



ASSOCIATION FOR PERSONS WITH DISABILITIES AND YOUTH

ACCESIBILITY REPORT ON UNIVERSITY CAMPUSES IN ANKARA



**ACCESIBILITY
REPORT
ON UNIVERSITY
CAMPUSES
IN ANKARA**



ASSOCIATION FOR PERSONS WITH DISABILITIES AND YOUTH

ANKARA-2020

"This report **within the scope of ETKİNİZ EU Programme**, has been prepared with the support of European Union."



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ENGENÇDER Library: 4



05074517735



İnkılap Sok. 4/9 Kızılay/Ankara

FIELD STUDY TEAM

Coşkun GÖK

Özgür Hüseyin AKIŞ

Dr. Zübeyde ERDOĞAN ÇELİKKİN

ve gönüllüler

REPORT PREPARER

Coşkun GÖK

DESIGN AND REDACTION

Merve ÇELİKBAŞ

Yeşim YÜCEL

PRINTING OFFICE

Ankara

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1. PREFACE

Accessibility is a precondition for the persons with disabilities and all people participating in social life.

Although the UN Convention on the Rights of the Persons with Disabilities (Annex-9) defines accessibility as appropriate measures for independent living of the persons with disabilities and enabling their full participation to all areas of the society and equal access to the physical environment, transport, information and communication technology and system and other facilities that are open to the public or offered to the public both in rural and urban spaces, it is also possible to define accessibility by expanding it to ensuring access to economic opportunities, political rights, legal rights and cultural opportunities. Covering the all aspects of life, this broad definition has a high power to affect the lives of the people with disabilities

Along with experiencing tides, the history of humanity tends to follow an evolutionary process perpetually forward to more perfect.

By taking a revolutionary color in certain periods of history, this process accelerates and creates disintegrations in the old and settled society life and in its values.

The history of disability is not separated from but equal to and the same thing with all human history. With experiencing tides in the process, the equivalent of disability in social life and society follows an onwardly evolutionary course by following a general process like Primitive Model, Medical Model, Social Model and Human Rights Model.

The universities have been in critical and determining positions in terms of containing the progressive accumulation of human history in general and history of disability in particular and functioning further advances.

With the perspective of "Basic Human Rights" understanding on disability, this work has been carried out as a pilot study at the provincial level of Ankara for the purpose of obtaining data to analyze the concrete situation of the accessibility status of public and foundation universities and examining and monitoring of 250 points.

We offer our thanks and respect to the personnel of Etkiniz EU Programme owing to the support and facilitating contributions to the realization of the study to the researchers and the volunteers who apply the study in the field, due to their facilitating attitudes to the officials from the universities where examination and monitoring carried out and to NGO representatives who presented their valuable contributions to the report prepared (Annex-1, Annex-2, Annex-8).

With our belief that humanity shall live together in a fairer and egalitarian world as a whole without distinctions of language, religion, race, gender and disability, etc., we hope that our work shall contribute to the effort of the persons with disabilities on reaching the days they will live humanely.

Association for Persons with Disabilities and Youth

Management Board

2. INTRODUCTION

The ways of dealing with disability issue have been affected from different approaches in the historical process and distinctive social formations.

Although the development of societies has ups and downs, each new period has claimed to transcend the previous one. However; this exceedance claim has been realized, by no means, with a complete rupture from the previous one, but with the dialectic of containing many elements of the previous one and converting it.

While the existing situation contains the remnants of the past, new thoughts and new approaches claiming to transcend the existing one have also sprouted from the existing.

This relationship is the expression of the approach that social development develops through the accumulation and contradictions of the previous one

The history of disability is immanent and subject to this general social development law.

While social structures follow a certain course of development, disability does not create a separate route and history course for itself, cannot and hasn't.

Historical categorization of disability in terms of their position in social perception and policies is based on 4 models; Primitive Model, Medical Model, Social Model and Human Rights Model.

These modellings are not the products of self-securities policies and approaches, but as will be mentioned below, in general are projections of the course of development of social structures and each of these models coincides with different levels of social development.

As mentioned, the effects of the previous social structure and the sprouts of the next social structure in the development of social structures coexist within the existing social structure and there is a relationship with continuity and contradiction between them. This general assessment also applies to the models described in relation to disability. The determined models were intertwined with each other and each model was influenced by the previous one, and at the same time, it developed theses that exceeded it and became the new model. No model did come to life as pure and theoretical expression.

2.1. PRIMITIVE MODEL

As mentioned above, the progress course of the societies in general brought forth the same conditions and applications for everyone including the persons with disabilities as well.

The medieval period when religious references determined the social structure was darkness for humanity and a fall back in the process of historical progress. This was the period when things "advanced" were destroyed. It was the period when people like scientists, musicians, painters, etc. wanting to break religious dogma or were likely to break were punished with methods such as cremation, execution, and imprisonment.

The economic characteristic of the medieval period was agriculture based and closed economic operation.

