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WATCH

## BARRIERS EVERYWHERE

Lack of Accessibility for People with Disabilities in Russia



# **Barriers Everywhere**

**Lack of Accessibility for People with Disabilities in Russia**

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Printed in the United States of America

ISBN: 978-1-6231-30411

Cover design by Rafael Jimenez

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# Barriers Everywhere

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## Summary

Denis, a 25-year-old blind man, commutes daily from a Moscow suburb to his city office. He has fallen three times from commuter train platforms, including in June 2012 when he broke his hand. He told Human Rights Watch, “Everywhere there’s a risk of trauma ... maybe if there were those tactile strips that show you clearly where the platform ends, this would not have happened.”

\*\*\*\*

Twenty-six-year-old Maria D., who has limited mobility and uses a wheelchair, lives in a third-floor apartment in Sochi, home of the 2014 Winter Olympic and Paralympic Games. Since her apartment is accessible only by stairs, she often does not leave it for several months at a time and cannot meet with family and friends, who include a local group of people with limited mobility.

\*\*\*\*

Lack of accessible transportation prevents Nina, a 52-year-old deaf woman who lives on the outskirts of Ulan-Ude, a city in Siberia, from getting to the city center for health clinic visits. Describing the city’s minibuses, Nina said, “There are no buttons you can press to announce that you want to get off. Buses are better because they make consistent stops.... I just wish there were digital signs announcing the stops.”

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## Overview

There are at least 13 million people with disabilities in Russia today. People who use wheelchairs or crutches; people with cerebral palsy; people who are blind or have low vision; people who are deaf or hard of hearing; people with intellectual or developmental disabilities like Down’s syndrome or autism, people with mental health problems, and those with multiple disabilities live in every major city, town, and rural area. While Russia has taken some important steps in recent years to advance protections of the rights of people

with disabilities, this report finds that the government has much more to do to ensure the right to an accessible environment for people with disabilities. Among the steps that Russia's government has taken in recent years to show its commitment to ensuring the rights of persons with disabilities was the ratification of the United Nations Convention on the Rights of Persons with Disabilities (CRPD) in 2012. The CRPD obligates states to protect equal enjoyment of all human rights and fundamental freedoms by persons with disabilities. The CRPD specifies that people with disabilities should have equal access to transport, the physical environment, information and communications, and other facilities and services that are open or provided to the public. As a key component of implementing the CRPD, Russia is executing a four-year, multibillion-ruble Accessible Environment Program (2011-2015), involving federal funding and advisory support to increase access for people with disabilities to education, healthcare, information, transportation, and other public services in several Russian regions.

In March 2014 Russia will host the Winter Paralympic Games in Sochi, a Black Sea resort city that is home to some 340,000 people. By hosting the Paralympics, Russia is taking an important step toward including people with disabilities as visible participants in society. Over 1,300 athletes with disabilities will compete in five winter Paralympic sports during the games. The Sochi 2014 Olympic Organizing Committee has made significant efforts to make doors, seating, and Olympic facilities accessible to athletes, spectators, and officials with disabilities. Working with local and regional governments, the committee has also taken steps to improve accessibility for people with disabilities in Sochi and increase awareness of disability rights elsewhere in Russia.

Despite these initiatives, however, as this report finds, for many people with disabilities in Russia taking part in the basic activities of daily life, such as going to work, school, or university, gathering with friends or relatives, buying groceries, attending cultural events, or visiting the doctor, can be extremely difficult or even impossible due to a range of different types of barriers they encounter. Barriers can be physical, such as the absence of a ramp or elevator to an apartment, train station, or workplace; or they can consist of attitudes that result in discrimination by employers, doctors, transport operators, or shopkeepers. Consequently, many people with disabilities may rarely leave home, have incomplete or substandard educations, and may never start a family or have meaningful employment.

Based on interviews with 123 people with disabilities in six cities throughout Russia, local nongovernmental organizations (NGOs), and representatives of disabled persons organizations (DPOs), this report examines access to the physical environment, transportation, employment, private businesses, and health and rehabilitation services and analyzes discrimination by transport operators, employers, and healthcare workers. The research presented does not aim to be a comprehensive analysis of every type of obstacle that all people with disabilities in Russia face as they try to participate in their communities, nor does it provide a detailed discussion of access to education for people with disabilities. But it does provide a snapshot of the different types of daily obstacles that people with disabilities face in the cities Human Rights Watch visited.

Although Russia has a fairly progressive law guaranteeing accessible infrastructure, information, education, and healthcare to people with disabilities, it does not consistently enforce this or other laws pertaining to accessibility. Moreover, the law contains significant omissions and flaws, such as the absence of concrete mechanisms to ensure and monitor its enforcement, for example.

Interviewees rarely received satisfactory official responses to their complaints. Most people with disabilities interviewed said that when they submitted written or oral complaints to the government regarding inaccessible infrastructure or services, they received either no response or else got a written notice stating that the government could not address their accessibility needs.

This report recommends steps that Russian authorities can take to better protect the rights of people with disabilities and enforce their own laws.

## **Report Findings**

Despite the advances that the Russian government has made to create a more accessible environment in Russia, people with disabilities, who comprise at least 9 percent of Russia's population, still face many obstacles to enjoying access to many elements of daily life, including housing, public transportation, public buildings, healthcare facilities, schools, private businesses, and employment. Throughout the different chapters of this report, Human Rights Watch analyzes discrimination in a number of spheres of daily life. The CRPD defines discrimination on the basis of disability as “any distinction, exclusion or restriction

on the basis of disability” that limits or prevents people from enjoying basic rights and freedoms on an equal basis with others in political, economic, social, cultural, civil, or other areas of life.

For example, interviewees in the cities where Human Rights Watch conducted research spoke of difficulty leaving their homes or accessing private businesses or government buildings due to narrow doorways, no elevators, and steep wheelchair ramps that lack accessible handrails. When Human Rights Watch interviewed Maria D. (not her real name), a 26-year-old woman who uses a wheelchair, in February 2013, she had been stuck in her third-floor municipal apartment building in Sochi for four months because the building’s entryway was accessible only by stairs, and the elevator only worked sporadically.

Many people with disabilities also mentioned multiple problems that prevent them from accessing transportation, entering train stations or bus stops, boarding transport, or communicating with transport operators. The lack of accessible transportation further segregates people with disabilities from the rest of society, making it difficult or impossible for them to see friends and family, work outside their homes, date, or enjoy public facilities and institutions, such as museums, theaters, and parks. Although some city governments have begun to provide accessible buses or taxis, many people interviewed said that they were too few in number, service was infrequent, and information was lacking about their schedules. For example, the mother of a 10-year-old girl who uses a wheelchair reported waiting over an hour at their bus stop for an accessible bus. Nadezhda and Tatiana, both mothers of children in wheelchairs, said their children could not pass through the turnstile to buy tickets and board buses. Interviewees also described a dearth of accessible sidewalks and street crossings.

People with sensory disabilities talked about a lack of visual and tactile signage to make public transportation or services accessible. Human Rights Watch also identified several cases of discrimination in which transport operators refused to lower wheelchair lifts on buses to allow people with physical disabilities to enter, with apparently little if any sanction. Two people whom Human Rights Watch interviewed had been denied entry onto flights on the basis of their disabilities. In one case in 2008, employees from a Russian airline prevented a blind man from boarding an airplane on the basis of his disability. May 2013 amendments to Russia’s air transport code mean this kind of discrimination against airline passengers with disabilities is now prohibited, although enforcement will be key to the code’s efficacy.

Interviewees also described discrimination on the part of some employers, including employers who explicitly stated that they would not hire a worker with a disability; an employer who paid lower wages to an employee with a disability; and employers who created unbearable conditions or fired workers for reasons related to their disabilities. In Moscow, 28-year-old Yuliana who has low vision told us that potential employers rejected her application for the position of a school psychologist in 2009, asking, “You see badly. How are you going to work with children?”

Government statistics indicate that only 20 percent of people with disabilities of working age in Russia are employed. This is not unlike the situation with some European Union countries. Government attempts to increase employment for people with disabilities typically focus on creating “special” workplaces for them. Many interviewees said that they had faced discrimination in hiring and working conditions due to their disabilities, had missed out on professional development opportunities, and had been unable to find employment. As a result, some try to hide their disabilities, including Alla from St. Petersburg, who is hard of hearing, who successfully hid her disability during the first three months of her employment at a design firm until she got through a probationary period.

People with disabilities also said that they had trouble accessing healthcare facilities and services in part due to lack of access to adequate rehabilitation devices and services. In the case of people who are deaf or hard of hearing, they had difficulties communicating with healthcare professionals and getting emergency services. People with different disabilities noted that some healthcare workers refused to speak directly with them or accommodate basic accessibility needs. Some healthcare professionals have also shown troubling attitudes toward people with disabilities regarding their right to have a family, in one case pressuring a woman with a disability to have an abortion, and in another, repeatedly separating a woman with sight impairment from her infant daughter.

## **A Dated Approach**

Many laws and policies in Russia regarding people with disabilities are rooted in the Soviet period, when policymakers provided people with disabilities with material benefits but limited their public participation and often isolated them from public view.

Today, people with disabilities are still categorized according to a three-tier system established in 1932 that determines their perceived ability to work and the amount and types of disability benefits they are eligible to receive. Russia also maintains its Soviet-era practice of institutionalizing many people with disabilities. Hundreds of thousands of adults and children with disabilities considered to be in need of constant care currently live in closed institutions, including many who would like to and could live independently, with certain social supports. Under pressure from maternity ward doctors and pediatricians, many parents who have children with disabilities are pressured by doctors to give them up at birth or at a very young age to specialized “baby houses.” Many of these children remain in closed institutions for their entire lives.

## **Falling Short of the Law**

Russia’s Federal Law “On the Social Protection of the Disabled” provides important guarantees for people with disabilities, including benefits such as pensions, subsidies, and entitlements to assistive devices and rehabilitation services. Human Rights Watch has not undertaken a comprehensive analysis of the law; instead, we have identified some concerning aspects of the law, including a lack of clear enforcement mechanisms at the federal level whereby enforcement is left up to the discretion of regional and city governments.

In addition, while the law obligates owners of private facilities to make their properties accessible or face lawsuits and fines, government agencies are not required to make government-owned facilities fully accessible if they deem it beyond their budget.

Russia’s four-year, multibillion-ruble Accessible Environment Program includes ambitious and important goals such as increasing access to education, information, healthcare, and transportation for people living with disabilities through financial and technical support to select regions. The program cites as its targets people with sensory disabilities and limited mobility but does not include explicit information about how it is meant to benefit people with other kinds of disabilities, such as psychosocial, developmental, and intellectual disabilities. Additionally, the program is limited in that it funds only those regions of Russia that are willing to allocate their own resources as well.

## What Needs to Be Done

Human Rights Watch acknowledges that there exist significant problems with accessibility of infrastructure, services open or provided to the public, and employment in countries around the world. The 80 percent unemployment average among people with severe disabilities in the EU is a case in point. Specific to Russia are its obligations to ensure accessibility that derive from its successful bid to host the 2014 Winter Olympic and Paralympic Games, as well as its self-established goal to create a more accessible environment through the Accessible Environment Program. In September 2014 Russia is obligated to report to the UN on its progress implementing the CRPD.

For people with disabilities to participate fully in society, Russia's government must integrate its approach to accessibility and make meaningful reforms to transportation, housing, and workplaces. Only an integrated approach to accessibility that takes into account the many aspects of peoples' lives will allow people with disabilities to enjoy full inclusion in their communities. As one Moscow-based disability rights activist told Human Rights Watch, "Accessibility is a chain. If one link doesn't work, then the whole thing doesn't work." The government's approach to reform must be two pronged, including the revision of existing laws and their consistent implementation.

Human Rights Watch calls on the Russian government to take a number of key steps to create a more accessible environment for people with disabilities. These include, but are not limited to: creating a disability rights ombudsperson; revising the law "On the Social Protection of the Disabled" to incorporate equally strict accessibility standards for state facilities and privately owned buildings; and establishing clear enforcement mechanisms for the law, including by federal agencies. Authorities should also increase efforts to inform people with disabilities of their rights under Russian law and the CRPD. They should also seek to change negative attitudes about people with disabilities, including via strong public statements at the highest government levels.

Russia's international partners, including the International Paralympic Committee, should press the Russian government to guarantee equal rights for people with disabilities and support the government in its efforts to do so. Should the government fail to act, millions of people with diverse talents and abilities will face unnecessary barriers to working, starting families, and making other valuable social contributions.



# Key Recommendations

## To the Russian Government

- Create a disability rights ombudsperson on matters pertaining specifically to the rights of persons with disabilities in Russia.
- Develop and disseminate information pamphlets for persons with disabilities that inform them of their rights under the Convention on the Rights of Persons with Disabilities (CRPD) and Russian law and list the names and contact information of government and independent bodies to whom they can address rights-related complaints. Ensure that these pamphlets are available in formats accessible to persons with sensory, developmental, and intellectual disabilities.
- Revise the Federal Law “On the Social Protection of the Disabled” in the following ways:
  - Eliminate part 3 of article 15, which allows government entities to limit their implementation of accessibility standards on grounds of budgetary considerations.
  - Expand article 16 on responsibility for failure to ensure access to infrastructure and communications and information media; include specific provisions for enforcing both articles 14 and 15 on accessibility for people with disabilities to information and infrastructure, respectively; and establish federal responsibility to monitor compliance with these articles.
  - Ensure that all children with disabilities and their parents have information on the right to inclusive education, in which mainstream schools are accessible for all children. Ensure that children have access to and from school and other necessary support to facilitate their education within mainstream schools. Ensure that all instruction provided by state instructors is consistent with and equal to that provided under the general education system.
  - Expand article 21, on the establishment of quotas for the employment of persons with disabilities, to explicitly prohibit discrimination against persons on the basis of a disability on the part of employers in hiring and firing.
- Revise article 5.62 of Russia’s Administrative Code to include a prohibition against all forms of discrimination on the basis of a disability.

## **To the Ministries Implementing the Accessible Environment Program**

- Include accessibility measures specifically geared towards the needs of people with intellectual, developmental, and psychosocial disabilities in the Accessible Environment Program; specifically, we recommend the following measures:
  - Consult with representatives from disabled persons organizations (DPOs), including persons with intellectual or developmental disabilities, regarding the minimum requirements to establish an inclusive educational environment and inclusive communities, such as accessible parks, museums, recreation centers, and hospitals.
  - Work with DPOs and other allied organizations to launch nationwide social advertising campaigns that highlight the diverse personalities, interests, and social contributions of persons with disabilities, including people with Down's syndrome, other intellectual or developmental disabilities, and psychosocial disabilities.
- Allow regional governments to apply for funding from the Accessible Environment Program regardless of their ability to allocate their own funds. Incorporate other measures of potential for progress, such as records of past cooperation between nongovernmental organizations (NGOs), government, and business; the development of detailed project proposals by NGOs for greater accessibility of physical infrastructure, information, and services open to the public; and disaggregated statistics on the number of people with different kinds of disabilities in each region.

## **To the International Paralympic Committee**

- During inspection visits to Sochi and other host cities, meet regularly with civil society organizations and independent disability rights activists to gain an independent perspective on the government's implementation of International Paralympic Committee requirements on accessibility, including with respect to the hosting of the Games as well as in the host city itself and with regard to the legacy of the Paralympic Games for the host community. Actively take independent viewpoints into consideration when cooperating with host country authorities regarding implementation of accessibility requirements.

## Terms

**autism:** A developmental condition present from early childhood characterized by great difficulty in communicating and forming relationships with other people and in using language and abstract concepts. The cause of autism in children is unknown, but researchers generally believe that it stems from a problem in the central nervous system, not in the way parents have treated them or other aspects of the environment.<sup>□</sup>

**cerebral palsy:** An impairment of muscular function and weakness of the limbs caused by lack of oxygen to the brain immediately after birth, brain injury during birth, or a viral infection. Often accompanied by poor motor skills, it sometimes involves speech and learning difficulties.<sup>□</sup>

**developmental disability:** An umbrella term that refers to any disability starting before the age of 22 and continuing indefinitely (i.e., that will likely be life-long).<sup>□</sup> It limits one or more major life activities such as self-care, language, learning, mobility, self-direction, independent living, or economic self-sufficiency.<sup>□</sup> While this includes intellectual disabilities such as Down's syndrome, it also includes conditions that do not necessarily have a cognitive impairment component, such as cerebral palsy, autism, and epilepsy and other seizure disorders. Some developmental disabilities are purely physical, such as sensory impairments or congenital physical disabilities. It may also be the result of multiple disabilities. While autism is often conflated with learning disabilities, it is actually a developmental disability.

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<sup>□</sup> *Merriam-Webster's Medical Dictionary*, 2007, <http://dictionary.reference.com/browse/autism> (accessed April 27, 2013); *The American Heritage New Dictionary of Cultural Literacy, Third Edition*, 2005, <http://dictionary.reference.com/browse/autism> (accessed April 27, 2013).

<sup>□</sup> "Cerebral palsy," *Collins English Dictionary: Complete & Unabridged 10th Edition*, 2009, <http://dictionary.reference.com/browse/Cerebral+Palsy> (accessed April 6, 2013); *The American Heritage Stedman's Medical Dictionary*, 2002, <http://dictionary.reference.com/browse/Cerebral+Palsy> (accessed April 26, 2013).

<sup>□</sup> "FAQ on Intellectual Disability," American Association on Intellectual and Developmental Disabilities, 2013, [http://www.aamr.org/content\\_104.cfm](http://www.aamr.org/content_104.cfm) (accessed April 27, 2013); "Mental Retardation/Intellectual Disability," *Merck Source: Online Medical Library*, October 2006, [http://www.mercksource.com/pp/us/cns/cns\\_merckmanual\\_frameset.jspzQzpgzEzh ttpzCzzSzzSzwwwzPzmerckzPzcomzSzmmhezSzsec23zSzch285zSzch285azPz.html](http://www.mercksource.com/pp/us/cns/cns_merckmanual_frameset.jspzQzpgzEzh ttpzCzzSzzSzwwwzPzmerckzPzcomzSzmmhezSzsec23zSzch285zSzch285azPz.html) (accessed June 17, 2011).

<sup>□</sup> "Developmental Disabilities," *Centers for Disease Control and Prevention*, November 8, 2012, <http://www.cdc.gov/ncbddd/dd/> (accessed April 27, 2013).

**disabled persons organizations (DPOs):** These are formal groups of people who are living with disabilities and who work to promote self-representation, participation, equality and integration of all people with disabilities.<sup>□</sup>

**Down's syndrome:** A condition in which a person is born with an extra copy of chromosome 21. People with Down's syndrome can have hearing problems and problems with the intestines, eyes, thyroid, and skeleton, as well as intellectual disabilities.<sup>□</sup>

**intellectual disability:** A disability (such as Down's syndrome) characterized by significant limitations both in intellectual functioning (reasoning, learning, problem solving) and adaptive behavior. Intellectual disability covers a range of everyday social and practical skills. It forms a subset within the larger universe of developmental disability, but the boundaries are often blurred as many individuals fall into both categories to differing degrees and for different reasons.

**psychosocial disability:** The preferred term to describe persons with mental health problems such as depression, bipolar disorder, and schizophrenia. Psychosocial disability relates to the interaction between psychological differences and social/cultural limits for behavior, as well as the stigma that society attaches to persons with mental impairments.<sup>□</sup>

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<sup>□</sup>“Frequently Asked Questions: What are DPOs?” *Action on Disability and Development International*, 2011, <http://www.add.org.uk/faqs.asp> (accessed June 13, 2011).

<sup>□</sup>“Down's syndrome,” *MedLine Plus*, <http://www.nlm.nih.gov/medlineplus/downsyndrome.html> (accessed April 6, 2013).

<sup>□</sup>“Manual on Implementation of the Convention on the Rights of Persons with Disabilities,” *World Network of Users and Survivors of Psychiatry*, <http://www.chrusp.org/home/resources> (accessed August 4, 2011), p. 9.

## Methodology

The field research for this report was conducted between November 2012 and March 2013 across six cities in six regions of Russia (Moscow city, Moscow region, St. Petersburg, Leningrad region, Buryatia, and Krasnodar region). These regions were selected because of their diversity. In Moscow and St. Petersburg, we were interested in measures city governments have taken to make Russia's centers of commerce more accessible. We chose Buryatia and Krasnodar because they are home to smaller cities (Ulan-Ude and Sochi, respectfully) where significant efforts are underway on the part of local governments and activist organizations to create a more accessible environment. Sochi will also host the 2014 Winter Olympic and Paralympic Games.

This report is based on 164 interviews, both in Russia and by phone preceding and following field research, including with 123 people with disabilities. We use the term "people with disabilities" to describe people with intellectual and developmental disabilities, people with sensory (blind, low vision, deaf, and hard of hearing) disabilities, and people with limited mobility. Some people whom Human Rights Watch interviewed had multiple disabilities.

Whenever possible, Human Rights Watch spoke directly with people with disabilities. We conducted 13 interviews with parents or other family members of people with disabilities in cases where people had disabilities that impeded their ability to participate comfortably in an interview or children were under the age of five.

We interviewed people on a variety of themes, including their experiences accessing healthcare, public buildings, transportation, public spaces such as parks and sidewalks, and housing. Nearly all interviews were facilitated by local disabled persons organizations (DPOs), nongovernmental organizations (NGOs), or disability advocates.

Of the people with disabilities we interviewed, 21 were children with disabilities and 23 were young people between the ages of 18 and 30.

Since the focus of this report is on accessibility, and after consultation with Russian advocates, we chose not to interview people with psychosocial disabilities such as

schizophrenia and depression. People with psychosocial disabilities typically experience a range of challenges quite different from accessibility, including involuntary commitment to institutions and difficulty gaining state-recognized disability status.

In addition to interviews with people with disabilities and their families, Human Rights Watch interviewed 22 representatives of DPOs and local nongovernmental service providers, some of whom are among the 123 people with disabilities we reference earlier. We interviewed four teachers at specialized schools for children with disabilities. We interviewed two members of the Organizing Committee of the XXII Olympic Winter Games and XI Paralympic Winter Games of 2014 in Sochi. Human Rights Watch researchers also consulted international disability rights experts at various stages of the research and writing.

All interviews were conducted in Russian, English, or Russian sign language. Interviews in sign language were done with the assistance of an interpreter translating from sign language to Russian.

For each person interviewed, we explained our work in age-appropriate terms. Before each interview, we informed potential participants of the purpose of the research and asked whether they wanted to participate. We informed participants that they could discontinue the interview at any time or decline to answer any specific questions without consequence. Human Rights Watch took great care to interview people in a friendly and sensitive manner and ensured that the interviews took place in a location where the interviewees' privacy was protected. Persons aged 18 and above in the report are identified by their real names, except at their request for anonymity. In these cases, their names have been replaced with pseudonyms, as indicated in the relevant footnotes. Human Rights Watch has disguised with pseudonyms the identities of all children mentioned in the report as well as their parents.

Human Rights Watch sent letters to the Ministries of Education, Culture, Health, Regional Development, Labor and Social Protection, Communications, and Transport regarding the findings of this report and seeking their perspectives so that they could be included in the report. We received a response from the Ministry of Communications as reflected below. Human Rights Watch also received responses from the Ministry of Education and the Ministry of Labor and Social Protection, but these letters were received too late to include relevant information from them in the body of this report. The letters themselves are included in the appendix to this report.

Additionally, Human Rights Watch sent a letter to the International Paralympic Committee (IPC) describing our findings on the accessibility of infrastructure and services in the Olympic Park and the city of Sochi. We sought to understand the nature and level of the IPC's commitment to ensuring that Russia's preparations for the Paralympics comply with its obligations under the Convention on the Rights of Persons with Disabilities (CRPD). We received a response from the committee as reflected below.

As part of this research, we also reviewed a number of Russian government policies and laws and relevant reports from United Nations agencies and NGOs.

# I. Background

## Disability in Russia



In Russia, disability is typically perceived as an illness rather than a set of physical, developmental, or psychosocial impairments. The Russian word for a person with a disability is *invalid*. The government defines *invalid* as “an individual who has a health problem involving persistent disorder of bodily functions due to disease, trauma, or defects, leading to restrictions on their livelihood and calling for their social protection.”<sup>□</sup>

While there is no internationally accepted definition of disability, the Convention on the Rights of Persons with Disabilities (CRPD) describes people with disabilities as those “who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others.”<sup>□</sup>

Approximately 13 million people with disabilities live in Russia, constituting about 9 percent of the national population.<sup>□</sup> Russia’s Federal State Statistical Service disaggregates the number of people who newly acquire disability status each year into specific “illnesses,” such as tuberculosis, diseases of the eye, and diseases of the nervous system.<sup>□</sup> The Statistical Service does not maintain statistics concerning the number of people by type of disability, such as physical impairments, visual impairments, hearing impairments, or intellectual, developmental, or psychosocial disabilities.



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<sup>□</sup> Federal Law “On the Social Protection of the Disabled,” No. 181-F3, 2013, art. 1, para. 1.

<sup>□</sup> Convention on the Rights of Persons with Disabilities (CRPD), adopted December 13, 2006, G.A. Res. 61/106, annex, 61 U.N. GAOR Supp. (No. 49) at 65, U.N. Doc. A/RES/61/106/Annex II, entered into force May 3, 2008, ratified by Russia on September 25, 2012, art. 1.

<sup>□</sup> “State program of the Russian Federation ‘Accessible Environment’ for the years 2011-2015 [Государственная программа Российской Федерации «Доступная среда» на 2011 - 2015 годы],” *Federal Government Statistical Service*, March 17, 2011, <http://fcp.economy.gov.ru/cgi-bin/cis/fcp.cgi/Fcp/ViewFcp/View/2015/392> (accessed May 15, 2013).

<sup>□</sup> “Number of Persons Newly Registered as Disabled [Численность лиц, впервые признанных инвалидами],” *Federal Government Statistical Service*, 2013, [http://www.gks.ru/wps/wcm/connect/rosstat\\_main/rosstat/ru/statistics/population/healthcare/#](http://www.gks.ru/wps/wcm/connect/rosstat_main/rosstat/ru/statistics/population/healthcare/#) (accessed March 22, 2013).





Russian laws and policies concerning people with disabilities emphasize protection, state-sponsored financial and other benefits, medical treatment, and, in some cases, isolation in closed institutions. These policies have roots in the Soviet period. Beginning in 1932, the Soviet government established a three-tiered system of “group one,” “group two,” and “group three” disability that classified people with disabilities primarily according to their perceived ability to work. People with group one disability status were deemed to have the most severe disabilities, and people with group three disability status the least severe disabilities.<sup>□</sup> The government maintains an identical system today which determines not only whether people can work and in some cases in which specific types of employment they can work, but also the types and amounts of state benefits they are eligible to receive. Federal benefits include monthly pensions, free transport passes, rent subsidies, and entitlements to assistive devices and rehabilitation services, in addition to other allowances.

