?**

Formally speaking, there are good laws and by-laws but due to high rates of corruption within building and construction they are rarely implemented. This corruption results in impenetrable connections between public institutions, public firms and actors involved in building, construction and planning (i.e. investors, construction firms etc.) There is almost no possibility to make pressure on these groups to implement Universal Design. The long-term failure is that the idea of Universal Design is not included to the sufficient degree in the formal curricula at faculties and universities. In BiH for example, students of the architecture faculty learn about Universal Design and accessibility only at the post-graduate level. In the industrial design high schools, Universal Design is taught only if a professor is interested in the topic but there is no official curriculum on the topic.

**How have you disseminated Universal Design principles in Bosnia?**

IC Lotos implemented a project financed by Canadian International Development Agency (CIDA) to help local communities establish standards for urban plans. The objective of the project was to disseminate Universal Design principles among local communities in BiH. We started by translating Universal Design principles into Bosnian, along with a collection of good practices from different areas such as transportation, housing, tools, and information. They also translated the Council of Europe ResAP (2001)<sup>1</sup> and prepared flyers on Universal Design and human rights.

After publishing this material, IC Lotos organised a three day seminar for different stakeholders including: architects, construction companies, builders, universities, architecture faculties, industrial design faculties, Tuzla municipalities and local bodies responsible for issuing building permits, as well as, NGOs and DPOs from the region. They used the seminar to promote the idea of Universal Design while showing how it can be used in different areas such as the built environment, services, information and design. After the seminar, IC Lotos disseminated the materials to key stakeholders throughout the region.

Opportunities for change in the region

As the countries in the region prepare for EU accession, there are several EU directives on accessibility that can be used as good tools for lobbying with the state to adopt similar standards. The EU directives on access to telecommunication and information, the EU directive on low-floor buses and the EU lift directive all introduce Universal Design or Design-for-All standards in the purchase of public goods. These public procurement directives are good tools for raising the awareness of investors on the principles of Universal Design. At the same time, the Council of Europe ResAP (2001)<sup>1</sup> is a good instrument for lobbying universities to include such principles in their curriculum.

**3.2 Looking ahead**

Universal Design and/or Design-for-All need to be accepted as the standard for building and planning. In order to achieve this, Universal Design/Design-for-All principles must be a part of the curricula within the educational system and professional training programs. DPO collaboration with professionals such as architects, planners and engineers and faculties of architecture on the importance of Universal Design or Design for All can be a good way for DPOs to raise awareness of professionals on barrier-free planning. This can also be an opportunity for DPOs to learn more about the planning and building process and how to apply these standards in practice which will be of essential value for their future accessibility monitoring work.

**4. The importance of local participatory planning in South East Europe**

Local accessibility planning is an important process for implementing necessary changes to the environment that facilitate free movement of people with disabilities. Local accessibility planning involves various actors including DPOs and local authorities to analyse the environment including thoroughfare and public transportation to see where changes are needed. Once this is completed, a local plan of action can be drafted in collaboration, and an implementation plan made with budgets allocated accordingly.

This kind of local participatory planning is important for implementing accessible environments in practice because the involvement of DPOs and people with disabilities can help to sensitise local authorities while ensuring that the steps taken to build an accessible environment truly match the needs of people with disabilities (for example ramps are appropriate and hand-rails are at the right height). The more participatory the process is the more all actors will understand how to implement the links of the unbreakable chain of movement for future community development activities. This is a crucial issue in the region especially as development programmes are being implemented in local communities in the frame of EU accession. It is clear that partnership building between DPOs and local authorities is needed in the region.

#### 4.1 Participatory planning in South East Europe

As an official from the Institute of Urban Planning in Belgrade explained that according to the law, citizens can take part in the process of drawing up urban plans when they are made available to the public for debate, a process called public access. However she explains that in practice, this is difficult to achieve: "In my experience no one ever complained about accessibility. Mostly they wanted bigger construction parameters in order to sell their locations better later on. We recently started giving presentations in municipalities and local community offices, and those take place in the drawing the concept phase, but the situation is similar. I suppose the people with disabilities and their organisations should monitor for when this public access into plans take place and submit their remarks there. Dates for those are usually published in the daily press".

However, in order to intervene in the planning process, DPOs and other citizens must be informed in a timely manner about the processes available for public participation. Additionally, DPOs need to be prepared to lobby for the inclusion of accessibility standards effectively making sure they have an expert on Universal Design or Design-for-All taking part in the lobbying process to communicate the needed changes successfully.

DPOs and people with disabilities being involved in the decision-making processes is vital

At Access 2006 (see annex 1), the annual international accessibility conference in South East Europe in February 2006, the Institute of Urban Planning in Belgrade acknowledged that there is a general lack of knowledge on accessibility and disability issues amongst the professionals and local authorities working in the built environment and recommended that stakeholders at the local level from the disability movement nominate a delegate to participate in the decision-making processes on all of the levels of planning. It was also suggested that one way to ensure that disability issues are included in urban plans is to form a body made up of members from organisations of people with disabilities which should submit their suggestions to improve the plan in terms of accessibility. Among the conclusions reached were the following:

- there is a vital need to raise awareness on the accessibility standards among all involved in the process, decision makers, public monitoring and licensing bodies, investors, architects, builders and civil engineering companies;
- an aggressive public information campaign should also be carried out involving DPO's and the public authorities; this campaign should be built upon the benefits of an all-accessible environment and within this, the message should specifically target private investors on the potential benefits they will have when their facility is made accessible;
- information on existing accessibility standards should be clear and well circulated;
- consultation with DPO's should be a part of the amending and up-dating of relevant legislative frameworks as well as the planning and implementation processes;
- An accessibility network of local authorities, professionals and DPOs needs to be built as networking is lacking and very important.

As explained above, the assessment proves that the region is severely lagging behind in terms of participatory planning. There are almost no examples of truly participatory initiatives in which members of the disability community are called upon to share their expertise and first-hand experience in the accessibility planning process. Most of the time when people with disabilities work collaboratively with local authorities and/or professionals responsible for the built environment, it is done so on the impetus of disability advocates themselves rather than those responsible for implementing the planning process.

#### 4.2 A look at examples of participatory planning from other countries

##### Planning a barrier-free city in Toronto, Canada

Urban Planning and Development Services for the City of Toronto launched an official planning process for implementing a barrier-free environment. To guide the planning process, Urban Planning and Development Services requested inputs from DPOs for the vision statement as well as for the official plan itself. The vision evolved from two linked activities undertaken by the Toronto Joint Citizens Committee for People with Disabilities (TJCC).

The TJCC first held a series of consultative meetings with individuals and organisations involved or concerned with accessibility issues as well as with staff from various departments of the City of Toronto. Following this, the TJCC hired a planning consultant who held one-on-one interviews with all stakeholders involved in the consultative meetings including people with disabilities. The consultant also carried out research on best practices in barrier-free planning.

The results of this work were used to create the vision statement or framework of the barrier-free planning process accompanied by 12 planning principles to inform authorities about what is needed to ensure positive changes in the environment. One of the 12 principles of the vision statement is the participation of citizens, professionals as well as local authorities in all stages of the implementation of barrier-free initiatives including on-going collaboration with DPOs and other community organisations on best practices related to barrier-free design.

These principles of participatory planning reflect Toronto's new approach to inclusive city planning called "Framework for Partnerships in City Building". It states that community members have a chance to voice their concerns during the planning process<sup>77</sup>. What is crucial about this initiative is that it shows how the city officials had the will to change the planning process to a more inclusive and participatory one. The planning principles also call for continuous monitoring and re-evaluation to take place alongside appropriate public awareness campaigns.

<sup>77</sup> Shane Holten, "Planning a Barrier-free city of Toronto: A Statement of Planning Principles", prepared for the Toronto Joint Citizens Committee for People with Disabilities. (Toronto: Revised May, 2003): 6-12.

According to the TJCC, a participatory approach to barrier-free planning is essential for the following reasons:

- It allows **diverse stakeholders** to negotiate effective resolutions;
- It **avoids duplication**, ensuring that limited resources will maximise outcomes;
- It **allows direct participation** within the planning process of individuals who are both negatively impacted by the status quo and positively impacted by the achieved results;
- It recognises that **no single entity has jurisdiction** over all the problems and solutions.

Therefore, community members and representatives of both the public and private sectors must work together to make any necessary changes. Participation is the first step towards the creation of a shared vision and the development of strategies to address the concerns of people with disabilities. It is a mutually beneficial relationship whereby community members and City officials share responsibility, authority, and accountability for their achievements<sup>78</sup>.

#### **An example from Río de Janeiro, Brazil**

In 1994, the Rio Cidade Project was carried out to transform the urban face of Río de Janeiro with the objective to revitalise public areas of the city, including establishing regulations and improving urban standards. During the project's implementation, under pressure from people with disabilities, the city government and the Brazilian Institute of Architects realised that the general plan had failed to mention accessibility. Lacking prior experience in this issue, city officials called on the Independent Living Center of Río de Janeiro (CVI/Rio), to determine how to incorporate accessibility into its plan.

During the first three-year phase, CVI/Rio oversaw accessibility projects and advised on their execution through weekly team meetings; daily visits to construction sites, and reporting to the town council. Brazil's largest organisation for visually impaired, Benjamin Constant, was also consulted on including signals for people with impaired vision in the project. Planning was done with all users in mind, regardless of their abilities and solutions included; ramps, textured pathways, accessible routes along repaved sidewalks, and all urban fixtures were relocated outside the pedestrian traffic pattern and were re-sized to meet accessibility standards.

Despite initial resistance to adaptations experts' lack of training in accessibility, professionals have gradually come to understand the issues and have formed alliances for action. For the first time, they are dealing with the issue of eliminating architectural barriers for the citizens of 14 urban districts. Many people with disabilities have moved to the redesigned areas, professionals from around the country now visit the Project, and plans are under way to revitalize 14 additional districts.

It is not only authorities and professionals who play a role in implementing the unbreakable chain of movement; the private sector has an important responsibility as well as the resources to help take the initiative. Below is an example of how private actors can be involved in the implementation of the unbreakable chain of movement.

#### **Good practice 24: Removing architectural barriers in the outdoors through consultation in Serbia**

In 2002, the Association of Students with Disabilities of Serbia worked with the city of Belgrade and their construction partners to respect accessibility standards when reconstructing streets and sidewalks in the city center in a project called "Removing Architectural Barriers in Belgrade". The project began by mapping strategically important spots in the city that are currently inaccessible paying particular attention to the areas around public institutions, places of culture and educational facilities. They looked primarily at cross-walks, parking lots, sidewalks and access ways to public buildings.

The mapping of the city coincided with the city's efforts to reconstruct the streets financed by the City Council. ADS made a sketch of the streets the city planned to renovate pointing out the how to make them accessible in order to ensure accessibility standards are respected and implemented correctly. The sketch was submitted to the City Secretariat for Transport and the "Beograd Put" company who was contracted to do the reconstruction work. When the reconstruction began, ADS was asked to be a consultant for the project. Excellent cooperation was established between ADS and the chief urban planner and three of her associates on the project. The chief urban planner, who is also a professor at the Faculty of Architecture in Belgrade, agreed that she and ADS members who are familiar with this field will give regular lectures on the significance of removing architectural barriers for wheelchair users and persons with impaired vision.

At the end of the project, the actors working in consultation with ADS properly implemented accessibility standards so all of the kerbs are dropped appropriately and the textured pathways are well placed. In total, twenty pedestrian crossings were completed, which includes 40 adapted sidewalks. The relief tiles for the textured pathways (30 cm x 30 cm) were set along the entire length of all the sidewalks. What is important to note is that the price of these tiles is exactly the same as the price of asphalt for ordinary sidewalks.