Since the reference of social determination in the medieval period was religion, this reference was also used in approaching to disability and the persons with disabilities were considered as the ones incurred the wrath of God and supernatural powers, possessed by demons or cursed. According to this approach, the only way to eliminate this negativity was to kill the persons with disabilities and even be incinerated.

This approach for the persons with disabilities also had an economic aspect. That the persons with disabilities were not able to respond to the intensive labour process in the form of agriculture based and laborious production or the need and also the claim to reduce the number of consumers in this economical structure with low production put the persons with disabilities into a category that should be "destroyed".

2.2. TIBBI MODEL

In enlightenment period, especially with the Renaissance, the "scientific perspective" in approaching social facts began to become the key determinant.

This perspective also manifested itself in the approach to disability. Instead of evaluating disability as religious references and punished, a tendency to evaluate it as a "disease" emerged.

The definition of "disease" also brought along its curable approach. This point of view was embodied as especially rehabilitating and rehabilitation treatments were started.

Particularly during World War I, that millions of people were injured and disabled enabled the development of the therapeutic-medical model.

Starting from the 18th-19th centuries, the widespread of mechanization in the economy and with this mechanization, the involvement of the persons with disabilities who were "rehabilitated" in production processes and the revelation of their skills of producing formed the economy political aspect of this model and its point of view.

During World War I and II, sending the men working in factories, etc. to the battlefields and the need to fill the employment gap with the persons with disabilities, women and children also fostered the idea that the persons with disabilities should be treated.

In general, it was stated that social processes showed back and forth oscillations. Hitler period in the 20th century was the time when there was a fall back in terms of the social positions and perceptions of the persons with disabilities and the medieval practices recovered.

In Hitler period, especially in Germany, the persons with disabilities were tried to be eliminated rather than excluded from the society. According to a law enacted on 14 July 1933, the persons with physical or mental disabilities were prohibited from having children in order not to transfer their conditions to the children to be born as well. With this law, schizophrenia, manic depressive, epilepsy, persons with genetically visual impairments, the deaf, alcoholics and persons with congenital disabilities were taken under control. By law, especially to dentists, nurses, masseurs, midwives and doctors were obliged to report the cases they detected to the state.

With the thought that they would break the "Pure race", the persons with disabilities were killed in gas rooms and in other ways.

2.3. SOCIAL MODEL

It is true that disability is a physical or functional disability that happens to the individual, in this respect, it is an individual characteristic, but the idea that the factors determining the characteristics of the individual are social rather than peculiar to the individual is the main characteristic of the social model. In our era, the idea shows itself predominantly.

With the effect as a consequence of the socialist system's existence in 1/3 of the world geography, the European centered development of the social state approach that coincided with the mid-20th century brought out the understanding that the state should take a role and responsibility in the approach to social issues.

This approach showed itself in the field of disability and the state was ensured to take responsibilities for the inclusion of the individuals with disabilities in social life.

With Social Model; going beyond the understanding that the medical approach should be offered therapeutic and rehabilitation services, the idea that instruments enabling the persons with disabilities to be involved in social life should be put into practice was brought out.

Providing that the requirements for the persons with disabilities to participate in education, health and cultural activities were met and the physical environment was made accessible for them, the idea and the applications that negations caused by disability would be able to be eliminated were put into action.

The responsibilities of the state towards the individuals with disabilities are determinant in the approach of this model.

2.4. HUMAN RIGHTS MODEL

Social model has removed disability from a disease state and has created responsibilities to ensure that the persons with disabilities will be the part of social life with other people.

However, the responsibilities to be fulfilled have not been defined through the "right" conception.

Social Model is far from the thought that the persons with disabilities, like other people, also have rights, are equipped with inherit and inalienable rights, and the correct approach is that measures should be taken to put these rights into practice.

The idea that started to prevail in the field of disability in the 21st century is the "Human Rights of the Persons with Disabilities" and this idea is described as the Human Rights Model.

People make a number of requests for not because they are disabled, women, children, elders, etc. but rather they have basic human rights and are the subject of the right.

The most important approach of Human Rights Model; the demands of the persons with disabilities must be fulfilled not due to someone's responsibility, goodwill, etc. but as a requirement of human rights.

In Human Rights Approach, the persons with disabilities are in a position that they demand their rights rather than wait for someone to fulfill their responsibilities; in other words, the persons with disabilities are not the object but the subject of disability rights.

However; as mentioned above, Human Rights Approach has not developed more by excluding Social Model and it still does not. Intricately intertwined with each other, these approaches exist in social perception and policies.

Changing of perspectives on disability issues has realized with a set of concrete regulations and practices in the field of both human rights in general and disability rights in particular in absolute terms.

Another outcome of this process is that some "facts" have come into prominence more; human rights, accessibility, equality of opportunity, etc.

