

THE CHALLENGES IN THE MOBILITY AND SOCIAL INTEGRATION OF PERSONS WITH DISABILITY IN AZERBAIJAN: ROLE OF INFRASTRUCTURE

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The development of human rights in modern world requires the same attitude to all segments of society and to all people without any exclusion. Everyone has the same rights and no one can be deprived of these rights on the basis of any features, especially disability. The aim of this study is revealing of the challenges encountered in the integration of persons with disabilities into society of Azerbaijan. The main value in this study is given to the inclusive infrastructure, in view of the fact that it is an important aspect contributing the integration of persons with disability into society. The method of literature review and legal analysis is carried out in the study. To determine the attitude of the population to the construction of inclusive environment a questionnaire survey of the population was conducted. On the basis of this research, proposals that can facilitate the integration of persons with disabilities have been forwarded.

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INTRODUCTION

The key element in the protection of human right is the provision of the Declaration on Human Rights (hereinafter *Declaration*) which stipulates that *Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status*¹. This right fourth in article is absolute and

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¹ THE UNIVERSAL DECLARATION ON HUMAN RIGHTS (UDHR), Article 2 (Paris: Palais de Chaillot 1948).

has the influence on the lawmaking process. Thus, many conventions and national law of many countries have the provision about non-discrimination. It's not a coincidence that this provision has been included into the Convention on the Rights of People with Disabilities (hereinafter CRPD) (CRPD, 2006).

According to CRPD persons with disabilities are considered persons having long-term physical, mental, intellectual or sensory impairment which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others². This means a social integration of people with disability and the obligation of government is to support this integration. But social integration of these people into the modern society which includes the enjoyment of human rights and full operation of persons with disabilities is in practice violated by different processes, such as separation, marginalization and exclusion. There are a lot of reasons of these but the most important of them is the problem occurring with infrastructure.

The integration process of persons with disability is determined by several factors. On one hand, persons with disabilities are members of society, on the other hand limited abilities of health prevent their socialization, do not allow the person any type of activity typical of appropriate age and social status. As a result, they are strangers, not included in the social environment. On October 20, 2008 Azerbaijan has adopted the law No. 686-IIIQ "On Accession to the CRPD" and law No. 687-IIIQ "On Accession to the Optional Protocol of the CRPD"³. In January 2009, Azerbaijan has refined the CRPD⁴. By ratifying the CRPD Azerbaijan has been obliged to undertake or promote research and development of universally designed goods, services, equipment and facilities, as defined in article 2 of the CRPD. This of course was the important step into the modern democratic society because it has implied the social integration of people with disabilities.

The notions reflected in the CRPD contribute to the understanding and accepting by the broad mass of the basics of the human rights that belong to

² CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES (CRPD) (2006) Article 1, <http://www.un.org/disabilities/documents/convention/convoptprot-e.pdf>.

³ Initial report of the Republic of Azerbaijan about the Implementation of the UN Convention "On the Rights of Persons with Disabilities" Ministry of Labor and Social Protection of Population of the Republic of Azerbaijan 2, 4, 7—9 (Baku, January 2011), <http://www.mlsp.gov.az/en/pages/18/50>.

⁴ CHANTELLÉ McCABE, SITUATION ASSESSMENT: PEOPLE WITH DISABILITIES IN AZERBAIJAN 6 (UNICEF, Baku 2011), http://www.undp.org/content/dam/azerbaijan/docs/sustain_development/AZ_Disability_Report_Eng.pdf.

the persons with disabilities. One of these is the term “universal design”. The term “universal design” described as the design of products, environments, programs and services to be usable by all people (a.2), means also inclusive design or life span design⁵. It implies the access to buildings, transport and infrastructure for people with disabilities and this provision is becoming a more important dimension of property development in developed countries⁶. It is the key element of the social integration of people with disabilities. *Social integration of these persons means a process of promoting the values, relations and institutions that enable all people to participate in social economic, cultural and political life on the basis of equality of rights, and dignity*⁷.