<sup>78</sup> Ibid, 13-14.

**BOX 29****Involving private actors in the process in Serbia**

One of the elements of "Removal of Architectural Barriers" was to lobby public institutions to make their buildings accessible by installing ramps while educating the private companies carrying out the work on accessibility standards. In order to do this they organised a meeting with public actors as well as with private construction companies. The aim of this meeting was to get commitment from the public institutions and agree upon plans for implementation and to draw up contracts with the firms that would implement the work including:

- Ministry of Building and city Planning of Republic Serbia,
- Ministry of Education and Sports of Republic Serbia,
- City Transport Secretariat,
- 'Beograd Put' company,
- Bureau for Protection of Culture Heritage of Serbia,
- Bureau for Protection of Culture Heritage of Belgrade,
- VMJ Commerce.

ADS succeeded in getting many public institutions to commit to making their building more accessible including:

- Belgrade City Library,
- Dom omladine (Youth Center),
- Dom sindikata (Labour Union),
- Central Post Office in Takovska street,
- Post office in Zmaj Jovina Street,
- Post office in Njegoseva street,
- Pension and Disability Insurance building,
- Belgrade City Council,
- Republic Ministry building,
- 'Millennium" shopping mall,
- Zvezdara Municipality Hall.

As a result of their cooperation with 'VMJ Commerce' in the implementation of this project, ADS succeeded in not only raising their awareness on accessibility standards but on the production of proper ramps. Before the start of this project, no commercial contractors were professionally manufacturing and installing access ramps in Belgrade. ADS succeeded in instructing this company how to build ramps using proper standards and VMJ Commerce is currently the only private company in this field who produces and installs them.

This initiative shows the importance of engaging not only public sector actors but private ones in the process so that they are informed and equipped to take part in the creation of a barrier-free environment. They can also be important actors for funding and developing accessibility projects.

**4.3 Looking ahead**

Alliances and partnerships need to be formed between DPOs and professionals as a first step in moving towards participatory accessibility planning. DPOs have a role to play in forging these alliances as well as in raising the awareness of both professionals, local authorities and private sector actors on the importance of including people with disabilities in the planning process to ensure that accessibility projects are properly implemented to suit user's needs.





# RECOMMENDATIONS TO MAKE FREE MOVEMENT OF PEOPLE WITH DISABILITIES A REALITY IN SOUTH EAST EUROPE

Though our assessment shows poor development of policies allowing the implementation of an unbreakable chain of movement, there are good initiatives taking place throughout the region but they need to be scaled up to effect wider changes. Disability anti-discrimination legislation was just passed in Serbia and this provides an incentive for other countries in the region to adopt similar legal frameworks. With the EU accession and poverty reduction on the agenda in all countries in South East Europe, the governments have the mandate to implement reforms within the framework of decentralisation. On a government level, Albania and Croatia have adopted national disability strategies and both Serbia and Montenegro are in the process of formulating their own. In Albania, Bosnia and Herzegovina, Montenegro, Macedonia and Serbia ministries are beginning to introduce European standards into national legislation and to express support for and resolve to do it. On the local level, many development initiatives are being implemented under the framework of EU pre-accession programmes, which include investment in reconstruction and building and the development of infrastructure. On a European level, disabled people's organisations and their allies, particularly EDF, are advocating to mainstream disability in the Instrument for Pre-Accession Assistance (IPA) currently being elaborated.

The current context of policy reforms and infrastructure development creates a unique opportunity for policy-makers and civil society to work together to implement the unbreakable chain of movement. The free movement of people with disabilities as a human right must be on the agenda of all decision makers and DPOs have a great responsibility to ensure it is there. Yet, duty bearers and professionals responsible for the built environment must ensure that DPOs and members of the disability community are actively consulted during planning, implementation and monitoring phases leveraging their first-hand expertise on the most effective and relevant ways to implement the unbreakable chain of movement.

## **Priority areas in South East Europe: legal frameworks, services and participation of all actors including people with disabilities in decision-making**

As shown throughout the report, there is a need to emphasize the enforcement of legislation and standards in the region. Despite efforts to reform policies and adopt new legislation, if it is not implemented it will do nothing to change the situation for people with disabilities. Civil society must make strong efforts to act as a watchdog force to monitor implementation demanding enforcement and punitive measures for non-compliance.

Still, none of the links of the chain of movement will be effective without the **development of proper support services**, particularly personal assistance and good quality assistive devices to allow greater personal mobility. The personal assistance service being piloted in Serbia (see Good Practice 2) is an excellent example of how individualised service provision is feasible, especially when considering the added benefits on the lives of people with disabilities involved in the program. These types of services must be supported by states as a first step in guaranteeing the free movement of people with disabilities.

It is clear from the report that the unbreakable chain of movement is only being implemented sporadically throughout the region, generally initiated by DPOs on a grass-roots level. When the links of the chain are implemented, they are done so only partially, removing only some barriers in selected parts of the built environment without making widespread changes to implement the holistic thinking that is needed in planning and construction. Changes are being made on the ground that indicate innovative thinking such as in Tuzla, BiH where all public buses purchased are low-floor thanks to lobbying efforts of local DPOs (see Good Practice 11); the adoption of a new regulation that all new residential buildings must be accessible in Dobojo, BiH (Good Practice 7) and the training of women with disabilities to drive adapted cars in the UN Administered Province of Kosovo (see Good Practice 13). It must be stressed that **the holistic nature of the unbreakable chain of movement must be considered during the planning and implementation** processes from personal assistance to accessible housing to low floor buses. If all of the links of the chain are not engaged, communities

will jeopardize the reform process aimed at free movement of people with disabilities and there is a great risk that people with disabilities will still remain excluded and discriminated against.

In order to implement the unbreakable chain of movement in practice, **training on Universal Design or Design-for-All must be introduced** in the region both at the faculty level as well as for professionals involved in construction and planning. This is possible to implement as is the case in Novi Sad, Serbia where Universal Design is included in the formal curriculum in the Department of Architecture (see Good Practice 23).

Additionally, this assessment clearly points to the importance of participatory planning to ensure that adaptations being carried out suit the needs of people with disabilities and the barriers that still persist are properly identified. This can be easily solved by **consulting with DPOs and people with disabilities** from the beginning of the planning process. This was carried out with success in Albania where DPOs and national authorities worked together to develop a national disability strategy (see Good Practice 22) and also with the Students with Disabilities in Serbia who served as consultants for the reconstruction of streets in Belgrade (see Good Practice 24). This is particularly important for local development projects where there is a real opportunity to work in partnership to implement proper accessibility standards.

**Local accessibility planning** is a critical process for implementing necessary changes to the environment that facilitate the free movement of people with disabilities including community members, local authorities, people with disabilities, builders, architects, urban planners, investors and representatives of both the public and private sectors. Round tables and conferences on accessibility such as Access 2006 with all relevant actors do take place but real participatory planning is not a reality yet in the region. Participation is the first step towards the **creation of a shared vision** and the development of strategies to address the concerns of people with disabilities. It is a mutually beneficial relationship

Participatory planning is a key issue in the region despite the fact that most DPOs in the region already have links with ministries and local authorities through their advocacy work. However, the **dialogue and cooperation** with other stakeholders dealing with the built environment is still weak and people with disabilities are not yet viewed as a resource in which they can participate as partners, advisors and monitors in the change process.

Accompanying all of these steps in the process is the need to have strong **awareness raising** on key issues and we see many good examples in the region such as in Macedonia where DPOs campaigned to change the law on construction (see Good Practice 18). These advocacy efforts need to continue and be stepped up so that the general public is more aware of disability issues while the key stakeholders begin to better understand what is at stake.

Throughout the report, the priorities for the region have been cited and the changes needed on a national and local level have been outlined. However, it is important to stress that these changes are feasible as they are being carried out by different actors throughout the region. The reforms needed are not complicated or excessively costly but they can make large impacts on the lives of people with disabilities.

### Concrete steps for going forward:

#### Widespread reforms needed to implement the chain of movement:

- Strong emphasis should be put on the development of adequate support services, particularly personal assistance, assistive devices provision, and Sign language interpreter services to facilitate the free movement of people with disabilities within the community;
- All planning related to urban plans, infrastructure, thoroughfare and outdoor spaces must take accessibility standards into account;
- All new buildings and spaces must be accessible respecting all accessibility standards;
- More rigorous inspection overlooking the construction of new buildings;
- Plans and budgets set for the adaptation of existing public buildings (prioritising public service buildings) making both the exterior and interiors fully accessible;
- Public transportation to be made accessible whenever new means of transport are acquired;
- More regular and flexible door-to-door transportation services available for people who are not able to use accessible public transport.

#### Some concrete initiatives that can be undertaken at the local level:

- Registries established for people in communities needing accessible housing;
- "Trader's Convention" to be drafted and signed by shopkeepers and businesses owners to make their facilities accessible;
- Services in place and available for accessibility auditing and consultations on adapting one's home;
- Services in place and available for adapting cars for the people with disabilities and training people to drive;
- Lobbying for local transportation procurement to include accessible buses;
- Lobbying for the inclusion of Universal Design when the plans for a new public building are being drawn up;
- Advocating for barrier-free planning when urban plans are put on public debate;
- Lobbying for accessibility during reconstruction or renovation of a public building;
- Establishing an independent local accessibility commission that includes people with disabilities that can help to monitor compliance to accessibility standards and existing legislation. This kind of body can also lobby for the inclusion of other standards on accessibility in planning, design and construction.

Large-scale initiatives needed to accompany the implementation of the unbreakable chain of movement:

- Strong awareness raising carried out within the community on free movement as a human rights issue as well as more targeted awareness raising for professionals and local authorities responsible for the built environment on their duty to implement the unbreakable chain of movement;
- The development of a civil society watchdog force to monitor the implementation of accessibility standards and to alert the public and the responsible authorities when there is a lack of compliance;
- The establishment of adequate legal frameworks with the proper tools to ensure implementation of laws and standards;
- The adoption of Universal Design/Design-for-All as the standard for building and planning and the formal inclusion of these principles in education and training of professionals through awareness raising and dissemination of clear information on these standards;
- Building alliances and networks between the disability community and those responsible for the built environment including the transportation sector involving both local authorities and professionals;
- The duty bearers need to meet to be more consistent in their responsibility to enforce sanctions, especially in case of non-compliance with the existing standards;
- Alongside stronger enforcement of legislation, government measures must be introduced to curb corruption in the building sector so that private investors and builders are held accountable;
- Participatory planning needs to become a common practice in the region especially on the local level involving all actors for a diversity of competencies and reflecting a wide array of needs.

With the current climate of change in the region, the free movement of people with disabilities as a human right issue must be on the agenda of all decision makers. Building the unbreakable chain of movement is a matter of multi-stakeholder cooperation and thorough planning. As most of the research in this report shows, developing proper support services and removing barriers are not such a costly investment if well planned and integrated in all relevant strategies and policies. With the rising level of awareness and the upcoming international convention on the rights of people with disabilities, there is no valid excuse to avoid strong commitments to realisation of these key rights and conditions for the full participation of people with disabilities.