In order to receive determination of disability status, a person goes before a city-level Bureau of Medical-Social Expertise, which consists of doctors, healthcare and rehabilitation professionals, and a social worker. The bureau issues a designation of the level of disability according to the three-tiered system based on what the bureau perceives to be the severity of a person’s disability and its alleged effects on his or her daily activities.<sup>□□</sup>

Upon determination and renewal of a person’s disability status, the committee also issues a document called an Individual Plan for Rehabilitation (IPR).<sup>□</sup> This plan lists benefits that specialists consider necessary for rehabilitation or to compensate for a person’s disabilities.<sup>□</sup> Such benefits may include a hearing aid for a person who is deaf or has difficulty hearing or a first floor apartment for a person who uses a wheelchair or crutches. The committee also uses the IPR to designate whether a child is capable of studying in the

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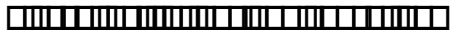
<sup>□</sup> Sarah D. Phillips, “‘There Are No Invalids in the USSR!’ A Missing Soviet Chapter in the New Disability History,” *Medical Anthropology Quarterly*, vol. 29 (2009). <sup>□</sup>

<sup>□□</sup> “On support of the organization and activities of the federal government’s Bureau of Medical-Social Expertise [«Об утверждении Порядка организации и деятельности федеральных государственных учреждений медико-социальной экспертизы»],” Order from the Minister of Labor of the Russian Federation, No. 310N, October 11, 2012, <http://www.rg.ru/2012/12/28/ekspertiza-dok.html> (accessed August 13, 2013).

<sup>□</sup> According to article 5, part 39 of the Federal Law “On the Order and Conditions of Declaring a Person Disabled,” people with “group one” disability status must appear before the Bureau of Medical-Social Expertise once every 2 years to renew their disability status; people with “group two” and “group three” disability status must appear before the bureau once per year; and children with disabilities must appear once per each term whose length is determined by the bureau. Federal Law “On the Order and Conditions of Declaring a Person Disabled,” No. 95, February 20, 2006, art. 39, part 5.

<sup>□□</sup> Federal Law No. 181-F3 of 2013, art. 11, para. 1.

general education system, in specialized schools for children with disabilities, or at home, with regular visits from teachers. After doctors and other experts from the Bureau of Medical-Social Expertise list on a person's IPR the devices and services determined necessary for the person's rehabilitation, he or she can obtain these devices directly from the government or through the private sector with government reimbursement up to a certain amount.



Hundreds of thousands of adults and children with disabilities, considered to need constant care, currently live in closed institutions in Russia. Many adults with disabilities live in *psychoneurological internats*, or boarding houses, and children aged 5 and above live in specialized “children’s houses” (*detskie doma*).<sup>□</sup> These institutions have their roots in the Soviet period when the authorities established an extensive system of closed boarding institutions for people with disabilities. They have had the effect of isolating a significant number of people with disabilities from society. Many children aged 4 and under who are deemed by maternity ward doctors or pediatricians to have disabilities are given up by their parents live in “baby houses,” or *doma rebenka*.<sup>□</sup>

Most children with disabilities who are not living in closed institutions attend specialized schools. Approximately 364,000 children attend specialized schools for children with disabilities. Some of these schools are designed specifically for children with a particular kind of disability. Others accept children with different kinds of disabilities.<sup>□</sup>

Efforts to include children with disabilities in the general education system gained momentum beginning in the 2000s, in significant part through civil society initiatives such as the work of the disability rights nongovernmental organization (NGO) Perspektiva to provide teacher training in pedagogical methods, advocacy training, and support for the development of physical infrastructure.<sup>□</sup> No reliable and conclusive national data exists on the percentage of schools within Russia’s general education system that include

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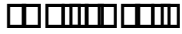
<sup>□</sup> Human Rights Watch interview with Lyubov Vinogradova, executive director, Independent Psychiatric Association, Moscow, February 22, 2013.

<sup>□</sup> Human Rights Watch interview with Ekaterina M. (pseudonym), child welfare expert, Moscow, February 13, 2013.

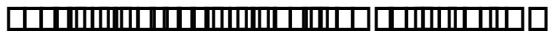
<sup>□</sup> Olga Stepanova, “Professional Socialization for People with Disabilities [Профессиональная социализация лиц с инвалидностью],” *Gosbook*, September 2, 2012, <http://www.gosbook.ru/node/60304> (accessed August 13, 2013).

<sup>□</sup> “Creation of the movement ‘For inclusive education in Russia’ [Создание движения «За инклюзивное образование в России»],” *Education and the Disabled*, <http://obrazovanie.perspektiva-inva.ru/?1097> (accessed April 5, 2013).

children with disabilities, but the United Nations Children’s Fund reported that approximately 2 percent of Russian schools have an inclusive education approach in which children with and without disabilities attend school together.<sup>□</sup>



Unemployment affects people with disabilities disproportionately in comparison with the general population. In December 2012 the federal government reported that across Russia only 20 percent of people with disabilities of working age are employed.<sup>□</sup> According to Moscow Mayor Sergei Sobyanin, in 2013, of the 150,000 Moscow residents classified as people with disabilities who are able and willing to work, only 86,000, or just over half, are employed.<sup>□</sup>



Russia’s multibillion-ruble Accessible Environment Program (2011-2015) is an important step toward protecting the rights of persons with disabilities in Russia. The program includes numerous measures such as increasing the quantity of subtitles on public television and increasing the number of inclusive schools and sports facilities for people with disabilities and the number of physically accessible public transportation stations and vehicles. For example, Prime Minister Dmitry Medvedev stated in September 2012 that the number of public and transport facilities accessible for people with disabilities should rise from 16 to 45 percent by the end of 2015.<sup>□</sup> The program also calls for the development of closed-captioning hardware and software for public television channels, and the Ministry of Communications is currently working with the Ministry of Labor and Social Protection and the All-Russian Society for the Deaf to develop a list of national television programs to equip with closed-captioning.<sup>□</sup>

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<sup>□</sup> “President of the Russian Federation Dmitry Medvedev responds to questions posed by children with disabilities – participants of the International Conference on Inclusive Education,” *UNICEF*, December 19, 2011, [http://www.unicef.org/ceecis/media\\_18799.html](http://www.unicef.org/ceecis/media_18799.html) (accessed April 5, 2013).

<sup>□</sup> This figure does distinguish according to type of disability or disability group as defined under Russian law. “80% of Russia’s Disabled Unemployed,” *The Moscow Times*, December 4, 2012, <http://www.themoscowtimes.com/mobile/article/472408.html> (accessed April 28, 2013).

<sup>□</sup> Olga Ignatova, “2.5 Thousand Workplaces for the Disabled Will Be Established Annually in Moscow [В Москве ежегодно будут создавать по 2,5 тысячи рабочих мест для инвалидов],” *Rossiiskaya Gazeta*, March 20, 2013, <http://www.rg.ru/2013/03/19/invalidi-site-anons.html> (accessed March 21, 2013).

<sup>□</sup> “Government Focuses on Programs for the Disabled,” *Voice of Russia*, September 13, 2012, [http://english.ruvr.ru/2012\\_09\\_13/Govt-focuses-on-Accessible-Environment/](http://english.ruvr.ru/2012_09_13/Govt-focuses-on-Accessible-Environment/) (accessed July 29, 2013).

<sup>□</sup> Letter from Ekaterina Larina, director, Department of State Politics in the Media, Ministry of Mass Communications, to Human Rights Watch, May 4, 2013.

Notwithstanding such progressive measures, Russian disability rights advocates with whom we spoke identified significant shortcomings of the program. Funding and other resources from the program are extended only to regions that are willing and able to also provide funding themselves. Less wealthy regions in which advocacy groups, local politicians, and business leaders may indeed work together effectively to advance accessibility in their cities or regions are excluded from this program's funding and from sharing their expertise. In addition, the program contains no mention of the distinctive accessibility needs of people with intellectual, developmental, or psychosocial disabilities.

## II. Barriers to the Physical Environment

*“Inaccessible physical environments ‘create’ disability by building barriers to full participation and inclusion in the community.”*<sup>□</sup>

– Disability Rights Promotion International, 2011

This chapter details some of the obstacles that the people with disabilities whom Human Rights Watch interviewed encounter in their daily lives, including inaccessible housing, government buildings, private businesses, healthcare facilities, and public spaces such as street crossings and sidewalks. In the most serious cases, physical barriers confine people with physical disabilities to their homes, severely limiting their possibilities to work, go to school, obtain necessary medical or other services, socialize, or attend cultural events.

Even for many people with disabilities who are able to leave their homes more easily, obstacles in public spaces – such as stairs, narrow doorways, or cars parked in front of accessible entrances – prevent them from fully participating in society and enjoying even the most basic daily tasks that most people take for granted, such as going to the grocery store. Similar problems of inaccessible infrastructure exist in countries around the world and are not unique to Russia, and Russia has acknowledged the pressing need to address accessibility through the adoption of a specialized law “On the Social Protection of the Disabled.” However, to close the gap between the rights of people with disabilities in theory and their experience in practice, there is a need to create concrete enforcement mechanisms that would ensure the law is implemented effectively throughout Russia, as well as for well-publicized and effective complaint mechanisms for residents.

In recent years, the government has taken some important steps to make public spaces more accessible, such as installing auditory traffic signals in some cities, including in Moscow, St. Petersburg, and smaller cities such as Vladimir and Ulan-Ude. However, our interviews suggest that the government has not gone far enough to make roads, parks, and other public spaces navigable for people with disabilities.

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<sup>□</sup> “Situation Analysis,” *Disability Rights Promotion International*, 2011, <http://drpi.research.yorku.ca/Africa/resources/EACDisabilityPolicy/Page2> (accessed April 29, 2013).

Stigma toward persons with disabilities also inhibits peoples' ability to participate in the community and access basic services. People with various disabilities, including with intellectual or developmental disabilities, interviewed by Human Rights Watch noted that attitudes from shopkeepers and others in the community can be an obstacle to full participation.

## Physical Confinement to Homes

Many people with physical disabilities whom Human Rights Watch interviewed said that they would like to work full time, go to school or be involved in their children's schools, socialize with friends, and enjoy public spaces. However, many were almost completely confined to their homes due to a lack of basic accommodations to allow them to enter and exit their apartments and apartment buildings.

The majority of people we interviewed who live in inaccessible apartments live in municipal buildings owned and maintained by city governments. Apartment buildings constructed before 2001, prior to the development of federal construction norms establishing minimum accessibility standards, have doorways and elevators that are too narrow for wheelchairs to fit through and lack elevators and appropriate ramps. In some cases, buildings constructed after 2001 lack these accommodations as well. For example, Maria D., a 26-year-old woman who uses a wheelchair, lives in on the third floor of a municipal apartment building in the Adler district of Sochi owned by her mother Anna's ex-husband. When we met her, she had not been able to leave her apartment for four months due to a building entryway accessible only by stairs and an elevator that does not work consistently.<sup>□</sup>

Nikolai T., a 19-year-old resident of Orekhovo-Zuevo, in Moscow Region, has very limited movement because of a progressive form of muscular atrophy. Nikolai lives with his mother, Tatiana, on the third floor of a municipal apartment building that lacks an elevator. He lives most of his life in bed and rarely leaves home primarily because Tatiana struggles to carry Nikolai down the stairs and fears falling. She told Human Rights Watch that an accident would be particularly dangerous for him due to the fragility of his bones. Nikolai

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<sup>□</sup> Human Rights Watch interview with Maria D., Sochi, February 10, 2013.

is unable to even move around his own apartment because the doorways are too narrow for his wheelchair to pass through.<sup>□</sup>

In another example, Irina, a 45-year-old wheelchair user living in Ulan-Ude, rarely leaves her apartment because her municipal building's entrance lacks an accessible ramp.<sup>□</sup> The concrete staircase is equipped with a metal ramp (in Russian, *reil'sy*), but it is too steep and lacks accessible handrails. Before Irina acquired her disability in 2005, she owned a moderately successful store selling construction materials. However, she was forced to sell it because she could not safely leave her home to go to work. She is also unable to take her 9-year-old daughter to and from school or attend parent-teacher conferences. "My daughter's teachers and the other parents think she is an orphan," Irina said. "Because I can't be there for her."<sup>□</sup>

People with disabilities described serious difficulties rectifying these problems with local housing administrations because these bodies frequently fail to reply or in some cases insist that tenants purchase new apartments at their own expense. This was the case with Maria D., Nikolai T., and Irina. Their fruitless attempts to secure accessible housing are discussed in the later subsection, "Inadequate Means of Redress."

In the few cases Human Rights Watch documented in which people moved to accessible housing organized and funded by a local nongovernmental organization (NGO), their lives changed significantly. Zhenya, 45, who also lives in Ulan-Ude and uses a wheelchair, told us,

I used to live on the second floor of an apartment with no elevator. I went out only on holidays and when friends came by. Now I go to the gym. I have lots of friends.<sup>□</sup>

Similarly, Yulia, 27, told Human Rights Watch that ever since she lost use of her legs at age 13, she had been largely confined to her home in Ulan-Ude. It was only after receiving an accessible apartment that she began to seek work for the first time.<sup>□</sup>

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<sup>□</sup> Human Rights Watch interview with Tatiana, Orekhovo-Zuyevo, December 7, 2012.

<sup>□</sup> By "accessible ramp," we refer to ramps with slopes low enough for people to safely ascend and descend them in wheelchairs and with handrails reachable from wheelchairs.

<sup>□</sup> Human Rights Watch telephone interview with Irina, October 29, 2012.

<sup>□</sup> Human Rights Watch interview with Zhenya, Ulan-Ude, December 13, 2012.

## Inaccessible Public Sidewalks and Street Crossings

The presence of safe sidewalks and street crossings is vital to all pedestrians' ability to move easily in their environment. The people with disabilities whom Human Rights Watch interviewed stressed a number of difficulties that they face crossing streets, such as insufficient or absent enhancements to assist disabled people at pedestrian street crossings and physically inaccessible pedestrian overpasses and underpasses.

Several people reported being trapped in the street because sidewalks at street crossings are not always constructed at the appropriate level to allow for people who use wheelchairs to safely get on and off. Yulia, who lives in Moscow and uses a wheelchair, described the problem:

Sometimes on one side of the street, the sidewalk is lowered, and I can't tell at first that on the other side, the sidewalk has a raised border. So I cross the street and I cannot get back onto the sidewalk!<sup>□</sup>

Maria, 39, from Ulan-Ude said, "We don't have an accessible environment.... There are places where they haven't lowered a sidewalk. Or there is a ramp at a pedestrian underpass, but it's way too steep."<sup>□</sup>

In each of the cities where Human Rights Watch conducted research except for Sochi, which has a subtropical environment, people with visual and physical impairments reported that snow and ice make the streets difficult to navigate during the winter. For example, we asked 10-year-old Stanislav, a boy from Orekhovo-Zuyevo with cerebral palsy, if the mainstream school that he attends is accessible. In addition to telling us about the staircase he must climb to reach his classes on the fourth floor, Stanislav added, "... the parking lot near school is icy because they don't put down sand."<sup>□</sup> In many Russian cities, snow and ice outdoors are inevitable features of the long winter. In cases where the government does not effectively and regularly clear them from public spaces, they can become a semi-permanent barrier to freedom of movement for people with disabilities.

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<sup>□</sup> Human Rights Watch interview with Yulia, Ulan-Ude, December 13, 2012.

<sup>□</sup> Human Rights Watch telephone interview with Yulia, disability rights activist, October 24, 2012.

<sup>□</sup> Human Rights Watch interview with Maria, Ulan-Ude, December 13, 2012.

<sup>□</sup> Human Rights Watch interview with Stanislav M. (pseudonym), Orekhovo-Zuyevo, December 7, 2012.



For Nikolai T., the young man with physical impairments, and his family, accessible housing would only help to a limited extent, given that new obstacles confront them as soon as they exit the door. Nikolai's mother explained, "The paths and sidewalks are covered with ice for six months out of the year. They generally just don't clean the roads," she said.<sup>□</sup> In Ulan-Ude, Valerii P., who has low vision, told Human Rights Watch that the failure to keep roads cleared of ice and other environmental obstacles makes it difficult for him to walk safely along the sidewalk and cross streets.<sup>□</sup>

People with physical disabilities, particularly those who use wheelchairs, consistently indicated that pedestrian underpasses and overpasses are nearly always inaccessible. People with physical disabilities and activists unanimously agreed that the metal rails often installed in pedestrian underpasses are too steep or too narrow to accommodate a wheelchair, or both. In Moscow, Natalia U., 39, who uses a wheelchair, told Human Rights Watch,

Accessibility is not just about leaving the house. It's about going somewhere. The metro is dangerous enough, but to get there I have to use the pedestrian underpass. I have to ask several men to lift me [up or down the stairs]. The metal rails that are supposed to help wheelchair users get in and out are dangerous. They are steep.<sup>□</sup>

Sergei P., who also lives in Moscow and uses a wheelchair, confirmed this: "The [metal] rails [installed over stairs] you see all over the place are completely useless. You'll hurt yourself if you try to use them in a wheelchair."<sup>□</sup>

People with visual impairments whom we interviewed emphasized the usefulness of "talking" traffic lights with auditory signals designating when crossing the street is safe.<sup>□</sup> In Sochi, a blind man named Sergei G. told Human Rights Watch, "The two talking traffic lights across from the train station help because they tell you in a clear automated voice when to go and when not to."<sup>□</sup>

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<sup>□</sup> Human Rights Watch interview with Tatiana, Orekhovo-Zuyevo, December 7, 2012.

<sup>□</sup> Human Rights Watch interview with Valerii P., disability rights activist, Ulan-Ude, December 14, 2012.

<sup>□</sup> Human Rights Watch interview with Natalia U., Moscow, December 8, 2012.

<sup>□</sup> Human Rights Watch telephone interview with Sergei P., Moscow, October 25, 2012.

<sup>□</sup> Human Rights Watch interviews with Genadii, Moscow, February 14, 2013, Sergei G., Sochi, February 10, 2013, and Lyudmila, Moscow, February 14, 2013; telephone interview with Nikolai K., October 19, 2012.

<sup>□</sup> Human Rights Watch interview with Sergei G., Sochi, February 10, 2013.

A disability rights activist with low vision named Valerii P. told us that his organization has repeatedly written letters to the Ulan-Ude city administration since 2007 asking them to install a traffic light with auditory signals at the intersection near the organization. There are no other intersections nearby where people with low vision can cross the street with auditory signals to guide them. Currently, the intersection has no traffic light at all.<sup>□</sup> The city administration replied that the traffic in that part of Ulan-Ude is not busy enough to warrant a traffic light. Nikolai S., 27, said, “I have to rely on other people to cross the street. If other people are not there, I either can’t cross the street or I take a risk.”<sup>□</sup>

Excessive barriers on sidewalks limit the freedom of movement of people who are blind or with low vision. In Moscow and St. Petersburg in particular, for example, large billboards containing commercial advertisements and government-sponsored social advertisements are erected in the middle of many sidewalks in the city centers, limiting accessibility. Nikolai K., a Moscow resident with low vision, explained, “You’re walking and you suddenly bump into something hard. Then you realize it’s an advertisement. Why do we need advertisements in the middle of the sidewalk? They block the way.”<sup>□</sup> These examples illustrate the importance of specific regulations; except for article 15 of the Federal Law “On the Social Protection of the Disabled” on infrastructural accessibility, there are no federal or city-level Moscow laws regulating the size and placement of billboards on sidewalks.<sup>□</sup>

The overly steep ramps, inconsistently lowered sidewalks, and icy roads and sidewalks, among other barriers, pose serious safety risks and interfere with an accessible environment for people with physical and sensory disabilities.

## **Lack of Accessible Private Businesses**

Many people with disabilities interviewed by Human Rights Watch reported being unable to enter or comfortably use private businesses because of physical inaccessibility, such as narrow doorways or no ramps. People with sensory disabilities experienced difficulties reading product and price labels that were printed too small. They also had difficulty indicating to store staff what they wished to purchase in cases when products were

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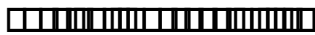
<sup>□</sup> Human Rights Watch interview with Valerii P., December 14, 2012.

<sup>□</sup> Human Rights Watch interview with Nikolai S., Ulan-Ude, December 14, 2012.

<sup>□</sup> Human Rights Watch telephone interview with Nikolai K., October 19, 2012.

<sup>□</sup> Human Rights Watch telephone interview with Moscow lawyer and disability rights activist Pavel, May 19, 2013.

stacked behind store desks. Some people with disabilities emphasized their experiences trying to go to stores, cafes, theaters, salons, pharmacies, and other commercial enterprises more so than they raised concerns about government buildings such as healthcare clinics. This was not necessarily because the latter are more accessible; rather, socializing and self-care, such as purchasing groceries, are more central to the experiences of people with whom we spoke.



People with limited mobility stressed that narrow doorways, crowded interiors, and a lack of accessible ramps make it difficult to visit private facilities such as cafes, salons, and clothing stores. For example, Sergei S., who uses a wheelchair, told Human Rights Watch, “Without ramps, you can’t go anywhere. You can’t go to the store to buy groceries. There are places with elevators. There’s the [supermarket] for example. But the elevator there doesn’t work.”<sup>□</sup>

Sergei’s wife, Katya S., also has a physical disability and moves with the help of crutches or a wheelchair. Because most public transport is also inaccessible to her, she relies on the facilities in the immediate vicinity of their apartment. However, Katya reported that many of these businesses are physically inaccessible to her: “I can’t even get my hair cut. The salon directly across the yard is accessible only by a long staircase leading to the basement.”<sup>□</sup> The stories of Sergei and Katya echo what we heard from many other people with limited mobility in different cities who stressed the difficulties they face doing basic errands and meeting with friends.



In many Russian stores and pharmacies, products are stacked on shelves behind counters, as is common elsewhere in countries of the former Soviet Union. Customers must describe to staff what they want or point to the item. This arrangement can be particularly challenging for people with hearing or visual impairments. For example, Natalia K., a St. Petersburg resident who is hard of hearing, told Human Rights Watch that she cannot use her local grocery stores because she needs to indicate what she wants by pointing to products stacked close together and far from reach. Store employees, not always

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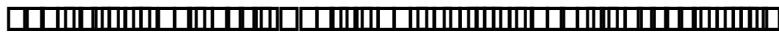
<sup>□</sup> Human Rights Watch interview with Sergei S., Moscow, December 1, 2012.

<sup>□</sup> Human Rights Watch interview with Katya S., Moscow, December 1, 2012.

understanding to which object Natalia K. is pointing, sometimes get frustrated and insist on giving her whatever it is they think that she wants.<sup>□</sup>

In Moscow, Yuliana, who has low vision, told Human Rights Watch, “More than once, I have asked cashiers to help me identify an item behind the counter, only for them to yell, ‘Look, you have glasses! Put them on!’” Yuliana also described one incident when she lifted a carton of milk close to her face to read the label. “A woman in the grocery store told me to put the milk down or it would spoil,” Yuliana told Human Rights Watch.<sup>□</sup>

Stores would be more accessible to people with sensory disabilities if they allowed people to get the items they want themselves or come close enough to products to identify them. They should also be able to indicate what they want in writing or by other means besides pointing.



People with disabilities also noted that business owners and staff often do not take the necessary measures to ensure accessibility. For example, in December 2012, Evgenia, a Moscow disability rights activist, suggested that we meet her at a certain café because it has two accessible ramps to the entrance and wide doorways. When the Human Rights Watch researcher arrived, one ramp leading to the doorway was blocked by an illegally parked car and the second was covered by snowdrifts. The café employee refused to clear the snow. When the researcher asked him to call the police to fine the car or have it towed, he refused again, without explanation. As a result, Evgenia’s husband had to carry her up the café steps.

In the Adler district of Sochi, the home of the 2014 Winter Olympics and Paralympics, staff of a clothing store in the commercial district had placed a clothing rack directly in front of an accessible ramp, preventing people who use wheelchairs from entering the store.<sup>□</sup>

The website *Rosdostup* invites the Russian public to submit photographs of physically inaccessible facilities in their towns. The site contains many examples of accessibly

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<sup>□</sup> Human Rights Watch interview with Natalia K., St. Petersburg, March 1, 2013.

<sup>□</sup> Human Rights Watch interview with Yuliana, Moscow, February 14, 2013.

<sup>□</sup> Human Rights Watch interview with Alexander Simyonov, disability rights activist, Sochi, February 8, 2013.

constructed venues rendered unusable because staff and the general public refuse to maintain minimal accessibility requirements.<sup>□</sup> For example, several photographs feature clothing racks blocking ramps leading into stores.

In addition to the need for consistent enforcement of federal accessibility and parking laws, discussed in the following section, these examples also suggest the need for more concerted awareness-raising campaigns targeting business owners, staff, and the public and aimed at fostering respect for the rights of persons with disabilities to an accessible physical environment. Such campaigns would provide concrete examples of actions – such as parking one’s car in front of a wheelchair ramp – that business owners and the public must avoid in order to enable people with disabilities to enjoy this right.

## Inaccessible Government Buildings

People with disabilities whom Human Rights Watch interviewed also cited many obstacles to accessing city administrative buildings in order to vote, fill out benefits forms, and participate in public hearings.

In Sochi, for example, Alexander Simyonov, a disability rights activist, frequently consults with the city administration on accessibility for people with disabilities. He told Human Rights Watch that he is unable to attend public hearings at the Sochi City Administration because the elevator in the building does not go to the third floor where the hearings are held: “They used to lift me up the stairs in my wheelchair, but this became so unpleasant that I stopped wanting to go.”<sup>□</sup>

People with sensory disabilities also reported that administrative buildings in their districts are inaccessible. Artem, a Moscow disability rights lawyer who is hard of hearing, told Human Rights Watch,

When you need to speak with an official in a government building, the receptionist at the front desk often gives you a list of numbers that you have to call. But if you can’t use the phone, then you can’t talk to anyone. So you

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<sup>□</sup> *RosDostup*, <http://www.rosdostup.ru> (accessed April 27, 2013).