Within the process of integration different challenges and barriers appear. These barriers include urban infrastructure, residential and work environment, communication system that hinder the movement, communication, employment and finally, simply ordinary life. Today for the executive bodies is much easier to build a new building, a new industrial facility, to create a new transport communications than to reconstruct the existing ones. The main aspect of building the right environment is the following the principles of universal design. The universal design and social integration of people with disability are interrelated, because among the elements necessary for creating an inclusive society universal access to public infrastructure and facilities holds an important place.

Before the inclusion to the CRPD the term “universal design” was the first time used in the 1970s by the staff at the Center for Accessible housing at North Carolina State University⁸. Universal design includes 7 principles, which are equitable use, flexible in use, simple and intuitive in use, perceptible information, and tolerance for error, low physical effort, size and space for approaches. An example may be the use of door levers instead of knobs that make opening of doors easier⁹. After reviewing the appropriate

⁵ L. Jordan Maisel & Molly Ranahan & WBDG Accessible Committee, *Behind Accessibility to Universal Design*. Center for Inclusive Design & Environmental Access (IDeA) (2014), https://www.wbdg.org/design/plan_flexibility.php.

⁶ Rob Imrie & Peter Hall, *Inclusive Design. Designing and Developing Accessible Environments 3* (London & New York, Taylor & Francis e-Library 2004).

⁷ DESA, *CREATING AN INCLUSIVE SOCIETY: PRACTICAL STRATEGIES TO PROMOTE SOCIAL INTEGRATION* 3, 8, 9 (2009).

⁸ ROBERTA NULL, *UNIVERSAL DESIGN: PRINCIPLES AND MODELS 2* (CRC Press Taylor & Francis Group 2014).

⁹ Hadi Salah & Hyun-Duck Chung, *Towards an Accessible Future: Ontario Innovators in Accessibility and Universal Design*. MaRS Discover District 15 (2013), <https://www.marsdd.com/wp-content/uploads/2014/01/Towards-an-Accessible-Future-Ontario-Innovators-in-Accessibility-and-Universal-Design1.pdf>.

literature we have concluded that these principles have the same meaning and do not have any interpretation. Despite the acceptance of the CRPD the universal design concept is unfamiliar to our society and relation to life. Building the acceptable environment for everyone is the most important task we face, but environment should be adaptive for these people, it should not exclude them from society or need to build extra infrastructure designed especially for persons with disabilities. The approach of inclusive society implies the universal design but not special infrastructure, and this requires few finances.

According to the information of the Union of Disabled People Organizations (UDPO) of the Republic of Azerbaijan for 2016 the amount of persons with disability throughout the country is 568,148 persons which constitute 6% of the whole population; the amount of children with disability is 65,482 or 12% of persons with disabilities¹⁰.

According to the information for 2015 shown on the official web page of the State Statistical Committee of Azerbaijan Republic the amount of children in age group between 0-4 years is 851,004 children who may use baby strollers¹¹. Hence building the inclusive society with universal design does not only involve the people with disability, it is intended for all.

I. METHOD

The method of literature review is carried out in this article. Data were collected by the writing of the key words to the search engines. For determination of the attitude of the population to the building of inclusive environment a questionnaire survey among them was conducted. The amount of asked people was 100 (one hundred). They were chosen by the random method. The minimum age of respondent was 18 and the maximum age was 70. Since the major population is Azerbaijani-speaking, the questionnaire survey was conducted in Azerbaijani language. Questions were aimed at determining the opinion of the respondents about the inclusive environment and the universal design. In the questionnaire there are seven questions, listed with different methods. The main question, identifying the point of view of people about the infrastructure marked under the number "5". The last seventh question is the open type and asks respondents about their proposals. Most of their offers have been included in the article.

The limitation of the study is the place of survey which is Baku and the

¹⁰ <http://www.udpo.az/category.php?lang=1&content=346>.

¹¹ <http://www.stat.gov.az/source/demography/indexen.php>.

diversity of the respondents.

One of the key questions of the questionnaire was the question about compliance of infrastructure with the requirements of PWD. So the majority of respondents have confirmed that the infrastructure is not appropriate to their requirements. This question required the single answer, which was included in “yes” or “no” section.