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# ANNEXES

ANNEX 1 - Access 2006, annual international accessibility conference in South East Europe

ANNEX 2 - The principles of Universal Design

ANNEX 3 - The legislative framework for the free movement of people with disabilities in South East Europe

## ANNEX 1

### Access 2006, annual international accessibility conference in South East Europe February 23-24, 2006 Belgrade, Serbia and Montenegro

Access 2006, in its fifth year, is an annual conference gathering a diversity of stakeholders from around the region as well as Western Europe to discuss accessibility issues. Since its beginning in 2001, the Access conference has grown from a local to an international gathering and is now an annual event in the region. This year's conference was organised by CIL Serbia in cooperation with the Association of Paraplegics and Quadriplegics of Serbia, and with the financial support of Handicap International South-East Europe. Access 2006 examined the question, 'freedom of movement of people with disabilities; is it an inaccessible right?' The aim was to tackle the issue of creating a barrier-free built environment in South East Europe looking at obstacles, opportunities and best practices. The previous conference, Access 2004, was divided into three topics: enforcement of rules on accessibility to the built environment, access to education and access to new technology. It gathered experts from 12 countries around the region and Western Europe including representatives from the Council of Europe (CoE), EDF (European Disability Forum) and DPI (Disabled People International).

At this year's conference, the right to freedom of movement of people with disabilities was discussed in terms of an **unbreakable chain of movement** meaning that an individual with disabilities can move from their bed to the shop to the theatre and back to their home using any form of transport they choose without facing any barriers. Using the idea of the unbreakable chain, participants discussed issues such as, anti-discrimination legislation related to accessibility, public procurement as a tool for including accessibility standards, the role of local authorities in creating a **barrier-free environment**, and getting **Universal Design** included in university curricula.

This year, there were seventy participants at the conference from Albania, Bosnia and Herzegovina, France, Hungary, Macedonia, Serbia and Montenegro and Switzerland including representatives from the CoE, the Ministry of Capital Investments of Serbia, the Ministry of Labor, Employment and Social Affairs of Serbia, local authorities, professors, architects and urban planners as well as numerous organizations of persons with disabilities (DPOs) from the region. Slađana Marković, Deputy Minister for Labor, Employment and Social Affairs of Serbia, Professor Miodrag Ralević, Deputy Minister of Capital Investments of Serbia, and the Council of Europe expert Aleksandar Stojanović delivered the opening remarks.

#### **Year of Equal Opportunities**

##### **Introductory remarks by Slađana Marković, Deputy Minister for Labor, Employment and Social Affairs of Serbia**

The Ministry for Labor, Employment and Social Affairs of Serbia announced that 2006 will be the year of equal opportunities for persons with disabilities. An accessible physical environment and access to information and communication are among the key pre-conditions for full and equal participation of persons with disabilities in all spheres of society. In cooperation with organizations of persons with disabilities and the Ministry of Capital Investments of Serbia, the Sector for the Protection of Persons with Disabilities initiated amendments to the Law on Planning and Construction, that would provide for mandatory application of accessibility standards in planning, designing and construction of new public buildings and for sanctions against architects, investors and builders who fail to implement these standards for new public buildings. The Sector also provided 100 "Unreader" computer software programs for blind persons, primarily those who study, enabling them to access written electronic information in audio format. The National Disability Strategy shall also address the issue of accessibility in detail.

##### **Introductory remarks by Professor Miodrag Ralević, Deputy Minister of Capital Investments of Serbia**

Professor Ralević welcomed the initiative for amendments to the Law on Planning and Construction, and expressed the Ministry's determination to ensure application of accessibility standards and invited DPOs to participate in this joint effort. The first opportunity for cooperation would be the amendments of municipal and city urban plans that would take place in 2006. This should also provide for the implementation of accessibility standards in plans that have not included them so far.

##### **Momentum for Change in South East Europe, Introductory remarks by Gordana Rajkov, CIL Serbia**

There is momentum in the region currently for change. EDF is currently implementing an initiative on capacity building of disability organisations in the Western Balkans under the CARDS programme. At the same time, the

UN Department of Economic and Social Affairs (UN DESA) is organising a regional consultative meeting on the draft UN convention on the rights of people with disabilities. Finally, the Centre for Independent Living Serbia is celebrating its 10th anniversary and will hold a seminar on Independent Living in March of this year. On a government level, the Ministry of Labour, Employment and Social Affairs of Serbia is currently drafting a national disability strategy which will be reviewed by DPOs and will enter public debate in April. In addition, the Ministry of Capital Investments of Serbia expressed their support to DPOs and called for their participation in amending laws as they try to introduce European standards into national legislation.

Access is a human right and it must be on the agenda of all decision makers. The role of our organisations is even more important as there is a need to participate in all stages: to advocate, meet with decision makers, implement and monitor. We have the opportunity to take part in the process.

**Council of Europe and Europe accessible for all**

Aleksandar Stojanović, legal advisor to the office of the Council of Europe (CoE) in Belgrade

On the European level, within EU anti-discrimination policy, a directive on equality in employment was passed in 2000 which includes the prohibition of discrimination on the grounds of disability in employment and promotes equal opportunities. Many countries have begun to adopt and implement this directive.

The equal opportunities directive has two components: 1) the issue of equal opportunities to employment and 2) integration into the working environment including a provision on reasonable accommodation. Under the directive, the provision on reasonable accommodation makes it compulsory for an employer to take whatever steps are 'reasonable' to enable people with disabilities to work, advance in their careers and participate in training, so long as this does not involve excessive financial and other costs. These changes in the workplace can also include the removal of architectural barriers and adaptation of the workspace so that it is accessible.

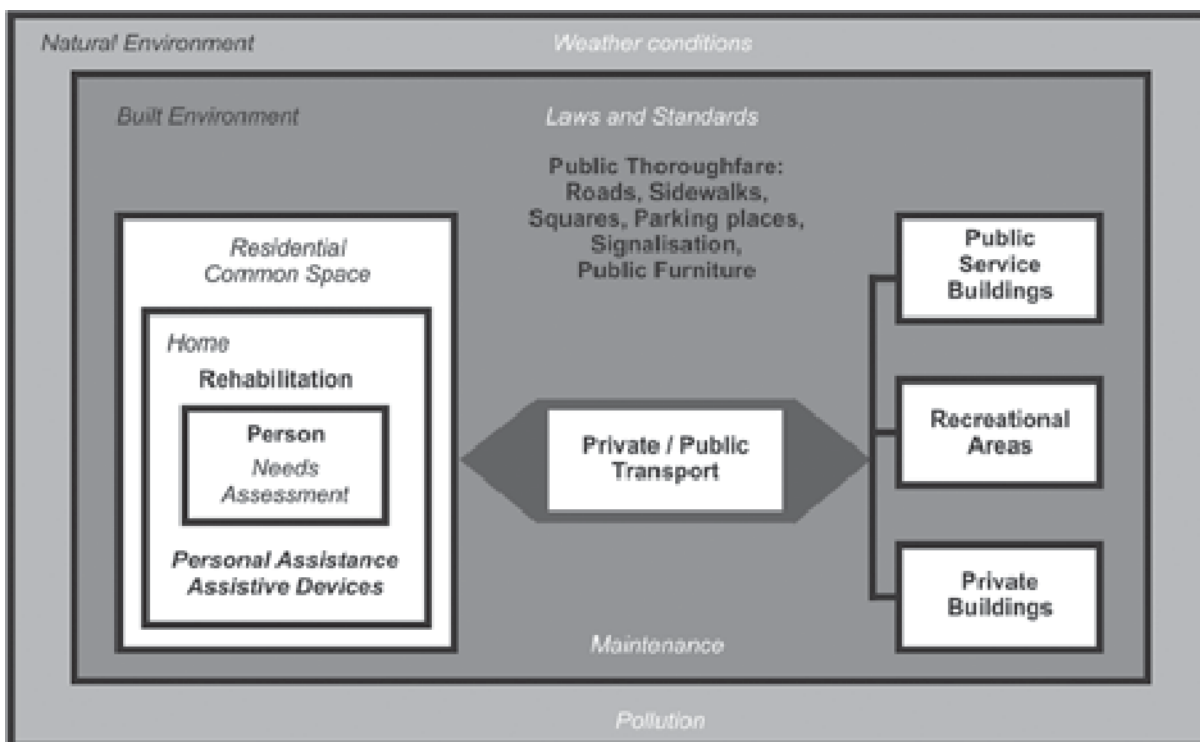
There are serious barriers in our society and everyday life for people with disabilities based on stigma and prejudice. Removing these stigmas is a key to solving the problem inaccessibility. Removing psychological barriers is the basis for removing the architectural ones.

**Disability Monitor Report for South East Europe**

**Raphaelle Sestranetz, Handicap International South East Europe**

Handicap International South East Europe is completing a regional assessment of best practices and lessons learned in making the built environment fully accessible called, "Free Movement of People with Disabilities: An Inaccessible Right?" The aim of the report is to show what is needed to implement an unbreakable chain of movement. The unbreakable chain of movement, as stated earlier, means that a person with any type of disability can move freely within their home and go from their bed to town to any building or space they choose by any means of transport and return home without facing barriers or being exhausted. The unbreakable chain of movement can only be created once a barrier-free environment has been established with the proper support services for personal mobility.

**The unbreakable chain of movement:**



The unbreakable chain of movement can be broken into the following elements:

- Individual support services including:
  - personal assistance,
  - rehabilitation and,
  - assistive devices
- An individual's home or dwelling is accessible
- Buildings are accessible to all (public, private and public service buildings)
- The outdoors pose no barriers (parks, urban furniture, thoroughfare)
- Transportation is fully accessible (cars, buses, trains, taxis, subways, transportation interchanges)

In other words, the unbreakable chain of movement is when the built environment has been made fully accessible. Yet, in order for the unbreakable chain of movement to exist, proper policies and enforcements need to be developed. This policy process for achieving the unbreakable chain of movement includes:

- Awareness raising
- The development of proper support services
- Legislative framework including standards, laws and by-laws:
  - Anti-discrimination legislation
  - Laws on construction, urban planning, and transportation
  - Accessibility standards in public procurement directives
  - Regulatory mechanisms for social services including support services
- Implementation:
  - Responsible bodies
  - User's information and consultation
  - Budgets allocated to implementing a barrier-free environment
  - Law enforcement
  - Monitoring
- Training on universal design and accessibility standards

Underlining all of the elements in the policy process is the need for partnership and consultation amongst all stakeholders including:

- people with disabilities and their representative organisations
- local authorities
- private sector
- national authorities
- professionals in the built environment
- mainstream civil society

In this report, it is clear that a barrier-free environment does not yet exist in South East Europe and that there are many steps needed to move towards the realization of free mobility. However, there are best practices throughout the region occurring that show that it is possible.

#### Some examples of best practices in the region:

Personal Assistance Service by CIL Serbia

An adapted home in Tuzla with an external lift

Transformation of the Philharmonic Orchestra building in Belgrade

An accessible medical centre in Sarajevo

A beach with wheelchair access and textured pathways in Croatia

A low-floor bus in Macedonia for students with disabilities

A media advocacy campaign on accessible parking in Macedonia

Changes in legislation on construction in Doboj

Information Centre Lotos, resources on implementing accessibility, Tuzla

#### **The necessary involvement of local authorities in accessibility planning and development**

##### **Eric Plantier-Royon, Technical Advisor on Accessibility, HI France**

There are two main challenges in implementing accessibility, integrating all of the links in the chain of movement and engaging the diverse actors in a participatory process. Participatory processes are made of four elements: information, consultation, participation and decision-sharing. Local participation is essential for implementing local development and urban planning projects in which accessibility is well planned and implemented by all actors. However, it can also be used for small projects when a building or a space is being made accessible. There are two pre-conditions for successful participatory accessibility planning:

- local authorities are already sensitized to disability issues and accessibility standards and
- local authorities are competent in accessibility planning and have the proper means in the frame of clear legislation on de-centralisation
- organisations of people with disabilities are trained on accessibility standards
- DPOs have a unified voice
- DPOs continue their advocacy work but begin implementing participatory initiatives with diverse actors

Mr. Plantier-Royon emphasized to the group that a rights-based approach reminds local authorities of their rights and duties to the community and its citizens. As duty-bearers, elected officials have the responsibility to implement accessibility themselves to set a good example for others to follow. The mayor of a city or town also has the responsibility and duty to implement accessibility laws and to ensure they are enforced.