<sup>□</sup> Human Rights Watch interview with Alexander Simyonov, February 8, 2013.

have to ask a guard to call for you, and they won't always do that. Or you just have to go to important places with your own sign language translator.<sup>□</sup>

Nikolai K., who is blind, told Human Rights Watch that when he goes to his local administration in Moscow to fill out forms for federal benefits, he faces difficulties working out which lines he needs to stand in. Nikolai K. suggested the use of Braille or alternative means of locating appropriate kiosks, such as centrally located buttons one could press to hear auditory directions, as a means for the government to work towards meeting its national and international commitments to an accessible environment.<sup>□</sup>

Some people with physical disabilities whom we interviewed noted that voting stations are inaccessible to them. In Moscow, Sergei P., who uses a wheelchair, told Human Rights Watch that the polls in his district are located on the second floor of the administrative building with no elevators. The last time that Sergei went to vote, in December 2011, staff from the polls offered to bring his ballot down to him. Sergei wanted help getting up so that he could vote with everyone else. He said, "The people didn't even understand my request, let alone offer solutions to help me get up there."<sup>□</sup> Yulia, who also uses a wheelchair and lives in Moscow reported, "Many polling stations are at schools, which are in general inaccessible."<sup>□</sup>

## Inadequate Means of Redress

Of the 27 cases we documented in which people with disabilities or their legal guardians submitted written complaints to local authorities, 15 involved inaccessible public housing. In all but one of these cases, those who wrote requesting accessible ramps or to be resettled in more accessible apartments reported a lack of an adequate response.

For example, in 2009 Irina wrote to her local housing authority in Ulan-Ude requesting that they install a safe ramp at the entrance to her apartment building. She phoned the authority after not receiving a response for over a month. The person who answered the phone reportedly told her that if her apartment is inaccessible, she needs to purchase another one in a different building.<sup>□</sup> As of our last conversation with Irina in April 2013,

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<sup>□</sup> Human Rights Watch interview with Artem (pseudonym), Moscow, December 18, 2012.

<sup>□</sup> Human Rights Watch telephone interview with Nikolai K., October 19, 2012.

<sup>□</sup> Human Rights Watch telephone interview with Sergei P., October 25, 2012.

<sup>□</sup> Human Rights Watch telephone interview with Yulia, disability rights activist, October 24, 2012.

<sup>□</sup> Human Rights Watch telephone interview with Irina, October 29, 2012.

she remains in her inaccessible building. Because she cannot safely enter or leave her building, she is unable to work or accompany her daughter to and from school.

In another case, in September 2012 Nikolai T., who has severe physical disabilities and lives with his mother in Orekhovo-Zuyevo, won a lawsuit against the city administration. The Moscow regional court ordered the Orekhovo-Zuyevo city government to provide the family with a first-floor apartment in an accessible building, in accordance with Nikolai T.'s Individual Plan for Rehabilitation (IPR, his government-issued plan describing the services, devices, and living conditions necessary for his quality of life). The city was to implement the decision by November 25, 2012, but as of July 24, 2013, the city government has not complied with the court order. Nikolai remains in his current inaccessible apartment, essentially a prisoner in his own home.<sup>□</sup>

Anna, the mother of 26-year-old Maria D. who uses a wheelchair, has submitted written appeals to the local housing authority in the Adler district of Sochi a total of three times: in 2000, 2005, and 2012. Each time, Anna requested that the city grant her and Maria D. an apartment on the first floor of a building in accordance with Maria D.'s IPR. Each time, Anna received written replies from the service that the city cannot relocate her and Maria D. because no municipal housing is available for the family meeting this criterion.<sup>□</sup>

## Inadequate Enforcement of Accessibility Laws

Russian laws, most importantly the Federal Law “On the Social Protection of the Disabled,” require that the physical environment be accessible for people with physical and sensory disabilities. However, the law does not define clear mechanisms for enforcement, leaving enforcement to the discretion of regional and city governments.

In addition, interviews with disability rights activists and lawyers suggest wide regional variation in the extent to which building owners actually work together with disabled persons organizations (DPOs) to make buildings as accessible as possible, as they are required to do under the law.<sup>□</sup> A Moscow law meant to enforce the Federal Law “On the Social Protection of the Disabled” allows building owners to secure written confirmation

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<sup>□</sup> Human Rights Watch email correspondence with Tatiana, July 24, 2013.

<sup>□</sup> Human Rights Watch telephone interview with Anna, June 14, 2013.

<sup>□</sup> Federal Law “On the Social Protection of the Disabled,” No. 181-F3, 2013, art. 15, para. 5.

from DPOs that a facility is accessible.<sup>□</sup> However, builders or building owners frequently secure signatures without DPO representatives actually visiting the facilities. According to Moscow disability rights lawyer and activist Pavel,

The problem with this law is that there are no mechanisms for it to be enforced.... [T]he owner of a building need only find an organization that is willing to sign a form saying this, maybe for money, maybe not. But that organization doesn't even have to go look at it. There's no control over this process.<sup>□</sup>

In the absence of monitoring or other means of verification, such as a requirement that visual proof of the accessible features be provided, as well as appropriate sanctions for noncompliance and fraud, the law is unlikely to end the practices Pavel describes.

In Sochi, disability rights activist Alexander Simyonov told Human Rights Watch that many owners of facilities do consult with disability advocates before receiving their approval for certain plans and reconstructing facilities. However, Simyonov explained, "I've arrived at facilities after they have been constructed and the norms they agreed to follow have not been followed. And there is no way to rectify that." Simyonov emphasized the large number of companies involved in the construction process, from owners to architects to contractors and builders. He claimed that the absence of government inspectors with expertise in accessible construction to monitor the entire process of construction means that norms are often violated at some point during construction.<sup>□</sup>

Human Rights Watch also received positive examples of DPOs and building owners cooperating to ensure buildings' accessibility. For example, in Ulan-Ude, a DPO has worked with local businesses to retrofit buildings to make them more accessible for people with disabilities.<sup>□</sup>

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<sup>□</sup> Law of the City of Moscow "On Unimpeded Access of the Disabled to Social, Transport, and Engineering Infrastructure of Moscow [Об Обеспечении Беспрепятственного Доступа Инвалидов К Объектам Социальной, Транспортной и Инженерной Инфраструктур Города Москвы]," No. 3, January 17, 2001, version of 2007, art. 6.

<sup>□</sup> Human Rights Watch interview with Moscow lawyer and disability rights activist Pavel, Moscow, December 3, 2012.

<sup>□</sup> Human Rights Watch interview with Alexander Simyonov, February 8, 2013.

<sup>□</sup> Human Rights Watch interview with Svetlana (pseudonym), disability rights activist, Ulan-Ude, December 10, 2012.



## Concerns about Federal Construction Norms

In January 2013 a new set of federal building norms went into effect in Russia. These norms, undersigned by the Ministry of Regional Development in 2011, are the product of work by a group of governmental and nongovernmental organizations such as the Sochi 2014 Olympic Organizing Committee and the Russian Association of Sports Facilities. The role of DPOs in the creation of these norms is unclear; two prominent disability rights activists with whom Human Rights Watch spoke stated that they were not aware of invitations to contribute to the drafting of the norms.<sup>[1]</sup>

Russian disability rights activist Alexander Simyonov told Human Rights Watch that these norms, as well as the earlier norms that they were intended to complement, have certain flaws. For example, according to Simyonov, the January 2013 norms stipulate where handlebars on the sides of accessible toilets should be placed; however, in practice, the placement position blocks people who use wheelchairs from comfortably approaching the toilets. Simyonov also explained that the guidelines in federal standards on the depth of tactile strips to guide people with visual impairments are not specific enough, so that in practice the strips often do not have sufficient relief to make them detectable to a person who needs them. Simyonov and other advocates stressed the need for input from people with disabilities in creating these norms.<sup>[2]</sup>

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<sup>[1]</sup> Human Rights Watch interview with Pavel, Moscow lawyer and disability rights activist, Moscow, December 3, 2012, and Human Rights Watch email correspondence with Alexander Simyonov, June 16, 2013.

<sup>[2]</sup> Human Rights Watch telephone interview with Alexander Simyonov, April 25, 2013.

### III. Barriers to Access to Transportation

*“You rely on memory to know where to enter and get off a mini-bus because there are no announcements of stops. So when minibuses stop in the wrong places, you get lost.”*

– Nikolai K., a man with low vision, Moscow

Public transportation is typically well-developed in Russian cities and is crucial for millions of people to go about daily tasks, such as commuting to work, visiting friends, shopping for groceries, visiting the doctor, taking their children to school, or attending cultural events. Large cities like Moscow and St. Petersburg have extensive underground metro systems and public buses and minibuses (known as *marshrutki*) that are common features of nearly all Russian cities, towns, and even many villages. Many people commute to major cities from the suburbs and beyond by commuter rail.

The Russian federal government and some city governments have taken steps to improve accessibility of transportation for people with disabilities. However, those people whom Human Rights Watch interviewed said problems using rail, auto, and air transportation made it very difficult, or in some cases impossible, for them to get to work, socialize, go to school, or otherwise participate in society. One problem is the physical inaccessibility of transport stations and vehicles such as trains, metro cars, and buses. People with sensory disabilities reported insufficient or nonexistent visual and auditory cues on buses or in minibuses, in particular. Some interviewees also reported that transport operators sometimes failed to accommodate people with disabilities, for example when bus drivers refused to lower wheelchair lifts to allow people to enter the vehicles. People with disabilities reported this problem to Human Rights Watch both in Ulan-Ude and Moscow.

Finally, although some cities and towns have a system of social taxis specifically designated and with relevant enhancements for people with disabilities, disability rights advocates explained to Human Rights Watch that they do not match demand and are often unavailable on short notice. For people living in towns and small cities where they may need to travel to access healthcare and educational services, accessible transportation becomes all the more crucial to disabled persons' social inclusion.

## Buses and Minibuses

During the 2000s buses with wheelchair lifts began to appear in cities throughout Russia, including in Sochi, Moscow, St. Petersburg, and Ulan-Ude. This important development allowed people with physical disabilities, who once relied on taxis and private cars, to use public transportation in certain cities.

However, the vast majority of the 39 people who use wheelchairs whom Human Rights Watch interviewed reported that the number of accessible buses does not meet demand. In St. Petersburg, 24-year-old Anatolii, who uses a wheelchair, told Human Rights Watch that he rides accessible buses “as a last resort” because they arrive at his local stop infrequently, at intervals of over one hour.<sup>□</sup> Irina A., whose 10-year-old daughter Erika A. uses a wheelchair, said that she and Erika A. regularly wait for over an hour at their local bus stop near the Kashirskaya metro station in Moscow, as there are few accessible buses relative to inaccessible ones passing through their district.<sup>□</sup>

Not every Russian city has accessible buses. For example, children with disabilities and their parents interviewed in Orekhovo-Zuyevo reported both a lack of accessible buses and difficulty being able to board regular buses. Two mothers of children in wheelchairs, Nadezhda and Tatiana, told Human Rights Watch that in order to buy tickets and board buses, passengers must go through a turnstile, which wheelchairs cannot pass through. Tatiana also noted, “With just one bus, our children could go to rehabilitation centers in other cities. They could take classes such as drawing with other children.”<sup>□</sup> Likewise in Ryazan and Berdsk, cities that Human Rights Watch was not able to visit, media reports have documented the absence of accessible buses.<sup>□</sup>

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<sup>□</sup> Human Rights Watch interview with Anatolii, St. Petersburg, February 25, 2013.

<sup>□</sup> Human Rights Watch group interview with Irina and Erika A. (pseudonyms), Moscow, December 1, 2012.

<sup>□</sup> Human Rights Watch group interview with Tatiana and Nadezhda, Orekhovo-Zuyevo, December 7, 2012.

<sup>□</sup> Olga Trubushkina, “There is hope: Residential buildings, transport, hospitals, and other facilities in the social sphere should be adapted for people with disabilities by 2015 [Есть надежда: Жилые дома, транспорт, больницы и другие учреждения социальной сферы до 2015 года должны быть адаптированы для людей с инвалидностью],” *Ryazanskii Vedomosti*, January 18, 2013, <http://rv.ryazan.ru/news/2013/01/18/17821.html> (accessed April 4, 2013); “Violations of the rights of the disabled revealed in Berdsk [В Бердске выявлены нарушения прав инвалидов],” post to *Zhizn Berdska* (blog), September 16, 2011, [http://berdchanin.blogspot.com/2011/09/blog-post\\_16.html](http://berdchanin.blogspot.com/2011/09/blog-post_16.html) (accessed April 13, 2013); “Berdsk prosecutor demands buses be equipped with devices to allow travel for wheelchair users [Прокурор Бердска требует оснастить автобусы устройствами для проезда инвалидов-колясочников],” *Berdsk Wednesday Courier*, July 23, 2012, <http://m.kurer-sreda.ru/2012/07/23/71450> (accessed April 2, 2013).

Minibuses, or *marshrutki*, are sometimes the most direct way to reach neighborhoods where bus or metro stops are few and far between. For some people, they often prove more efficient than buses, as they typically follow a predetermined bus route but make fewer stops. However, Anatolii, a person with a physical disability, reported that minibuses in St. Petersburg are “impossible” for people who use wheelchairs because of their elevated entrances and crowded interiors.<sup>□</sup> The responses of other interviewees in different cities who use wheelchairs echoed Anatolii’s.<sup>□</sup>

Buses and minibuses present a different set of challenges for people with hearing or visual impairments with whom we spoke because these vehicles do not always stop in front of officially marked stops. Minibuses often lack specific stops, stopping on a predetermined route when passengers specifically request a stop or having a route that involves picking up and dropping off passengers in the general area of particular landmarks such as stores, metro stations, or major intersections.

This lack of consistency is problematic especially for people who are blind. In Sochi, Sergei G. told Human Rights Watch that buses sometimes pick up passengers and drop them off a dozen or so meters away from stops. As a result, Sergei must rely on surrounding passengers and drivers to find his way.<sup>□</sup> Nikolai K., who regularly uses public transportation in Moscow said, “You rely on memory to know where to enter and get off a minibus because there are no announcements of stops. So when minibuses stop in the wrong places, you get lost.”<sup>□</sup>

People with hearing and visual impairments also reported a lack of auditory announcements or visual signs indicating stops on buses and minibuses, making it difficult or impossible for them to determine when to exit.<sup>□</sup> Ivan, who is hard of hearing, told Human Rights Watch about his experiences riding minibuses in Ulan-Ude. “If you can’t say the name of your stop correctly, people get annoyed with you and insult you,” he said.<sup>□</sup> Awareness-raising campaigns underscoring the dignity of persons with disabilities

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<sup>□</sup> Human Rights Watch interview with Anatolii, February 25, 2013.

<sup>□</sup> For example, Human Rights Watch interviews with Natalia U., Moscow, December 8, 2012, and telephone interview with Irina, Ulan-Ude, October 29, 2012.

<sup>□</sup> Human Rights Watch interview with Sergei G., Sochi, February 10, 2013.

<sup>□</sup> Human Rights Watch telephone interview with Nikolai K., October 19, 2012.

<sup>□</sup> Human Rights Watch interview with Sergei G., Sochi, February 11, 2013.

<sup>□</sup> Human Rights Watch interview with Ivan, Ulan-Ude, December 12, 2012.

and their right to an accessible environment could increase the comfort level of people with disabilities in seeking assistance from transport operators and passersby in determining the correct stops.

## Moscow and St. Petersburg Metropolitan Train Systems

People with disabilities whom we interviewed reported many obstacles to accessing rail transportation, navigating stations, and boarding and exiting rail cars. In Moscow and St. Petersburg, the metro system is the most widely used form of transportation. The Moscow metro has 188 stations, and recorded over 2.4 billion users in 2012.<sup>□</sup> St. Petersburg has 67 stations and 900 million users yearly.<sup>□</sup> The metro provides fast, efficient, and direct passage between points throughout each city. For people with physical or sensory disabilities in particular, the Moscow and St. Petersburg metro systems are very difficult to access, forcing them to rely on aboveground transportation with its frequent delays due to heavy traffic and frequent accessibility problems described above.

People who use wheelchairs reported that the vast majority of metro stations in St. Petersburg and Moscow lack passenger elevators, limiting their ability to travel independently. They reported that the escalators and staircases at the entrances and exits of most metro stations are impossible for a person in a wheelchair to use safely. For example, in Moscow, Irina, 39, a nationally recognized track and field athlete who uses a wheelchair, told Human Rights Watch that she regularly asks male passersby to lift her up and down metro station stairs or to help her to safely ride escalators. Irina said, “You have to go where you have to go. I’ve learned to deal with steps and escalators, to overcome barriers.”<sup>□</sup> Irina attends classes at a local private rehabilitation center to gain the confidence and physical skills to navigate physical barriers in Moscow. Anastasia, a disability rights advocate with cerebral palsy in St. Petersburg, told Human Rights Watch, “We don’t have elevators in St. Petersburg metro stations. How does a person with limited mobility get in and out?”<sup>□</sup>

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<sup>□</sup> “The metropolitan in numbers [Метрополитан в цифрах],” *Official Site of the Moscow Metropolitan [Московский Метрополитен – Официальный Сайт]*, 2012, <http://mosmetro.ru/about/general/numeral/> (accessed April 29, 2013).

<sup>□</sup> “The St. Petersburg government approved the names of three new metro stations [Правительство Санкт-Петербурга утвердило название трех новых станций метро],” *St-Petersburg.ru*, April 5, 2013, <http://saint-petersburg.ru/m/316591/> (accessed April 30, 2013).

<sup>□</sup> Human Rights Watch interview with Irina, Moscow, December 4, 2012.

<sup>□</sup> Human Rights Watch interview with Anastasia, St. Petersburg, February 25, 2013.

Two or three of the newer metro stations in Moscow, such as the Strogino station, are wheelchair accessible, with sloping ramps and elevators. However, as several people with limited mobility pointed out to us, most if not all stations need to be accessible for people with disabilities to use the system effectively. As Natalia U., a Moscow resident who uses a wheelchair, explained, “What use is one or two accessible stations if you cannot use the others?”<sup>□</sup>

People with sensory disabilities also reported multiple obstacles to using the metro systems in Moscow and St. Petersburg. For example, people with visual impairments reported the absence of tactile borders to delineate the edge of train platforms in all stations, creating a serious safety risk.<sup>□</sup>

People with visual impairments reported that the clear, automated auditory announcements of station stops are very helpful. Alexei pointed out that in Moscow, “it’s very helpful that a male voice announces stops when a train is moving towards the city center, and a female voice is used on trains leaving the city center.”<sup>□</sup> The St. Petersburg metro does not provide the same service.

People who are deaf and hard of hearing reported insufficient visual and digital indicators of stops on metro, commuter, and intercity trains.<sup>□</sup> In St. Petersburg, disability rights activist Karina Chupina, who is hard of hearing, reported, “I’ve seen digital signs on some St. Petersburg metro cars, and these help. But they are not everywhere.”<sup>□</sup>

## Commuter and Intercity Trains

People with physical or sensory disabilities in all cities where we conducted interviews reported many obstacles to using aboveground rail transportation, including large gaps and different elevations between train entrances and platforms, as well as steep staircases or other obstacles at station entrances. For example, Maksim, 19, reported that he does

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<sup>□</sup> Human Rights Watch interview with Natalia U., Moscow, December 8, 2012.

<sup>□</sup> For example, Human Rights Watch interview with Alexei (pseudonym), disability rights activist, Moscow, November 28, 2012, and Denis, disability rights activist, Moscow, December 4, 2012.

<sup>□</sup> Ibid.

<sup>□</sup> For example, Human Rights Watch interview with Ivan, December 12, 2012, Natalia O., St. Petersburg, March 1, Sergei G., February 10, 2013, and Nikolai K., Moscow, October 19, 2012.

<sup>□</sup> Human Rights Watch interview with Karina Chupina, IFHOHYP president, St. Petersburg, February 27, 2013.

not take long-distance trains to travel from his home in Sochi because he cannot board and disembark independently in his wheelchair. “There’s a large gap and the entrance to the train is higher up than the platform,” Maksim said. He added that he is unable to locate and reserve a wheelchair accessible train car using the government’s online system.<sup>100</sup> In Moscow, Denis, a 25-year-old blind man, told Human Rights Watch that it is nearly impossible to travel on long-distance trains independently. He said, “You rely on other people to find the correct train and the correct wagon.”<sup>101</sup>

Denis fell off Moscow commuter train platforms in three separate incidents because he had no way to detect their edges with his cane.<sup>102</sup> Alexei, a Moscow disability rights advocate with low vision, reported that both wide gaps between trains and platforms and a lack of auditory instructions for boarding and exiting trains make using rail transport difficult and dangerous. “They don’t announce which exits are under renovation,” Alexei said. “So a person who cannot see well can easily fall trying to leave the train.”<sup>103</sup> Similarly, Sergei G. told Human Rights Watch that he cannot easily use the train station in downtown Sochi and that tactile strips would help him to find his way around the station and onto the trains. “It starts with getting to the ticket booths from the entrance,” Sergei G. said. “This is difficult because there is nothing to guide me.”<sup>104</sup>

## Automobile Transport

Private cars are an important form of transportation for people with limited mobility if they can afford them because they allow people to travel in the absence of accessible public transportation. By law, 10 percent or at least one parking space in all lots, regardless of whether they are state or private, should be allocated to cars with a government-issued sign indicating that the car is owned by or carrying a person with a disability. Drivers who park illegally in spaces designated for people with disabilities are liable for a fine of between 3,000 and 5,000 rubles (about US\$93 to \$155).<sup>105</sup> However, most of the people with disabilities with whom Human Rights Watch spoke, particularly

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<sup>100</sup> Human Rights Watch interview with Maksim, Sochi, February 12, 2013.

<sup>101</sup> Human Rights Watch interview with Denis, disability rights activist, Moscow, December 4, 2012.

<sup>102</sup> Ibid.

<sup>103</sup> Human Rights Watch telephone interview with Alexei (pseudonym), disability rights activist, October 17, 2012.

<sup>104</sup> Human Rights Watch interview with Sergei G., February 10, 2013.

<sup>105</sup> Law specifying the percentage of parking spaces that must be designated for people with disabilities: Federal law “On the Social Protection of the Disabled,” No. 181-F3, 2013, art. 15, para 9. Law imposing fines for parking violations: Code of Administrative Violations of the Russian Federation, No. 195-F3, December 30, 2001, art. 12.19.

in Moscow, St. Petersburg, and Sochi, reported that they frequently find cars without the designation parked in spots reserved for people with disabilities. Yulia, a 29-year-old disability rights activist in Moscow who uses a wheelchair and drives her own car, said,

I have to arrive at meetings an hour ahead of time to make sure I find a space that is reasonably close to where I have to be. Sometimes I get one, and I sit and wait for an hour before my meeting starts. Sometimes I just make it.<sup>□</sup>

While in Sochi in February 2013, Human Rights Watch researchers saw a car without a disability sticker parked in the space reserved for people with disabilities in front of the Adler district administrative building.

In Ulan-Ude, activists and residents with whom Human Rights Watch spoke reported that spaces reserved for people with disabilities are usually available. A disability rights activist named Svetlana told Human Rights Watch, “We work with the police and they have been responsive to our concerns. If someone parks in these spaces [reserved for people with disabilities], police fine them.”<sup>□</sup>

## Social Taxis

In each of the cities where Human Rights Watch conducted research, a limited number of wheelchair accessible “social taxis” have begun to appear during the 2000s. These taxis are available to people with government-recognized disability status. Most people with disabilities described these taxis as a convenient form of transportation, particularly in cases where they are able to plan outings in advance.

However, interviewees also consistently cited a number of problems with social taxis’ availability and accessibility. First, it is difficult for people with sensory disabilities to order social taxis because reservations must be made by telephone or, in Moscow and St. Petersburg, on the Internet. Olga Novosyolova, disability rights activist in St. Petersburg who is hard of hearing, told Human Rights Watch that not everyone who qualifies for a social taxi in St. Petersburg has ready access to the Internet.<sup>□</sup> In Sochi, another disability

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<sup>□</sup> Human Rights Watch telephone interview with Yulia, disability rights activist, October 25, 2012.

<sup>□</sup> Human Rights Watch interview with Svetlana, disability rights activist, Ulan-Ude, December 10, 2012.

<sup>□</sup> Human Rights Watch interview with Olga Novosyolova, disability rights activist, St. Petersburg, February 27, 2013.



rights activist told Human Rights Watch, “Deaf people can’t reserve social taxis because this takes place by phone call. We need to be able to reserve taxis using text messages.”<sup>□</sup>

People with disabilities also reported to Human Rights Watch that social taxis have very limited availability due to their small number relative to the population of people with disabilities. For example, according to Yulia, a disability rights activist in Moscow, there are 80 social taxis in the city, compared with an estimated 1.2 million Moscow residents with disabilities.<sup>□</sup> According to disability rights activists in Orekhovo-Zuyevo, there is one social taxi for approximately 11,200 people with disabilities in the city.<sup>□</sup>

The vast majority of people with disabilities whom we interviewed who use social taxis reported needing to order them at least one week in advance and usually two weeks in advance.

Although social taxis are a welcome addition to Russia’s public transportation system for people with disabilities, they do not compensate for the dearth of accessible transportation within the mainstream public transportation system. The latter is cheaper and runs more frequently.

## Airports

People with disabilities reported that the Russian government has made significant improvements in airport accessibility in recent years, such as more physically accessible airplanes and digital announcements of flight times and departure gates. People with physical disabilities reported that some airports such as St. Petersburg’s Pulkovo airport and Moscow’s Domodedovo and Sheremetyevo airports have begun to offer people in wheelchairs assistance in boarding and exiting planes. Oleg, a disability rights activist in Moscow who uses a wheelchair, told Human Rights Watch, “Ten years ago, you had workers who would first load baggage onto the planes, and then people. They carried me themselves. It was humiliating.”<sup>□</sup>

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<sup>□</sup> Human Rights Watch interview with Angela, disability right activist, Sochi, February 10, 2013.

<sup>□</sup> Human Rights Watch telephone interview with Yulia, disability rights activist, October 25, 2012.<sup>□</sup>

<sup>□</sup> Human Rights Watch interviews with Svetlana (pseudonym) and Tatiana, disability rights activists, Orekhovo-Zuyevo, December 7, 2012.<sup>□</sup>

<sup>□</sup> Human Rights Watch interview with Oleg, disability rights activist, Moscow, December 18, 2012.

Elevators and wheelchair accessible bathrooms in the Sochi and Sheremetyevo airports are among several improvements. In Sochi, accessible construction expert Oleg Stekolnikov told Human Rights Watch that significant changes have been made to airports over the past decade, including the introduction of an apparatus called an *ambulift*, an automobile that lifts people who use wheelchairs to the entrances of planes and allows them to board using a thin wheelchair. Stekolnikov said, “I’d estimate that between 80 and 85 percent of airports in Russia are accessible to people with disabilities.”<sup>□</sup> Stekolnikov included in his estimate provisions for people with physical or sensory disabilities. He expressed the need for a law requiring airport workers to approach people who are blind and offer assistance finding their gates and scheduling information.<sup>□</sup>

People with hearing impairments also emphasized improvements in airport accessibility such as written flight information and terminals and gates that are clearly marked visually.<sup>□□</sup>

Despite these improvements in airport accessibility, most people with disabilities with whom we spoke rarely flew because of other issues related to their disabilities, such as lack of income or confinement to homes.