With the existence of socialist and capitalist social systems and the pressures they created, the worldwide destruction in World War II led the countries to build common consensus. Universal Declaration of Human Rights was a legal "basic document" for the general protection of human rights in the middle of the 20th century although it did not have a legal sanction feature. The Declaration starts with the article ***"All human beings are born free and equal in dignity and rights."***

Later in the Declaration is said that ***“Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.”***

The prohibition of discrimination in the Declaration forms the general spirit of the Convention on the Rights of the Persons with Disabilities which was adopted by the United Nations General Assembly on 13 December 2006 and approved by the Grand National Assembly of Turkey on 3 December 2008 and entered into force on 28 October 2009.

The Convention affirms the fact that disability is an evolving concept and that the condition of disability results from the interaction of attitudes and environmental conditions preventing the persons with disabilities from participating in the society with their full and effective participation in equal conditions. This status of acknowledgement is also affirmed by the States Parties to the Convention.

In the Convention on the Rights of the Persons with Disabilities, it is said “Discrimination on the basis of disability” means 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. It includes all forms of discrimination, including denial of reasonable accommodation.”

“Not making reasonable accommodations” is defined as discrimination in the Convention. In the Convention, although it is said ***“Reasonable accommodation means necessary and appropriate modification and adjustments not imposing a disproportionate or undue burden, where needed in a particular case, to ensure to persons with disabilities the enjoyment or exercise on an equal basis with others of all human rights and fundamental freedoms”*** and highlighted that States Parties should not be imposed with an undue burden, it should also be considered that reasonable accommodations are individualized accessibility regulations. Even if all kinds of measures regarding accessibility are taken, the complex nature of disability always requires more concrete, individualized measures to be taken. For example; even if a school is generally accessible, the student may be unable to get closer to his desk at school because of the particular wheelchair he uses. In this case, the measure for making the height of the desk convenient for the child is in the nature of “reasonable accommodations”. Or if it is the case that a child who should follow a special diet, it will be a “reasonable accommodation” to provide special meals for the child in the cafeteria. In brief, the individualized measures needed by the person with disability are the “reasonable accommodation” measures to enjoy the rights. According to the Convention, there shall be discrimination based on disability in the case that these measures are not taken.

The UN Convention on the Rights of Persons with Disabilities has adopted general principles and laid responsibilities on States Parties in these matters.

The principles listed in the Conventions are as follows;

- (a) Respect for inherent dignity, individual autonomy including the freedom to make one’s own choices, and independence of persons;
- (b) Non-discrimination;
- (c) Full and effective participation and inclusion in society;
- (d) Respect for difference and acceptance of persons with disabilities as part of human diversity and humanity;
- (e) Equality of opportunity;
- (f) Accessibility;
- (g) Equality between men and women;
- (h) Respect for the evolving capacities of children with disabilities and respect for the right of children with disabilities to preserve their identities.

Each principle specified in the Convention has a separate value and is a matter of which measures are required for implementation.

On the other hand, the issue of "accessibility" has been regulated in the Law No. 5378 on the Persons with Disabilities dated 01/07/2005 and it has also been stated that the following principles shall be taken as basis in the performance of the services listed under the Law;

"a) On the basis of the immunity of human dignity and pride, respecting the individual autonomy of the persons with disabilities by including the freedom and independence to make one's own choices is essential.

b) No discrimination based on disability can be made, combating discrimination is the basic principle of policies for the persons with disabilities.

c) It is essential to ensure equal opportunities for the persons with disabilities to enjoy all rights and services.

d) Ensuring accessibility is essential for the persons with disabilities to live independently and to participate fully and effectively in society."

The subject of this study is to research the principle and implementation of "accessibility" in the locality selected as the pilot region and in spatial area.

Accessibility is a prerequisite and condition for the participation of the persons with disabilities in social life. The precondition for the existence of the persons with disabilities in every aspect of social life is that information, technology, public transportation vehicles, manufactured goods and services, buildings, streets, sidewalks and all spaces of the cities should be accessible for the persons with disabilities and be independently utilizable of others.

"Universal Design" is the universally approved phenomenon ensuring that everything is accessible for the persons with disabilities to participate in social life and constituting the soul of the UN Convention on the Rights of the Persons with Disabilities.

Universal Design is the design and manufacture of the products "for everyone" without categorizing them into persons with disabilities, women, children, elders, etc.

Although Universal Design is defined in the UN Convention on the Rights of Persons with Disabilities, is a valid principle for everyone and in this respect, the present Convention is an inclusive convention.

Another definition categorized in the Convention is "Reasonable Accommodation". With this definition, the Convention gives the responsibility to the States Parties to make regulations to make anything produced accessible to the persons with disabilities. This responsibility is a requirement of the human rights of the persons with disabilities. The definition of Reasonable Accommodation specified in the Convention and the responsibility laid on the States Parties also withdrew the stereotyped and wrong approaches such as "positive discrimination" from circulation.