The key components for successful participation in accessibility planning:

- There should be a structure in place for participation as a mechanism or platform for exchange,
- This structure should be governed according to rules set by all participants,
- Clarity of communication and transparency should be up-held to facilitate participation of all. Learning participation is a long process,
- Remember to begin with small projects in order to learn progressively how to work together to get concrete results,
- Begin a project by addressing the needs that are a priority,
- Establish participatory initiatives as soon as possible,
- Implement workshops gathering main actors including local authorities, civil servants, professionals, DPOs and other civil society groups.

As part of new legislation in France on equal opportunities of people with disabilities, it establishes a community accessibility commission composed of the mayor, people with disabilities and organisations of people with disabilities. As part of the commission's mandate, it must carry out a local accessibility assessment of the current built environment including the outdoors, thoroughfare and transportation. Making a local situational analysis allows not only for awareness raising of all actors involved but it facilitates exchange and learning amongst the group. Local situational analyses also provide a framework for prioritising activities within the planning process. It is also a tool for measuring progress as a form of monitoring. With the participation of local authorities and DPOs in making a situational analysis it becomes a real tool for implementing accessibility according to the needs and priorities of the community.

There are many examples of successful participation in accessibility planning and local development from developing countries. In Brazil, ONG Vida a local human rights NGO and la Cocas a local DPO formed of 15 organizations working in the field of disability and human rights, carried out a pilot study on accessibility of the city of Salvador with the participation of people with disabilities, architects, and urban planning professionals. For the study, pairs were formed of a person with disabilities and a built environment technician to carry out the assessment together. The time-frame for the pilot study is three years for a full analysis of the city to be made at the end of the three years and smaller surveys carried out each year. Each pair received training on accessibility standards prior to making the assessment. La Cocas is now emerging as the principle actor and specialist on accessibility in Salvador.

### **Accessibility and non-discrimination in Europe: Reaching an accessible environment through court litigation in Hungary**

#### **Nagy Bendeguz, DRA Hungary**

NGOs in Hungary have begun to use court litigation to force private businesses open to the public to make their environments accessible. In the US, court litigation for accessibility non-compliance has been used for the past two decades since the Americans with Disabilities (ADA) was enacted. For example, there was a recent case in the US where Target, a large US corporation, was sued by the National Foundation of the Blind for lack of access to their website for people who are blind or have sight impairments as a violation of the California civil rights act as well as the ADA. Using the U.S. De Jure Foundation, an NGO in Hungary, and other local actors have begun filing lawsuits against businesses that are in non-compliance of accessibility codes.

The first lawsuit of this kind to be filed in Hungary was the case of Nagy Bendeguz against Central Café a popular coffee house in Budapest for inaccessibility. Beneguz won the lawsuit but after the verdict, Central Café was not made accessible and the court has not enforced compliance with the ruling. Despite media attention and awareness raising campaigns around the issue, Central Café remains inaccessible.

Following this case, De Jure Foundation filed a lawsuit against a new national bus terminal built in Budapest on the grounds that it was inaccessible to blind persons and people with visual impairments. The building is however accessible to people with mobility impairments but the buses themselves are not wheelchair accessible. The outcome of this case is yet to be decided but from these examples, there are some key challenges to be examined regarding the effectiveness of court litigation in a country without anti-discrimination legislation for people with disabilities.

Challenges:

- It is difficult for judges to find an adequate connection between very distant fields of legislation such as codes regulating architecture and construction on the one hand and the law on equal opportunities on the other.
- Many judges and lawyers in Hungary lack knowledge on disability issues and do not view it as a civil rights issue.
- If a lawsuit passes for non-compliance with accessibility codes, it is difficult to get the defendant to comply with the ruling.

### **Role of local authorities – cities and municipalities in creating an accessible environment: Working group**

#### **Natasa Danilovic-Hristic, Institute for Urban Planning in Belgrade**

The aim of this working group was to discuss how local authorities in planning and construction sectors can play a role in making the environment accessible. In addition, the workshop looked at opportunities for collaboration with people with disabilities and DPOs as well as critical points of intervention in the planning and building process for achieving full accessibility.

The Institute for Urban Planning in Belgrade stated that what is most critical to ensure an accessible environment is that for all building projects, investors themselves must demand accessibility criteria including both public and private investors. Throughout the past 10 years in Belgrade, only two investors demanded accessibility criteria; one of which was the embassy of Great Britain. There has been 10-15 years of neglect of all standards within planning and development in Serbia. The investors should also be aware and informed that making a building accessible will not cost them a lot more.

However, there are accessibility standards that exist in the rule books on planning, construction and transportation in much of the region but they are rarely implemented. In Serbia, for example, the Institute for Urban Planning noted that the rule book on transportation state that at least 5% of parking spaces must be available to people with disabilities and there is a rule book on the unhindered movement of young, old and disabled people.

#### **Opportunities for lobbying in the planning and building processes:**

##### Construction permits:

Construction permits are issued by the competent authorities and there are inspection authorities who are part of local government. There are communal utility services that carry-out inspections as well and they are also part of the local government. However, enforcement of accessibility standards isn't working partially because standards have been ignored for so long. When you go to other countries, you see more people in wheelchairs in town or using public transportation etc....In this region, people with disabilities are obliged to stay home unless they plan far in advance how they will move from their dwelling to other locations. On the other hand, accessibility technical specifications and standards are difficult to explain to people who are unfamiliar with them and they require drawings explaining specific technical requirements for authorities such as inspectors to be able to follow.

##### The procedure for adopting an urban plan:

1. When the planning begins, all citizens can add their suggestions or proposals that should be included in the plan. These can be submitted to the urban planning team. However, citizens need to be informed of this and there is not sufficient communication on these processes.
2. The next phase is public discussion of the plan. During this phase, the public can see the plan and it is used as a way of informing citizens (usually a month before the plan will be implemented). Usually the public discussions are published in the town hall or the municipal building. This is another opportunity for all stakeholders to give their suggestions.
3. All of the suggestions are discussed at a public meeting and the conclusions are made and the ideas that are accepted are incorporated into the plan.
4. When the plan has passed it can still be amended before going to the Municipality or City Hall.

#### **Involvement of DPOs and people with disabilities in the decision-making processes is vital:**

The Institute of Urban Planning acknowledged that there is a general lack of knowledge on accessibility and disability issues amongst the professionals and local authorities working in the built environment and recommended that stakeholders at the local level from the disability movement nominate a delegate to participate in the decision-making processes on all of the levels of planning. Members of the group also suggested that one way to ensure disability issues are included in urban plans is to form a body made up of members from organizations of people with disabilities to submit their suggestions to improve the plan in terms of accessibility.

##### Conclusions:

- Raising awareness of professionals, citizens as well as DPOs in the case of where and when they can intervene and who they can talk to is vital. Decision-makers must be educated on accessibility issues as well. Awareness raising is vital in order to reach decision-makers.
- Information on accessibility standards needs to be developed and circulated.
- There are physical barriers that have to be removed but also accessibility of information needs to be addressed as well.
- We need to standardise the procedure.
- Legislative frameworks and rulebooks need to be amended, modernised and explained.
- Legislation needs to make accessibility mandatory.
- Private investors need to know what kind of benefits they will have when their facility is made accessible.
- A campaign on including accessibility in all levels of planning and building should be carried out with the participation of DPOs and all responsible bodies.
- An aggressive campaign should be built upon the idea that the adaptation of public buildings will benefit everyone.
- A network of local authorities needs to be built – networking is lacking and very important.
- Consultation with people with disabilities in creating standards and carrying out accessibility audits and in



decision-making is vital.

### **Accessibility and non-discrimination in Europe: public procurement as a powerful tool for equality** **Erszebet Szollosi, MEOSZ, Hungary**

*EU legislative framework towards disability:*

There are important EU tools for enforcing equality and accessibility. There are two main EU anti-discrimination laws on disability:

- Amsterdam treaty (anti-discrimination legislation)
- EU Council Directive 2000/78/EC

The framework for employment directive uses social model and introduced the concept of reasonable accommodation. Reasonable accommodation makes it mandatory for the employer to take necessary reasonable steps to make the workplace accessible for the employee with disabilities. In addition, the employer has to provide the proper workplace environment so that the person with disabilities can perform their work properly. Until 2003 however, only a few states have implemented this directive so now it is the EU Commission's task to ensure states adopt this.

In addition to these anti-discrimination measures, in 2004 the EU adopted new public procurement measures, a general directive that combines public supplies, works and services (2004/18/EC), and a utilities directive that covers energy (electricity, gas and heat) water transport (including airports and harbours) and postal services (2004/17/EC). These new directives ensure non-discriminatory access to markets introducing accessibility into the procurement process. For the first time, EU public procurement legislation will address accessibility issues and employment of people with disabilities.

**What does public procurement mean?** Public procurement is defined as when goods, services or public works are bought from public money by governments and public utilities. In practical terms this means that public procurement is something of or being in the service of the community which is accessible or shared by all members of the community. Essentially, public procurement contracts have a large impact on most of the things within the built environment such as, public transport, infrastructure, urban planning, services, food distributed in school canteens, equipment (computers, furniture, etc) in public offices, water supplies, and waste treatment.

However, it is not only the things that make up the built environment which are influenced by public procurement. It also affects a much wider scope of the community including the environment, employment conditions, human rights in local community and globally, health, social inclusion of disadvantaged or discriminated groups such as people with disabilities, social acceptance of people with disabilities by society.

Public procurement plays a role in sustainable development as it can either facilitate or limit sustainable development. It can contribute to greater sustainability by including requirements on accessibility for all, employing disabled people, and by changing practices both in the private and public sector. Neglecting these issues at the contracting state of a project often leads later additional costs later for public authorities.

Consequently, public authorities play a decisive role in these new public procurement directives because they guarantee that all citizens can benefit from their investments of public resources. They must also ensure that these investments contribute to healthy and environmentally sound communities which are accessible to all and have a high level of employment and social inclusion for all members.

#### **The public procurement directives from a disability perspective:**

These new directives offer a new scope for contracting authorities to consider social and accessibility issues in design and construction work. Therefore when drawing up a call for tender, public authorities must identify a number of standards which the products, works or services will have to meet. In particular, the EU directives refer specifically to technical specifications for accessibility requiring Design-for-All standards. Tools and an outline of these standards are specified in various articles and annexes relating to technical specifications of a tender<sup>79</sup>. These technical specifications shall be formulated according to those defined in the annex of the directives and, in order of preference, according to national standards transposing European ones, common technical specifications, international standards or when these do not exist, to national standards. Therefore, it is important that national legislation should include definitions of accessibility and Design-for-All criteria. Along with accessibility, additional stipulations such as employment of people with disabilities can be included in a tender.

Public authorities can also decide to impose **contract performance conditions** on the company that wins a call for tender that include accessibility criteria. These may range from environmental requirements to the obligation to employ a certain percentage of disabled people to do the job. According to the directives, contract performance conditions can be set to recruit more people with disabilities than required by national legislation or to implement training measures for people with disabilities who are unemployed. Similarly, public authorities could impose performance conditions according to international standards such as the International Labour Organisation convention assuming that such provisions have not been implemented in national law. Finally, companies who do not respect environmental or social legislation (such as non-discrimination) or who have been found guilty of fraud can be excluded from tenders.