## Discrimination on the Part of Transportation Employees

Some people with physical and sensory disabilities reported discrimination by transport operators who denied them reasonable accommodations or who kept them from using certain forms of transport.

Two people reported that drivers operating buses with wheelchair lifts refused to lower the lifts for them. Yulia, a wheelchair user in Ulan-Ude, described her experience using public buses:

I used to use buses, but it was really unpleasant. I had to wait for a long time in the cold because passengers on a bus would often complain that there was no time to lower the wheelchair lift. The driver, he’s worried

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<sup>□</sup> Human Rights Watch interview with Oleg Stekolnikov, Sochi, February 10, 2013.

<sup>□□</sup> Ibid, February 11, 2013.

<sup>□□□</sup> Human Rights Watch interview with Ekaterina, Ulan-Ude, December 12, 2012.

about people not getting to where they need to be, so he apologizes to me and keeps driving.<sup>100</sup>

In Moscow, Natalia T., a 42-year-old woman who uses a wheelchair, similarly reported, “Drivers do not always lower the platform. That takes five minutes. Passengers are in a hurry. They are not going to wait that long.”<sup>101</sup>

Two people whom Human Rights Watch interviewed had been denied entry onto flights in Moscow’s Domodedovo airport on the basis of their disabilities. In one case, in 2008, Pavel, who is blind, attempted to board a plane when one of the airline personnel told him that he could board only with someone accompanying him, based on the airline’s internal regulations citing the disabled passenger’s safety as the main concern. Pavel later won a lawsuit against the airline, which was ordered to pay him damages.<sup>102</sup> In June 2013 Russia introduced amendments to its transportation code that prohibits this form of discrimination by airline companies.

## Lack of a Government Response

People we interviewed who had appealed to city governments for transport accommodations did not receive clear and timely responses. For example, Irina A., mother of 10-year-old Erika A. who uses a wheelchair, wrote in July 2012 to the Moscow city administration to request that an elevator or ramp be built in the metro station near their home.<sup>103</sup> Although city officials are required by law to reply within 30 working days, Irina received a response over a month later indicating that her request had been passed on to the Moscow Metropolitan.<sup>104</sup> As of December 2012, Irina had heard nothing else in response to her request.

Other advocates and people with disabilities explained that local authorities’ written and oral responses to complaints frequently do not address problems effectively. Alexei is part of a committee of disability rights advocates that works with the Moscow city

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<sup>100</sup> Human Rights Watch interview with Yulia, Ulan-Ude, December 13, 2012.

<sup>101</sup> Human Rights Watch telephone interview with Natalia T., December 6, 2012.

<sup>102</sup> Human Rights Watch interview with Pavel, Moscow, December 3, 2012.

<sup>103</sup> Human Rights Watch interview with Irina A. (pseudonym), Moscow, December 1, 2012.

<sup>104</sup> Federal Law “On the Order of Consideration of Addresses by the Citizens of the Russian Federation [О порядке рассмотрения обращений граждан Российской Федерации],” No. F3-59, 2006, art. 12.

administration on accessibility issues for people with visual impairments. With regard to whether the authorities would consider placing tactile strips in metro stations to warn and guide people who are blind or who have low vision, Alexei said, “We’ve tried to bring it up at a meeting but the problem was not solved. They replied, ‘We cannot do this because it will be inconvenient for other people – women on high heels, for example.’”<sup>100</sup>

Alexei also told Human Rights Watch that members of the Moscow city administration refused his request that they repaint on a regular basis stripes on metro station stairs that help people who are blind or who have low vision. The authorities claimed that they would have to close down stations to do so and did not want to do that. They would not consider performing the paint work at night when stations are closed.<sup>101</sup>

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<sup>100</sup> Human Rights Watch interview with Alexei (pseudonym), disability rights activist, Moscow, November 27, 2012.

<sup>101</sup> Ibid.

## IV. Lack of Access to Employment

*“He told me he is taking on extra responsibility in hiring me, and therefore he cannot pay me as much.”*

– Andrei, a truck driver with a physical disability, Moscow

Russian law and policies focus largely on requiring that businesses and organizations employ a certain number of people with disabilities without necessarily specifying what kinds of jobs are being created and the conditions under which people with disabilities will work. Human Rights Watch is concerned about these questions because employers sometimes pay nominal salaries to keep people with disabilities on payroll. In doing so, they hope to avoid paying the 10,000-ruble (about US\$305) fine for failing to fulfill the employment quotas discussed earlier.<sup>100</sup>

The vast majority of people with disabilities with whom Human Rights Watch spoke reported losing or having been denied jobs when employers learned of their disabilities. Human Rights Watch also documented multiple cases of disparate treatment on the job, such as lower pay for people with disabilities. As previous chapters describe, inaccessible housing, other buildings, and transportation can also affect employment opportunities.

As noted above, in December 2012 the federal government reported that only 20 percent of people with disabilities of working age are employed.<sup>101</sup> A 2011 report by the disabled persons organization (DPO) European Disability Forum states that the average employment rate among working age people in the European Union “with severe disabilities” is also 20 percent. The Russian government figure refers to individuals in all disability groups as defined under Russian law and not just those with “severe disabilities.” Nonetheless these figures suggest that while Russia has a long way to go to ensure equal access to employment for persons with disabilities, it is not unique in having low employment rates for people with disabilities.<sup>102</sup> Neither of these figures indicates how many people with

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<sup>100</sup> Human Rights Watch email correspondence with Anatolii (pseudonym), disability rights activist, May 23, 2013; Human Rights Watch interview with Svetlana, disability rights activist, Moscow, December 17, 2012.

<sup>101</sup> “80% of Russia’s Disabled Unemployed,” *The Moscow Times*, December 4, 2012, <http://www.themoscowtimes.com/mobile/article/472408.html> (accessed April 28, 2013).

<sup>102</sup> “The Crisis Resolution: the impact of the economic crisis on people with disabilities,” *European Disability Forum*, July 24, 2011.

disabilities are employed in part-time work or their wages or salaries relative to other employed persons in similar positions.

## The Role of Education in Access to Employment

Human Rights Watch spoke extensively with people regarding their experiences accessing education, including inclusive education. Limited access to inclusive education for persons with disabilities restricts the job skills they acquire.

Inclusive education “is the practice of educating students with disabilities in mainstream schools in their neighborhood.” Inclusive schools work to “accommodate all children, celebrate differences, support learning, and address students’ individual needs.”<sup>100</sup> According to the United Nations Educational, Scientific and Cultural Organization (UNESCO), inclusive education is based on the concept that “all children and young people, despite different cultural, social and learning backgrounds, should have equivalent learning opportunities in all kinds of schools.” It includes a respect for “cultural, social and individual diversity” on the part of education systems and individual teachers and equal access to education.<sup>101</sup>

Inclusive education is valuable because it both addresses students’ specific learning needs and allows children with and without disabilities to learn together.

The vast majority of people with disabilities whom we interviewed either attended specialized schools for people with disabilities or studied at home, with teachers visiting them for several hours each week. Some people felt that they had received an adequate education in specialized schools but pointed out the limited range of subject material compared with mainstream schools. For example, in Moscow, 28-year-old Yuliana attended a specialized boarding school for children with visual impairments. She reported that at this school, students were given textbooks with large print, teachers were supportive, and she had friends. Yuliana did report that certain subjects such as physics, which were available to her peers in mainstream schools, were not available in her

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<sup>100</sup> Denise Roza, “Inclusive Education Comes to Russia,” *Disability World*, December 27, 2005 (accessed May 17, 2013).

<sup>101</sup> “Defining an Inclusive Education Agenda: Reflections around the 48<sup>th</sup> session of the International Conference on Education,” *UNESCO International Bureau of Education*, November 25-28, 2008, [http://www.ibe.unesco.org/fileadmin/user\\_upload/Policy\\_Dialogue/48th\\_ICE/Defining\\_Inclusive\\_Education\\_Agenda\\_2009.pdf](http://www.ibe.unesco.org/fileadmin/user_upload/Policy_Dialogue/48th_ICE/Defining_Inclusive_Education_Agenda_2009.pdf) (accessed May 9, 2013).

specialized school but that she was, overall, satisfied with the community she formed and the knowledge she gained.<sup>[1]</sup>

People with disabilities reported a lack of opportunities to obtain vocational and higher education to prepare them for the job market. Also in Moscow, Artem, who is hard of hearing, told Human Rights Watch that he finished ten classes in a specialized school and was encouraged by teachers to attend an automobile college rather than higher education. He said, “The college did not prepare me for an education. I didn’t know what to do afterwards.”<sup>[2]</sup>

Russia has a system of colleges for people with intellectual and developmental disabilities that they attend after finishing the eighth or ninth class of school (i.e. in their mid- to late-teens) until they are 23 or 24. College programs are sometimes extensions of programs offered within specialized schools and may provide only limited opportunities to develop vocational skills. According to one disability activist with whom Human Rights Watch spoke, colleges for people with intellectual or developmental disabilities are not always accessible in so far as instructors at these colleges may lack training in inclusive education and do not have the necessary skills and preparation to meet the specific and diverse learning needs of people in this population.<sup>[3]</sup> Svetlana, whose adult daughter Elena E. has Down’s syndrome, told Human Rights Watch, “There are specialized schools, where they hold them, so to speak, until they are about 23 years old.... Once that’s done, there’s nothing.” She stated that while students learn crafts such as binding books and folding envelopes, these schools do not include programs to help students find employment.<sup>[4]</sup>

Anatolii, a Moscow disability rights activist, pointed out that while colleges offer classes in crafts, computer skills, and manual skills such as book binding, and can help people with intellectual and developmental disabilities to develop their cognitive skills, the vast majority of colleges in Russia are inaccessible to people with these disabilities because they are not adapted to their distinctive learning. Moreover, Anatolii said, while there is one local NGO that has helped several people with intellectual and developmental

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<sup>[1]</sup> Human Rights Watch interview with Yuliana, Moscow, February 14, 2013.

<sup>[2]</sup> Human Rights Watch interview with Artem (pseudonym), disability rights activist, Moscow, December 18, 2012.

<sup>[3]</sup> Human Rights Watch telephone interview with Anatolii (pseudonym), disability rights activist, May 6, 2013.

<sup>[4]</sup> Human Rights Watch interview with Svetlana, Moscow, December 17, 2012.

disabilities find work, “there are no government organizations that help people with intellectual and developmental disabilities to prepare for and find employment.”<sup>100</sup>

Some people with disabilities studied at home because inaccessible housing, transportation, and schools prevented them from attending mainstream or specialized schools. People with disabilities and their parents reported that education at home offered limited skills. In a suburb of Moscow, 14-year-old Anton R. and his mother Valeria told Human Rights Watch that Anton R. studies at home because inaccessible housing and public transportation make it extremely difficult for him to travel to the nearest specialized school. However, Anton R. reported that he is able to meet with teachers only for ten hours each week and does not study the same breadth of subjects as his neighbors who attend mainstream schools. Anton R. also said he misses having regular interaction with other students. “It’s boring and isolating to be at home without the other guys,” he said.<sup>101</sup>

Other people with disabilities, such as Maria D. in Sochi and Nikolai T. in Orekhovo-Zuyevo, reported fewer hours at home with teachers: only 2 to 3 hours per week. They also told Human Rights Watch that teachers spent most of their time watching while their students completed assignments independently.<sup>102</sup> None of those whom Human Rights Watch interviewed who had studied at home went on to receive vocational training or higher education as adults.

## Discrimination in Hiring and Firing

The vast majority of people with disabilities whom we interviewed stated that they had lost or been turned down for at least one job. They were either told directly or had a strong impression that they had been denied employment because of their disabilities. In Moscow, 28-year-old Yuliana told us that the director of her former boarding school rejected her job application for the position of school psychologist in 2009 based on her low vision, as did several other employers. Yuliana told Human Rights Watch,

The director said to me, “How are you going to work with these children? Of course you have experience ... but we’re not going to take you.” I started to

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<sup>100</sup> Human Rights Watch interview with Anatolii (pseudonym), disability rights activist, Moscow, December 8, 2012, and telephone interview with Anatolii (pseudonym), disability rights activist, May 6, 2013.

<sup>101</sup> Human Rights Watch group interview with Anton and Valeria R. (pseudonyms), Moscow, November 30, 2012.

<sup>102</sup> For example, Human Rights Watch interviews with Maria D., Sochi, February 10, 2013, and Nikolai T., Orekhovo-Zuyevo, December 7.



approach other schools, and they said the same thing: “You see badly, how are you going to work with children?”<sup>100</sup>

Yuliana also told Human Rights Watch that potential employers rejected her Individual Plan for Rehabilitation (IPR), which specifies her accommodations. “They claim that I won’t be able to manage the work,” Yuliana said.<sup>101</sup> Rather than protecting her right to safe and healthy working conditions, Yuliana’s disability status marked her as an unattractive job candidate in the eyes of potential employers.

In Ulan-Ude, Ekaterina, 31, also with low vision, told Human Rights Watch that many employers have refused to hire her, citing her poor eyesight. Ekaterina also reported that, after working as a cashier at an Ulan-Ude store for a week, her boss fired her for failing to pick up small pieces of garbage such as wrappers from the floor, even though this task did not fall within Ekaterina’s job requirements. Ekaterina believes that her boss was seeking excuses to fire her after he realized that she has low vision.<sup>102</sup>

Some people with disabilities reported that they devised strategies to hide their disabilities from employers. They did this both to maintain humane working conditions and to keep their jobs. In St. Petersburg, Alla, a graphic designer by training who is hard of hearing, has a job at a computer design firm. She told us that she hid her disability during the first three months of her employment until she got through a probationary period that all employees must pass. She said, “Now they see how well I work, and they accept my disability. But it’s not a fact that I’ll keep my job. You have to be very good.”<sup>103</sup>

Ekaterina, a woman with low vision in Ulan-Ude, mentioned above, worked as a caretaker at a rehabilitation center for children convicted of crimes. She described how her working conditions changed after her supervisor learned that she has a vision impairment:

I came there as a full-fledged worker. Whenever I needed to be late for work because I had to pick up my disability pension, I lied and told them I had done something else.... Ten months into my time there, my supervisor found out

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<sup>100</sup> Human Rights Watch interview with Yuliana, Moscow, February 14, 2013.

<sup>101</sup> Ibid.

<sup>102</sup> Human Rights Watch interview with Ekaterina, Ulan-Ude, December 14, 2012.

<sup>103</sup> Human Rights Watch interview with Alla (pseudonym), St. Petersburg, February 28, 2013.

that I can't see well. She began to look for reasons to criticize me ... "Oh look! There's dust in that corner! That counter is dirty!" And though they paid me ... much less than the other workers [after 10 months], they started to give me extra cleaning work to do that other people in my position did not do.<sup>100</sup>

As with the example of Yuliana above, employees sometimes use employers' state-recognized disability status as a basis not to hire them. For example, Alexander, 36, who uses a wheelchair and has multiple disabilities, told Human Rights Watch that he cannot get a job because employers who learn of his "group one" disability status view him as either incapable of working or too great of a burden in terms of the infrastructural changes they would have to make to include him in their workplaces.<sup>101</sup> According to the doctor at the state institution for people with disabilities (in Russian, *internat*) where Alexander lives, he is capable of working. He has no difficulties with oral communication, types proficiently, and locates legal information on the internet that enables him to advocate for his own and his wife's rights through letters to local government agencies regarding conditions at the institution where he lives.<sup>102</sup>

Exclusion of a person like Alexander from work opportunities prevents him from earning a living, becoming more integrated into the community, and contributing his skills to the Russian workforce.

According to Moscow disability rights activist and lawyer Artem, there are no formal legal restrictions on work for people with group one disability status. Rather, a number of social factors hinder people classified with group one disability from gaining employment:

It's poor information for employers, an absence of real human motivation to work on this problem, to fight harmful stereotypes [of people with disabilities as incapable of working].<sup>103</sup>

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<sup>100</sup> Human Rights Watch interview with Ekaterina, December 14, 2012.

<sup>101</sup> Human Rights Watch interview with Alexander, Moscow, December 5, 2012.

<sup>102</sup> Human Rights Watch interview with doctor, internat, Moscow Region, December 5, 2012 (name and institution withheld for security reasons).

<sup>103</sup> Human Rights Watch email correspondence with Artem (pseudonym), disability rights activist, April 27, 2013.

## Unjust and Unfavorable Conditions of Work

Some people with disabilities who have held jobs reported to Human Rights Watch that they were paid less than other employees in the same positions or that they worked under different conditions. For example, Katya S., a 36-year-old Moscow woman with limited mobility, was told by her supervisor at the store where she worked as a cashier that she could not leave her seat during the workday, as her appearance while standing or walking would disturb customers.<sup>100</sup> In another case, Andrei, a truck driver who has cerebral palsy, said his supervisor told him directly that he was paid less because of his disability. Andrei said, “He told me he is taking on extra responsibility in hiring me, and therefore he cannot pay me as much.”<sup>101</sup>

In contrast to people with sensory and physical disabilities who face challenges to accessing employment during the application process and on the job, people with developmental or intellectual disabilities and their families sometimes lack information on access to employment and employment opportunities for people with disabilities. Parents of adults with intellectual or developmental disabilities who do not live on their own often exercise considerable control over their children’s everyday activities. Parents reported that they rarely allow their adult children to leave home unaccompanied, fearing for their children’s safety.<sup>102</sup> These parents told us that they had not tried to help their children secure work. They assumed that their children are either incapable of working because of their disability or that employers would not hire them. These cases suggest the need for awareness-raising campaigns informing people with disabilities and their families of their rights to accessible employment.

## Insufficient Efforts to Promote Employment of People with Disabilities

Despite specific guarantees under Russian law and the Convention on the Rights of Persons with Disabilities (CRPD) to promote employment opportunities for people with disabilities, people with disabilities reported that they experienced little government assistance finding work and few opportunities to gain necessary professional skills to return to work after acquiring a disability. For example, Sergei G., an engineer by training

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<sup>100</sup> Human Rights Watch interview with Katya S., Moscow, December 1, 2012.

<sup>101</sup> Human Rights Watch interview with Andrei, Moscow, December 1, 2012.

<sup>102</sup> Human Rights Watch interviews with Anatolii (pseudonym), disability rights activist, Moscow, December 8, 2012, Svetlana, Moscow, December 17, 2012, and Evgenia, disability rights activist, Moscow, February 20, 2013.

who lives in Sochi, told Human Rights Watch that he has not received any government support to return to work after losing his eyesight in 2009. He said,

How can there be any talk of rehabilitation if I have no support for education to help me get another job? I need to go to school again because my first education is technical. I want to start working in rehabilitation for young people [with disabilities]. But there is no financial support.<sup>100</sup>

In another case in Sochi, Anna called the city administration on behalf of her 26-year-old daughter, Maria D., who uses a wheelchair, and asked if they had any programs to help people with disabilities find work. According to Anna, rather than referring Anna and Katya to the appropriate government agency for assistance, the woman who answered the phone responded, “People without disabilities can’t get work in this city. And now you butt in with your request for a disabled person?”<sup>101</sup>

The Federal Employment Service is responsible for monitoring employers’ compliance with employment laws, informing employers of their obligations under the law, and helping match job seekers with vacant positions.<sup>102</sup> None of the people with disabilities with whom we spoke applied to the Employment Service for help in cases when they thought their rights under Russian or international law had been violated.

## Inadequate Russian Federal Policies and Programs on Employment

Russia’s structures and initiatives to promote employment opportunities for people with disabilities do not go far enough to make workplaces more inclusive of people with disabilities.

The Accessible Environment Program provides subsidies to nongovernmental organizations (NGOs) of people with disabilities to develop and implement employment programs for people with disabilities, with the provision that these organizations secure employment for “no less than 30 disabled people per year for no less than six months.”

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<sup>100</sup> Human Rights Watch interview with Sergei G., Sochi, February 10, 2013.

<sup>101</sup> Human Rights Watch interview with Anna, Sochi, February 10, 2013.

<sup>102</sup> “State program of the Russian Federation, ‘Accessible Environment,’ 2011-2015 [Государственная программа Российской Федерации «Доступная среда» на 2011-2015 годы],” No. 175, *Ministry of Labor and Social Protection*, March 17, 2011, <http://www.rosmintrud.ru/ministry/programms/3/o> (accessed July 29, 2013).

Whether the program’s authors are referring to the creation of workplaces at these NGOs themselves or at other organizations is unclear. The text of the program does include a recommendation that these organizations develop and implement programs to employ people “in the labor market, in particular, programs to create jobs and ensure the accessibility of jobs” and adds that these organizations should include measures to secure employment opportunities for people with disabilities on an equal measure with other citizens.<sup>100</sup>

Some public statements by Russian officials have emphasized creating “special” positions for people with disabilities rather than making available the same jobs that are open to people without disabilities. For example, in March 2013, at a hearing of the coordination committee on disability issues, Moscow Mayor Sergei Sobyanin announced that 2,500 new jobs would be created for people with physical disabilities each year and that in 2011, 8,000 “special” positions were created.<sup>101</sup> While the initiative to promote employment among people with disabilities is important, it is unclear whether these initiatives would promote inclusive employment for people with disabilities or reinforce segregation of people with disabilities from others in the workforce.

Finally, the examples of discrimination in this chapter suggest the need for more concerted public education campaigns aimed at disabusing employers not familiar with disabilities of pervasive assumptions, such as that people with disabilities are simply unreliable or incapable of contributing to the workforce, and identifying social norms that create barriers to exercising capacity.

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<sup>100</sup> Ibid.

<sup>101</sup> Olga Ignatova, “In Moscow 2.5 thousand jobs for people with disabilities will be created yearly [В Москве ежегодно будут создавать по 2,5 тысячи рабочих мест для инвалидов],” *Rossiiskaya Gazeta*, March 20, 2013, <http://www.rg.ru/2013/03/19/invalidi-site-anons.html> (accessed July 25, 2013).

## V. Lack of Access to Healthcare and Rehabilitation

*“Sometimes, doctors write on paper to communicate with me. Otherwise, they don’t, and I can’t understand what they are saying and doing.”*

– Anna L., a woman with a hearing impairment, Sochi

The people with disabilities whom Human Rights Watch interviewed reported a variety of obstacles accessing healthcare and rehabilitation facilities and services. These obstacles included difficulties accessing healthcare clinics and diagnostic equipment; a lack of rehabilitation facilities and appropriate healthcare specialists in or near peoples’ communities; and a lack of knowledge of and access to rehabilitation devices and services. People who are deaf and hard of hearing also reported lack of access to emergency services and difficulties making appointments. Women with physical and sensory disabilities described healthcare workers’ lack of respect for their right to found a family.

### Difficulties Accessing Healthcare Facilities and Services



People with disabilities described a range of barriers to accessing healthcare facilities and services. Some reported that their local clinics lack ramps. Yulia, who uses a wheelchair, described a January 2011 visit to her local healthcare clinic in Moscow to seek treatment for a broken nose. She said, “There was no ramp. I waited outside for 40 minutes for someone to come and help me into the clinic.”<sup>100</sup> Yulia added that the wheelchair lift next to the stairway was not working.

The next month, Yulia wrote letters to the local branches of the Department of Healthcare and the Department of Social Protection in her district in Moscow describing the difficulty she faced accessing the clinic in addition to doctors’ unwillingness to help her use the inaccessible x-ray equipment at the clinic; the doctor had first asked Yulia if she could stand and when she said she could not, he told her she needed to go to a specialized clinic.

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<sup>100</sup> Human Rights Watch telephone interview with Yulia, disability rights activist, October 25, 2012.

Yulia visited the clinic again shortly thereafter and found that conditions had improved. The wheelchair lift at the entrance was working, and the staff immediately turned it on to let Yulia in. Staff at the clinic had also found a way to lower the x-ray machine for her.<sup>100</sup>

Human Rights Watch also documented a lack of accessible diagnostic and exam equipment in clinics, a problem that makes it difficult for people with physical disabilities to get screenings and examinations. For example, Maria D., a Sochi resident with limited mobility, injured her foot in 2012 while visiting the beach. At her doctor's request, she went with her mother Anna to a local clinic to get an x-ray. The x-ray table was too high for Maria D. to reach from her wheelchair. Rather than seeking a way to help Maria D. get onto the table, the doctor chastised Maria D. and Anna for being unable to solve the problem themselves. Anna said,

The doctor was just standing there, and she said, "What, you can't lift her up?" I only have use of one hand. I held Maria as strongly as I could with one arm, and I barely got her onto the machine after half an hour. Meanwhile the doctor is telling me, "Do you see how many people are standing outside waiting? We're going to be here until tomorrow."<sup>101</sup>

Beyond Russia's national laws guaranteeing people with disabilities healthcare and accessible physical infrastructure, the CRPD specifies the need for health services for people with disabilities that are gender-sensitive. In Russia, women with physical disabilities sometimes face obstacles accessing gynecological examination chairs. For example, a Moscow resident told Human Rights Watch that she needs to arrange for her doctor to visit her at home to provide a pelvic examination because none of the examination chairs in her local Moscow clinic can be lowered to the height of her wheelchair. Normally a clinic should have a chair that can be lowered to accommodate people with physical disabilities, avoiding their reliance on medical staff to have to personally lift people with disabilities onto these chairs. Several other women from Moscow and Sochi with whom we spoke reported the same problem.<sup>102</sup>

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<sup>100</sup> Ibid.

<sup>101</sup> Human Rights Watch interview with Anna, Sochi, February 10, 2013.

<sup>102</sup> Human Rights Watch telephone interview with Yulia, disability rights activist, October 29, 2012; Human Rights Watch interview with Evgenia (pseudonym), disability rights activist, Moscow, December 1, 2012, and Tamara (pseudonym), Sochi, February 11, 2013.

Several activists with whom we spoke in Moscow and Sochi reported that local administrations are in the process of equipping more clinics in the city with accessible gynecological exam and x-ray tables.<sup>100</sup>



People with hearing impairments whom Human Rights Watch interviewed reported difficulty communicating with healthcare professionals. People who are deaf and hard of hearing reported that they have difficulty making appointments because of the healthcare system's reliance on telephones for doing so. People expressed a preference for registering via text message, as registration websites and home internet connections are also not always available. In St. Petersburg, Alla told Human Rights Watch,

You always need to find someone to be friends with who will call and make an appointment for you. Otherwise, you need to go personally to the doctor to get an appointment. If you don't have a mother, then there is no one to help you.<sup>101</sup>

Nina, a 52-year-old deaf woman from Ulan-Ude, told Human Rights Watch that she relies on her son to make appointments for her at the government health clinic because there is no way for her to register by text message or on the Internet.