It is understood that generally not enough sensitivity has been shown for "the persons with disabilities" in spatial arrangements made with city plans. Within the scope of "accessibility", the persons with disabilities face with problems such as the inadequacy of physical environment and architectural solutions of structures with various functions, the inconvenience of public transportation systems and not being able to enjoy the services of education, employment, participation in social life, communication and information, social support and health. According to the result of a research (Burcu, 2007) across Turkey, it is understood that the most important problem faced by the persons with disabilities in working life is that the business environment or reaching to work does not have physically appropriate conditions. Ensuring the comfortable circulation of the persons with disabilities in urban spaces and raising the inhabitability standards are directly related to arranging these spaces and transportation systems as accessible and convenient. Hence, beginning from the stage of planning and design, physical environment and transportation systems must be appropriately arranged to universal design approach meeting the usage and accessibility needs of the persons with disabilities.

Accordingly, the "World Charter on the Right to the City" was adopted at the World Social Forum in Porto Alegre in 2005.

In the World Charter on the Right to the City, the right to the city formulated in the form of *the equal access of all residents including children, women, the poor and elders, low-income people, homeless people, the persons with disabilities, vulnerable groups such as ethnic minorities, immigrants and refugees, internally displaced persons to the facilities of city without any discrimination, the encouragement of democratic participation in local government, the promotion and empowerment of fundamental rights and freedoms (STGM, 2011)* set forth the universal design approach..

The arrangement of public spaces in line with the special needs of the persons with disabilities and disability groups shall not create results only in favour and the enjoyment of the persons with disabilities.

The accessibility arrangements are such as to have an impact on the lives of the persons from different areas of life like elders, children, patients, pregnant women, families with babies, overweight persons, carriers, passengers, etc. and facilitate mobility.

Along with regulating the rights of the persons with disabilities, the UN Convention on the Rights of the Persons with Disabilities sets forth the content of the Convention facilitating the lives of the persons from all areas of life and their involvement in social life by making the definition of "Universal design and inclusive design are the designing of products, environment, programs and services in a way to be used by everyone as much as possible without the need for a special design or adaptation".

3. CONCEPTUAL IDENTIFICATION

In parallel to the changing of the perspective of the disability fact and the positioning of the persons with disabilities in the social structure within the historical process, the conceptual identification has also changed in the historical process.

The concepts such as crippled, handicapped and disabled have been used in the identification of the persons with disabilities. As mentioned, these conceptual changes are the products of changes in historical processes and society's view of disability.

Although the concept widely used today is the concept of "disabled", this concept also expresses a "deprivation" the person is in.

In the historical process in which the understanding of "human rights of the persons with disabilities" has been tried to be recognized, the concept used for categorization has to be a concept that dominates the fact of "right" rather than a concept that states "deprivation".

Because concepts are one of the facts that show the social structure's approach to a matter in the most concrete way.

According to the Turkish Language Association¹;

Crippled: The person who has a sick or missing part in his body, disabled, handicapped. Broken or missing.

Handicapped: The person who has a defect, faulty, disabled.

Disabled: The person who has a missing or defective part in his body, handicapped.

¹ Türk Dil Kurumu <https://sozluk.gov.tr/>

In the definitions part of the Law on the Persons with Disabilities² No. 53782, the person with disability is defined as "Individuals affected by the attitude and environmental conditions that restrict full and effective participation in society on equal basis with other others due to their various levels of loss in physical, mental, intellectual and sensory abilities

The Turkish Standards Institute (TSE), on the other hand, brought a different perspective to the issue and made the following definition and assessment³;

There is a distinct difference between handicap and disability. Disability is the restriction of the person's fulfillment of his social roles in terms of age, gender, social and cultural factors, namely, is the prevention of them. It is stated that the person becomes not only handicapped, but also "disabled" when the restrictions formed owing to disability limit the social life.

With the Decree Law on the Amendment of Some Laws No. 572 of 1997; by adding an additional article to the Law on Social Services and Child Protection Agency number 2828 dated 24/5/1983, it was adjusted as

"The phrase "crippled" in this Law has been amended to "handicapped", the phrase "blind" to "visually impaired" and the phrase "deaf" as "hearing impaired." However, the word disabled has been used instead of the word handicapped word in the process

Although the definitions refer to each other in different sources, instead of the inclination of the emphasis to "individual's insufficiencies", it will be right to put the emphasis on the equality of opportunities ensured in line with the understanding that human rights shall eliminate the effects of disability. As approaches go into action from the insufficiencies of a person, the effects of "equal opportunities" in human life such as accessibility will become insignificant.

Because of the definition made in Law No. 5378, physical, mental or intellectual deficiency is considered the reason why an individual cannot fully participate in social life.

However, historical course and practical daily life have shown that not the physical, mental or intellectual disabilities of individuals but the difficulties raised for them are what determines the participation of the individuals with disabilities in all areas of social life such as education, health, employment, culture, sports, music, etc.

Because of this approach, the idea that correct conceptualization is "**hindered**" rather than handicapped, crippled or disabled is becoming more dominant.

