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POLICY BRIEF

Accessibility Standards for Persons with Disabilities in the 2015-2016 infrastructure interventions of the Municipality of Tirana

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Executive summary

In the framework of one year (2015-2016), the Municipality of Tirana has undertaken several infrastructure interventions in improving roads and sidewalks, parks and public spaces, bus stations and reserved parking spaces. However, in most cases these interventions have not complied with accessibility standards for persons with disabilities therefore not contributing to the participation in community life by persons with disabilities. Despite the goodwill, the Municipality of Tirana has a long way to go to provide access for persons with disabilities. Part of this policy brief's recommendations is to better supervise the works being carried out and to better spread information on accessibility standards for all stakeholders. Most importantly, no real access will ever be provided without participation of persons with disabilities in all the planning processes.

The vision of an accessible city, yet struggling with standards

The last Census held in Albania in 2011[1], identified for the first time that 6.2% of the population over 15 years old,or a total of 137,435 people, have some form of disability (seeing, hearing, mobility, cognition, self-care, and communication).However, disability organizations estimatethat the percentage of persons with disabilities may be higher,given thatmany people hesitate to identify themselves as persons with disabilities. There is also a misunderstanding as to which groups fall under the definition of disable. The World Health Organization indicates that approximately 15% of the global population has some form of disability.[2]

Tirana, being the capital of Albania,whereal-most 1/3 of the total population lives, continues to be a city thatdoes not allow persons with disabilities to enjoy theirfull rights and to participate in community life, despite recent interventions in urban infrastructure. As a result, this is contributing to the segregation of a significant number of persons with disabilities. According to the United Nations Convention for the Rights of Persons with Disabilities[3], accessibility is a precondition for the enjoyment of all other rights by persons with disabilities.

This policy brief analyzes the status of the interventions in infrastructure carried out by the Municipality of Tirana during 2015-2016, as regarding accessibility standards for persons with disabilities. The paperbriefly outlines the legal framework regarding accessibility for persons with disabilities and then continues in analyzing whether such standards have been fulfilled in certain categories of interventions such as reserved parking spaces, bus stations, sidewalks, parks and public space and access to information and communication. The paper concludesthat the new infrastructural interventions carried out in 2015-2016 often lack accessibilitystandards or ignore altogether specific needs of citizens. Finally, some recommendations that can be useful are provided, so that the municipality improves its performance when delivering services which should be equally enjoyed by all citizens, including persons with disabilities.

Tirana has the potential and should become a model of fulfillment of accessibility standards for disabled people. This should then act as a positive model for other cities throughout Albania.

The legal framework for persons with disabilities and accessibility

The United Nations Convention for the Rights of Persons with Disabilities was ratified by the Albanian Parliament on November 15, 2012[4], meaning that the provisions of the Convention are legally binding. According to the Convention, accessibility is both a general principle and also an article on its own[5]. Apart from it, many of the other articles that contain provisions on education, employment, independent living, access to justice, etc., make reference to the need for accessibility. It is clear that accessibility is not only a right for persons with disabilities, but it is primarily a precondition for the enjoyment of all other rights.

Albania has continued to improve its legislation, also in the light of the Convention,and it passed Law No. 93/2014 "For the social inclusion and accessibility of persons with disabilities".The term "accessibility"[6]is defined as avoiding barriers of all types.This law sets as one of its objectives the identification of responsibilities forcentral and local public agencies toguarantee the principles of inclusion and accessibility with a final aim of minimizing until eliminating barriers for persons with disabilities in order to ensure their equal and full participation in society. The law provides that central and local public institutions should gradually take measures to remove barriers and also design a budget for the interventions.

To better explain the provisions of this law, a sub legal act was passed with the Decision of Council of Ministers No.1074, date 23.12.2015 "For defining measures to eliminate barriers in communication and infrastructure in the offering of public services for persons with disabilities". This bylaw provides that local and central authorities, within six months of this Decision,[7] should make a plan as to what objects and services within their competences need to be made accessible for persons with disabilities, the budget specified for gradual interventions and the timeframe for the carrying out of these interventions.

Furthermore, no infrastructure interventions should be funded if they don't comply with the accessibility standards provided in the technical regulation which was approved by the Decision of Council of Ministers No.1503, 19.11.2008 "For the use of the spaces by persons with disabilities". In fact, this regulation provides all the necessary technical standards that need to be complied with for persons with disabilities to have accessibility and to use public infrastructure and services on an equal basis with others and most importantly in a safe and easy way.

There are other legal acts which add to the call to guarantee accessibility for persons with disabilities. One of these acts is the Law No. 10221, date 04.02.2010"For protection against discrimination". This act protects from discrimination on a wide list of grounds, including disability. It requires public and private subjects not to discriminate on the grounds of disability and denial of reasonable accommodation[8] is considered discrimination.