People who are deaf or hard of hearing also reported obstacles to communicating with healthcare professionals during their appointments. In Sochi, Anna L. told Human Rights Watch that she has difficulty going to her own doctors' appointments as well as those of her 8-year-old daughter, who is also hard of hearing. Clinics do not have translators available and doctors do not always do their best to accommodate Anna and her daughter. Anna said, "Sometimes, doctors write on paper to communicate with me. Otherwise, they don't, and I can't understand what they are saying and doing."<sup>102</sup> The limited availability of free sign language translators is also a key problem.

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<sup>100</sup> Human Rights Watch interviews with Evgenia (pseudonym), disability rights activist, Moscow, December 1, 2012, Tamara (pseudonym), Sochi, February 11, 2013, and telephone interview with Yulia, disability rights activist, October 24, 2012.

<sup>101</sup> Human Rights Watch interview with Alla (pseudonym), St. Petersburg, February 27, 2013.

<sup>102</sup> Human Rights Watch interview with Anna L. (pseudonym), Sochi, February 10, 2013.



People who are deaf and hard of hearing interviewed by Human Rights Watch emphasized serious obstacles in being able to contact emergency services. The inability to call the fire department, police, or an ambulance can make people who are deaf and hard of hearing feel vulnerable and reluctant to live on their own. For example, Ekaterina A., who lives in Ulan-Ude told Human Rights Watch,

Emergencies are a big problem. You have to rely on your relatives. If something happens, who is going to call the emergency services? You can't text them. I went to them and told them that they needed to have text messaging. That was a year ago. Nothing has happened.<sup>100</sup>

In St. Petersburg, Irina, 27, told Human Rights Watch that she has no way to contact emergency services in the event of an emergency or accident, making her afraid to live on her own.<sup>101</sup>

Olga Novosyolova, the former head of the All-Russian Society of the Deaf, explained that one of the “biggest problems for people who are deaf is: How do you call an ambulance? How do you call if you witness an accident or are in one?” Novosyolova pointed out that in 2012, the city made the decision to establish a dispatcher point with someone who knows sign language and can also respond to text messages. Novosyolova also told Human Rights Watch that the city of St. Petersburg is giving 700 residents who are currently confined to their homes emergency buttons (in Russian, *trevozhnye knobki*) so that they can dial emergency services.<sup>102</sup>

By Russian Federal Law, people who are deaf and hard of hearing are entitled to 40 hours per year of free state-sponsored sign language translation services as part of their rehabilitation. However, people who are deaf or hard of hearing told us that they lack sufficient hours of sign language service to accomplish the tasks of daily living, including healthcare visits, meetings with their children's teachers at schools, and visits to government agencies. Anna L., 28, who is hard of hearing, told Human Rights Watch,

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<sup>100</sup> Human Rights Watch interview with Ekaterina A., disability rights activist, Ulan-Ude, December 12, 2012.

<sup>101</sup> Human Rights Watch interview with Irina, St. Petersburg, February 27, 2013.

<sup>102</sup> Human Rights Watch interview with Olga Novosyolova, St. Petersburg, February 26, 2013.

Between trips to the doctors and to administrative buildings to arrange for certain documents such as getting passports ... forty hours isn't enough. I have to decide what is more urgent. Usually I need healthcare more.<sup>100</sup>

In Ulan-Ude, hard of hearing disability rights activist Ekaterina A. told us, "Forty hours per year is very little. I use that in one week."<sup>101</sup>

Some people who are hard of hearing also told Human Rights Watch that it is often not possible to arrange a translator at short notice, for example for a medical emergency. They suggested that sign language translators be available to come to the premises of medical facilities whenever necessary.

Despite Russia's ambitious federal policy guaranteeing people with disabilities access to health services specific to their disabilities as well as rehabilitation, many people with disabilities with whom Human Rights Watch spoke reported difficulties in accessing rehabilitation services close to their cities.<sup>102</sup> For example, in Orekhovo-Zuyevo, the mothers of children with disabilities reported the absence of healthcare specialists near their community. Tatiana's 19-year-old son Nikolai T. uses a wheelchair and has a progressive condition that atrophies his muscles. Nikolai needs to consult regularly with specialists. However, Tatiana told us, "There is only one clinic in the Moscow region that treats Nikolai's illness, and it's located in [the city of] Moscow," about 60 miles away from their home. To get proper care, Tatiana and Nikolai T. travel to Moscow for two weeks at a time, requiring them to spend money on transportation costs and live at the hospital where they share a room without janitorial or housekeeping services with up to 15 other people.<sup>103</sup>

Tatiana added that Nikolai T. needs a speech therapist; however, there are no speech therapists in Orekhovo-Zuyevo qualified to work with Nikolai T. Four of the five parents with whom we spoke whose children had cerebral palsy and other physical disabilities that affected their speech reported an absence of speech therapists in Orekhovo-Zuyevo.

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<sup>100</sup> Human Rights Watch interview with Anna L. (pseudonym), Sochi, February 10, 2013.

<sup>101</sup> Human Rights Watch interview with Ekaterina A., disability rights activist, Ulan-Ude, December 12, 2012.

<sup>102</sup> Human Rights Watch interviews with Maksim, Sochi, February 12, 2013, and Sergei K., Ulan-Ude, December 10, 2012.

<sup>103</sup> Human Rights Watch group interview with Tatiana and Nikolai T., Orekhovo-Zuyevo, December 7, 2012.

A related issue is lack of information for people with disabilities on their entitlements to rehabilitative services and devices. The people with disabilities with whom we spoke valued their entitlements to services such as physical therapy and devices such as hearing aids. However, some interviewees reported that health professionals have been unable or unwilling to inform them of their benefits. People with disabilities and their parents reported that doctors sometimes neglect to list assistive devices to which they are entitled and which people feel are integral to their inclusion in their communities. For example, advocates in St. Petersburg and Sochi reported that doctors often do not list cell phones with text message functions – to facilitate communication – as an entitlement under a disabled person’s Individual Plan for Rehabilitation (IPR).<sup>□□</sup> Disability rights activist Karina Chupina told us, “I have to consult with my friends on how to behave with the doctor and remind them to include this on their IPRs.”<sup>□□</sup>

In Sochi, Angela, an activist who works with people with hearing impairments, told Human Rights Watch that she too sometimes attends doctors’ appointments with other people who are hearing impaired in order to ensure that doctors include assistive devices to which patients are entitled on their IPRs. Angela said,

Doctors don’t know what people are entitled to. You have to tell them, ‘This woman can’t hear, so she needs a telephone with text messages, a television [to watch programs with subtitles],’ for example. The doctors say they don’t know, and then you need to show them the laws that say this is the case [a federal list of assistive devices to which people with various disabilities are entitled]. Only when you show them the laws do they agree to write down what is needed.

Some people with disabilities noted that the equipment provided to them by the government is of poor quality. People who are deaf and hard of hearing rely on hearing aids, cochlear implants, and sign language translators in order to ensure that they are able to live independently and communicate with others in society. Many people who are deaf or with limited hearing whom Human Rights Watch interviewed reported that the quality of state-supplied hearing aids is poor. For example, in Ulan-Ude, Ekaterina, a disability rights

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<sup>□□</sup> Human Rights Watch interviews with Karina, St. Petersburg, March 1, 2013, and Angela, Sochi, February 10, 2013.

<sup>□□</sup> Human Rights Watch interview with IFHOHYP President Karina Chupina, March 1, 2013.

activist, told Human Rights Watch that the cochlear implants provided by the government do not help her to hear. She said, “The government provides these [the devices and the surgery to implant them] for free, but they buy cheap ones that don’t work well.”<sup>100</sup>

Two disability rights activists from St. Petersburg and Sochi who are hard of hearing told Human Rights Watch that the hearing aids they get from the government are not good enough to distinguish human voices from background noise and can cause discomfort.<sup>101</sup> At the same time, several people who rely on hearing aids reported that the reimbursement available to them for purchasing hearing devices themselves is several times less than these items’ actual cost.<sup>102</sup>

In some cases documented by Human Rights Watch, doctors actively discourage people with disabilities from obtaining their entitlements. In Orekhovo-Zuyevo, after Anastasia L.’s 5-year-old daughter Galina was diagnosed with cerebral palsy in 2009, Anastasia approached the Bureau of Medical-Social Expertise to approve Galina for a disability pension and other benefits. The committee representative with whom Anastasia spoke told her that she was not entitled to any benefits because her husband’s income is too high, despite the fact that all Russian citizens with state-recognized disabilities are entitled to the same benefits, regardless of income. It was only later that Anastasia learned through other mothers that Galina is entitled to state benefits, such as free medications and rehabilitation services.<sup>103</sup>

## Lack of Respect for the Family

Some women with disabilities whom Human Rights Watch interviewed in Russia encountered pressure by doctors and representatives of the government not to have children or to give up their children.

According to a Moscow disability rights activist Evgenia, “Thirty percent of Russian women with disabilities surveyed by our organization have been asked by doctors to have an

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<sup>100</sup> Human Rights Watch interview with Ekaterina, Ulan-Ude, December 12, 2012.

<sup>101</sup> For example, Human Rights Watch interviews with IFHOHYP President Karina Chupina, St. Petersburg, March 1, 2013, and Angela, disability rights activist, Sochi, February 10, 2013.

<sup>102</sup> Human Rights Watch interview with IFHOHYP President Karina Chupina, March 1, 2013, and Natalia K., St. Petersburg, February 27, 2013.

<sup>103</sup> Human Rights Watch interview with Anastasia L. (pseudonym), Orekhovo-Zuyevo, December 7, 2012.

abortion, without any medical examination to determine whether they could safely bear children.” Evgenia herself uses a wheelchair. When Evgenia became pregnant in 2007, the doctor who had treated her for a spinal trauma agreed to sign an official medical form stating that Evgenia can safely bear children. Upon initially learning of Evgenia’s pregnancy, her gynecologist said to her, “What right do you have to give birth?” She later agreed to support her in her pregnancy when she saw the letter from the spinal specialist.<sup>100</sup>

Ekaterina, a 31-year-old woman with a visual impairment in Ulan-Ude, had a longer struggle during her pregnancy in 2005. After a doctor twice asked Ekaterina if she was going to have an abortion five weeks into her pregnancy, Ekaterina avoided seeking prenatal care until an abortion would have been illegal. Ekaterina carried her pregnancy to term despite her doctor’s insistence that they induce labor at 21 weeks of her pregnancy. Immediately after Ekaterina gave birth to her daughter, the doctors took the baby to a hospital on the other side of the city, claiming that it was necessary since Ekaterina had not had an ultrasound and other tests done during her pregnancy. After receiving written permission from the hospital, Ekaterina was allowed to take her daughter home when she was one month old.

Soon thereafter, Ekaterina’s vision began to grow worse. Officials from the Department of Work with Families and Children came to Ekaterina’s house and warned her that if she received the designation of “group one” disability, then they had the right to take away her daughter. Ekaterina sought legal assistance from a local disability rights organization, and the committee stopped threatening her, according to Ekaterina, “Once they knew I was not alone.”<sup>101</sup>

There are some indications that the government is taking steps to improve certain types of access to healthcare for people with disabilities. For example, according to representatives of the Sochi 2014 Olympic Organizing Committee, the Sochi City Administration is actively retrofitting healthcare clinics, pharmacies, and dental clinics with ramps and other equipment to make these facilities accessible to people with physical or sensory disabilities, with the goal of 61 buildings becoming accessible by the end of 2013.<sup>102</sup>

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<sup>100</sup> Human Rights Watch interview with Evgenia (pseudonym), disability rights activist, Moscow, December 1, 2012.

<sup>101</sup> Human Rights Watch interview with Ekaterina, Ulan-Ude, December 14, 2012.

<sup>102</sup> “The Sochi healthcare system, without barriers [Система здравоохранения Сочи – без барьеров],” *Sochi.ru* 2014, September 12, 2012, <http://xn--2014-43dyoa8ao3a1e.xn--p1ai/press-centr/news/522-20120912> (accessed April 28, 2013).

In addition, the text of Russia's Accessible Environment program includes among its key tasks developing recommendations "to offer services in the sphere of healthcare ... taking into account the particular demands of the disabled," though it does not list concrete indicators that it will use to measure access to healthcare for people with disabilities. The program's list of indicators for improving access to rehabilitation is more extensive and concrete and includes items such as the proportion of people with disabilities who have secured rehabilitation services in accordance with their IPRs relative to the total number of people with disabilities in Russia.

## VI. The 2014 Paralympic Games

Russia will host the XI Paralympic Games in March 2014 following its hosting of the Winter Olympic Games. The 2014 Sochi Paralympic Games will include 1,350 athletes<sup>[1]</sup> participating in five different sports: alpine skiing, biathlon, cross-country skiing, ice sledge hockey, and wheelchair curling.<sup>[2]</sup> Russia's decision to host the Paralympic Games reflects a significant shift in recognition and promotion of disability rights. When the Soviet Union hosted the 1980 Summer Olympics, it refused to host the Paralympic Games under the rationale that there were "no disabled citizens in the USSR."<sup>[3]</sup>

The Russian government has widely publicized the Paralympic Games as part of a nationwide effort to create a more accessible environment and greater respect for people with disabilities in Sochi and across Russia. For example, an August 29, 2012 Joint Communique between a number of Olympic host countries, including Russia, affirms these governments' intention to use the Olympic and Paralympic Games "to promote the equal enjoyment of all human rights and fundamental freedoms by persons with disabilities...." The Sochi Paralympic Games website states, "The Paralympic Winter Games in Sochi will provide a unique opportunity to apply the very best global experience in terms of fully integrating people with disabilities into all that Russian society has to offer."<sup>[4]</sup>

### Objectives of the International Paralympic Committee

The Paralympic Winter Games are celebrated every four years immediately after the respective Olympic Winter Games. The Paralympic Games are overseen by the International Paralympic Committee (IPC), a body that works in close cooperation with the International Olympic Committee (IOC). According to the IPC, among the key objectives of the Paralympic Games are to allow Paralympic athletes to compete in high-

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<sup>[1]</sup> "National Paralympic Committees' Chefs de Mission to learn more about Sochi 2014," *Sochi.ru 2014*, March 20, 2013, <http://www.sochi2014.com/en/media/news/67099/> (accessed April 27, 2013).

<sup>[2]</sup> "Paralympics," *Sochi.ru 2014*, 2013, <https://www.sochi2014.com/en/games/sport/paralympic-games/> (accessed April 28, 2013).

<sup>[3]</sup> Keith D. Gilbert, Otto J. Schantz, and Otto Schantz, eds., *The Paralympic Games: Empowerment or Side Show?* (Adelaide, Auckland, Budapest: Meyer & Meyer, 2008), p. 159.

<sup>[4]</sup> "Paralympic Awareness Program," *Sochi.ru 2014*, 2013, <http://www.sochi2014.com/en/games/education/information/> (accessed April 28, 2013).

level competitions and “to act as [a] catalyst that stimulates social development and leaves a positive long-term legacy that benefits communities in the host country and across the world.”<sup>100</sup>

## The IPC’s Expectations of the Sochi 2014 Olympic Organizing Committee

With respect to the hosting of the Paralympic Games, the IPC requires the Olympic organizing committee and host city to take a number of steps to work toward creating “an environment without barriers, accessible by all” and to adopt “inclusive practices in all areas of construction.” Organizers should also establish education programs to foster understanding about inclusion and equal opportunities. The IPC also expects that the organizing committee provide “equal opportunities for persons with a disability to participate in the Games as members of the workforce in any type or function” and “foster the widest possible community involvement ... [in] the planning, promotion, preparation and staging of the Paralympic Games, as a unique opportunity to enhance social inclusion, tolerance to diversity and active citizenship among its members.” There are extensive requirements for facilitating Paralympic and others’ participation in the Games, including with respect to travel hubs, accommodation, sporting facilities, medical care, and accommodations. In addition, the organizing committee must ensure opportunities for Paralympic Games constituents to “experience the host city,” including interacting with its residents and enjoying sightseeing, shopping, and entertainment.<sup>101</sup>

Additionally, the IPC expects that there be important legacies in the Games’ host city or region, including: accessible infrastructure in sport facilities and urban development; development of sport structures and organizations for people with disabilities; changes in the perception of persons with disabilities, as well as in the self-esteem of the people with disabilities; and “opportunities for people with a disability to become fully integrated in social living and to reach their full potential in aspects of life beyond sports.”<sup>102</sup>

Following a visit to Sochi in 2012, IPC President Sir Philip Craven praised Russia’s preparation for the 2014 Games, saying,

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<sup>100</sup> “Paralympic Games Chapter,” in *International Paralympic Committee Handbook*, July 2007, [http://www.paralympic.org/sites/default/files/document/120203123555416\\_Sec\\_i\\_Chapter\\_3\\_Paralympic\\_Games\\_Principles.pdf](http://www.paralympic.org/sites/default/files/document/120203123555416_Sec_i_Chapter_3_Paralympic_Games_Principles.pdf) (accessed July 25, 2013), pp. 5-6.

<sup>101</sup> *Ibid.*, pp. 31, 39-42.

<sup>102</sup> *Ibid.*, p. 30.



What the Organising Committee has done in creating a barrier-free environment in Sochi is fantastic and something that should act as a blueprint not just for the whole of Russia but for all other cities interested in staging the Paralympic Games.<sup>[1]</sup>

## Russia's Preparations in Advance of the Paralympic Games

In February 2013 two members of the Sochi 2014 Olympic Organizing Committee, Alexandra Kosterina, vice president for Communications, and Evgenii Bukharov, department director for Paralympic Games Integration and Coordination, gave two Human Rights Watch researchers a tour of the Olympic Park, including the “Ice Cube” curling center and the “Shaiba” ice arena where the Paralympic competitions will take place, as well as in the “Bolshoi” ice stadium, where the Paralympic opening ceremony will take place. In each venue, Kosterina and Bukharov described and demonstrated concrete measures undertaken to facilitate accessibility for athletes and spectators with disabilities, including wheelchair accessible seating and accessible entrances, ramps, and elevators for people with disabilities. In the “Shaiba” arena, they showed equipment for people who are blind or have visual impairments to listen to play-by-play announcements of events; wide doors; contrasting paint colors on the walls; a gym accessible for people who use wheelchairs; and dressing rooms with some lowered lockers, clothing and towel hooks, shower knobs, and toilets, accessible for people who use wheelchairs.<sup>[2]</sup>

Bukharov also informed Human Rights Watch that two sign language translators would be available to assist deaf and hard of hearing people throughout the Games and that Telecommunications Device for the Deaf (TDD) equipment would be available for participants, spectators, and others to rent or buy. Elevators in the venues would be equipped with buttons that have Braille. Bukharov also described plans to retrofit all major airports and rail stations through which Paralympic athletes may travel to attend the Games to make these facilities more accessible, including in Sochi, Moscow, and St. Petersburg, as well as in other cities serving as backup transportation hubs.<sup>[3]</sup>

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<sup>[1]</sup> “Sochi 2014: 500 Days Out,” *The Official Website of the Paralympic Movement*, October 22, 2012, <http://www.paralympic.org/news/sochi-2014-500-days-out> (accessed April 28, 2013).

<sup>[2]</sup> Human Rights Watch group interview with Alexandra Kosterina, vice president for communications, and Evgenii Bukharov, department director, Paralympic Games Integration and Coordination, Sochi 2014 Organizing Committee of the XXII Olympic Winter Games and XI Paralympic Winter Games, Sochi, February 12, 2013.

<sup>[3]</sup> *Ibid.*

Bukharov also identified a number of measures undertaken by the Sochi City Administration in conjunction with the Sochi 2014 Olympic Organizing Committee in the city of Sochi itself, including with respect to transportation, access to information, and access to education for Sochi residents with disabilities. Concrete changes include the introduction of 108 accessible buses; modifications at bus stops, including accessible signs; informational booklets on the Paralympic Games in Braille and as an audio file; and a local team of people who monitor accessibility in Sochi's buildings.<sup>100</sup> In April 2013, Organizing Committee President Dmitri Chernyshenko announced that 2,500 facilities in Sochi had been adapted for the needs of people with disabilities and added, "The environment of equal opportunities is now being introduced everywhere...."<sup>101</sup>

In an interview with Human Rights Watch, Bukharov stated his belief that "Sochi can be a model city for Russia," and he and Kosterina cited initiatives intended to promote accessibility in cities throughout Russia. These include the development of new building standards in coordination with the IPC and the Ministry of Regional Development.

Other national initiatives include the creation of over 26 volunteer hubs throughout Russia to raise awareness of the rights of persons with disabilities, education programs about the Paralympics that are being implemented in hundreds of schools across Russia, and social advertising involving famous Russian actors to promote inclusive education.<sup>102</sup>

The Sochi 2014 Olympic Organizing Committee, the Sochi City Administration, and other agencies are making significant efforts to increase accessibility for people with disabilities in the context of Russia's commitments to hosting the Paralympic Games. Although Human Rights Watch did not conduct a comprehensive audit of the Olympic venues from the perspective of their accessibility, researchers found that the Organizing Committee had taken many meaningful steps to make the Olympic Park accessible to people with disabilities.

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<sup>100</sup> Ibid.

<sup>101</sup> "Around 2,500 facilities adopted for Paralympics in Sochi ahead of the 2014 Paralympics," *Russia Beyond the Headlines*, April 12, 2013, [http://rbth.ru/news/2013/04/12/around\\_2500\\_facilities\\_adopted\\_for\\_paralympics\\_in\\_sochi\\_ahead\\_of\\_the\\_201\\_24942.html](http://rbth.ru/news/2013/04/12/around_2500_facilities_adopted_for_paralympics_in_sochi_ahead_of_the_201_24942.html) (accessed April 29, 2013).

<sup>102</sup> Human Rights Watch group interview with Alexandra Kosterina and Evgenii Bukharov, Sochi, February 12, 2013.

However, Human Rights Watch research found that government efforts to promote a barrier-free environment in Sochi itself have been uneven. As part of its preparations for the Paralympics, the Sochi City Administration has established commissions in charge of monitoring compliance with accessibility norms using guidelines for access to the physical environment for people with disabilities. The commission members make note of problems such as missing ramps. However, according to Sochi resident and disability rights activist Alexander Simyonov, these commissions do not make specific recommendations as to how to correct these mistakes. Furthermore, there is no formal monitoring process to ensure that this is done.<sup>[1]</sup> It is not clear what role the federal government plays to ensure that city and district governments develop their own monitoring and enforcement mechanisms.

Sochi residents with disabilities continue to face obstacles in accessing transportation, public and private buildings, employment, and healthcare, as documented in previous chapters of this report. Simyonov told Human Rights Watch, “The city does a lot just to check a box.”<sup>[2]</sup> For example, the government built a school as part of the city infrastructure for people displaced from their homes to allow for construction of Olympic venues. According to Simyonov, the administration constructed a wheelchair lift rather than wheelchair accessible ramps in the school, which has several significant problems, including that the lift needs to be both maintained and operated by another person rather than allowing for independent access by students or others with disabilities. In many cases in which children with disabilities attend inaccessible schools in other parts of Sochi, parents must attend school with their children to help them to use such equipment and go up and down staircases, Simyonov told Human Rights Watch.<sup>[3]</sup>

## Engagement of People with Disabilities in Planning

Involvement of people with disabilities in planning for the Sochi 2014 Winter Paralympics has been limited. According to Bukharov, of the Sochi 2014 Organizing Committee, at the time of the February 2013 interview with Human Rights Watch, his department included only three people with disabilities, who were all contractors rather than permanent staff members. However, an accessibility expert with a disability from the United Kingdom did participate in the planning of the games, as did several residents with disabilities who served as temporary consultants to help identify issues such as inaccessible public spaces.

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<sup>[1]</sup> Human Rights Watch interview with Alexander Simyonov, disability rights activist, Sochi, February 8, 2013.

<sup>[2]</sup> Ibid.

<sup>[3]</sup> Ibid.

Bukharov also stated that the Sochi 2014 Olympic Organizing Committee had one person on its staff with a physical disability. According to Bukharov, the staff member did not regularly come to the office due to difficulties accessing transportation in Moscow.<sup>□□</sup>

Human Rights Watch also spoke with Alexander Simyonov about the involvement of people with disabilities in the Sochi City Administration's preparations for the Olympics. Simyonov pointed out that no one on the Sochi City Administration has a disability but that the Organizing Committee hires him and several other persons with disabilities as temporary consultants to advise their efforts to make the city more accessible. However, none of the people on the monitoring commissions responsible for monitoring accessibility of the city's buildings have disabilities.<sup>□□</sup>

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<sup>□□</sup> Human Rights Watch interview with Evgenii Bukharov, Sochi, February 12, 2013.

<sup>□□</sup> Human Rights Watch email correspondence with Alexander Simyonov, disability rights activist, June 16, 2013.

## VII. Russia's Obligations under International and National Law

Russia has committed to protecting a range of rights and freedoms for persons with disabilities under international and national law, which would enable people to live full lives in their communities. Russia's international obligations to persons with disabilities include ensuring the right to nondiscrimination; accessibility of the physical environment, services open or provided to the public, and information; and the right to education, work, rehabilitation services, a high standard of health, and to found a family.

Russian national laws are also broad in scope, emphasizing regional and city governments' obligations to secure access to information, infrastructure, and rehabilitation services, among other rights and entitlements. However, inadequate enforcement mechanisms, flaws in federal construction norms, and employment quotas for persons with disabilities rather than antidiscrimination laws specifically protecting people with disabilities all limit Russia's legal commitments to ensuring an accessible environment and inclusion for persons with disabilities, as well as its ability to realize its commitments under international law.

### International Obligations

Russia has ratified the Convention on the Rights of Persons with Disabilities (CRPD). It has also ratified the International Labour Organization (ILO) Convention No. 159 on Vocational Rehabilitation and Employment (Disabled Persons),<sup>[1]</sup> the Convention on the Rights of the Child,<sup>[2]</sup> and the International Covenant on Economic, Social and Cultural Rights (ICESCR).<sup>179</sup> Under these treaties, Russia incurs particular legal obligations to persons with disabilities, including for children, as regards accessibility of the physical environment, transportation, public services, and employment.

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<sup>[1]</sup> International Labour Organization (ILO), ILO Convention (No. 159) Concerning Vocational Rehabilitation and Employment (Disabled Persons), June 1985, ratified by Russia on June 3, 1988.