In 2009 Supervising Report of Presidential State Supervisory Board, this issue is expressed in another way: It should not be forgotten that they cannot take their places in society as "individuals with mobility restrictions" unless the barriers in front of persons in the "disabled" group of whose movements are subjected to restriction in an environment full of obstacles are removed.

4. ACCESSIBILITY

Accessibility can be described for all individuals as the independent utilizability of goods and services, technology, knowledge and cities without the support of others.

From the stage of design to the production, accessibility makes it necessary to make plans taking care of the persons from all areas of the society such as persons with disabilities, women, children, persons with baby carriages, elders, tall and dwarves, overweight persons, employees, passengers, etc.

² <https://mevzuat.gov.tr/mevzuatmetin/1.5.5378.pdf>

³ Özürlüler ve Hareket Kısıtlılığı Bulunan Kişiler İçin Binalarda Ulaşılabilirlik Gereklere- TS 9111- Kasım 2011- ICS 11.180.01; 91.040.30

While the accessibility phenomenon is being discussed, natural and compulsory spatial accessibility become a priority. So as to be able to involve in all other social activities, the individual in need of special regulation must be able to leave the house independently and use sidewalks, pedestrian underpasses-overpasses, public transportation vehicles, buildings, squares, parks-gardens and other public places.

Not being met these needs of an individual in need of special regulation means the violation of movement, naturally, human rights of that individual. Therefore, the issue of accessibility is a case directly related to human rights.

The UN Convention on the Rights of the Persons with Disabilities has set forth the clearest definition of the case of accessibility with Universal Design / Design for All principle.

Universal Design, when planning and producing, makes it compulsory for products and services to be accessible with equal opportunities for the whole society and independent from others.

The Convention also imposed the obligation to do "Reasonable Accommodation" to States Parties in order to fulfill this requirement. Reasonable accommodation, when planning and producing goods and services, commends considering the needs of individuals in special need and taking necessary measures in line with those needs.

For example; while using the right to vote, the arrangements such as providing a template for the persons with visual impairments, determining the convenient voting spaces for the persons with orthopedic impairments are the ones for those with special needs and these are the reasonable accommodations ensuring the accessibility to right to vote.

Like Accessible and Universal Design, the 'utilizable design' also aims to produce designs that are easy to use and appropriate for the purpose. By the International Standards Organization (ISO 9241), utilizability is defined, in a specified environment, as the degree of using a product gladly by specific users for certain purposes within an effective, efficient and a certain use frame. In order for a space to be utilizable, it needs to be able to be used effectively and efficiently, the properties of the space need to be learned for the next use and the properties of the space factors need to be marked consistently. (Demirkan, 2015)

There are 7 basic principles for Universal Design. These are; Egalitarian use, Flexibility of Use, Simple and intuitive use, Perceptual information, Error tolerance, Low physical effort, Space and size for approach and use (MAMATOĞLU, 2015)

In our country, with the Law No. 5378 on the Persons with Disabilities in 2005, the obligation was imposed to make existing official structures belonging to public institutions and organizations, all existing roads, sidewalks, pedestrian crossings, open and green areas, sports fields and similar social and cultural infrastructure areas and all kinds of structures constructed by natural and legal persons and providing public service appropriate for the accessibility of the persons with disabilities within 7 years from the date on which the law comes into force.

However, with the Law No. 6353 of 2012, ***the amendments like "changing the stated period from 7-years to 8 and monitoring the implementation of Accessibility standards and inspection of those standards in every province are carried out by the Ministries of Family and Social Policies, the Interior, Environment and Urban Planning, Transport, Maritime Affairs and Communication and the commission consisting of the representatives of the confederations for the persons with disabilities and granting an extension of time, from the end of 8-year period, on condition that it does not exceed two years to complete the shortcomings" were made in Provisional Articles 2 and 3 of the Law No. 5378 .***

The disruption of legislative regulations by first-hand legislators opens the door for the established mechanisms not to work properly in the next period. Likewise, acting against the periods specified in Law No. 6353 in the Circular No. 2017/3 dated 26.02.2017 and numbered 96413503-010.06.01-E.22639, the Ministry of Family, Labour and Social Policies-Directorate of General for the Persons with Disabilities and Elders Services delays monitoring the accessibility of public spaces and creates a situation of impunity by stating "... from the places where accessibility determination has been made, it has been foreseen to grant an extension of time from 3 months to 6 months to the detected public institutions and organizations and their natural and private law legal owners not fulfilling the undertaking of accessibility."

Within the scope of our study, the information and explanation regarding the activities and results of the related commission were requested (Annex-5). It is because there are strong doubts that commission implements effective monitoring, inspection and sanctions.

On the other hand, the adoption of the Convention on the Rights of Persons with Disabilities in the Grand National Assembly of Turkey in 2008 and the onset of the Convention’s implementation since 2009 have brought another legal obligation.