<sup>79</sup> The technical specifications are specified in Article 23 and elaborated in Annex VI of the directive.

Social considerations such as employment of disabled people and accessibility can be taken into account in the final choice of a tender through the **award criteria**. A contracting authority may use award criteria to meet social requirements in response to particular needs of a disadvantaged group or groups receiving or using the works, supplies or services defined in the contract.

Why is it so important to have public procurement as a tool to enforce Design-for-All?

- Ageing society,
- Promotes social inclusion,
- Contributes to full employment,
- Saves public money,
- Fosters economic growth,
- Respects human diversity, social inclusion and equal opportunities.

#### **Universal design and accessibility included in the curricula: the Architecture Department at the Faculty of Technical Sciences, Novi Sad:**

##### **Ljiljana Vukajlov, MSc Department of Architecture of the Faculty of Technical Sciences, Novi Sad**

The department of architecture at the faculty of technical sciences in Novi Sad held a seminar on accessibility in cooperation with DPOs including the Association of Disabled Students (ADS) of Novi Sad who came to several lectures to discuss the architectural barriers they face. When ADS spoke about these issues, it raised the awareness of various professors and inspired them to introduce curricula on accessibility.

In 2006 a course on designing spaces for people with disabilities was formally introduced into the department of architecture in Novi Sad. The course was introduced informally in 2005 and the goal was to show the different number of barriers people with disabilities face every day in the built environment and solutions for making it completely accessible. A large percentage of the students at the faculty were not familiar with accessibility standards or disability issues so by introducing this topic, the professors are not only training people but changing their minds and perspectives. Instead of learning standards you learn a new approach. When they teach they ask students to reconsider the norms and standards according to the user of the building especially as standards change to encompass human diversity. In addition, people with disabilities participate in lectures discussing the different types of barriers they face in the built environment according to different types of impairments and life habits. The aim is to find a solution to create a safe, functional, comfortable and pleasant environment for all.

Students are asked to design accessible units and flats and they must choose the profile of the family in order to show their ability to build a space according to individual needs. One student designed an accessible family house and another one did a project using Universal Design norms to design a centre for blind and sight impaired. The objective of the course is to introduce Universal Design norms and to consider them for all plans, not only for buildings for people with disabilities. In the urban planning course, all urban spaces are turned into accessible ones and all spaces are designed to be accessible to every user.

#### Education as a key tool for changing people's perceptions of disability:

Despite these changes in curricula, the department of architecture and the faculty of technical sciences are not accessible. However, they have adapted the curbs on campus and installed a ramp. Still the toilets are not accessible and there is no lift in the building. What is needed is a real change in people's minds to accept disability as a part of everyday life. In order to facilitate this paradigm shift, disability and accessibility studies should be mainstreamed in all levels of education, not only at the university level. Children should be taught at an early age to accept differences and the community in general needs to be educated to accept a diversity of abilities. More people with disabilities should be educators because they are the main stakeholders in educating people on disability and accessibility issues. More critically, spaces for education should be accessible to all including information, educational materials and curricula. Finally, people with disabilities should be in regular schools and should not be separated into different ones.

#### **CONCLUSIONS given by the participants of the Sixth International Conference "Access 2006"**

1. **Full accessibility is a human rights issue:** Persons with disabilities are entitled to all human rights that belong to other human beings, including the freedom of movement, guaranteed by article 13 of the Universal Declaration of Human Rights, article 12 of the International Covenant of Civil and Political Rights, as well as by the highest constitutional acts of each country. An accessible physical environment is one of basic preconditions for the freedom of movement, equality and full participation of persons with disabilities in all spheres of society.

2. **The unbreakable chain of movement** for persons with disabilities consists of support services, technical aids, an accessible physical environment, accessible housing, accessible public buildings and spaces and public transport, and access to services, information and communication.

3. **Accessibility must be mainstreamed in all development programmes:** New development programs and projects cannot create new barriers and accessibility must be incorporated in all development initiatives. Consistent application of accessibility standards and principles of Universal Design may increase costs of construction of a new building but only slightly. It is estimated that costs for including accessibility standards range from between 0 and 2 %. On the other hand, additional and subsequent adaptations of already existing

buildings may require considerable investments. Some research shows that adaptations can increase costs by up to 30 %, depending on the type of project. Therefore, one may consider the timely application of accessibility standards not just as an issue of civil rights and legal obligations, but as a profitable investment as well. In promoting an accessible built environment, an emphasis should be put on educating investors that it is not just an interest of cost but of common interest and benefit to the entire community.

**4. Accessibility is a non-discrimination issue:** A lack of accessibility must also be considered from the perspective of discrimination against persons with disabilities. Planning, designing and construction of new buildings and spaces as well as the provision of services and goods that are not accessible for all constitute acts of discrimination and should be sanctioned as such. Sanctions for inaccessibility should be provided in anti-discrimination legislation or in legislation on construction and planning as is the case in Croatia, Bosnia and Herzegovina. Practice in Serbia and Montenegro proves that legislation with accessibility standards but without enforcement measures is not sufficient. The law has to provide an efficient judicial mechanism of protection for persons who had been exposed to discrimination. Architects, engineers, investors, and contractors who fail to implement accessibility standards must bear responsibility for this omission. Legislation also must explicitly require that those responsible for violations of accessibility standards must adapt the spaces and make them accessible.

**5. Public procurement as a tool for implementing accessibility standards:** Including principles of Universal Design and accessibility standards in public procurement is an efficient tool for implementing a barrier-free environment. This will ensure that everything that is paid for from the public funds, either state or local authorities, must be accessible for all citizens of that respective community. Acquisition of new low floor buses in the Tuzla canton in Bosnia is a good example of how procurement can be used to facilitate changes in accessibility. All countries in the region in the EU pre-accession process have already begun implementing EU directive on public procurement that guarantee the minimum standards of accessibility for persons with disabilities through their national legislation on public procurement, provision of goods and services to the public and on public works . Finally, this topic was identified as one which DPOs need further training and information on in order to lobby effectively.

**6. Public funds for building must be used to build accessible environments:** Any project funded from public sources has to ensure accessibility standards for persons with disabilities through the application of principles of Universal Design. The same goes for foreign and domestic investors who invest in objects and services designed for general public. Practice of implementation of development and reconstruction programs in Bosnia and Herzegovina, Serbia and Montenegro demonstrates clearly how much the application of accessibility standards can contribute to ensuring equality for persons with disabilities. On the other hand, failure to implement the above- mentioned standards creates new barriers and leads to social exclusion of persons with disabilities.

**7. International organisations must incorporate equal opportunities and full participation principles in their mandates:** International agencies and organizations must incorporate principle of creating equal opportunities and full participation of people with disabilities and apply accessibility standards, in accordance with international ones in all the programs and projects implemented in the South East Europe.

**8. Accessible transportation and the twin-track approach:** Accessible public transportation is most appropriately dealt with by using a twin- track approach: On the one hand, all new buses must be low floor and all new rail and tram carriages as well as all new stations must be accessible. While the transportation system becomes accessible, there must be gradual adaptation of the existing non- accessible stations and terminals planned. Within the twin-track concept, alongside accessible public transportation, specialised transport should be available to provide "door to door" accessible van services. This model of specialised accessible transportation is already being implemented in some of capitals of region, such as Belgrade, Skopje and Zagreb.

**9. Participation is critical for accessibility planning and implementation:** The existence of appropriate legislation is just the first step in guaranteeing the unbreakable chain of movement. Since accessibility norms are primarily implemented at local levels, DPOs need to build and systematically maintain partnerships while local authorities should leverage the expertise of DPOs on accessibility issues. It is critical that the implementation of the unbreakable chain of movement is participatory ensuring the involvement of representatives of DPOs in decision-making processes working either in the capacity of observers that monitor the process, as members of commissions in charge of construction and urban planning, or with an active decision-making capacity as municipal councillors. Participation of people with disabilities in the building and planning processes will also help to sensitise stakeholders on disability and accessibility issues. The formal participation of people with disabilities in the development of the built environment will ensure their contribution in the monitoring process as well from the adoption of urban plans to the issuing of building permits, as well as monitoring the planning and adoption of budgets and distribution and use of public resources.

**10. Accessibility standards need to be disseminated to all relevant local stakeholders:** In order to ensure uniform and systematic implementation of legislation on the local level, state organs responsible for architecture, urban planning, construction and transportation have to send local authorities clear and well illustrated guidelines for the implementation of accessibility standards. At the same time, legislation ensuring the unbreakable chain of movement of persons with disabilities needs to be disseminated to local actors working in the built environment.

**11. Adaptation of existing inaccessible spaces must take place alongside new construction:**

Besides the consistent implementation of accessibility standards for all new buildings, adaptation of the existing inaccessible public buildings must take place systematically. The first step is to make a thorough analysis of the existing situation and then to set forth the priorities for reconstruction in cooperation with DPOs, state and local authorities, and experts. Adaptations of public buildings in Croatia, Bosnia and Herzegovina, and Serbia since 2001 provide good guidelines for participation and consultation. Once priorities have been set, resources for reconstruction need to be secured with a combination of funds from different sources such as, the state budget, funds from local authorities, international development programs, and private and public investments. Adaptation of the built environment can be carried out in phases over time but they cannot be done only partially. Furthermore, one must bear in mind that persons with disabilities don't face just physical barriers, there are other barriers in the living environment that have to be overcome such as stigmas and social isolation.

**12. Wide-spread awareness raising on the unbreakable chain of movement is needed:** In order to ensure consistent that accessibility standards and the principles of Universal Design are implemented in practice, widespread awareness raising on the need for an accessible environment must take place. In addition to awareness raising, relevant stakeholders in the built environment need to be educated on the importance of a barrier-free environment. These stakeholders include: users of the built environment, experts, citizens, and local authorities. This process should take place at all levels and must be a two-way communication. Users have to be informed about the process in which local authorities function, the manner in which their civil rights can be realized and the decision-making processes (e.g. procedure of public insight into urban plans and other similar documents). Citizens have to be informed about these issues and made aware that creating a barrier-free environment is a matter of public interest that should be done for the common good of all members of society.

**13. Universal Design must be part of the curricula:** Accessibility standards and the principles of Universal Design have to be incorporated into the curricula at faculties of architecture, construction, transport, technical sciences and applied arts. These standards and principles must also be a part of state examinations for architects, engineers, and urban planners.

**14. Partnership in research is vital in building a barrier-free environment:** Relevant institutions and expert associations of architects, engineers, and urban planners have to develop and maintain partnerships with DPOs in the implementation and promotion of accessibility standards and principles of Universal Design. DPOs must initiate projects, studies and research in the fields of Universal Design in partnership with institutions and expert associations working in the field of building and planning.

**15. Media is essential for promoting a barrier-free environment:** People with disabilities and their representative organisations need to work with the media to promote the concept of the unbreakable chain of movement and the creation of a barrier-free environment. Media must promote examples of good practice and point out cases of violation of accessibility standards. As access to information and communication is one of basic preconditions for equality and full participation of persons with disabilities in society, the media itself has to be open and accessible to people with disabilities.

**16. The next Access conference:** The Access conferences so far have not dealt in depth with the individual components of the unbreakable chain of movement such as assistive technologies, accessible public transport and support services for persons with disabilities, the seventh annual conference, "Access 2007" may deal with these issues. "Access 2007" may also serve as forum for presenting good examples of access to culture for persons with disabilities.