<sup>[2]</sup> Convention on the Rights of the Child (CRC), adopted November 20, 1989, G.A. Res. 44/25, annex, 44 U.N. GAOR Supp. (No. 49) at 167, U.N. Doc. A/44/49 (1989), entered into force September 2, 1990, ratified by Russia on August 16, 1990.

<sup>[3]</sup> The International Covenant on Economic, Social and Cultural Rights (ICESCR), adopted December 16, 1966, G.A. Res. 2200A (XXI), 21 U.N. GAOR Supp. (No. 16) at 49, U.N. Doc. A/6316 (1966), 993 U.N.T.S. 3, entered into force January 3, 1976, ratified by Russia on October 16, 1973.



The CRPD defines discrimination on the basis of disability as “any distinction, exclusion or restriction on the basis of disability which has the purpose or effect of impairing or nullifying the recognition, enjoyment or exercise, on an equal basis with others, of all human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.” Discrimination includes “denial of reasonable accommodation” and involves any distinction or exclusion, including, for example, a transport operator failing to stop to let a person using a wheelchair onto a bus.<sup>182</sup>

The CRPD also specifically requires state parties to take appropriate measures to eliminate discrimination against people with disabilities with regard to marriage, parenthood, and family. This includes protecting the right of persons with disabilities to found a family and “to decide freely and responsibly on the number and spacing of their children.”<sup>183</sup> The CRPD prohibits separation of a child from his or her parents against their will on the basis of a disability of either the child or one or both of the parents.<sup>184</sup>

The ICESCR obligates states to protect the rights to education and work, among other rights guaranteed in the covenant, without discrimination of any kind, including based on “birth or other status.”<sup>185</sup>



Article 8 of the CRPD requires states parties to adopt immediate and effective measures to “raise awareness throughout society ... to foster respect for the rights and dignity of persons with disabilities; to combat stereotypes, prejudices and harmful practices relating to persons with disabilities ... in all areas of life; and to promote awareness of the capabilities and contributions of persons with disabilities.” Measures to this end include but are not limited to: initiating public awareness campaigns that “promote positive perceptions and greater social awareness towards persons with disabilities” and promoting “recognition of the skills, merits and abilities of persons with disabilities.”<sup>186</sup>

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<sup>182</sup> CRPD, art. 2, part 3.

<sup>183</sup> CRPD, art. 23, part 1.

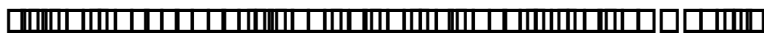
<sup>184</sup> CRPD, art. 23, part 4.

<sup>185</sup> ICESCR, art. 2, part 2.

<sup>186</sup> CRPD, art. 8, part a.



Article 9 of the CRPD requires that states take measures to ensure 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. Under the CRPD, the physical environment includes buildings, roads, schools, housing, medical facilities, workplaces, and “other indoor and outdoor facilities.”<sup>100</sup>



Article 19 of the CRPD requires states to enable persons with disabilities to live independently and to participate and be included fully in their communities, including by guaranteeing their right to choose their places of residence and access services and facilities available to the general population on an equal basis with others.<sup>101</sup>



The CRPD guarantees persons with disabilities the right to work in an open and inclusive environment on an equal basis with others. It also requires states to safeguard and promote employment by prohibiting discrimination on the grounds of disability in all areas concerning all forms of employment: conditions of recruitment, hiring, continuance of employment, career advancement, and safe and healthy working conditions.<sup>102</sup>

Russia is also obligated to take positive steps to increase employment opportunities and vocational education for persons with disabilities. The CRPD includes the positive obligation of states to “promote employment opportunities and career advancement for persons with disabilities in the labour market, as well as assistance in finding, obtaining, maintaining and returning to employment.”<sup>103</sup>

The ILO’s Convention No. 159 on Vocational Rehabilitation and Employment for people with disabilities calls on states to promote “vocational rehabilitation” so as to enable a

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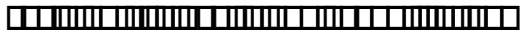
<sup>100</sup> CRPD, art. 9, part 1.

<sup>101</sup> CRPD, art. 19.

<sup>102</sup> CRPD, art. 27, part 1a.

<sup>103</sup> CRPD, art. 27, part 1e.

person with a disability “to secure, retain and advance in suitable employment and thereby to further such person’s integration or reintegration into society.”<sup>100</sup>



The CRPD makes certain guarantees to people with disabilities as part of their right to the highest attainable standard of health, including the right to a range of healthcare services of adequate quality as close as possible to their communities and the right to means of rehabilitation with the purpose of enabling them to participate fully in their communities. Under article 25, people with disabilities are entitled to health services needed specifically because of their disabilities, including early identification and intervention as appropriate.<sup>101</sup>

Article 26 of the CRPD also guarantees people with disabilities access to rehabilitation services based on a “multidisciplinary assessment” of peoples’ needs and geared towards their participation in their communities. The government is obligated to promote not only the availability of assistive devices but also “knowledge and use of assistive devices and technologies, designed for persons with disabilities”<sup>102</sup> and to “promote the development of initial and continuing training for professionals and staff working in habilitation and rehabilitation services.”<sup>103</sup>

## National Obligations

Russian national law also contains a number of provisions to ensure access to the physical environment, information, and services in rehabilitation, healthcare and education, and other facets of social life; and to increase access to employment for persons with disabilities. However, as we discuss in this report, inadequate federal construction norms and uneven enforcement of federal accessibility laws can result in inaccessible housing, public spaces, transportation, and private- and state-owned buildings.



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<sup>100</sup> ILO Convention No. 159, art. 1, part 2.

<sup>101</sup> CRPD, art. 25b.

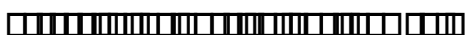
<sup>102</sup> CRPD, art. 26, part 3.

<sup>103</sup> CRPD, art. 26, part 2.





Russia has no federal laws that specifically prohibit discrimination against persons on the basis of a disability. Russia's Administrative Code defines discrimination as "the violation of rights, freedoms, and legal interests of a person and citizen based on his sex, race, nationality, language, origin, property and official status, attitudes towards religion, convictions, and memberships in public associations and any public groups." This code imposes an individual fine of 1,000 to 3,000 rubles (about US\$31 to \$93) and a fine for legal entities of 50,000 to 100,000 rubles (about \$1,548 to \$3,095), modest fines for violation of the law.<sup>[1]</sup>



Russia's Federal Law "On the Social Protection of the Disabled" is the overarching legal framework for protections of people with disabilities in Russia. The law requires that all physical infrastructure, regardless of whether it is state- or privately-owned, be accessible to people with disabilities and establishes administrative responsibility for the failure to do so.<sup>[2]</sup> However, because the federal law does not specify enforcement mechanisms, monitoring and enforcement of this provision are left to the discretion of regional and city governments.<sup>[3]</sup>

Article 15 of the law contains separate standards for private and state organizations. The law states that government funds to ensure accessibility of facilities are limited by annual budgetary allocations. By extension, the government can choose which facilities to make accessible and which not to make accessible. The owners of private entities are not subject to this limitation, making them liable to lawsuits should they fail to construct or reconstruct a facility according to federal accessibility guidelines.<sup>[4]</sup>

The law also provides considerable leeway for both private and government structures to avoid implementing accessibility standards. For example, article 15 states that when buildings cannot be completely adapted to meet the needs of people with disabilities, the buildings' owners should coordinate with disabled persons organizations (DPOs) to ensure

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<sup>[1]</sup> Code of Administrative Violations of the Russian Federation, N 195-F3, December 30, 2001, art. 5.62.

<sup>[2]</sup> Federal Law "On the Social Protection of the Disabled," No. 181-F3, 2013, art. 15-16.

<sup>[3]</sup> Human Rights Watch telephone interviews with disability rights activist Svetlana D., March 13, 2013 and with Alexander Simyonov, August 12, 2013.


<sup>[4]</sup> "Illustrated handbook, 'An Accessible Environment for the disabled' [Иллюстрированное справочное пособие «доступная среда для инвалидов»,] *Perspektiva*, 2003, <http://perspektiva-inva.ru/our-pubs/vw-972/> (accessed October 5, 2012).

In June 2013 Russia took a considerable step toward ensuring access to transportation for persons with disabilities with the passage of amendments to its Air Code that explicitly forbid the refusal of transport to people with disabilities and require airport staff to offer services to assist people with disabilities before, during, and after their flights.<sup>100</sup>

Russia has a series of federal construction norms in place to ensure accessibility of the physical environment and information for persons with disabilities. It is not within the scope of this report to evaluate the range of federal accessibility norms, but Russian disability activists have indicated that Russia's federal construction norms have some flaws.

Russian law focuses on requiring that businesses and organizations employ a certain number of people with disabilities rather than strengthening and enforcing antidiscrimination laws as they pertain to people in this population. Russian law requires that organizations with 100 or more employees, regardless of type or legal status, employ people with disabilities in between 2 and 4 percent of their positions. An April 2013 amendment to the law allows regional governments to implement laws requiring businesses with 35 to 100 employees to adhere to a hiring quota of 3 percent.<sup>100</sup>

The Federal Law “On the Social Protection of the Disabled” also requires employers to create working conditions consistent with a person’s Individual Plan for Rehabilitation (IPR) and prohibits employment contracts that include worse conditions for people with disabilities in comparison with other employees, such as lower wages.<sup>100</sup>

 Federal Law No. 183-F3 of 2013, art. 23, para. 2.



Article 13 of the law “On the Social Protection of the Disabled” entitles people with disabilities to free medical care as part of Russia’s larger state insurance system.<sup>[1]</sup> Article 10 of the law guarantees people with disabilities access to certain federally approved and funded rehabilitation devices and services.<sup>[2]</sup>

Under Russian law, as part of a person’s IPR, the Bureau of Medical-Social Expertise specifies the quantity and types of rehabilitation to which a person with a disability is entitled to ensure compensation for or restoration of lost functioning as a result of disability.<sup>[3]</sup> Rehabilitation for people with disabilities includes “medical rehabilitation, reconstructive surgery, prosthetics and orthotics, spa treatments, vocational guidance, education and training, employment assistance, occupational adaptation,” and “sports and recreational activities,” among other provisions.<sup>[4]</sup>

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<sup>[1]</sup> Ibid, art. 13.

<sup>[2]</sup> Ibid, art. 10.

<sup>[3]</sup> Ibid, arts. 8-9.

<sup>[4]</sup> Ibid, art. 9.

## VIII. Recommendations

### To the Russian Government

- Create a disability rights ombudsperson on matters pertaining specifically to the rights of persons with disabilities in Russia.
- Develop and disseminate information pamphlets for persons with disabilities informing them of their rights under the Convention on the Rights of Persons with Disabilities (CRPD) and Russian law and listing the names and contact information of government and independent bodies to whom they can address rights-related complaints. Ensure that these pamphlets are available in formats accessible to persons with sensory, developmental, or intellectual disabilities.
- Revise the Federal Law “On the Social Protection of the Disabled” in the following ways:
  - Eliminate part 3 of article 15, which allows government entities to limit their implementation of accessibility standards on grounds of budgetary considerations.
  - Expand article 16 on responsibility for failure to ensure access to communication and information media and infrastructure; include specific provisions for enforcing articles 14 and 15 on accessibility for people with disabilities to information and infrastructure, respectively; and establish federal responsibility to monitor compliance with these articles. Ensure that all children with disabilities and their parents have information on the right to inclusive education, in which mainstream schools are accessible for all children. Ensure that children have access to and from school and other necessary support to facilitate their education within mainstream schools. Ensure that all instruction provided by state instructors is consistent with and equal to that provided in general education system.
  - Expand article 21, on the establishment of quotas for the employment of persons with disabilities, to explicitly prohibit discrimination against persons on the basis of a disability on the part of employers in hiring and firing.
- Revise article 5.62 of Russia’s Administrative Code to include a prohibition against all forms of discrimination on the basis of a disability.

## **To the Ministry of Regional Development**

- Establish a committee with the participation of international accessibility experts, including those with disabilities, to conduct a detailed evaluation of Russia's federal construction norms to ensure that they meet the needs of people with different disabilities.
- Establish and fund independent inspectors in each region to monitor compliance with construction norms from planning through to their completion. Ensure that people with disabilities are included among the inspectors in each region and that each of these inspectors has completed courses in universal design. The commissions should include persons with disabilities and work closely with disabled persons organizations (DPOs) to ensure effective monitoring and follow-up.

## **To the Ministry of Transportation**

- Immediately demarcate the edges of rail and metropolitan platforms with tactile and reflective strips and provide automated auditory and visual stop announcements on trains and buses.
- Develop a plan and timeline to ensure that metropolitan, bus, and train stations are accessible to persons with disabilities and that increasing numbers of buses are accessible across Russia. Ensure that school buses are equipped with wheelchair lifts.
- Train representatives of transport agencies (such as the St. Petersburg and Moscow metropolitans) and employees of local transport departments to ensure timely and substantive responses to peoples' complaints about lack of accessibility, including complaints about delayed accessible transportation and reluctance of transport operators to implement accessibility laws.

## **To the Ministry of Labor and Social Protection**

- Collect annual statistics on the number of people with disabilities disaggregated by gender, age group, and specific impairments. Ensure that these statistics are available at the federal and regional levels and accessible to the public free of charge.
- Develop awareness-raising campaigns to educate employers about the abilities of persons with disabilities to be successful, reliable, and capable employees.

- Develop and implement a training program among members of regional and city branches of the Employment Service to ensure that complaints regarding unequal treatment by employers toward persons with disabilities and other violations of the law are dealt with in a timely and effective manner. Conduct an awareness-raising campaign to inform people with disabilities about their rights and the service's role in protecting them.
- In both mainstream and specialized schools and universities, establish and fund programs to help young people with disabilities to transition from school to employment. Include information on their rights to equal working conditions as well as practical guidance in seeking jobs.
- Conduct a survey among citizens with hearing impairments on the number of hours of sign language interpretation needed per year, and increase the number of free hours available to citizens based on survey results.
- Ensure that specific information enumerating the rights of persons with disabilities to rehabilitative devices and services is made publicly available in accessible formats.

## **To the Ministry of Healthcare**

- Develop a plan to increase the availability of accessible medical equipment such as accessible x-ray machines and examination tables in hospitals and clinics in regions throughout Russia. Ensure that all state medical facilities are accessible to people with disabilities.
- Develop training and continuing education for healthcare workers on the human rights of persons with disabilities, including information on respectful communication with persons with disabilities; the abilities of persons with disabilities; and government and nongovernmental services and literature available for parents of newborns with disabilities to provide these parents with information and resources to help them and their children enjoy their rights to accessible healthcare, habilitation, rehabilitation, and education services in their communities.

## **To the Ministries Implementing the Accessible Environment Program**

- Include accessibility measures specifically geared towards the needs of people with intellectual, developmental, and psychosocial disabilities in the Accessible Environment Program. Specifically, we recommend the following measures:
  - Consult with representatives from DPOs, including persons with intellectual or developmental disabilities, regarding the minimum requirements to establish an inclusive educational environment and inclusive communities, such as accessible parks, museums, recreation centers, and hospitals.
  - Work with DPOs and other allied organizations to launch nationwide social advertising campaigns that highlight the diverse personalities, interests, and social contributions of persons with disabilities, including people with Down's syndrome, other intellectual or developmental disabilities, and psychosocial disabilities.
- Allow regional governments to apply for funding from the Accessible Environment Program regardless of their ability to allocate their own funds. Incorporate other measures of potential for progress, such as records of past cooperation between nongovernmental organizations (NGOs), government, and business; the development of detailed project proposals by NGOs for greater accessibility of physical infrastructure, information, and services open to the public; and disaggregated statistics on the number of people with different kinds of disabilities in each region.

## **To the Sochi 2014 Olympic Organizing Committee**

- Create an independent committee of persons with disabilities and accessibility experts to conduct an extensive audit of Sochi to identify key aspects of the city that need to be made more accessible in advance of the 2014 Winter Games.

## **To the International Paralympic Committee**

- During inspection visits to Sochi and other host cities, meet regularly with civil society organizations and independent disability rights activists to gain an independent perspective on the government's implementation of International Paralympic Committee requirements on accessibility, including with respect to the hosting of the Games as well as in the host city, and with regard to the legacy of the

Paralympic Games for the host community. Actively take independent viewpoints into consideration when cooperating with host country authorities regarding implementation of accessibility requirements.

## **To Russia's International Partners and International Financial Institutions**

- Press Russia to ensure the rights of people with disabilities, and support the government in its efforts to do so, including through financial, technical, and other means. Share models of best practice with Russia on guaranteeing accessibility for people with disabilities on an equal basis to all government and private goods and services.
- Continue to consult with and support DPOs and NGOs working in the sphere of disability rights and services to people with disabilities.
- Ensure that all development projects implemented in Russia comply with minimal international accessibility and universal design standards and are inclusive of and accessible to persons with disabilities.

## **To the Committee on the Rights of Persons with Disabilities (CRPD)**

- In the current process of drafting a general comment on accessibility, ensure effective consultation with people with a range of disabilities (people with psychosocial and developmental disabilities as well as people with sensory and physical disabilities), and ensure that they have adequate opportunity to engage with the committee.
- In the committee's review of Russia, consider a wide range of aspects of accessibility, including housing, public transportation, information and communication technologies, public facilities, medical and educational facilities, and concrete measures regarding implementation in the private sector, as well as Russia's mechanisms to monitor compliance with accessibility standards.



## Acknowledgments

Andrea Mazzarino, research fellow in the Europe and Central Asia Division, researched and wrote this report. Some of the research was conducted together with Jane Buchanan, associate director of the Europe and Central Asia Division.

The report was edited by Jane Buchanan, and reviewed by Shantha Rau Barriga, director of the Disability Rights Division; Alice Farmer, researcher in the Children's Rights Division; Veronika Szente Goldston, advocacy director in the Europe and Central Asia Division; and Danielle Haas, senior editor in the Program Office. Aisling Reidy, senior legal advisor, provided legal review, and Tom Porteous, deputy program director, provided program review.

Production assistance was provided by Kaitlin Martin and Maria Kunineva, associates in the Europe and Central Asia Division, and Shajiah Jaffri, intern in the Europe and Central Asia Division; Grace Choi, director of publications; Kathy Mills, publications specialist; and Fitzroy Hepkins, production manager. Jessie Graham, senior multimedia producer, directed and produced the multimedia components of the project. Olga Kozlova, intern in the Europe and Central Asia Division, provided research assistance.

Human Rights Watch is deeply grateful to all those who helped us conduct our research in Russia. We are especially grateful to all of the people with disabilities and their families who spoke to us about their experiences.

Human Rights Watch would like to thank the American Council of Learned Societies for their support of this research.

## Appendix

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April 5, 2013

125375, Moscow, ul. Tverskaya, d. 7  
Ministry of Communications and Mass Media  
Russian Federation  
Nikolai Anatolyevich Nikiforov  
Minister of Communications and Mass Media

Dear Nikolai Anatolyevich,

Please accept my greetings on behalf of Human Rights Watch. As you may know, Human Rights Watch is an independent, international human rights organization that advocates respect for human rights in some 90 countries worldwide, including Russia. For more than 20 years, Human Rights Watch has conducted research on a range of human rights concerns in Russia, including, recently, on the rights of people with disabilities.

We are writing to you to learn more about the steps that the Ministry of Communications and Mass Media has taken to comply with the Convention on the Rights of Persons with Disabilities (CRPD), which Russia ratified in 2012.

Human Rights Watch has conducted interviews with people with disabilities in several cities in Russia about their experiences trying to access public buildings, businesses, transportation, public spaces, and government services such as education and healthcare. We have spoken with people with limited mobility, people with sensory disabilities, and people with developmental and intellectual disabilities. The results of this research will be published in a report later this year, with the purpose of making recommendations Russia can consider taking to bring it closer to compliance with the CRPD.

Based on our interviews with people with disabilities as well as experts on disability rights, lawyers, and others, we have identified a number of concerns. The purpose of this letter is to share some of these concerns with you and learn about the ways in which the Ministry of Communications and Mass Media may be addressing these issues so that we can reflect information and perspectives from the Ministry of Communications and Mass Media in our report and other related materials. We have also written to other ministries regarding concerns that relate directly to issues within their competency.

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Most of the people who are deaf and hard of hearing whom Human Rights Watch interviewed reported several concerns regarding access to information and means of communication, as guaranteed under the CRPD and Russian federal law, including that:

- ☐ They face difficulty or have been unable to call emergency fire and medical services because of these services' reliance on telephones and a lack of more accessible means of communication, such as text messaging or the use of city dispatch centers staffed by sign language interpreters and text messaging services.
- ☐ They are unable to make doctor's appointments at their health clinics because of these clinics' and doctors' reliance on telephones and a lack of alternatives, such as registration via Internet or text messaging.
- ☐ There exist a limited number of television stations with closed captioning and subtitles, preventing people who are deaf and hard of hearing from having full access to emergency announcements, news, and entertainment.
- ☐ There are no sign language translators during televised speeches by government representatives, making it difficult or impossible for them to understand what is being said.

Human Rights Watch would be grateful for information on how the Ministry of Communications and Mass Media addresses these issues, in particular:

- ☐ What measures is the Ministry of Communications and Mass Media taking to increase access to information and telecommunications for people who are deaf and hard of hearing in the areas of emergency services, healthcare, and television?
- ☐ Human Rights Watch is aware that efforts are underway in St. Petersburg to establish information dispatch centers staffed by sign language interpreters. Staff at these centers would use text messaging and video phones to connect people who are deaf and hard of hearing with emergency services, information on transportation schedules, and healthcare services in the city. We would welcome information about any similar efforts underway to establish these facilities in other cities.

We would also be grateful to receive answers to the following questions:

- ☐ Does the Ministry of Communications and Mass Media cooperate with other ministries that are involved in addressing the concerns described above?
- ☐ In what ways does the Ministry of Communications and Mass Media cooperate with other ministries to ensure measurable progress in helping all people with disabilities access employment on an equal basis with others?
- ☐ What is the sphere of responsibility of the Ministry of Communications and Mass Media in ensuring that regional and city governments comply with the CRPD?

In light of our upcoming report on the rights of people with disabilities in Russia, we would welcome your response to our concerns by May 8, 2013 so that we have adequate time to ensure that the report reflects the Ministry of Communications and Mass Media's information and perspectives.

We thank you for your attention to these matters and look forward to receiving your response.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rachel Denber', with a stylized, flowing script.

Rachel Denber  
Deputy Director  
Europe and Central Asia Division

## Translation from Russian

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Re: No. 14-13 of April 5, 2013

Ms. Rachel Denber  
Deputy Director  
Europe and Central Asia Division  
newsrussia@hrw.com

Dear Ms. Denber,

In response to your letter regarding the protection of the rights of disabled persons as it pertains to our area of responsibility, we report the following:

- In recent years, federal television channels have been consistently working to adapt television programs, especially news programs, for viewers with limited hearing.
- Currently, on the Russia-1 television channel, the Vesti news program episodes, the breaking news programs (most important statements involving top government officials), and documentaries are accompanied by roller captions.
- The Russian news channel Russia-24 accompanies its news programs with brief textual summaries; the most important news of the day is provided in the subtitles throughout the entire broadcast.
- The Channel One television channel issues its daily Novosti program accompanied by roller captions.

Additionally, under the Accessible Environment Program of the Russian Federation for 2011-2015 (henceforth “the Program”), developed in order to facilitate access for disabled people and other people with limited mobility to facilities and services, as well as the integration of disabled people into society and improving their quality of life, the Ministry of Communications and Media is currently working on adding closed captioning to television programs of the nationwide public television channels: Channel One, Russia-1, Russia-K, NTV, and Carousel.

It has to be noted that in 2011 these efforts already resulted in a significant increase in the number of closed-captioned television programs on the leading national television channels:

Channel One, Russia-1, Russia-K, NTV, and Carousel. In addition, the Russian Federal Agency for Press and Mass Communications (Rospechat), subordinate to the Ministry of Communications and Mass Media, allocated the federal budget funds, on a competitive basis, in order to develop closed captioning for Channel One. The All-Russia State Television and Radio Broadcasting Company allocated its own funds for similar work on Russia -1 and Russia-K. Thus, already in 2011, based on the implementation of the Program, it was possible to double the number of television programs adapted to the needs of the audience with limited hearing capabilities. The list of television channels that are currently implementing closed captioning has also expanded.

In the framework of this project, the Ministry of Communications and Mass Media cooperates on a permanent basis with the Ministry of Labor and Social Protection of the Russian Federation (the curator of the Program) and the All-Russia Society of the Deaf (VOG) in an effort to accommodate the wishes of our fellow citizens with limited hearing. In the course of this work, the list of closed-captioned television programs on the national channels is being coordinated with the VOG.

Of course, there exists another technology for providing access to televised information for people with limited hearing – sign language. However, sign language interpretation on television is difficult to implement from a technical standpoint; therefore the Program focuses on closed captioning.

Along the same lines, another campaign of the Program involves developing hardware and software packages to provide automatic closed captioning in real time. This is an innovative research and development project. Once this package is introduced on nationwide publicly accessible television channels, it will automatically, quickly, and efficiently create and edit text transcripts and facilitate closed-captioning of news and sports television programs in real-time (online), significantly increasing the number of closed-captioned television programs and providing people with hearing disabilities with enhanced access to information.

It should also be noted that Rospechat annually provides subsidies from the federal budget, on a competitive basis, for socially significant projects in the field of electronic and print media. Special attention is given to the projects related to comprehensive, objective, and friendly coverage of issues pertaining to integration of persons with disabilities into society; the projects on this topic are included among the top priority electronic media social projects to receive public support, in particular, in order to attract attention of television broadcasters and producers to these issues.

Specifically, the subsidies have been allocated for development and implementation of closed captioning for informational, analytical, political, educational, and popular science programs, as well as documentaries, feature films, and television series on the TV Center channel; for the production of public service announcements aimed at bringing people's attention to the need to integrate people with disabilities into society; for the series "Let's

Be Friends, an educational program in sign language for deaf children; for the program “Quiet Happy Childhood” for deaf children; for the informational program “News Kaleidoscope,” covering major events in the regions of Russia held under the auspices of the All-Russia Society for the Deaf; for the television program about outstanding paralympic athletes “Gold of the Nation”; for program “Where the Words End” about professional musicians with disabilities who took a creative path despite limits imposed by their health.

In addition, periodical and non-periodical publications for the disabled and for the visually impaired are being published. They include publications covering issues of social adaptation of the disabled (for example, *Family and School* magazine, the newspapers *Vanguard*, *Life of the District*, and *Shakhtin News*; magazines for people with vision impairments, including the publications in Braille *Dialog*, *Literary Readings*, *Our Life*, and *The School Bulletin*.