After revealing the attitude of population to the ability of PWD to move freely in the public places, we have asked the respondents who think that they can't choose the reasons of their inability. Question was designed as “if the answer to the previous question was negative, define the reasons”. Respondents could have the multiple choices of answers.

61% of answers show that there are no roads designed for PWD;

58% of answers show that there are no lifts or other supplies in the subways, contributing the free movement of wheelchairs or PWD;

58%—there are no ramps in such important buildings as educational institutions and healthcare facilities;

45%—there are no special toilets for PWD in the public places, parks, educational and health facilities and in state agencies;

38%—there are no signboards with Braille alphabet on the buildings of state agencies and strategic objects;

29%—there are no parking places for the PWD in the parking lots;

27%—there are no stopping roads at the entrance of parks or whether they are used inappropriately.

Among the ways of solutions for the problem proposed by us 67% of respondents highlighted the necessity of creating the conditions (lift, ramp) in subways for providing the free movement of PWD; 65% of them have offered that at the entrance to the buildings, parks underground and over-ground passages should construct the ramps; 51% agree that roads should be re-paved considering the requirements of persons with disability. 5% of respondents have chosen the answer “other”. Responses were justified but there are no same answers, so we present them below:

(1) Government should help them in solving of their problems;

(2) Should open new school for getting the education;

(3) Should provide more financial aid for them;

(4) They need more financial support;

(5) There is the necessity of educating the people so that they can understand the feelings of PWD.

90% of respondents want to live in the inclusive society and want to see the PWD included to the community, but 10% of them are against inclusive society.

II. DISCUSSIONS

As seen from the study results the infrastructure of the Baku city is not suitable for the people with disabilities. They cannot move in the city without help of other people. These people feel themselves excluded from the society they live. There are many reasons of such exclusion, but the main important of them is the infrastructure. People with disabilities, having problems with free movement (problems of the musculoskeletal system, people with visual impairments etc.), feel themselves a burden to their families, relatives and friends.

The majority of respondents think that the most of problems occur in the transport area. These findings also appear in the study of other researchers, so in the study of Gopalakrishnan¹² among the common problems that PWD faces, he shows the challenges in transport.

Despite the fact that Azerbaijan has ratified the CRPD and its Optional Protocol, the environment and infrastructure has not yet met all the requirements, emanating from the Convention. Society and many state structures responsible for the construction of infrastructure are not familiar with the concept of universal design defined in the second article of the CRPD. However, there are the positive improvements taking place. So, according to the Initial Report of the Republic of Azerbaijan about the implementation of the convention “On the rights of persons with disability” prepared in 2011, there are many positive changes in legislative. Among them is adopting the new legislative acts¹³.

According to the aforementioned Report there have been carried out the following positive actions:

- 75 pedestrian crossings are planned to be constructed in streets and avenues of Baku city, in accordance to the Order of the President of the Republic of Azerbaijan. The pedestrian crossings that are already given to exploitation are supplied with equipment mitigating movement of individuals with physical impairment;
- New vehicles, of European standards, are being brought to the country for the purpose of further improving taxi service in Baku city;
- Necessary conditions were created for free movement of physically impaired individuals in newly built and already given to exploitation

¹² Coumarasamy Gopalakrishnan, *Problem Faced by Physically Challenged Persons and Their Awareness toward Welfare Measures*, 2(4) INTERNATIONAL JOURNAL OF INNOVATE RESEARCH & DEVELOPMENT 487—493 (2013), <http://www.ijird.com/index.php/ijird/article/viewFile/35954/29136>.