Accessibility in the Municipality of Tirana

Mr. Erion Veliaj was elected Mayor of Tirana on June 21, 2015 and was in charge of the municipality from July 30, 2015. At the time we are making this assessment, he hasconcluded the first year of his mandate. Nonetheless, coming from his previous position as a Minister of Social Welfare and Youth, he articulated often in public appearances his engagement and commitment to make Tirana an accessible city for all.

During this first year, he has undertaken several initiatives either for new interventions to comply with accessibility technical standards or to make accessible those sidewalks and buildings that were not accessible before. Despite his goodwill, public money has been spent, but unfortunately the technical standards, as provided in the Decision of the Council of MinistersNo.1503, have not yet been met. Furthermore, the Municipality of Tirana has not yet drafted a plan as to what objects and services within its competences will be made accessible for persons with dis-

abilities, the required budget for such interventions and the timeframe for carrying them out, although the 6-months deadline envisioned in the Decision of Council of Ministers No.1074, has already passed.

As part of this policy brief, ***20 new interventions***, made by the Municipality of Tirana since Mr. Veliaj came into office, have been analyzed. The interventions include sidewalks, public spaces, reservedparking spaces for persons with disabilities, bus stations, etc. The roads and sidewalks interventions undertaken over the past year that have been analyzed include:Dritan Hoxha Street, Unaza e Vogël, Durres Street,Androniqi Zengo Antoni Street (Laprakë),Piro Goda Street (Kombinat), the new road on the side of the Palace of Congresses, the street behind the Central Post Office, the street behind Shallvaret, Cam Street,Street Gjin Bue Shpata, Isuf Balta Street, Street Barrikadave, street Mine Peza and Street 5 Maji.

Reserved parking spaces for persons with disabilities

This is probably the area where more obvious progress has been made over the past year. It started with 2 reserved parking spaces for persons with disabilities at the municipality parking in Italy Square, and this good practice was replicated further in other main streets of Tirana such as Myslym Shyri and Barrikadave.

On a positive note, it should be said that the municipality police does a very good job in maintaining the reserved parking spaces to the exclusive use by persons with disabilities. However, the dedicated parking spaces are yet too few in number to bring a significant change in the movement of persons with disabilities who use cars not as an item of luxury but as the only alternative, due to lack of accessible public transport. According to the Decision of Council of MinistersNo.1503,[9] 5% of the parking places should be reservedfor persons with disabilities and in any case not less than one.

Apart from not having enough reserved parking spaces for persons with disabilities, another problem is the designing of these parking spaces not within the standards as provided in the technical regulation mentioned above. According to the Article 12 of the technical regulation, reserved parking spaces should be 6m in length and when there are multiple parallel parking spaces, there should be extra space between the reserved parking spot and the others. The technical standard is also explained with illustrations in the regulation itself.

Photo 1: Municipality parking at Italy Square

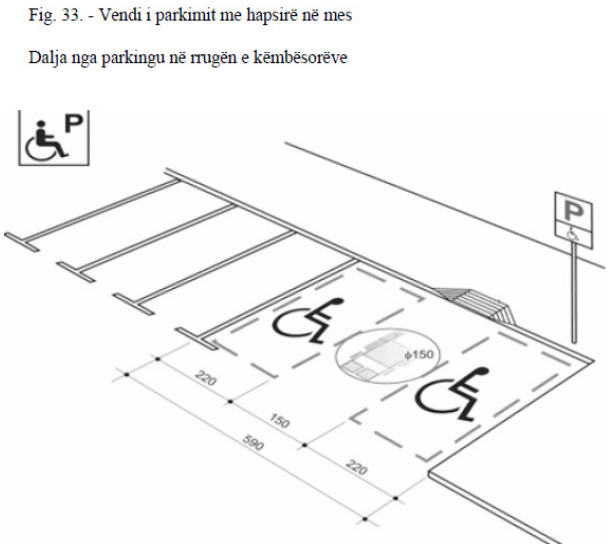

Photo 2: Taken from the technical regulation Decision of Council of Ministers No.1503

Bus stations and busses

Another new intervention that the Municipality of Tirana has undertaken over the same period is the placement of new bus stations in some streets of Tirana including Dritan Hoxha Street, Durrës Street, Unaza e Vogël,etc.

Even though the new bus stations look fancy and modern, the way they are placed doesnot allow access to persons with physical disabilities. They are practically locked on three sides and there is no possibility even for mothers with a pushchair to access them and wait for the bus.While these new bus stations are well equipped with publicity boards and small kiosks, they lack itinerary tables to help with orientationpeople with hearing and intellectual disabilities.