In recent years, we have observed a constant growth in the volume of subsidies allocated to projects on disability-related topics.

The total amount of allocated subsidies depends on the number and quality of submitted applications.

Thus, the mechanism of providing federal budget subsidies on an ongoing basis to projects on disability-related issues will be further strengthened.

In addition, recently the television channel for the disabled Inva Media TV was organized for transmission via the Internet and available in the satellite television package from the channel operator Tricolor TV.

In 2011-2012, upon request of the president of the Russian Federation, the Ministry of Communications and Mass Media resolved the issue of state support for the channel. During working meetings with the Ministry of Communications and Mass Media and Rospechat, the project’s authors and the management of the channel received consultations on network development, licensing, support for social projects on the subject of disabilities, and project advocacy. Taking into account the social significance this television channel, Roscomnadzor, which is subordinate to the Ministry of Communications and Mass Media, prepared the documentation necessary for further development of the channel’s network in the shortest possible timeframe. Many projects proposed by the Inva Media TV were supported by the Expert Council of Rospechat.

This work proceeds on a permanent basis as planned.

E.G. Larina  
Director  
Department of State Policy in the Field of Mass Media



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April 5, 2013

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Tom Porteous, Deputy Program Director  
James Ross, Legal & Policy Director  
Joe Saunders, Deputy Program Director  
Frances Sinha, Human Resources Director

Dmitri Viktorovich Livanov  
Minister of Education

Dear Dmitri Viktorovich,

Please accept my greetings on behalf of Human Rights Watch. As you may know, Human Rights Watch is an independent, international human rights organization that advocates respect for human rights in some 90 countries worldwide, including Russia. For more than 20 years, Human Rights Watch has conducted research on a range of human rights concerns in Russia, including, recently, on the rights of people with disabilities.

We are writing to you to learn more about the steps that the Ministry of Education has taken to comply with the Convention on the Rights of Persons with Disabilities (CRPD), which Russia ratified in 2012.

Human Rights Watch has conducted interviews with people with disabilities in several cities in Russia about their experiences trying to access public buildings, businesses, transportation, public spaces, and government services such as education and healthcare. We have spoken with people with limited mobility, people with sensory disabilities, and people with developmental and intellectual disabilities. The results of this research will be published in a report later this year, with the purpose of making recommendations Russia can consider taking to bring it closer to compliance with the CRPD.

Based on our interviews with people with disabilities, as well as experts on disability rights, lawyers, and others, we have identified a number of concerns. The purpose of this letter is to share some of these concerns with you and learn about the ways in which the Ministry of Education may be addressing these issues so that we can reflect information and perspectives from the Ministry of Education in our report and other related materials. We have also written to other ministries regarding concerns that relate directly to issues within their competency.

The people we have interviewed identified obstacles to enjoying several rights that are guaranteed to them under the CRPD. These include accessing

inclusive, quality, and free primary and secondary education on an equal basis with others; facilitation of their effective education within the general education system; and accessing general tertiary education and vocational training on an equal basis with others.

Specifically, people with whom Human Rights Watch spoke reported the following concerns:

#### **Obstacles to Accessing Inclusive, Quality, and Free Primary and Secondary Education**

People with intellectual, developmental, and sensory disabilities whom Human Rights Watch interviewed have been denied the opportunity to attend kindergarten and primary and secondary school in the general education system on an equal basis with others:

- In some cases, kindergarten principals and schools have denied children with intellectual or developmental disabilities admission to schools.
- Some kindergarten principals have admitted children with intellectual and developmental disabilities part-time with the provision that their parents need to attend school with them.
- People with disabilities and their parents reported that schools often lack usable ramps, elevators, and wheelchair lifts enabling students with disabilities to enter and exit schools and safely reach classes on upper floors of schools. As a result, some parents of children with physical disabilities need to attend school with their children and assist them in entering, exiting, and moving around the building.
- Because children with disabilities often lack access to the general school system, many of them are left with no option but to board at specialized schools, which may be located far from their homes, thereby removing them from their communities and families.

#### **Availability of Information Regarding Options for Education**

- In some cases, parents stated that they educate their children with disabilities at home or send them directly to specialized schools because they do not have information about how general schools will accommodate their children's learning needs.
- Parents of some children with disabilities choose not to educate their children at all because of their disabilities. These parents lack information about the educational options open to their children, including in the general education system.

#### **Obstacles to Accessing General Higher Education and Vocational Training**

- People with physical disabilities reported a lack of usable ramps and elevators in universities such as Moscow State University and the State University of Buryatia, among others.
- People who are deaf and hard of hearing reported a lack of sign language translators to assist them with lectures, as well as insufficient visual information to accompany lectures.

- ☐ People who are blind and with low vision and who have attended institutions of higher education reported insufficient availability of textbooks with large print and screen readers to enlarge print.
- ☐ While colleges for young adults with Down's syndrome and autism provide workshops teaching crafts, such as drawing, some parents of these adults reported a lack of opportunities for their children to gain skills that would help them to get jobs, such as computer skills, for example.

Human Rights Watch would be grateful for information on how the government is addressing the issues enumerated above, in particular:

- ☐ Are there any projects under way to amend and revise article 18 of Federal Law No. 181, which grants the Ministries of Social Protection and Healthcare the authority to designate whether children with disabilities attend general education schools, specialized schools, or study at home, to bring the law into line with the requirement under the CRPD that all children have access to schools in the general education system?
- ☐ What measures does the Ministry of Education take to ensure that kindergartens and schools in the general education system are accessible to all children with disabilities, including by ensuring that school administrators do not deny admission to children with disabilities?
- ☐ What measures is the Ministry of Education taking to ensure that institutions of higher education are accessible to all people with disabilities?
- ☐ What financial and other resources (i.e., teacher training) does the Ministry of Education currently devote to inclusive education, including in regions that do not currently receive financial or other support through the Accessible Environment Program?
- ☐ How is the Ministry of Education working to facilitate access to vocational training for people with disabilities?
- ☐ What measures does the Ministry of Education take to promote awareness about the right of children with disabilities to attend schools in the general education system under the CRPD, including raising awareness among families with children with disabilities?

We would also be grateful to receive answers to the following questions:

- ☐ Does the Ministry of Education cooperate with other ministries that are involved in addressing the concerns described above?
- ☐ In what ways does the Ministry of Education cooperate with other ministries to ensure measurable progress in helping all people with disabilities to access education?

- What is the sphere of responsibility of the Ministry of Education in ensuring that regional and city governments comply with the CRPD?

In light of our upcoming report on the rights of people with disabilities in Russia, we would welcome your response to our concerns by May 8, 2013 so that we have adequate time to ensure that the report reflects the Ministry of Education's information and perspectives.

We thank you for your attention to these matters and look forward to receiving your response.

Sincerely,



Rachel Denber  
Deputy Director  
Europe and Central Asia Division

## **Translation from Russian**

Ministry of Education and Sciences of the Russian Federation  
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May 8, 2013, No. 16-IN-346

Rachel Denber  
Deputy Director  
Europe and Central Asia Division  
Human Rights Watch  
350 Fifth Avenue, 34<sup>th</sup> floor  
New York, NY 10118-3299 USA

Dear Ms. Denber,

The Department of Public Policy on Children's Rights Protection of the Ministry of Education and Sciences of the Russian Federation has considered your appeal on the implementation of the Convention on the Rights of Persons with Disabilities, which the Russian Federation ratified in 2012, and within its sphere of competence, informs you about the following:

In order to implement a universal right to education, federal authorities, the Russian Federation subject's authorities, and municipal authorities create the conditions required for the provision of quality free education for persons with disabilities, in line with the current legislation of the Russian Federation on education, in order to correct developmental and social adaptation disorders; to provide early corrective help based on special pedagogical approaches most suited to these persons' languages, methods, and means of communication; and to provide conditions that facilitate a certain level and certain direction of education, to the maximum degree possible, as well as social development of these persons, including providing inclusive education for persons with disabilities.

Article 18 of Federal Law No. 181-FZ, dated November 24, 1995, "On Social Protection of the Disabled" stipulates that educational institutions, along with medical institutions, shall provide for pre-school and out-of-school upbringing and the acquisition of secondary education, vocational training, and higher professional education by children with disabilities in accordance with the individual rehabilitation program of such a person.

According to the Law, education of children with disabilities in general or special pre-school or comprehensive secondary education institutions on a comprehensive or individual

homeschooling program level is provided by education oversight authorities and educational institutions only with parents' consent.

Article 63 of Federal Law No. 273-FZ, dated December 29, 2012, "On Education in the Russian Federation" (hereinafter – the Law) secures the right of parents (legal guardians) to choose a form of general education and a form of a specific basic general education program for an underage student.

Article 67 of the Law regulates admission requirements into state and municipal educational institutions for studying in basic general education programs. The article stipulates that admission into a state or municipal educational institution may only be rejected due to a lack of vacancies. In case there are no vacancies in a state or municipal educational institution, the child's parents (legal guardians) shall apply directly to the Russian Federation subject's executive authorities responsible for education oversight or municipal authority responsible for education oversight for placement of the child into a different general education institution.

General education of students with disabilities in the Russian Federation is carried out in institutions carrying out general education based on adjusted basic general education programs. A special environment is setup in such institutions in order to provide for the abovementioned students getting an education.

Article 79 of the Law, "Special environment" for education of students with disabilities refers to an educational and developmental setting that includes the use of special educational programs and methods of education and upbringing; special textbooks, teaching aids, and didactic materials; special technical means of education for collective and individual usage; teaching aides that provide required technical assistance to students; group and individual corrective lessons; providing access into buildings of institutions that carry out educational activities; and other conditions necessary to carry out education programs for students with disabilities.

In order to ensure unrestricted access for persons with disabilities into educational institutions that implement joint education of children with disabilities and children who do not have developmental disorders, the Russian Federation state program "Accessible Environment" is being carried out.

The Program provides for the creation of a universal, barrier-free environment within five years (from 2011-2015) in 10 thousand educational institutions that carry out general education programs, which consists of no less than 20 percent of the total number of ordinary educational institutions.

Information on basic educational institutions established in 2011-2012 in the Russian Federation is published on the "Accessible Environment" website ([www.zhit-vmeste.ru](http://www.zhit-vmeste.ru)).

Besides establishing a network of general education institutions in the Russian Federation that carry out the joint education of children with disabilities and children who do not have developmental disorders, a professional development program addressing issues of educating children with disabilities in regular educational institutions for specialists of psychological-medical-pedagogical commissions and educational institutions has been carried out since 2011. Thus, in 2011-2012, 953 persons from 35 regions of the Russian Federation have been trained in a program called *Mechanisms of Implementation of Individual Rehabilitation Program of a Disabled Child into Regular Educational Institutions*; in 2012, 1,350 persons from 54 regions of the Russian Federation.

In June 2013, within the framework of the Accessible Environment Program and with support from the Ministry of Education and Sciences, an international conference on the inclusive education of children with disabilities has been planned.

Article 3 of the Law regulates the right to lifelong education, including for persons with disabilities.

In this regard, the Ministry of Education and Sciences implements measures to provide accessibility to higher education institutions for persons with disabilities. In accordance with this, children with disabilities, persons with “group one” and “group two” disabilities, persons disabled since early childhood, and persons disabled as a result of military trauma and illness, who, based on the conclusion of a federal institution’s medical-social evaluation, do not have contraindications to studying in respective organizations, are granted special rights within a specified quota during the admission process into baccalaureate programs and professional programs. Education of these categories of persons is funded by budget means. These rights of persons with disabilities are stipulated in article 71 of the Law.

Also, children with group one and group two disabilities, who, based on the conclusion of a federal institution’s medical-social evaluation, do not have contraindications to studying in respective organizations, have the right to be admitted and to study in preparatory departments of federal educational institutions of higher education and have preferential admission into educational institutions to study in baccalaureate and professional programs, provided that they successfully pass the admission examination, other conditions being equal.

During the period of studies, students with disabilities are provided with special textbooks, study aids, other academic books, as well as sign language translation services and translation services for deaf and blind people, free of charge.

In order to ensure accessibility to professional education for persons with disabilities, the Ministry of Education and Sciences has prepared and disseminated to each region’s

executive authorities responsible for education oversight a number of methodological documents:

- Ministry of Education and Sciences letter dated June 10, 1999, # 27/582-6, *Recommendations on social-labor adaptation of type VIII special (corrective) educational institutions graduates;*
- Ministry of Education and Sciences letter dated November 30, 1999, # 27/777-6, *On characteristics of organization of primary professional education of students and foster children with developmental disorders;*
- Ministry of Education and Sciences letter dated June 27, 2007, # 03-1430, *Recommendations on designing government order for qualified workers' and specialists' training, including among persons with disabilities;*
- Ministry of Education and Sciences letter dated July 12, 2007, # 03-1563, *Recommendations on organization of educational process in institutions of primary and secondary professional education for persons with disabilities (hearing impaired, deaf, visually impaired);*
- Ministry of Education and Science letter dated April 18, 2008, # AF-150/06 *Recommendations on creating conditions in the Russian Federation subject for education of children with disabilities;*
- Ministry of Education and Sciences letter # 491/12-16 dated March 23, 2009, *On the necessity to adopt additional measures ensuring the adjustment of educational institutions' social infrastructure for unhindered access by persons with disabilities.*

Article 19 of Federal Law No. 181-FZ, dated November 24, 1995, "On the Social Protection of the Disabled" stipulates additional guarantees for persons with disabilities obtaining professional education.

Persons with disabilities have the right to choose a form of admission examination into higher and secondary special education institutions. People with disabilities (persons who have disorders in physical and/or mental development, including deaf, hearing impaired, blind, and visually impaired people, people with severe speech disorders, musculoskeletal system disorders, and others, including both children and adults) are admitted either based on the results of the Unified State Exam (hereafter, USE), or based on the results of an admission examination administrated independently by the educational institution (in case there are no unified state exam results), which are organized taking into account specifics of psychophysical development, individual abilities, and the state of a person's health (Ministry of Education and Science of Russia letter dated March 15, 2004, # 03-59-49in/36-03, *On participation in the USE of certain categories of graduates, regulations on state (final) assessment of graduates of IX and XI (XII) grades of general education institutions of the Russian Federation*, approved by the Ministry of Education and Sciences order dated



December 3, 1999, #1075, registered by the Ministry of Justice on February 17, 2000 (registration # 2114).

In the past several years, about three thousand children with disabilities (with vision, hearing, speech, musculoskeletal system, and other developmental disorders and illnesses) – graduates of general education and corrective institutions – have passed the USE annually.

According to information received from regions of the Russian Federation, each region has created USE examination facilities that are equipped taking into account various characteristics of psychophysical development of children in this category.

Professional educational institutions and higher education institutions, as well as institutions carrying out basic professional education programs, create special conditions for providing education to students with disabilities.

In the last 10 years, an increasing number of students with disabilities studying in professional educational institutions and higher educational institutions has been observed.

In 2002, 14.2 thousand persons with disabilities had studied in all types of education in state and municipal higher educational institutions, and by 2011 their number had increased by 37 percent and reached 19.4 thousand people. In 2011, 13.3 thousand persons with disabilities had studied in secondary special educational institutions, which is 32 percent (10.1 thousand people) more than in 2002.

Within the framework of the federal special purpose program on education development for 2011-2015 (hereafter, the Program), the construction and reconstruction of objects (foremost academic buildings) of higher education institutions and adaptation of their infrastructure for the needs of students with disabilities have been carried out.

Proper conditions in professional education institutions, including federal education institutions, are being created at this stage within the framework of development programs for these institutions (for example, Far Eastern, Baltic, and other federal universities).

The Russian Federation president's order dated May 7, 2012, No. 599, *On measures of state policy implementation in the field of education and science* calls for an increase in educational institutions of secondary and higher professional education whose buildings are equipped for the education of people with disabilities from 3 to 25 percent by the year 2020.

Currently, 14,188 disability group one and two persons and persons with disabilities since early childhood study in state, municipal, and private institutions of higher professional education.

Remote-access education technologies are actively used in the education of students with disabilities. Students have access to educational portals of higher professional education institutions where they can obtain educational materials necessary to prepare for studies.

In accordance with the president of the Russian Federation's assigned tasks, regions of the Russian Federation, within the framework of the high-priority national project "Education" currently undertake measures to provide computer equipment to persons with disabilities who study remotely from home, including those obtaining professional education.

Another direction to provide accessibility to professional educational institutions and higher educational institutions for persons with disabilities is the improvement of professional education content.

Students, including persons with disabilities, have a right to study according to an individual study plan and take part in formation of their professional education content, provided that federal state education standards of secondary and higher professional education and educational standards are met according to procedure stipulated by local regulations (the abovementioned right may be limited by employer-funded education contract provisions).

Article 49 of the Law establishes pedagogical employees' responsibility to take into account psychophysical development of students and their health state, to adhere to special conditions necessary for persons with disabilities in order to obtain education, and to interact with medical institutions, if deemed necessary, while implementing content of educational programs.

The following projects have been implemented within the framework of the Program: dissemination of information on progress and results of measures implemented to form a tolerant attitude toward people with disabilities and dissemination of models of their social integration; design and piloting of programs of professional development for managers and specialists of psycho-pedagogical and medical-social assistance centers (PPMS) centers that provide comprehensive psychophysical and medical-social assistance for minors; implementation of educational activities for psycho-medical-pedagogical commissions' specialists; educational institutions on issues of implementation of individual rehabilitation programs for children with disabilities into regular educational institutions.

Within the framework of the Program, the Ministry of Education and Sciences develops methodological recommendations on the organization of the educational process and ensures its accessibility to people with disabilities in professional educational organizations.

The aim of these methodological recommendations is the development of common approaches to create conditions for ensuring equal access for persons with disabilities to

educational institutions and identification of special characteristics of needed for people with disabilities in professional educational institutions.

The government of the Russian Federation order dated October 15, 2012, # 1921-r approves *Set of measures aimed at advancing the efficiency of measures on facilitating employment of persons with disabilities and ensuring accessibility of professional education in 2012-2015*, which among other things, includes the following steps:

- The approval of requirements for the organization of the educational process for persons with disabilities in institutions of professional education, including availability of technical equipment for the educational process;
- Development of recommendations for formulating requirements for federal educational standards in professional education for people with disabilities;
- Amendments to approved federal education standards, as well as organization, if needed, of the development and approval of special federal educational standards for professional education for persons with disabilities;
- Development and implementation of special professional education programs adapted for persons with disabilities.

E.A. Silyanov  
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Children's Rights Protection

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April 5, 2013

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Ministry of Labor and Social Protection

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Maksim Anatolyevich Topilin  
Minister of Labor and Social Protection

Dear Maksim Anatolyevich,

Please accept my greetings on behalf of Human Rights Watch. As you may know, Human Rights Watch is an independent, international human rights organization that advocates respect for human rights in some 90 countries worldwide, including Russia. For more than 20 years, Human Rights Watch has conducted research on a range of human rights concerns in Russia, including, recently, on the rights of people with disabilities.

We are writing to you to learn more about the steps that THE Ministry of Labor and Social Protection has taken to comply with the Convention on the Rights of Persons with Disabilities (CRPD), which Russia ratified in 2012.

Human Rights Watch has conducted interviews with people with disabilities in several cities in Russia about their experiences trying to access public buildings, businesses, transportation, public spaces, and government services such as education and healthcare. By “people with disabilities,” we are referring to people with limited mobility, sensory disabilities, and developmental and intellectual disabilities. Human Rights Watch spoke with people from each of these groups. The results of this research will be published in a report later this year, with the purpose of making recommendations Russia can consider taking to bring it closer to compliance with the CRPD.

Based on our interviews with people with disabilities as well as experts on disability rights, lawyers, and others, we have identified a number of concerns. These concerns include the right to freedom from discrimination in accessing healthcare and employment; to a range of quality healthcare services as close as possible to their communities; and to means of rehabilitation, including their own and healthcare professionals’ knowledge about the availability of assistive devices. We would also welcome more information about your agency’s efforts to collect statistical information disaggregated by the accessibility needs of people with disabilities. The purpose of this letter is to share some of these concerns with you and learn

about the ways in which the Ministry of Labor and Social Protection may be addressing these issues, so that we can reflect information and perspectives from the Ministry of Labor and Social Protection in our report and other related materials. We have also written to other ministries regarding concerns that relate directly to issues within their competency.

The people whom Human Rights Watch interviewed reported several concerns, including:

**Discrimination by Employers Against People with Disabilities, Including Related to:**

- ☐ Hiring. The majority of disabled people with whom researchers spoke stated that they had been turned down for at least one job when potential employers learned of their disabilities.
- ☐ Just and favorable conditions of work. Some people with disabilities with jobs reported that they are paid less than other employees in the same positions and that they work under different conditions. For example, a woman with limited mobility was told by her supervisor at the store where she worked as a cashier that she could not leave her seat during the workday, as her appearance while standing or walking would disturb customers. In another case, the supervisor of a truck driver with cerebral palsy told his employee that he was paid less because of his disability.
- ☐ Conditions of recruitment. People with disabilities reported that they are not always able to apply and interview for jobs because of inaccessible building and telecommunications options. For example, people who are deaf and hard of hearing reported difficulty communicating with potential employers who sometimes list only phone numbers rather than email addresses as contact information on job announcements, or who insist on telephone interviews before in-person interviews.

In light of these findings, Human Rights Watch would be interested in learning more about the work of the Ministry of Labor and Social Protection, including:

- ☐ Do the Ministry of Labor and Social Protection and other relevant government agencies take measures to facilitate and increase employment among people with disabilities? If so, what specific measures do the Ministry of Labor and Social Protection and related agencies take to facilitate and increase integration of people with disabilities in both the public and private sector?
- ☐ What measures do the Ministry of Labor and Social Protection and other relevant agencies take to proactively prevent and address employment discrimination toward people with disabilities, including during hiring, with regard to wages, and in the workplace?
- ☐ In what ways does the Ministry of Labor and Social Protection proactively raise awareness about the rights of people with disabilities to freedom from discrimination in employment?

- Article 5.42, part 1 of the Federal Administrative Code stipulates a fine for employers who refuse work to people with disabilities “within established quotas.” What legislative steps is the government taking to ensure that people with disabilities enjoy freedom from discrimination, regardless of whether or not quotas in a given workplace have been filled?
- How many employers were fined by RosTrud in 2012 for failing to establish or fulfill the 2 to 4 percent quota of work positions for people with disabilities?

**Access to Rehabilitation, Including Related to:**

- People with physical disabilities and their parents reported the absence of rehabilitation centers near their communities where they could obtain services such as physical and speech therapy, among others. For example, in Orekhovo-Zuevo, people with disabilities and their parents reported the absence of a rehabilitation center in or near their city. Because the city reportedly lacks accessible transport as well, people with disabilities face obstacles to accessing rehabilitation centers in nearby cities.
- Some people with disabilities with whom Human Rights Watch spoke reported a lack of information about which assistive devices are available to them under their city’s register of technical means of rehabilitation.
- Some people who are hard of hearing reported that the state-provided hearing aids and accompanying ear molds received as part of their Individual Plans for Rehabilitation (IPRs) are of low quality. These hearing aids amplify noise too greatly such that it hurts peoples’ ears and do not enable people to distinguish voices from background noise. The higher quality hearing aids that some people purchased were several times the cost of the cash benefit available to them from the government.
- People with disabilities also reported that their doctors have failed to include assistive devices in their Individual Plan for Rehabilitations (IPRs). For example, some people who are hard of hearing reported that doctors do not include telephones with text messaging functions as assistive devices in their IPRs, even though these devices are entitled to them under Russian law and necessary for the inclusion of people who are hard of hearing and deaf in their communities.
- People who are deaf and hard of hearing consistently pointed out that the 40 hours of free sign language interpreter services available to them per year is insufficient to meet their needs. They lack sufficient services for visits to healthcare clinics, administrative offices, and their children’s schools, among other places.
- Sign language interpreter services are not always available to people when they need them, such as during medical emergencies.

Human Rights Watch would appreciate answers to the following questions regarding access to rehabilitation:

- ☐ In what ways does the Ministry of Labor and Social Protection ensure access to healthcare and rehabilitation facilities for people with disabilities in cities where adequate facilities do not exist?
- ☐ In what ways does the Ministry of Labor and Social Protection consult with people with disabilities in order to ensure that the assistive devices available to them on the register of technical means of rehabilitation are of high enough quality to meet their needs for inclusion in their communities?
- ☐ In what ways does the Ministry of Labor and Social Protection promote knowledge about assistive devices and their use, so that people with disabilities are aware of their entitlements under Russian law?
- ☐ In what ways does the Ministry of Labor and Social Protection promote the development of initial and continuing training for professionals and staff working in rehabilitation services?
- ☐ What measures does the Ministry of Labor and Social Protection take to ensure that regional and city governments comply with Federal Law No. 181, “On the Social Defense of the Disabled,” especially chapter III, guaranteeing people with disabilities the right to means of rehabilitation?
- ☐ What is the sphere of responsibility of the Ministry of Labor and Social Protection in ensuring that regional and city governments comply with the CRPD?

### **Collection and Publication of Statistics**

We are aware that the Committee on Medical-Social Expertise of your ministry is responsible for collecting statistics on the number of people with disabilities in Russia. We would welcome more information regarding the ways in which you ensure that this statistical information facilitates the effective provision of services and implementation of accessibility standards for people with disabilities:

- ☐ We understand that the federal government provides statistics on the number of people with disabilities disaggregated by certain categories of illness, such as respiratory and neurological illnesses. However, based on consultations with regional activists, we believe that it would be valuable to include statistics on the number of people with disabilities disaggregated by specific accessibility needs, such as the number of people with limited mobility and the number of people who are blind or have low vision.
- ☐ Regional activists with whom Human Rights Watch spoke reported that yearly, regional statistics on the number of people with disabilities, including general numbers and those aggregated by type of illness, are not consistently made available.

Human Rights Watch would appreciate answers to the following question regarding statistics:

- ☐ What measures does the government take to collect and make publicly available statistics that would aid in Russia's effective provision of services and implementation of accessibility standards, including at the regional level?

We would also be grateful to receive answers to the following questions:

- ☐ Does the Ministry of Labor and Social Protection cooperate with other ministries that are involved in addressing the concerns described above?
- ☐ In what ways does the Ministry of Labor and Social Protection cooperate with other ministries to ensure measurable progress in helping all people with disabilities access employment, rehabilitation, and healthcare on an equal basis with others?
- ☐ What is the sphere of responsibility of the Ministry of Labor and Social Protection in ensuring that regional and city governments comply with the CRPD?