As the case in which the fulfillment of the duties of the States monitored by the UN Committee on the Rights of the Persons with Disabilities is confirmed by the **Shadow Reports** of NGOs, it can be a relatively more effective inspection mechanism. Yet the effect of this inspection mechanism remains limited in applications since there are no "considerable" sanctions.

4.1. LEGISLATIVE REGULATIONS FOR THE ACCESSIBILITY OF THE PERSONS WITH DISABILITIES

The adoptions of Law on the Persons with Disabilities No. 5378 in 2005 and the UN Convention on the Rights of Persons with Disabilities in 2008 have been significant studies on accessibility in Turkey. With all that, the regulations made in terms of legislation are as follows in summary (Ramazan TIYEK, 2016)

Table 1-The Development of Legislative Regulations on Accessibility

Year	Legislation	Legislative Regulations
1997	the Decree Law on Regulations about the Amendment Regarding in Some Laws No. 572	The first legal regulation for the accessibility of the persons with disabilities. (Voting, accessibility of the physical environment, employment, public transportation, etc. are regulated.)
1999	Zoning Law No. 3194	With the Decree Law No. 572, adding the article “It is mandatory to comply with the relevant standards of the Turkish Standards Institute in its urban, social, technical infrastructure areas and structures with zoning plans to make the physical environment accessible and livable for the persons with disabilities.” to the Zoning Law numbered 3194
1999	Planned Spaces Type Zoning Regulation	Laying down the consideration of TSI standards (see: TS 23599, TS 12576, TS 9111, TS 12460, TS 12574, TS 12575, TS 12637 ve TS 12694) about the persons with disabilities as a condition to ensure the accessibility of the persons with disabilities to structures, open spaces, transportation and communication points on them and to the elements of landscape.
1999	Regulation Regarding the Principles of Plan Making	Laying down the consideration of all kinds of legislations and TSI standards for the persons with disabilities as a condition in the plans for the purpose of taking measures providing the accessibility to the urban use of the persons with disabilities and to the areas of social and technical infrastructure
2004	Public Transport Vehicles Type Approval Regulation (2001/85/EC)	Obligation to Obtain Vehicle Type Approval by meeting the Technical Equipment Related Requirements Facilitating for Passengers with Mobility Impairments to Get on/ off Vehicle
2005	Law No 5378 on the Persons with Disabilities	The obligation imposing to make existing official structures belonging to public institutions and organizations, all existing roads, sidewalks, pedestrian crossings, open and green areas, sports fields and similar social and cultural infrastructure areas and all kinds of structures constructed by natural and legal persons and providing public service appropriate for the accessibility of the persons with disabilities within 7 years from the date on which the Law comes into force
2005	Law No 5378 on the Persons with Disabilities	The obligation to make the public transportation services, presented or controlled by local governments within the city, appropriate for the accessibility to the persons with disabilities within seven years from the date on which the Law comes into force
2006	the UN Convention on the Rights of Persons with Disabilities	The Convention was approved by the Grand National Assembly of Turkey and made the legal legislation oblige to be arranged in a way to guarantee the human rights of the persons with disabilities.

Year	Legislation	Legislative Regulations
2006	Prime Ministry Circular No. 2006/18	That local governments must ensure the accessibility to the public transportation vehicles, especially for which will be bought, rented or under the control of municipalities by complying with the standards of TSI, for the persons with disabilities in accordance with the preparation of the short-, medium- and long -term action plans for the 7-year period ,started in 2005
2011	Ministry of the Interior Circular on the Buses in the Service of Urban Public Transport	The need to make the buses Class 1 and Class 2 under the operation and control of municipalities appropriate for the requirements, the need to ensure the physical conditions of the bus stops used for public transportation in the urban and for facilitating for the persons with disabilities to get on / off those buses and the need to add the audio / visual warning systems providing information in buses
2012	Law on the Amendment of Some Laws and Decree Law No. 6353	Changing the stated period from 7 years to 8 in Provisional Articles 2 and 3 of the Law No. 5378
2012	Law on the Amendment of Some Laws and Decree Law No. 6353	Monitoring the implementation of Accessibility standards and inspection of those standards in every province are carried out by the Ministries of Family and Social Policies, the Interior, Environment and Urban Planning, Transport, Maritime Affairs and Communication and the commission consisting of the representatives of the confederations for the persons with disabilities and granting an extension of time, from the end of 8-year period, on condition that it does not exceed two years to complete the shortcomings
2013	Regulation on Accessibility Monitoring and Supervising	The establishment, working procedures and principles of the commissions monitoring and inspecting the accessibility to all kinds of structures serving publicly, open spaces and public transportation vehicles, granting an extension of time to fulfill the undertakings specified by law, the application of administrative fines and the use using the administrative fines registered to the general budget