Photo 3

Public transport in general is very problematic and not accessible for persons with disabilities. Even though some of the buses do have a foldable ramp, the staff is usually not keen on opening it. Also the crowded buses make it practically impossible for persons with disabilities to use them. Bus stations are not only built in a way that makes access for persons with disabilities uneasy and unsafe, but also in some cases they even pose a threat. The dedicated space for persons with disabilities, close to the entrance of the bus, does lack the mechanisms for securing wheelchairs which makes traveling with public transport even dangerous in those few cases when it is possible to actually get on the bus.Inside the bus, there are no tables of itineraries to help those with hearing impairments and neither sound signals to alert arrival at a certain location for those with visual impairments.

Clearly, the new bus stations and the overall existing public transport system are not accessible for persons with disabilities and donot comply with neither Decision of Council of MinistersNo.1503nor Decision No.1074.

Sidewalks

Sidewalks are probably the most visible form of lack of accessibility for persons with disabilities in Tirana. The new Mayor, during this first year, has undertaken a number of investments that affect streets and sidewalks. In some cases, investment meant full reconstruction as in the case of the Unaza e Vogël and Dritan Hoxha Street and in others only partial intervention, only to makethem accessible, such as the case of Durrës Street. Furthermore,roads and sidewalks in newly urbanized areas of Tirana have been reconstructed. In all these three cases, implementation of standards as provided in the UN Convention andin the law and Decision No. 1503 have not been met.

I would divide current problematic issues with accessibility standards into three categories: (1) reconstruction of roads in the newly urbanized areas;(2) reconstruction in the main roads and sidewalks; and (3) intervention only to make sidewalks accessible for persons with disabilities.

1. Reconstruction of roads in the newly urbanized areas

These interventions show the most extreme struggle with standards and sidewalks which are not only unusable by persons with disabilities and parents with pushchairs, but also by pedestrians. In this category fallAndroniqi Zengo Antoni Street (Laprake) andPiro Goda Street (Kombinat),and also some streets in the heart of neighborhoods in the central part of the city.These sidewalks donot comply with the minimum standards to be considered sidewalks in the first place, let alone with accessibility elements which are entirely missing.

Photo 4: Taken from the official Facebook page of Mr. Veliaj

Photo 5

According to Article 7 of Decision No. 1503, sidewalks should be at least 1.2m wide, excluding trees, signals and lights.

2. Reconstruction in the main roads and sidewalks

The Municipality of Tirana has undertaken major reconstructions of some main roads such as Dritan Hoxha Street, Unaza e Vogël, 5 Maj Street and the new street behind the Palace of Congresses, and,according to their statements, has tried to bring the best standards of accessibility. However, the reality is quite different. Dritan Hoxha Street has problems and not everywhere sidewalks are accessible and within the standards for persons with disabilities. There are absolutely no elements for persons with visual impairments.

Photo 6

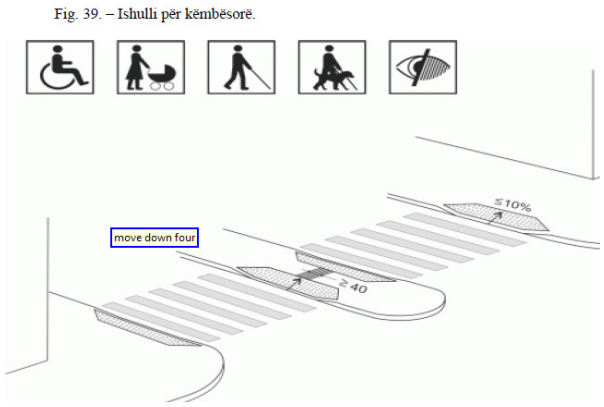

Photo 7: Taken from the technical regulation illustrations

Unaza e Vogël has brought better standard of accessibility for persons with moving disabilities and has tried to bring some elements for those with visual impairments. Again these elements are far from complying with the technical standards described in Decision No. 1503 and as a consequence they are useless.

Photo 8

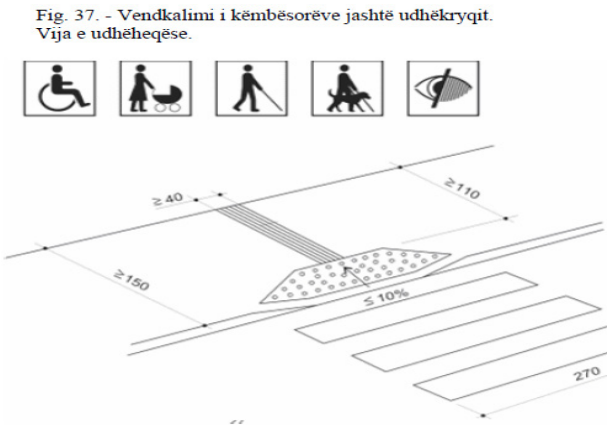

Photo 9: It is taken from the technical regulation illustrations

The street behind the Palace of Congresses is acceptable in terms of accessibility for persons with moving disabilities, but it doesnot include any elements for persons with visual impairments. 5 Maj Street totally lacks any accessibility elements.No acoustic semaphores are present in any of these roads.