In light of our upcoming report on the rights of people with disabilities in Russia, we would welcome your response to our concerns by May 8, 2013 so that we have adequate time to ensure that the report reflects the Ministry of Labor and Social Protection's information and perspectives.

We thank you for your attention to these matters and look forward to receiving your responses.

Sincerely,



Rachel Denber  
Deputy Director  
Europe and Central Asia Division



## Translation from Russian

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June 26, 2013, No. 13-611844

Ms. Rachel Denber, Deputy Director

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350 Fifth Avenue, 34<sup>th</sup> Floor

New York, NY 10118-3299, USA

Dear Ms. Denber,

In response to your letter No. 15-13 dated April 5, 2013 regarding the measures undertaken by the Ministry of Labor and Social Protection of the Russian Federation in relation to the implementation of the United Nations Convention on the Rights of Disabled Persons, ratified by the Russian Federation in 2012, the Department of Disabled Persons Affairs additionally reports the following:

In accordance with article 35 of the UN Convention on the Rights of Disabled Persons, every member state presents a detailed report on the measures undertaken for implementation of a member state's obligations under the Convention, as well as on the progress that has been achieved in regards to this issue. The report has to be submitted to the Committee on the Rights of Disabled Persons through the UN Secretary General within two years from the date when the Convention enters into force in that member state.

In accordance with this requirement of the Convention on the Rights of Disabled Persons, the Russian Federation will submit the appropriate final report to the Committee on the Rights of Disabled Persons in 2014.

For this reason and due to the character, openness, and availability of the materials, the requested information should be available for your review upon the publication of the above-referenced report on the UN website in publicly accessible format.

Sincerely,

[signed]

G.G. Lekarev

Director of the Department of Disabled Persons Affairs

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May 6, 2013

Sir Philip Craven  
President



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International Paralympic Committee  
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Dear Sir Craven,

Please accept my greetings on behalf of Human Rights Watch. We are writing to you in hopes of initiating a dialogue about Russia's preparations for the 2014 Winter Paralympics Games and the positive impact that the Games can have in Russia, consistent with the International Paralympic Committee's goal of acting as a "catalyst that stimulates social development and leaves a positive long-term legacy that benefits communities in the host country and across the world."

In addition to hosting the Paralympic Games, Russia has taken a number of important steps in recent years to promote and guarantee the rights of persons with disabilities, including by ratifying the United Nations Convention on the Rights of Persons with Disabilities (CRPD), and establishing a national Accessible Environment Program as well as other initiatives.

Since October 2012, Human Rights Watch has undertaken research on accessibility for people with disabilities in Russia, including for people with intellectual, sensory, and physical disabilities, and people with limited mobility. In the course of this research, we have conducted interviews with 123 people with disabilities as well as with disability rights experts and activists and government officials.

People whom we interviewed describe a range of different obstacles to participation of people with disabilities in their communities, including in the physical environment, such as transportation, in gaining and keeping employment, and in accessing health and rehabilitation services. We are preparing a report based on our findings and would welcome your perspective on a number of issues which we plan to reflect in our report.

In February 2013 we conducted interviews with people with disabilities living in Sochi as well as with two officials from the Sochi 2014 Olympic Organizing Committee, Vice President for Communications Alexandra

Kosterina and Department Director of Paralympic Games Integration and Coordination Evgenii Bukharov. Ms. Kosterina and Mr. Bukharov also facilitated a tour of three Olympic and Paralympic venues, including the “Ice Cube” curling center, the “Shaiba” ice arena, and the “Bolshoi” ice stadium.

### **1) Paralympic Village**

While in Sochi, we learned that, as is consistent with IPC guidelines, a separate Paralympic Village is being constructed for athletes with disabilities participating in the Sochi 2014 Winter Paralympic Games.

- We would welcome more information as to how the IPC views the separate Paralympic Village in terms of the CRPD requirement to provide people with disabilities with access to the physical environment on an equal basis with the general population.

### **2) Concerns regarding accessibility in certain Olympic venues**

We did not undertake a comprehensive audit of Olympic venues and infrastructure in Sochi with a view towards their accessibility. However, we would like to raise with you some concerns regarding the construction of some venues based upon our observations during our February 2013 tour.

For example, Human Rights Watch noted barriers for people who are blind or with low vision, including obstructive support beams in the “Shaiba” arena locker rooms and obstacles such as a metal box for electrical or other equipment above the handrail in the hallway leading to the training room. Human Rights Watch researchers observed that dressing rooms in the “Shaiba” arena included wheelchair accessible clothing hooks in certain shower stalls but not in others.

- We would welcome more information as to how the IPC undertakes monitoring to ensure that the facilities within Olympic venues are fully accessible, including in light of the CRPD provision on accessibility on an equal basis with others.

### **3) Concerns regarding accessibility in Sochi**

Human Rights Watch conducted interviews in Sochi with residents living with physical and sensory disabilities. Through our interviews, we identified a number of key concerns regarding the accessibility of the physical environment and public services such as education in Sochi. These concerns include but are not limited to the following:

- The people with physical and sensory disabilities whom we interviewed reported a number of obstacles to accessing public transportation. Several people who are deaf and hard of hearing reported that buses in the city lack visual announcements of stops, making it difficult for them to determine when to exit. While in recent years, “social taxis” meant to be accessible to people with disabilities have appeared in Sochi. These vehicles can be ordered only by telephone, preventing people who are

deaf and hard of hearing from reserving taxis. People who use wheelchairs value the city's low-floored buses as an accessible means of transportation, but they reported that these buses are too few and that they lack available schedules designating when and where these buses stop.

- Several people who use wheelchairs reported being unable to leave their homes for months and have difficulty moving around their apartments. Their buildings' entrances lack usable ramps; their buildings have no elevators; and doorways in their apartments are too narrow to allow for passage from room to room in wheelchairs.
- Several people with physical disabilities reported to Human Rights Watch obstacles to accessing healthcare and rehabilitation services such as physical therapy in their communities. They described inaccessible X-ray equipment and the unwillingness of healthcare workers to speak with them directly and make eye contact. One man with a physical disability has been unable to access rehabilitation services to which he is entitled by law because of indefinite and unexplained delays obtaining permission from the Department of Healthcare to use these services.
- Many people with physical and sensory disabilities and their parents reported difficulties accessing education because of mainstream school directors' unwillingness to accept these children. One accessibility expert in Sochi explained that in at least one school being built in conjunction with the Olympic and Paralympic Games, the authorities constructed a wheelchair lift rather than wheelchair accessible ramps or an elevator in the school. The lift needs to be both maintained and operated by a school official or other person, rather than allowing for independent access by students.
- Because of the same equipment in other schools, in many cases parents must attend school with their children with disabilities to help them go up and down staircases.
- People with physical and sensory disabilities reported to Human Rights Watch that they faced difficulty obtaining employment because potential employers cited an unwillingness to "take responsibility for" their safety, or otherwise discriminated against them based on their disabilities.
- Human Rights Watch also spoke with an accessibility expert in Sochi who reported that the local Sochi administration has no means to ensure that existing buildings comply with federal accessibility norms. A local administrative committee called a "selection committee" (in Russian, *priemnaya kommissiya*) visits an established list of previously constructed facilities in the city and identifies flaws in these buildings' construction from the perspective of physical and sensory accessibility and provides the owners of these facilities with copies of their written evaluations. However, there is no follow-up mechanism to hold the owners of these facilities accountable for remedying problems identified by the committee.

Articles 14, 15, and 16 of the Federal Law "On the Social Defense of the Disabled in the Russian Federation" establishes the obligations of Russian regional and city governments to ensure access to information and infrastructure for persons with disabilities and requires

local governments to hold the owners of facilities that do not comply with accessibility regulations accountable.

- ☐ Human Rights Watch would appreciate information on how the IPC plans to monitor to ensure that Russia meets the “targeted objectives with regard to the legacy of the Paralympic Games for the host community” set forth by the IPC in section 5.2 of the IPC Handbook for the Paralympic Games.
- ☐ As you know, according to the Handbook, legacies should be established in several areas including: accessible infrastructure in sport facilities and in urban development; changes in the perception of persons with disabilities, as well as in the self-esteem of people with disabilities; and “opportunities for people with a disability to become fully integrated in social living and to reach their full potential in aspects of life beyond sports.”

#### 4) Russian Federal Building Code

According to Mr. Bukharov, the IPC has coordinated with the Sochi 2014 Olympic Organizing Committee to create a new federal building code containing minimal accessibility norms established on January 1, 2013. We would welcome your views on the creation of these norms and their implementation:

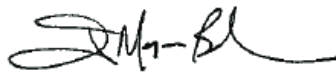
- ☐ In establishing these norms, how has the IPC sought and incorporated the input of disabled persons organizations and experts on accessible construction in Russia?
- ☐ What other information sources on accessible construction have the IPC and the Russian National Committee consulted in the design of this code?
- ☐ Does the IPC have plans to monitor adherence to this new code both in relation to Olympic venues and in the city of Sochi? If so, we would appreciate information on when and how monitoring will be carried out.

In order to reflect your views in our report, we would appreciate your perspectives on these questions by May 24. We would also welcome the opportunity for Human Rights Watch disability rights experts and other senior staff to meet with you to discuss these and other issues. You may reach us at +1-212-216-1857 or [buchanj@hrw.org](mailto:buchanj@hrw.org) to schedule such a meeting at a mutually convenient time.

Sincerely,



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Bonn, 7 June 2013

**Reply to letter of 6 May 2013 on Impact of Sochi 2014 Paralympic Winter Games on the position and status of persons with a disability in Russia**

Dear Ms Worden and Ms Buchanan,

Thank you for your letter of 6 May 2013 to IPC President Sir Philip Craven. It is with great pleasure that we have seen your work in Sochi and Russia in view of the upcoming 2014 Paralympic Winter Games, in anticipation of a positive impact that the event can have for Sochi and its region but also for a country of the scale of Russia.

This is an area in which the IPC has invested a lot of efforts for more than five years now, as you will see below. Besides that, it is great to have an organization of the reputation of Human Rights Watch to act as a reflecting partner to what has been and, most importantly, will be achieved in this area.

It is absolutely true that in the International Paralympic Committee (IPC) we have officially declared our commitment to assisting the host communities of the Paralympic Games in achieving positive and sustainable social legacies, especially with regard to the position and status of persons with a disability. Further to the provisions of the IPC Handbook, about which you seem to be well informed, such objectives have a strong presence in the IPC's Strategic Plan for the period 2010-2014.

In this plan we define as the aspiration of all our work that the performances and incredible stories of Para athletes teach the values of acceptance and appreciation for people with a disability. We aim that the Paralympic Movement builds a bridge which links sport with social awareness thus contributing to the development of a more equitable society with respect and equal opportunities for all individuals.

As a strategic priority in the same plan we indicate that for each edition of the Paralympic Games we will assist in defining benchmarks of Games legacy and work with the local organising committees, host cities, governments and relevant authorities to identify appropriate legacy goals and desired impacts in each local and regional context.

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Furthermore, we aim to work with staff and volunteers involved in the Games to continue promoting the Paralympic ideals and spirit, so that the pool of “active ambassadors” also becomes a real legacy.

In Russia in particular, this aim has resulted in an extensive range of interventions and projects targeting this goal. The strategy towards that is to spark local action and enable local resources that will drive the work forward; this is the only way to achieve positive impact in large scale, as our own capacity has obvious financial, human resources and political limitations.

During recent years this strategy has led to important evolutions in the Russian legislation and related regulatory framework with regard to accessibility. Following the ratification of the CRPD, new legislation and related codes have been established in a nation-wide scale as you correctly state in your letter.

The IPC’s main contribution to this evolution was the development and publishing of the IPC Accessibility Guide in early 2009. This project was realised via the work of the IPC Accessibility Working Group, which was established in 2005 and involves lead accessibility experts from countries with adequate legal framework and best practice culture around the world, such as Australia, the UK and Canada. The IPC Accessibility Guide is designed to facilitate the extensive demand on accessible infrastructure, service provision and operations that hosting a Paralympic Games bring; however, it also provides guidance at both theoretical and technical levels, for the most important elements of social activity.

The Russian authorities used the IPC Accessibility Guide as their key reference towards creating the new legislation and codes. During this process we constantly encouraged them to integrate in the consultation process the representative national bodies of persons with a disability; however, we are not in a position to know to which extent this guidance on extensive consultation was followed.

In addition, as also Sochi 2014 Organizing Committee (Sochi 2014) representatives have indicated to your researchers, under the co-ordination of Sochi 2014 an extensive Accessibility Environment Programme was launched in 2010 and is currently being implemented. This Programme caters, of course, for facilities associated with the organization of Olympic and Paralympic Games in Sochi, but also includes transport hubs, public services, educational institutions etc. as well as an extensive educational campaign targeting educational institutions in Sochi and its region, including the implementation of the “Paralympic School Day”, a concept and programme developed by the IPC.



With regard to specific topics and questions raised in your letter, we would like to indicate the following points:

#### Paralympic Village

In fact the assumption made in your research about separate Paralympic Villages than the ones used for the Olympic Games is not correct; probably there has been a misinterpretation of information provided. The truth is that for the Paralympic Winter Games in Sochi, both the coastal and mountain Villages that will be used are the same ones that will be used for the Olympic Games few weeks earlier.

This is a key requirement for any organiser of the Olympic and Paralympic Games, a principle that applies in all Games' editions. For the IPC, the Paralympic Villages, besides serving the needs of the event, play a key role as a model of an inclusive community that allows to all its members freedom of choice and full integration in social activities. It is in this view that IPC guidelines have been incorporated within the respective technical manual of the IOC, which is the guiding documentation for the organising committees.

Based on this, progress monitoring and periodical reviews of Villages' construction and operational planning focus on ensuring a seamless, self-dependent access to all required areas of the Paralympic Village (residential, dining, transport, leisure, entertainment etc.). In Sochi this is fully ensured at the coastal Village. Unfortunately, the mountain Village presents more challenges because its original landscape includes steep inclinations. However, even in this case, in co-operation with Sochi 2014 we have identified best possible conditions via a combination of methods such as relocation of some key facilities, additional overlays and operational solutions.

#### Accessibility of certain venues and in overall Games-related facilities and services

The development of operational design of all competition venues related to the Olympic and Paralympic Games is guided by the "IOC's Technical Manual on Design Standards for Competition Venues", which includes in detail all requirements for venue designs, both to apply in general across all venues and for the specific needs of each particular sport. Since 2007, the IPC has integrated in this manual a full chapter on Venue Accessibility, applicable to all venues both Olympic and Paralympic, as well as specific requirements for every Paralympic sport. These requirements go far beyond typical building codes of even the most advanced countries in this regard; simply put, Paralympic requirements in terms of scope are unique and Games facilities need to provide for that.

3/10





Therefore, throughout venues' design and planning, the IPC applies a very close monitoring mechanism to ensure that the venues abide by these demanding standards. For instance, at Shayba Arena, which hosts the Ice Sledge Hockey during Paralympics, accessible seating requirement for spectators is set at 1.5%, plus 1.5% for companion seating, figures which are double than existing highest standards for sport venues; moreover, we had to ensure that the service level for all clients will be equivalent, without any kind of discrimination based on reduced mobility. This led to the installation of additional elevators to serve spectators, which will enable those who use a wheelchair to egress the venue upon conclusion of an event within 15 min, despite their higher than usual total numbers. Similarly, operational planning of pedestrian flows within the venue provides for self-dependent access to all required areas for every single client group with a role at the event (e.g. athletes, referees, media, spectators, Paralympic Family members).

We are conscious, though, not to produce unjustified hardships for the organisers. Again using the example of Shayba Arena, which is a temporary venue which will be removed and relocated after the Games of 2014, hosting Ice Sledge Hockey does not require any particular provisions for visually impaired athletes – other than standard practices related to safety that apply for any person with low vision. The sport concerns only athletes with physical impairments in the lower part of their body, but only around 40% of them use a wheelchair to move around. For this reason, specifications around design of the change rooms are fit-for-purpose for the needs of the particular sport. It is for this reason that your researchers noticed some clothing hooks in lower level, but not all; that was the objective from the outset!

Those design standards apply to all venues that host Paralympic sports and the IPC applies the closest monitoring mechanism in ensuring full compliance with the requirements. More specifically with regard to Paralympic venues' design the IPC has conducted the following interventions:

- Delivered a dedicated workshop in Moscow for Sochi 2014, Olympstroy (governmental venue construction agency) and key constructing companies on IPC accessibility standards and Paralympic venues design requirements (2008)
- Performed formal review of venue designs after every planning phase (block plans, model venue, operational plans) on various occasions from 2009 to 2012
- Conducted an IPC Accessibility Audit, after a mandate from the Russian government, which besides all competition venues included review of Sochi's airport and central train station (2012)
- Undertook walk-through of all relevant venues during the Paralympic Test Events (2013)

4/10



As of our most recent site inspections during Test Events last March and the last Project Review, held 21-22 May 2013, planning for inclusive service provision for the 2014 Games seems on track. Some of highlights of the progress made so far are:

- Expert driven review of operations and services such as: airport operations, accommodation, security, transport, food, volunteers.
- Transport infrastructures of Sochi, Krasnodar region and Moscow, which is a transfer hub for most of attending national delegations.
- Post-test events assessment of service provision with such as: airlines, airport operators, railways.

For Games-time operations, Sochi 2014 has committed to hire an accessibility manager for each competition venue and proceed to necessary works; indicatively: install temporary ramps with rubber mats in outdoor venues connecting all areas, install high-contrast marks on all glass/transparent doors, provide audio-guides for the spectators with sensory impairment for the opening and closing ceremonies, produce an accessibility reference guide etc. Another international audit on accessibility is scheduled for October 2013.

Towards 2014, we will continue monitoring the implementation of operational designs and agreed service levels with Sochi 2014, including the development of transition plans, from the Olympic to Paralympic mode. Finally, just upon the conclusion of the Olympic Games and before start of Paralympic operations, we will conduct a "Venue Readiness Walk-through", which includes a thorough assessment from the IPC's technical experts to all competition and main non-competition venues.

Finally, please note that while IPC Accessibility Guide provisions equally apply for venues which host Olympic sports but not Paralympic sports, and the organising committee has the obligation to apply those standards as well, the IPC does not monitor compliance at those venues.

#### Accessibility in Sochi and Accessible Environment Programme

Contrary to the construction and operation of the venues that will host the competitions, making the host city fully accessible is a far more difficult task. This applies in particular in contexts like Sochi's or the Russian Federation's, where the starting point is very low. On the other hand, the impact of organised intervention in such contexts can be tremendous; we have had the pleasure to experience such an outcome in the case of Beijing, after the 2008 Paralympic Games.

5/10





When designing an intervention plan on accessibility in a city like Sochi, one needs to prioritise; it would be a mistake to expect that within a few years a non-accessible city will become a fully accessible one. The reality is that the hosting of a Paralympic Games should not be the end of the route but rather an accelerator, a catalyst for rapid change; but final outcomes need attitudinal and behavioural change, and this is a long term goal, far beyond 2014.

In their Accessible Environment Programme, Sochi's authorities have outlined the priority areas of intervention and relevant works are under way. The implementation of this Programme is connected with the federal law "The social care about disabled persons in Russian Federation", which was also accompanied by a certification and qualification methodology that is already in use.

After a thorough screening process of Sochi's infrastructures, 1,801 facilities deemed to be "socially significant" and were included in the Programme. The Programme contains various types of interventions, including designed pedestrian routes, accessible transport means (e.g. 108 new accessible city buses are now in operation), accessible leisure areas (e.g. popular beaches), educational seminars and classes (about the Paralympic Games history, characteristics of a barrier-free environment, ethics of communication with people with a disability), adaptive sport festival, adapted educational hardware and software etc.

An essential element of policies being put in place due to the new legislation and regulatory framework is the ability of residents affected to officially launch complaints against those demonstrating a discriminatory behaviour (i.e. non-compliance with accessibility regulations). According to the records, to date Sochi's city prosecutor's office filed 475 complaints against the owners of the sites where accessibility requirements were not met, leading to fines to the offenders. Implementation of such measures has led to significant progress in other contexts, and this an expectation mid-term.

As of today, again according to the progress report we have been given, 636 of the projects identified have been completed while 1,165 more are scheduled to be completed by the end of 2013. The budget allocated only in 2013 for this is 32million roubles and the regulatory framework for the projects remains the IPC Accessibility Guide! Sochi city's administration has created an interactive map on «Barrier Free Sochi» (<http://www.sochibezbarierov.ru>). Unfortunately, it is only written in Russian!



We will continue monitoring the implementation of this demanding programme including the suggestion and appointment when necessary of IPC affiliated experts in the field. In this regard, your research gives us a tool to indicate some pending priority areas towards 2014 and ensure progress in them, such as:

- Installation of visual signals for stops of city buses
- Availability of booking accessible taxis via internet or texting, besides telephone
- Access to exact schedules of accessible city buses across Sochi

#### Towards a lasting legacy on Accessibility and Social Inclusion

However, there are aspects that prevent full inclusion in social activities even more difficult than physical access, as attitudinal barriers and established practices can be obstacles far more difficult than physical barriers.

As your research also indicates, there are significant challenges that prevent independent and inclusive living, such as:

- Availability of appropriate housing, to be suitable for the whole life of a person from infant to elderly and at any physical condition
- Segregating attitudes, preventing access to education or preventing self-dependent access to it
- Employment exclusion; in this regard, we have also identified that existing welfare policies, in theory designed to ensure a person with a disability's wellbeing in the workplace, practically prevent equitable employment (e.g. rights for more sick leaves, more holidays, less working hours etc.)

Improvement in areas like those listed above requires a change in the established practice, a mental and attitudinal shift which will also lead to a change in behaviour. As stressed in the beginning of this letter, our strategy is two-fold:

- Use the extraordinary paradigm of Paralympians, by getting as many people from the host community as possible, either as spectators or TV viewers, exposed to the Paralympians' powerful image and incredible achievements, challenging stereotypes and misperceptions and re-positioning the image of persons with a disability in the society
- Spark organised local action, create and enable local leaders who will remain in the host community when the Games are over and drive the work forward to lasting and sustainable change.

7/10



In this direction, IPC has undertaken some significant initiatives, both in general as well as specifically for Sochi 2014.

1. Set up Paralympic Legacy Strategy

Starting from the legacy categories set in the IPC Handbook that you indicate in your letter, we further exemplified those four broad legacy categories into 14 sub-themes.

- Accessible Facilities
- Accessible Transport Networks
- Accessibility Codes
- Participation in Sports
- Competitive/ Elite Sports
- Visibility of persons with a disability
- Legislation and Policies
- Access to education at all levels
- Social Position of persons with a disability
- Self-Esteem of persons with a disability
- Political Power
- Positive Business Practices
- Accessible Tourism
- Financial Position

Each of these sub-themes is further sub-divided into more specific legacy objectives. All together they constitute the full range of legacy potential that hosting the Paralympic Games brings to the host city and nation. However, it is the host city and country – not the IPC – that need to come up with their mix of targeted legacy, setting priorities and specific objectives. This was done in Sochi and Russia with the announcement and implementation of the Accessible Environment Programme.

2. Establish Measuring Method

Since 2007, the IPC has developed specific performance indicators for the legacy objectives stated above and has integrated these indicators within the IOC-led Olympic Games Impact (OGI) Study, a project targeting to scientifically measure the impact of the organisation of the Olympic and Paralympic Games in a period of 12 years, from the bid application up to three years after the conclusion of the Games. Those indicators form our collective monitoring tool for the impact of Paralympics Games at local and national levels.





### 3. Excellence Programme Workshop on “Ensuring Sustainable Legacy from Hosting the Paralympic Games”

In November 2010, the IPC Academy, the IPC's educational arm, delivered in Moscow a 3-day workshop titled “Ensuring Sustainable Legacy from Hosting the Paralympic Games”. This was the 1<sup>st</sup> activity of the Paralympic Excellence Programme, the IPC's main vehicle for the transfer of knowledge to future Paralympic Games organisers. Besides staff of Sochi 2014, around 20 senior leaders of Sochi City's and Krasnodar Region's administrations took part in the workshop.

### 4. Volunteers Trainers Programme

In two phases, between November 2011 and April 2012, and in co-operation with Sochi 2014's Volunteers Department, the IPC Academy delivered a tailor-made educational programme aiming to create experienced educators who would undertake the task to deliver Paralympic and disability awareness training modules to all 25,000 volunteers that will provide services during the Olympic and Paralympic Games in Sochi. The implementation of this programme led to 52 certified educators, two in each of the 26 volunteers' training hubs spread in all parts of Russian Federation.

### 5. Accessibility themes in IPC Observers Programme and Games Debriefing

A dedicated theme on accessibility, with purpose-designed guided venue visits has been included in the IPC Observers' Programme, organised during each edition of the Paralympic Games. Staff of Sochi 2014 but also governmental and other partners had the chance to participate and learn by attending these activities in Beijing 2008, Vancouver 2010 and London 2012. In addition, accessibility was a key theme during the 1<sup>st</sup> ever IPC Debriefing, which took place after Vancouver 2010 Games in Sochi, with more than 200 participants.

### Conclusion

The common element of all the above initiatives is that besides looking after the accessibility work that will allow for the optimum organisation of the Sochi 2014 Paralympic Winter Games, there has been equal consideration for leaving behind experts aware of what is needed and able to continue in the long term. The IPC's focus necessarily shifts now to Games-time operations. This is not of less importance, as Paralympians' inspirational



performances are crucial in shifting attitudes and fight misconceptions and stereotypes towards persons with a disability.

After the Games, and after each Games, the focus shifts to the next ones; this is the nature of major events organisations like the IPC. However, having the aspiration to work towards a more equitable society with respect and equal opportunities for all individuals, some of our attention will remain on Sochi to finally determine and evaluate the outcomes of a 12-year journey. The main enabler for this monitoring is the final outcomes of the OGI study with regard to accessibility and persons with a disability condition in the city, region and country.

From the host city's part, the expected presentation of the OGI study remains a driver to keep the local and federal authorities committed to the cause and the objectives set in the preparation phase. From the IPC's side, every edition of the Paralympic Games is part of a continuous improvement process, where objective evaluation leads to ever emerging methodologies, tools and outcomes.

In closing, it would be a pleasure for us to have a meeting among our relevant senior staff and your respective experts and staff. In this regard, we remain at your disposal for arranging such meeting at an appropriate and convenient time.

Yours sincerely,

Xavier Gonzalez  
Chief Executive Officer  
International Paralympic Committee

cc:

Sir Philip Craven, IPC President

Apostolos Rigas, IPC Head of Knowledge Management & Coordinator of IPC Accessibility Working Group

10/10