**Participants:**

The Ministry of Labour, Employment and Social Affairs of Serbia, The Ministry of Capital Investments of Serbia, The Council of Europe, Urban Planning Institute of Belgrade, Association of Paraplegics and Quadriplegics, Montenegro, Association of Urban Planners of Serbia, Faculty of Architecture in Tirana, Faculty of Architecture of Belgrade, Handikos, Pristina, Faculty of Transport in Belgrade, Faculty of Architecture, Pristina, Faculty of Engineering of Belgrade, Swiss Agency for Development and Cooperation, Handicap International, UNDP, EHO Resource Centre for Persons with Disabilities, Novi Sad, MEOSZ, Hungary, Council of People with Disabilities, Novi Sad, Polio +, Macedonia, Association of Paraplegics and Quadriplegics of Serbia, IC Lotos, Tuzla, Bosnia and Herzegovina, Muscular Dystrophy Association of Serbia, Centre for Independent Living Serbia, Association of Blind, Serbia, New Belgrade Municipal Council, Association of Disabled Students, Serbia,

## ANNEX 2

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### THE PRINCIPLES OF UNIVERSAL DESIGN

Version 2.0 - 4/1/97

Compiled by advocates of universal design, listed in alphabetical order:

Bettye Rose Connell, Mike Jones, Ron Mace, Jim Mueller, Abir Mullick, Elaine Ostroff, Jon Sanford, Ed Steinfeld, Molly Story, and Gregg Vanderheiden

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#### UNIVERSAL DESIGN:

The design of products and environments to be usable by all people, to the greatest extent possible, without the need for adaptation or specialized design.

The authors, a working group of architects, product designers, engineers and environmental design researchers, collaborated to establish the following Principles of Universal Design to guide a wide range of design disciplines including environments, products, and communications. These seven principles may be applied to evaluate existing designs, guide the design process and educate both designers and consumers about the characteristics of more usable products and environments.

The Principles of Universal Design are presented here, in the following format: name of the principle, intended to be a concise and easily remembered statement of the key concept embodied in the principle; definition of the principle, a brief description of the principle's primary directive for design; and guidelines, a list of the key elements that should be present in a design which adheres to the principle. (Note: all guidelines may not be relevant to all designs.)

#### PRINCIPLE ONE: Equitable Use

The design is useful and marketable to people with diverse abilities.

##### Guidelines:

- 1a. Provide the same means of use for all users: identical whenever possible; equivalent when not.
- 1b. Avoid segregating or stigmatizing any users.
- 1c. Provisions for privacy, security, and safety should be equally available to all users.
- 1d. Make the design appealing to all users.

#### PRINCIPLE TWO: Flexibility in Use

The design accommodates a wide range of individual preferences and abilities.

##### Guidelines:

- 2a. Provide choice in methods of use.
- 2b. Accommodate right- or left-handed access and use.
- 2c. Facilitate the user's accuracy and precision.
- 2d. Provide adaptability to the user's pace.

#### PRINCIPLE THREE: Simple and Intuitive Use

Use of the design is easy to understand, regardless of the user's experience, knowledge, language skills, or current concentration level.

##### Guidelines:

- 3a. Eliminate unnecessary complexity.
- 3b. Be consistent with user expectations and intuition.
- 3c. Accommodate a wide range of literacy and language skills.
- 3d. Arrange information consistent with its importance.
- 3e. Provide effective prompting and feedback during and after task completion.

**PRINCIPLE FOUR:** Perceptible Information

The design communicates necessary information effectively to the user, regardless of ambient conditions or the user's sensory abilities.

**Guidelines:**

- 4a. Use different modes (pictorial, verbal, tactile) for redundant presentation of essential information.
- 4b. Provide adequate contrast between essential information and its surroundings.
- 4c. Maximize "legibility" of essential information.
- 4d. Differentiate elements in ways that can be described (i.e., make it easy to give instructions or directions).
- 4e. Provide compatibility with a variety of techniques or devices used by people with sensory limitations.

**PRINCIPLE FIVE:** Tolerance for Error

The design minimizes hazards and the adverse consequences of accidental or unintended actions.

**Guidelines:**

- 5a. Arrange elements to minimize hazards and errors: most used elements, most accessible; hazardous elements eliminated, isolated, or shielded.
- 5b. Provide warnings of hazards and errors.
- 5c. Provide fail safe features.
- 5d. Discourage unconscious action in tasks that require vigilance.

**PRINCIPLE SIX:** Low Physical Effort

The design can be used efficiently and comfortably and with a minimum of fatigue.

**Guidelines:**

- 6a. Allow user to maintain a neutral body position.
- 6b. Use reasonable operating forces.
- 6c. Minimize repetitive actions.
- 6d. Minimize sustained physical effort.

**PRINCIPLE SEVEN:** Size and Space for Approach and Use

Appropriate size and space is provided for approach, reach, manipulation, and use regardless of user's body size, posture, or mobility.

**Guidelines:**

- 7a. Provide a clear line of sight to important elements for any seated or standing user.
- 7b. Make reach to all components comfortable for any seated or standing user.
- 7c. Accommodate variations in hand and grip size.
- 7d. Provide adequate space for the use of assistive devices or personal assistance.

Please note that the Principles of Universal Design address only universally usable design, while the practice of design involves more than consideration for usability. Designers must also incorporate other considerations such as economic, engineering, cultural, gender, and environmental concerns in their design processes. These Principles offer designers guidance to better integrate features that meet the needs of as many users as possible.

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## ANNEX 3

### The legislative framework for the free movement of people with disabilities in South East Europe

#### Albania

Unbreakable chain of movement	Policy process											
	Legislation			Implementation process				Socio-cultural context				
	Standards	Laws	By-laws	Responsible Bodies	Public funding allocated	Time plan	Public awareness	Training of professionals on Universal Design and/or accessibility standards	User's information	Participatory process and/or consultation		
Home	YES 1S	YES 1*	YES 1a*	Ministry of Labour and Social Affairs, Inst.of Social Insurance	YES 1c*	NO	NO 1e*	NO	YES 1g*	YES 1h*		
	YES 2S	YES 2*	YES 2a*	Ministry of Labour and Social Affairs, Institute of Social Insurance	YES 2c*	NO 2d*	NO	YES	NO	NO		
	YES 3S	YES 3*	YES 3a*	Ministry of Territorial Management	NO	YES 3d*	NO	NO	NO	NO		
Buildings	NO 4S	YES 4*	YES 4a*	Ministry of Territorial Management	NO	NO	NO	YES 4f*	NO	NO		
	YES 5S	YES 5*	YES 5a*	Ministries of Labour and Social Affairs, Education and Health	NO	YES 5d*	NO	YES 5f*	NO	NO		
	YES 6S	YES 6*	YES 5a*	Depends under which Ministry the service is	NO	YES 6d*	NO 6e*	NO	NO	NO		
Outdoors	YES 7S	YES 7*	NO	Ministry of Territorial Management, Min. decentralization	NO	NO 7d*	NO	NO	NO	NO		
	YES 8S	NO	NO	Ministry of Transport Telecommunication	NO	NO 8d*	NO	NO	NO	NO		
	NO	NO	NO	Ministry of Transport Telecommunication	NO	NO	NO	NO	NO	NO		
Transportation	NO	NO	NO	Ministry of Transport Telecommunication	NO	NO	NO	NO	NO	NO		
	NO	NO	NO	Ministry of Transport Telecommunication	NO	NO	NO	NO	NO	NO		
	NO	NO	NO	Ministry of Transport Telecommunication	NO	NO	NO	NO	NO	NO		
	NO	NO	NO	Ministry of Transport Telecommunication	NO	NO	NO	NO	NO	NO		

Notes	
1S	Law 9143, 16.10.2003, on the Status of Labour Disabled, article nr. 8, it stipulates that they can benefit from: a) moving devices including cars and orthopedic devices; b) audio and visual devices; c) cardiac accessories, and other devices.
	Law nr 8626, 22.06.2000, on the Status of paraplegics and tetraplegics stipulates in article 16 that: State Social Services administers assistive devices for paraplegics and tetraplegics. Paraplegics are exempt from custom taxes on the vehicles that help their integration, including adapted cars for their use.
	Law nr. 8098, 28.03.1996 on the Status of the Blind, article 15 stipulates that: Blind persons as defined in the first article of this law benefit all the rights foreseen the Law on Labour Disabled nr.9143, 16.10.2003.
2S	Standards on personal assistance are not clearly set forth because this type of service is not developed in Albania.
	Law Nr.9143 on the Status of Labour Disabled, article 10 states that: For paraplegics and heavily wounded people not able to move, medical services shall be provided in the home free of charge.
	Law nr. 8098, 28.03.1996 on the Status of the Blind, article 5 says that: in addition to other revenues from government sources, blind people receive an additional benefit due to their status as blind. The Council of Ministers decides the amount and the same sum will be paid to a guardian, chosen by the blind person.
3S	Law nr. 8098, 28.03.1996 on The Status of the Blind, article 2 states: The government and the society will provide blind persons all conditions for normal integration into the social life. By integration, it is meant the fulfillment of certain conditions including the provision of accessible housing, adapted living space.
4S	There is no clear definition what is public and private building, but the standards are only named in general, without specifying them.
	It is implicit that private buildings should fulfill the same criteria as public ones. In practice, no standards are applied for private buildings, except the obligation to construct a building in the approved zone (the municipality and the Local Territory Management Council, approve this).
5S	There are no standards mentioned in the Law on Construction but within the special laws on the status of people with disabilities, it is mentioned that existing public buildings should be adapted and new buildings should be accessible for people with disabilities.
6S	Idem 1f*
	Law nr 8626, 22.06.2000, on the Status of Paraplegics and tetraplegics, article 20: In public places (airports, train stations, stadiums, hotels, etc.) there are spaces created for the free movement and comfort of people with paraplegia, based on the law on the Labour Disabled.
7S	Law nr. 8098, 28.03.1996 on the Status of the Blind, in article 7 it says: Territory Management Councils and the urban planning institutions do not approve any project for roads and public places, if in there is not foreseen the necessary adaptations and accessibility features for blind people.
8S	New law on construction not yet adopted
1*	Constitutional Law and special laws on the status of people with disabilities
2*	There is no law on personal assistance in Albania, but special laws on the Status of people with disabilities partially address the issue.
3*	The special laws on the status of people with disabilities state that builders are obliged to respect the special needs of people with disabilities while building new spaces. However, the law is not implemented in practice because there are no enforcement mechanisms.
4*	Idem 5S
5*	The special laws on the status of people with disabilities mention that existing public buildings should be adapted and the new buildings should be accessible and adapted for people with disabilities.
6*	The law on the status of the labour disabled and the law on the status of the blind state that health institutions, social care institutions and public institutions should be adapted to be used by blind people and paraplegics.
	Law nr 8626, 22.06.2000, on the Status of Paraplegics and tetraplegics, it states in article 20: In public places (airports, train stations, stadiums, hotels, etc.) there are spaces created for the free movement and comfort of people with paraplegia, based on the law on the Labour Disabled.
7*	Idem 7S
1a*	An Order of the Minister of Social Affairs, charges the Institute of Social Insurance to provide funds for the assistive devices (wheelchairs for the paraplegics who are labour disabled.) This order is based on the Law on the status of the Labour Disabled. Other assistive devices are not produced in Albania. The cost of imported assistive devices is not reimbursed by the Health Insurance Institute.