¹³ Initial report of the Republic of Azerbaijan about the Implementation of the UN Convention “On the Rights of Persons with Disabilities” Ministry of Labor and Social Protection of Population of the Republic of Azerbaijan 2, 4, 7—9 (Baku, January 2011), <http://www.mlsp.gov.az/en/pages/18/50>.

modern bus stations and train stations of “Azerbaijan Railways” CJSC in Baku and in the regions of the country;

- Information centres were established in 3 regions of Azerbaijan as a part of project for purpose of expanding physically impaired persons’ access to information and communication technologies;

- 60 thousand physically impaired people from Ganja and its surroundings may benefit from services of the Regional Information Centre in Ganja. Persons with poor eye sight from Nakhchivan Autonomous Republic may use the Centre established in Nakhchivan city;

- There are more than 1,000 books published in Braille alphabet as well as movies with subtitles for speech and hearing impaired persons and video game room for mentally impaired people for mental development;

- Wheelchair paths and elevators were constructed in Haydar Aliyev Palace, Azerbaijan State Academic National Drama Theatre, Azerbaijan State Puppet Theatre, Azerbaijan State Russian Drama Theatre, Azerbaijan State Young Spectators Theatre to ensure right of equal participation of persons with disabilities in cultural life, to develop and use their creative, artistic and intellectual capacity, as well as to participate in recreational and entertainment events¹⁴.

These positive improvements are certainly the indicator of well-coordinated work of the competent authorities, but the findings of our study show that problems still exist. According to the Law “On prevention of disabilities and impaired health of children and rehabilitation and social protection of the disabled and children with impaired health” persons with disabilities and children with impaired health have right of access to all enterprises (associations), institutions and organizations buildings, housing, public and industrial buildings and equipment¹⁵. In addition to this, the Law of the Republic of Azerbaijan “On the basis of city-planning” establishes the norms and rules under which the interests of the PWD should be taken under the account¹⁶.

¹⁴ Initial report of the Republic of Azerbaijan about the Implementation of the UN Convention “On the Rights of Persons with Disabilities” Ministry of Labor and Social Protection of Population of the Republic of Azerbaijan 2, 4, 7—9 (Baku, January 2011), <http://www.mlsp.gov.az/en/pages/18/50>.

¹⁵ Law of the Republic of Azerbaijan, *On Prevention of Disabilities and Impaired Health of Children and Rehabilitation and Social Protection of the Disabled and Children with Impaired Health* [in Azerbaijani language]. No. 282 (1992), <http://tebiivalideynlik.az/files/usaqlarin-huquqlari/elilliyin-ve-usaqlarin-saglamliq-imkanlari-mehdudlugunun-qarsisinin-alinmasi-elillerin-ve-saglamliq-imkanlari-mehdud-usaqlarin-reabilitasiyasi-ve-sosial-mudafiesi-haqqinda.pdf>.

¹⁶ Law of the Republic of Azerbaijan, *On the Basis of City-Planning* [in Azerbaijani language]. No. 684-İQ (1999), http://www.fhn.gov.az/uploads/legislation/aze/qanunlar/684_q.pdf; http://www.ohchr.org/EN/UDHR/Documents/UDHR_Translations/eng.pdf.

Considering aforesaid and the findings of study, we would like to offer our proposals, based on the respondents' suggestions, analysis of legislation and our observation:

- There is the huge necessity in the installing of the ramps. But their installation should follow the international standards and should be usable for PWD;
- In order to improve the awareness of people about problems of PWD and about the inclusive society an educational work should be held among the population;
- All new building should follow the rules of universal design;
- A set of common standards should be prepared, collected in one code and related to the all areas of their life.

This research was carried out in order to reveal the challenges of PWD from the point of view of other, healthy population. But we think that there is the necessity in carrying out the new research, covering wider territory and groups of individuals, because the amount of respondent was too small and the location did not cover the larger areas. There is also a need of the research "from inside" implying the research among the PWD. It is important to hear their position and to learn the real problems and challenges that they face in their everyday life.

We think that the integration of PWD into society and their rehabilitation are interrelated processes that contribute to the social development of society, that is why state agencies should be interested in this and we hope that our article could point to the main problems in this area.

CONCLUSION

Thus social integration of persons with disabilities into society is one of the actual problems of our modern society. One of the reasons of their social exclusion is the lack of accessible infrastructure. Hence, the accessible infrastructure will help persons with disabilities to overcome barriers to their socialization, education and employment.