Although there are studies in the legal field, the problems on the accessibility of the persons with disabilities to spaces, information and services continue to exist in Turkey. "According to the results of "Turkey Disability Survey" in 2002 (Official Gazette, 2010); about 70% of people with disabilities getting apprenticeship training and answering the question regarding the problems they experience at work or in the workplace due to their disabilities stated that the physical conditions of the workplace were not suitable. Approximately 32% of the persons with orthopedic impairments answering the question about the problems they encounter in their daily lives stated that they could not go out into the streets since there are no physical environmental arrangements, 28% said they could not enter public buildings and areas, 50% said they had difficulty getting on public transportation vehicles and 29% of them said they were unable to participate in social and cultural events. Approximately 68% of the persons with disabilities who are fully dependent on another person while doing the daily activities, 46% of those who are semi-dependent on another person and 24% of those who can do their daily activities independently on their own stated that the physical conditions of the workplace were not suitable. The rate of the persons with disabilities saying that there was a public transportation service convenient for their disability in the environment they were in was 4%.

The current situation reveals that making legal regulations alone is not enough and legislation regulations, public-CSO cooperation, implementation-inspection mechanisms should be operated as a whole.

Monitoring old and new buildings and inspecting their compliance with standards are the main activities that shall provide accessible spaces. In this regard, it is necessary for the institutions, to which legal regulations assign responsibility, to fulfill their duties while CSOs' monitoring the process effectively (Annex-3, Annex-4) and attempting to incorporate national and international mechanisms.

5. ABOUT STUDY

5.1. OVERALL EVALUATION

Turkey is a country with a population of around 80 million. Yet, it is not exactly known how much of this population consists of individuals with disabilities. Currently, the data of disabled census conducted in 2011 and far from reflecting the truth are being used.

Approved in the international arena, the approach that about 10-12% of the world population consists of the persons with disabilities is also recognized by Turkey and for the estimates of disabled population, the population numbers of the persons with disabilities are found by applying this ratio to the population.

According to this general recognition, about 9 or 10 million of Turkey's population is comprised of the persons with disabilities. Based on this estimate, the data that approximately 500 thousand persons with disabilities live in the province of Ankara is reached.

According to the from CHE (YÖK), 147,962 women and 154,221 men, a total of 302,183 students have associate, undergraduate, postgraduate and doctorate education at 18 public and foundation universities in Ankara.

SUMMARY TABLE OF STUDENT NUMBERS OF UNIVERSITIES IN ANKARA PROVINCE, 2018-2019⁴

Table 2-Number of Students in Ankara

NAME OF UNIVERSITY	STATUS		Female	Male	TOTAL
ANKARA HACI BAYRAM VELI UNIVERSITY	STATE	ANKARA	13304	15096	28400
ANKARA UNIVERSITY OF MUSIC AND FINE ARTS	STATE	ANKARA	44	22	66
SOCIAL SCIENCES UNIVERSITY OF ANKARA	STATE	ANKARA	566	504	1070
ANKARA UNIVERSITY	STATE	ANKARA	29949	33710	63659
ANKARA YILDIRIM BEYAZIT UNIVERSITY	STATE	ANKARA	8702	9866	18568
ATILIM UNIVERSITY	FOUNDATION	ANKARA	5590	3920	9510
BASKENT UNIVERSITY	FOUNDATION	ANKARA	7266	9462	16728
CANKAYA UNIVERSITY	FOUNDATION	ANKARA	4394	3754	8148
GAZI UNIVERSITY	STATE	ANKARA	22280	21325	43605
HACETTEPE UNIVERSITY	STATE	ANKARA	23047	28960	52007
IHSAN DOGRAMACI BILKENT UNIVERSITY	FOUNDATION	ANKARA	6503	5682	12185
LOKMAN HEKIM UNIVERSITY	FOUNDATION	ANKARA	111	270	381

⁴ <https://istatistik.yok.gov.tr/>

NAME OF UNIVERSITY	STATUS		Female	Male	TOTAL
MIDDLE EAST TECHNICAL UNIVERSITY	STATE	ANKARA	16979	12423	29402
TED UNIVERSITY	FOUNDATION	ANKARA	1212	1967	3179
TOBB UNIVERSITY OF ECONOMICS AND TECHNOLOGY	FOUNDATION	ANKARA	3234	2818	6052
UNIVERSITY OF TURKISH AERONAUTICAL ASSOCIATION	FOUNDATION	ANKARA	2285	949	3234
UFUK UNIVERSITY	FOUNDATION	ANKARA	2271	2898	5169
UNIVERSITY OF HIGHER SPECIALIZATION	FOUNDATION	ANKARA	225	595	820
TOTAL			147962	154221	302183

However, the data involving all students receiving formal, open and distance education has a total of 7,740,502 students, including 4,064,516 men and 3,675,986 women as in the Table-3.