2a*	The Council of Ministers Decision nr. 457, 21.8.1995 on disability benefits states that when a disabled person is unable to care for themselves and perform daily functions due to a disability, the Medical Commission for the Assessment of Work Ability (KMCAP), assigns the person a guardian who helps the disabled person fulfill minimum vital needs for basic care, like hygiene and feeding.
	Decision nr. 457, 21.8.1995 on disability benefits, point 12 states : People that are born disabled or became so prior to the age 21, or 24 if attending university, if they do not benefit from any day-care service or special education nearby their home, and if the KMCAP considers that the person needs continual assistance, they can have a care-taker from their own family and chosen by them, if the family member does not receive personal revenues. The amount given for the care-taker is 60 percent of the minimum official wage.
3a*	The Decision nr. 407, 29.8.2002 on housing demands of paraplegics, point 9 states: Until the norms for the building plans are drafted, for the category of people with special needs, there should be ground floor dwellings provided for them by the National Buildings Entity.
4a*	Decision nr. 632, 21.11.2001, on the payment of the private building for blind people benefiting from the National Housing Body, point 2 states: Each blind person, of the first category, benefits from a room free of charge with the dimensions of 12.5-14 m above the norm and benefit from the adaptation of the building according to their physical condition. Existing building standards are used, until new norms on building for the blind are approved. All costs related to the adaptation of the living space are state covered.
5a*	Decree Nr. 199, 3.5.1995 on facilities for people with disabilities in public buildings, based on the Law on the Status of people with disabilities states: All new public buildings made after the enforcement of Law nr. 7889, 14.12.1994, on the status of people with disabilities and after this decree, should provide the adapted conditions to the needs of people with disabilities, free from architectonic barriers.
1c*	Since 2004, the Social Insurance Institute provides funds for wheelchairs.
2c*	The Ministry of Social Affairs provides the funds to pay the guardian or care-taker based on the categorization commission decision of KMCAP. The payment is equal to the disability allowance which is 60 percent of the minimum official wage.
2d*	The Medical Commission assessing Work Ability, KMCAP, that categorizes all people with disabilities except those that are blind, decides each year whether the disabled person needs a care-taker or not.
3d*	Accessible housing is foreseen in the National Strategy on People with Disabilities in the annex, first matrix box "Life without barriers"
5d*	The adaptation of existing residential and non-residential buildings and the accessibility for all new buildings are stated in the National Strategy on People with Disabilities in the annex, first matrix box "Life without barriers".
6d*	Idem 5d*
7d*	No time plan on the national level, only the Tirana Municipality has approved a time plan for partial access in Tirana.
8d*	No time plan on the national level, only the Tirana Municipality has approved a time plan for signalization in Tirana, but not for urban furniture.
1e*	No Public awareness on a large national scale is done about assistive devices. Some DPOs provide information to the community.
6e*	No Public awareness on a large national scale is done about accessibility of public service buildings.
4f*	ADRF, a local DPO, provides training to architects in 6 municipalities.
5f*	Idem 4f*
1g*	User's information is done only in a sporadic way, through DPOs.
1h*	Government consults people with disabilities only formally.

## Federation of Bosnia and Herzegovina

	Policy process									
	Legislation			Implementation process			Socio-cultural context			
Unbreakable chain of movement	Standards	Laws	By-laws	Responsible Bodies	Public funding allocated	Time plan	Public awareness	Training of professionals on Universal Design and/or accessibility standards	User's information	Participatory process and/or consultation
	Home	Assistive devices	YES 1 *	YES 1a*	Health Insurance Agency	YES		YES	YES	YES 1g*
Personal assistance		NO	NO		NO 2c*	N/A	N/A	N/A	N/A	N/A
Accessible housing		YES 2S	YES 2*	YES 2a*	NO	-	N/A	N/A	N/A	N/A
Buildings	Private buildings	YES 2S	YES 2*	YES 2a*	YES	N/A	N/A	N/A	N/A	N/A
	Residential/non-residential buildings	YES 2S	YES 2*	YES 2a*	Federal Ministry of Physical Planning 4.b*	YES 2d*	YES	YES 2f*	YES 2g*	YES 2h*
	Public service buildings	YES 2S	YES 2*	YES 2a*	Federal Ministry of Urban Planning	YES	N/A	YES 2f*	YES 2g*	YES 2h*
Outdoors	Sidewalks, Roads, Parks, Squares	YES	YES 3*	YES 2a*	Federal Ministry of Physical Planning	N/A	N/A	YES 2f*	YES 3g*	YES 2h*
	Signalization, Urban Furniture	YES	YES 3*	YES 2a*	Federal Ministry of Physical Planning	YES	N/A	YES 2f*	YES 3g*	YES 2h*
Transportation	Buses	NO	YES/NO 4*	NO	State & Federal Ministry of transportation and Communication	N/A	NO	N/A	YES 4g*	NO
	Taxis	NO	YES/NO 4*	NO	State & Federal Ministry of Transport and Communication	YES	NO	N/A	YES 4g*	NO
	Trains	NO	NO	NO	State & Federal Ministry of Transport and Communication	YES	N/A	N/A	N/A	NO
	Transport Interchange	NO	NO	NO	State & Federal Ministry of Transport and Communication	YES	N/A	N/A	N/A	NO

Notes	
1*	Law on Health Insurance for the FBiH
1a*	Cantonal level: Law on Assistive Devices
1g*	Information to users is mainly provided by DPOs
1h*	Mainly DPOs distribute information to those who are interested, such as authorities, but real consultation does not exist.
2S	Standard JUS.UA.9 from former Yugoslavia: This standard applies to collective buildings with flats whether or not the funds are private or public ones.
2*	The Law on Construction from 2002 applies to public buildings and collective buildings, privately or publically funded, but not private houses. Article 27 of this law stipulates the elimination of architectural barriers for people with lower body impairments. However this law is currently suspended; so, the only reference is the standard JUS.UA.9. Unfortunately this standard is rarely implemented in practice.
2a*	No by-laws at the federal level. It is up to each canton to implement the Federal Law at the cantonal/local level.
2b*	Landmine Survivors Network funds the adaptation of homes through their health counselling programme
2c*	The Federal Ministry on Physical Planning and Environment, sector of Physical Planning and Construction
2d*	A new article in the law on Construction stipulates that all buildings have to be accessible in the next five years. Within this period, individuals and organisations have to address the bodies responsible for making them accessible. It began at the federal level in 2001 but due to constitutional problems between the three governmental entities, it is presently in status quo. At the cantonal level, in Tuzla for instance, it has just begun in March 2005. The other cantons are applying federal by-laws and are in status quo.
2f*	Within the faculty of architecture there is a post-graduate master course on accessibility
2g*	Information to users is mainly provided by DPOs
2h*	Mainly DPOs distribute information to key stakeholders such as local and national authorities, planning offices but real consultation with users does not exist in the opening of tenders, public examination of projects and full participation in public planning meetings.
3*	The law on Spatial Planning
3g*	Information to users is mainly provided by DPOs
4*	The law on Internal Road Traffic FBiH
4g*	Information to users is mainly provided by DPOs

## Republika Srpska

	Policy process									
	Legislation			Implementation process				Socio-cultural context		
	Standards	Laws	By-laws	Responsible Bodies	Public funding allocated	Time plan	Public awareness	Training of professionals on Universal Design and/or accessibility standards	User's information	Participatory process and/or consultation
Unbreakable chain of movement										
	Assistive devices	N/A	YES 1*	N/A	Trust Fund for Health	YES	N/A	N/A	N/A	N/A
	Personal assistance	N/A	YES 2*	N/A	Ministry of Social Protection	YES	N/A	N/A	N/A	N/A
Buildings	Accessible housing	N/A	YES 3*	Ministry of Urban planning, environment and construction	YES	N/A	YES 3e*	NO	N/A	N/A
	Private buildings	YES 3S	N/A	Ministry for Urban Planning, Environment and Construction	YES	N/A	YES 3e*	NO	N/A	N/A
	Residential/non-residential buildings	YES 3S	YES 3*	Ministry for Urban planning, environment and construction	YES	N/A	YES 3e*	NO	N/A	N/A
	Public service buildings	YES 3S	YES 3*	Ministry for Urban planning, environment and construction	YES	N/A	YES 3e*	NO	N/A	N/A
Outdoors	Sidewalks, Roads, Parks, Squares	YES 3S	YES 3*	Ministry for Urban planning, environment and construction	YES	N/A	YES 3e*	NO	N/A	N/A
	Signalization, Urban Furniture	YES 3S	YES 3*	Ministry for Urban planning, environment and construction	YES	N/A	YES 3e*	NO	N/A	N/A
Transportation	Buses	N/A	N/A	Ministry for transport and communication	YES	N/A	N/A	N/A	N/A	N/A
	Taxis	N/A	N/A	Ministry for transport and communication	YES	N/A	N/A	N/A	N/A	N/A
	Trains	N/A	N/A	Ministry for transport and communication	YES	N/A	N/A	N/A	N/A	N/A
	Transport Interchange	N/A	N/A	Ministry for transport and communication	YES	N/A	N/A	N/A	N/A	N/A



<b>Notes</b>	
1*	Law on Health and Education
2*	Law on Social Protection
3S	Standard regulating the conditions for planning and constructing buildings without barriers for children and persons with physically reduced mobility from the 18.1.2003
3*	The law on Urban Planning, Environmental and Construction
3e*	Public awareness is fairly strong amongst authorities in relevant ministries

## Macedonia

	Policy process									
	Legislation			Implementation process			Socio-cultural context			
	Standards	Laws	By-laws	Responsible Bodies	Public funding allocated	Time plan awareness	Public awareness	Training of professionals on Universal Design and/or accessibility standards	User's information	Participatory process and/or consultation
Unbreakable chain of movement	Assistive devices	YES 1*	YES 1a*	Ministry of Health	YES	N/A	YES	YES	YES 1g*	YES
	Personal assistance	N/A	YES 2*	Ministry of Labour and Social Policy	YES	N/A	YES	N/A	N/A	N/A
	Accessible housing	YES	YES 3*	Ministry of Transportation and Communication	N/A	N/A	YES	N/A	N/A	N/A
Buildings	Private buildings	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Residential/non-residential buildings	YES	YES 3a*	Municipality Committee	YES	N/A	YES	NO	N/A	N/A
Outdoors	Public service buildings	YES	N/A	Municipality Committee	YES	N/A	YES	NO	N/A	YES/NO 5h*
	Sidewalks, Roads, Parks, Squares	YES	N/A	Municipality	YES	N/A	YES	NO	N/A	YES/NO 5h*
	Signalization, Urban Furniture	YES	N/A	Municipality	YES	N/A	YES	NO	N/A	N/A
Transportation	Buses	N/A	N/A	Municipality	N/A	N/A	YES	N/A	N/A	N/A
	Taxis	N/A	N/A	Municipality	N/A	N/A	N/A	N/A	N/A	N/A
	Trains	N/A	N/A	Ministry of Transportation	N/A	N/A	N/A	N/A	N/A	N/A
	Transport Interchange	N/A	N/A	Ministry of Transportation	N/A	N/A	N/A	N/A	N/A	N/A

<b>Notes</b>	
1*	The law on Health Insurance (Official Gazette 31/2003)
1a*	By-law on indications for the realisation of the right to prosthetics and other aids (2000, with supplements from 2001 and 2003)
1g*	Information is spread mainly through DPOs and their informative journals and magazines
2*	Law on Social Protection (Official Gazette 65/2004)
2a*	By-law on assessing the need and compensation for assistance and care by a third person (2004)
3*	Law for Spacial planning and Construction (2002)
3a*	By-law on Standards and Norms for Spacial Planning (2002)
5*	Draft Law on Urban planning (2005)
5h*	Consultations with citizens have been a regular practice even before this new law on Construction. That means that the general urban plans have been available to the public for comment. Relevant commissions and organisations including NGOs, can submit their suggestions as well. Ultimately, the administrative organs ( i.e. authorised commissions or bodies defined in various legal acts) have the final decision. However, there is mechanism in the law for Construction (article 11) and the law for Spatial and Urban Planning (article 4) which ensures that their decision has to comply with the above mentioned laws with respect to physically accessible environments and buildings.