3. Intervention only to make sidewalks accessible for persons with disabilities

Over the past year, there have been several initiatives by the municipality staff (as opposed to contracting companies) to improve sidewalks and make them accessible such as in Durrës Street, Mine Peza Street, Gjin Bue Shpata Street, etc.

Despite the goodwill, these interventions have not been complying with standards and those sidewalks are not fully accessible for persons with disabilities. In some parts, they are too steep, meaning the standard has not been looked at, in other parts they have lowered it but not enough to make it accessible for wheelchair users and parents with pushchairs, and in others the intervention is simply a momentary bad rectification of what they did wrong in the first place. Again, no elements for persons with visual impairments are present.

Public money and efforts has been made without guaranteeing real access for persons with disabilities.

Photo 10

Photo 11

Parks and public spaces

Apart from the interventions in roads and sidewalks, in new bus stations and in reserved parking spaces, over the past year,the Municipality of Tirana has undertaken several interventions in small parks/public spaces within neighborhoods. I would mention the public space at Karl Topia Square or at the Mine Peza block. Even though, this initiative is to be applauded, it has not taken into consideration accessibility elements for persons with disabilities and the provisions (Article 27) of the Decision of the Council of Ministers No. 1503. The public spaces in most cases do not get connected with the adjoined roads and sidewalks by including accessibility elements. And here we are referring mainly to ramps, because raised tactile surfaces used for warnings and way-finding for persons with visual impairments, are completely lacking.

Photo 12:Taken from the official Facebook page of the Mayor, Mr.Veliaj

Access to information and communication

When it comes to access to information and communication the situation is even worse. There is now a Decision of the Council of Ministers No. 837, dated 03.12.2014 that officially recognizes sign language. So far, the Municipality of Tirana does not provide sign language interpretation for any of its services, although the Decision of the Council of Ministers No. 1074 inArticle 12 imposes this obligation.

The official website of the Municipality of Tirana and that of the General Directorate of Local Taxes and Fees are not accessible for persons with visual or hearing impairments, even though Article 8 provides that the means, the ways and the formats used for delivering public services should comply with accessibility in communication requirements according to this decision.

The bus stations and the buses themselves don't have itinerary tables for those with hearing impairments and don't provide acoustic information for those with visual impairments.

Recommendations

The Municipality of Tirana has undertaken a series of interventions in infrastructure during 2015-2016. However, *these interventions don't guarantee the accessibility standards for persons with disabilities*. The municipality has a lot of work to do to convert its goodwill for accessibility, into real tangible action that provides accessibility that is within the standards and useful for persons with disabilities.

The Municipality of Tirana should:

- Properly supervise all the infrastructural works that are being done, with a special focus in ensuring implementation of the technical standards provided in Decision of the Council of Ministers No. 1503.
- According to the disability movement motto "nothing for us without us", the municipality should include persons with disabilities in all the processes for interventions that would affect their community life. These would apply particularly in the supervision of the works being done or during the drafting of the projects so as to make sure that all the necessary elements are included.
- Provide information and training to the relevant staff within the municipality, the designing companies, as well as to the contracting companies that will be doing the works, on accessibility standards.
- Provide accessibility screening for all the interventions.
- Establish an easy to use complaint mechanism for persons with disabilities to address problems with accessibility throughout the territory of the Municipality of Tirana.

Endnotes

1 Population and Housing Census 2011 (August 2016) http://www.instat.gov.al/en/census/census-2011.aspx.

2 World Health Organization, World Report on Disability (Geneva 2011), http://www.who.int/disabilities/world_report/2011/en/

3 United Nations Convention for the Rights of Persons with Disabilities, http://www.un.org/disabilities/convention/conventionfull.shtml.

4 Law no. 108/2012, 15.11.2012, For the ratification of the UN Convention for the Rights of Persons with Disabilities.

5 Article 9.

6 Law No. 93/2014 "For the social inclusion and accessibility of persons with disabilities", Article 3.

7 Decision of Council of Ministers No.1074, date 23.12.2015 "For defining measures to eliminate barriers in communication and infrastructure in the offering of public services for persons with disabilities", Article 4, 9-12.

8 Law No. 10221, date 04.02.2010 "For protection against discrimination", Article 3.

9 Decision of Council of Ministers No.1503, 19.11.2008 "For the use of the spaces by persons with disabilities", Article 26.

*All photos are taken by the author, except for those otherwise specified.