## Montenegro

	Policy process									
	Legislation			Implementation process				Socio-cultural context		
	Standards	Laws	By-laws	Responsible Bodies	Public funding allocated	Time plan	Public awareness	Training of professionals on Universal Design and/or accessibility standards	User's information	Participatory process and/or consultation
Unbreakable chain of movement	Assistive devices	YES 1	NO	Ministry of Health - Health Fund	YES	-	NO	NO	Poor	NO
	Personal assistance	YES/NO 2	NO	Ministry of Labour and Social Welfare	YES	-	NO	NO	Poor	NO
Buildings	Accessible housing	YES 3	NO	Ministry of Construction and Protection of the Environment	-	-	NO	NO	NO	NO
	Private buildings	NO	NO	Ministry of Construction and Protection of the Environment	-	-	NO	NO	NO	NO
	Residential/non-residential buildings	NO	YES 4	Ministry of Construction and Protection of the Environment	-	-	NO	NO	NO	NO
	Public service buildings	NO	YES 4	Ministry of Construction and Protection of the Environment	-	-	NO	NO	NO	YES 4h*
Outdoors	Sidewalks, Roads, Parks, Squares	NO	NO	Ministry of Construction and Protection of the Environment	-	-	NO	NO	NO	NO
	Signalization, Urban Furniture	NO	NO	Ministry of Construction and Protection of the Environment	-	-	NO	NO	NO	NO
Transportation	Buses	YES 5	NO	Ministry of Labour and Social Welfare	-	-	NO	NO	NO	NO
	Taxis	NO	NO	Ministry of Labour and Social Welfare	-	-	-	-	-	-
	Trains	YES 5	NO	Ministry of Labour and Social Welfare	-	-	NO	NO	NO	NO
	Transport Interchange	NO	NO	-	-	-	NO	NO	NO	NO

<b>Notes</b>	
<b>1</b>	Law on Health Protection (Official Gazette No 39/04)+ Regulations on orthotic and prosthetic devices, dental aids, seeing and hearing aids, medical and sanitary aids
<b>2</b>	The new law on social and child protection is still waiting to be adopted.
<b>3</b>	Law on the construction of buildings (Official Gazette No 55/00) Article No 11 has provisions for accessible housing to be provided for people with disabilities.
<b>4</b>	The law on construction of buildings (Official Gazette No 55/00) very generally proclaims accessibility of public buildings.
<b>4a*</b>	Article 27, line 5 of the by-law on the law on construction assures that buildings must be harmonized with building regulations specified by the law but none are stated explicitly. Article 61, line 3, point 2 of the by-law, determines technical standards but only refers to the law on construction which very generally proclaims accessibility of common spaces.
<b>4h*</b>	For projects of public interest there are public debates, mainly to get Municipal Assembly approval. DPOs are not asked to attend, nor directly consulted, but they can attend and give suggestions as it is open to public.
<b>5</b>	Law on privileges for persons with disability in internal traffic (Official Gazette No 47/99) + Law on protection of soldiers and disabled people (Official Gazette No 69/03) have provisions on providing accessible transportation.

## Serbia

	Policy process									
	Legislation			Implementation process			Socio-cultural context			
	Standards	Laws	By-laws	Responsible Bodies	Public funding allocated	Time plan	Public awareness	Training of professionals on Universal Design and/or accessibility standards	User's information	Participatory process and/or consultation
Unbreakable chain of movement	N/A	YES 1 *	YES 1a*	YES 1b*	YES/NO 1c*	N/A	Virtually non existent 1.e*	N/A	YES/NO 1g*	YES 1h*
	N/A	YES 2 *	N/A	YES/NO 2b*	YES 2c	YES 2d*	YES/NO 2e*	N/A	YES/NO 2g*	YES/NO 2h*
	YES 3S*	YES 3 *	YES 3S*	YES 3b*	YES/NO 3c*	NO	YES/NO 3e*	N/A	N/A	N/A
Home	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	YES 3S*	YES 4 *	YES 3S*	YES 3b*	N/A	NO	YES/NO 3e*	N/A	YES 4g*	YES 4h*
Buildings	YES 3S*	YES 4 *	YES 3S*	YES 3b*	YES 4c*	YES 4d*	YES/NO 3e*	N/A	YES 4g*	YES 4h*
	YES 3S*	YES 4 *	YES 3S*	YES 3b*	YES 4c*	YES 4dd*	YES/NO 3e*	N/A	YES 4g*	YES 4h*
Outdoors	YES 3S*	YES 4 *	YES 3S*	YES 3b*	YES 4c*	NO	YES/NO 3e*	N/A	YES 4g*	YES 4h*
	NO	YES/NO 5*	YES/NO 6*	YES 5b*	YES 5c*	NO	YES 5e*	N/A	YES/NO 5g*	YES/NO 5h*
Transportation	NO	YES/NO 5*	N/A	YES 5bb*	NO	NO	NO	N/A	YES/NO 5g*	N/A
	NO	YES/NO 6*	N/A	YES 6b*	N/A	NO	NO	N/A	NO	NO
	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Transport Interchange	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A



Notes	
1*	1. Law on Health Insurance 2. Law on Health Care
1a*	Regulation on Indications for Orthopedic Aids
1b*	Ministry of Health of Serbia - specialized commissions
1c*	Health Insurance Fund that is not sufficient & periodic foreign donations
1g*	Information available to people with disabilities through DPOs
1h*	DPOs communicate to Ministry of Health, Ministry of Labour, Employment and Social Affairs (MOLESA), and Ministry of Education and to the Council for Disability Affairs
2*	Draft Law on Employment of People with Disabilities
2b*	CIL Serbia is implementing a pilot project, in cooperation with MOLESA, Fund for Social Innovations and social care centers in 9 municipalities to deliver Personal Assistance (PA) services
2c*	The pilot project has been financed by Irish Government, Catholic Relief Service with small contributions from the Social Innovation Fund. For 2007, MOLESA will partially fund the project.
2d*	A 2 year pilot project from 2003- 2005, with possibility of an extension subject to continued foreign funding.
2e*	PA service pilot project team launched massive visibility campaign in order to lobby for the inclusion of PA service as an option within framework of the social security system
2g*	PA service pilot project team made necessary information available to potential users
2h*	Participatory research is a part of the PA service pilot project
3S*	Regulation on Conditions of Planning pertaining to Non-restricted Movement of Children, Elderly and Disabled Persons 1997
3*	1. Law on Planning and Construction. 2. Draft Law on Social Housing
3b*	Ministry of Capital Investments, Local authorities in charge of Planning and Construction
3c*	Housing funds for buildings funded by public authorities
3e*	Some of the professors at faculties of architecture and engineering teach accessibility standards but it is not a standard part of formal curriculum
4*	1. Law on Planning and Construction 2003 prescribes that technical standards must be implemented in all new buildings. The Ministry's interpretation is that technical standards include those on accessibility from the regulation. The issuing of building licenses and permits is conditioned by the application of all technical standards and there are fines for those who fail to implement plans and designs in accordance with technical documentation however this is rarely the case in practice for accessibility non-compliance. 2. Antidiscrimination Law for people with disabilities, 2006
4c*	The budget and other public funds from which new public buildings are funded, foreign grants
4d*	The Ministries of Labour, Employment and Social Affairs, Capital Investments and the state administration plan to adapt 3 existing public buildings in all municipalities of Serbia, in accordance with the proposals of DPOs
4dd*	Some municipalities and cities, like Belgrade, include adaptation of street crossings and marking of parking spaces in the annual programs of activities on a regular basis
4g*	Campaigns against architectural barriers, accessibility conferences and seminars
4h*	DPOs were consulted and their amendments were taken into account in the process of drafting the legislation and local urban planning
5*	The law on Transport in Road Traffic contains no provisions on accessibility
5a*	General Conditions of Transport in Road Traffic provide for possibility of provision of assistance to people with disabilities and for people with disabilities to get priority tickets
5b*	Ministry for Capital Investments and public bus transport companies
5bb*	Ministry for Capital Investments, local authorities in charge of public transport, taxi drivers' associations
5c*	The budget and other public funds and foreign donations for some adapted vans for people with disabilities
5e*	DPOs use round table discussions and press conferences to point out unsatisfactory situation with public bus transport for people with disabilities in majority of cities of Serbia
5g*	People with disabilities receive information from DPOs
5h*	In some major cities like Belgrade and Nis local DPOs work with local authorities to attempt to organize accessible public transport in cities for people with disabilities
6*	The law on Railroads contains no specific provision on accessibility, except that transport is offered to all persons under equal conditions and that the railroad infrastructure has to be built in accordance with provisions in the Law on Planning and Construction
6b*	The Ministry for Capital Investments, Direction for Railroads

## The UN administered province of Kosovo

	Policy process									
	Legislation			Implementation process			Socio-cultural context			
	Standards	Laws	By-laws	Responsible Bodies	Public funding allocated	Time plan	Public awareness	Training of professionals on Universal Design and/or accessibility standards	User's information	Participatory process and/or consultation
Unbreakable chain of movement	N/A	N/A	N/A	N/A	YES 1c*	N/A	YES 1c*	YES	YES	YES
	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Home	N/A	YES 2*	N/A	Municipality	N/A	N/A	N/A	N/A	N/A	N/A
	N/A	YES 2*	N/A	Municipality	YES	N/A	YES	N/A	N/A	N/A
	N/A	YES 2*	N/A	Municipality	YES	N/A	YES	N/A	YES	YES
Buildings	N/A	N/A 3*	N/A	Municipality	YES	N/A	YES	N/A	N/A	N/A
	N/A	N/A	N/A	Municipality	YES	N/A	YES	N/A	N/A	N/A
	N/A	N/A	N/A	Municipality	N/A	N/A	N/A	N/A	YES	N/A
Outdoors	N/A	N/A	N/A	Municipality	YES	N/A	YES	N/A	N/A	N/A
	N/A	N/A	N/A	Municipality	N/A	N/A	N/A	N/A	YES	N/A
	N/A	N/A	N/A	Municipality	N/A	N/A	N/A	N/A	N/A	N/A
Transportation	N/A	N/A	N/A	Ministry of Transportation and Telecommunication	N/A	N/A	N/A	N/A	N/A	N/A
	N/A	N/A	N/A	Ministry of Transportation and Telecommunication	N/A	N/A	N/A	N/A	N/A	N/A
	N/A	N/A	N/A	Ministry of Transportation and Telecommunication	N/A	N/A	N/A	N/A	N/A	N/A

<b>Notes</b>	
1c*	There is a "National Orthoprosthetics Center - NOPC" for the production of assistive devices such as prosthesis for lower limbs, orthesis, splints, orthopedic shoes, longets, etc. The status of this center is not yet defined. This center is funded by the Ministry of Health. So far no law exists to regulate the centre's services or the supply of assistive devices. For the moment all products of the center are free of charge.
2*	The law on Construction, article 31 paragraph 31.1 says: Depending on the type of building, the building inspectorate confirms the mechanical sustainability and stability of the object, sound isolation and temperature isolation, fire safety, measures for energy saving, requests regarding health environment, and elimination of the barriers to allow access to people with disabilities. However, the law mentions buildings in general without specifying the type. The law on Disability Pension stipulates in article 13 paragraph 13.5 that all new public buildings built after the law comes into effect shall provide access and offer the possibility of use to permanently disabled persons.
3S	There is no law to regulate this but there are some improvements in recent years mainly due to awareness raising campaigns that were organized by DPO's. Some roads and pavements recently built are accessible and are based on standards which were imposed by DPO's .