Table 3-Number of Students across Turkey

	TURKEY IN GENERAL			STATE UNIVERSITIES			FOUNDATION UNIVERSITIES		
	TOTAL NUMBER OF STUDENTS			TOTAL NUMBER OF STUDENTS			TOTAL NUMBER OF STUDENTS		
	M	F	T	M	F	T	M	F	T
TOTAL	4064516	3675986	7740502	3760272	3374402	7134674	299152	295964	595116
VOCATIONAL TRAINING SCHOOL	1410461	1418969	2829430	1340660	1345198	2685858	64709	68151	132860
FORMAL EDUCATION	395697	310916	706613	346566	255052	601618	45615	51691	97306
SECONDARY EDUCATION	158016	90452	248468	138476	73507	211983	17964	15498	33462
DISTANCE EDUCATION	16969	12590	29559	15839	11628	27467	1130	962	2092
OPEN EDUCATION	839779	1005011	1844790	839779	1005011	1844790			
UNDERGRADUATE	2379422	2041277	4420699	2193173	1848596	4041769	186249	192681	378930
FORMAL EDUCATION	963533	976940	1940473	777477	784347	1561824	186056	192593	378649
SECONDARY EDUCATION	242534	165528	408062	242511	165509	408020	23	19	42

	TURKEY IN GENERAL			STATE UNIVERSITIES			FOUNDATION UNIVERSITIES		
	TOTAL NUMBER OF STUDENTS			TOTAL NUMBER OF STUDENTS			TOTAL NUMBER OF STUDENTS		
	M	F	T	M	F	T	M	F	T
DISTANCE EDUCATION	15109	20914	36023	14939	20845	35784	170	69	239
OPEN EDUCATION	1158246	877895	2036141	1158246	877895	2036141			
MASTERS	221112	173062	394174	178623	142114	320737	42489	30948	73437
FORMAL EDUCATION	184859	161141	346000	148897	130842	279739	35962	30299	66261
SECONDARY EDUCATION	22413	8886	31299	22362	8879	31241	51	7	58
DISTANCE EDUCATION	13840	3035	16875	7364	2393	9757	6476	642	7118
DOCTORATE	53521	42678	96199	47816	38494	86310	5705	4184	9889
FORMAL EDUCATION	53521	42678	96199	47816	38494	86310	5705	4184	9889

5.2. DATA ON THE FIELD OF STUDY

The field study was carried out at state and foundation universities in Ankara. The fields of study were planned over independent spaces or buildings.

There are 18 universities in Ankara, including state and foundation universities. The places belonging to these universities spread around Ankara and the same university can have buildings in different districts. Apart from a few universities, the majority of universities do not have campuses in which all faculties are located.

The distribution of universities in Ankara across the city is as follows;

Table 4- Universities in Ankara

University	District	University	District	University	District
Anka Technology University	Etimesgut - Çubuk	Gazi University	Çankaya	University of Turkish Aeronautical Association	Etimesgut
Ankara University	Çankaya	Gülhane Military Medical Academy	Keçiören	Ufuk University	Çankaya
Social Sciences University of Ankara	Altındağ	Hacettepe Üniversitesi	Çankaya	Yıldırım Beyazıt University	Altındağ
Atılım University	Gölbaşı	Turkish Military Academy	Çankaya	University of Higher Specialization	Çankaya
Başkent University	Etimesgut	Middle East Technical University	Çankaya	Çankaya University	Çankaya
Bilkent University	Çankaya	TED University	Çankaya	TOBB University of Economics and Technology	Çankaya

Although Ankara University spreads around, it consists of Cebeci, Tandoğan, Sıhhiye (FLHG) and Dışkapı (engineering) campuses.

METU is the only university to be called a single-center / campus university among the universities in Ankara.

Although there are some departments in Central (Sıhhiye) Campus of Hacettepe University, the density of faculties and departments are on Beytepe Campus.

Bilkent University is the most established among the foundation universities and its departments are gathered in a single campus.

Although Gazi University does not have a single-center campus, its departments / faculties are generally gathered in Beşevler region.

Social Sciences University is a newly established university and is generally located in old public buildings in Ulus district. Historical buildings such as Sümerbank, Ministry of Customs, Finance Vocational High School building are the places allocated to the university.

TED University, located in the area which previously operated as high school and Çankaya Municipality, is in the most central location and its departments display a panoramic view.

According to the data from CHE (YÖK), 147,962 women and 154,221 men, a total of 302,183 students have associate, undergraduate, postgraduate and doctorate education at universities located in Ankara province.

According to the data⁵ from CHE(YÖK), a total of 532 persons with disabilities, including 198 women and 334 men, have been having education at universities in Ankara province. These data have been determined based on the students' statements and it is within the bounds of possibility that the actual number is higher. Unofficial information for some universities confirms the thesis that the number of students with disabilities announced by CHE (YÖK) does not reflect the concrete situation.

The disability groups of the students with disabilities and the universities they are registered as follows;

Table 5- The disability groups of the students with disabilities and the universities they are registered

Name of University	Type of Disability	Male	Female	Total
ANKARA HACI BAYRAM VELİ UNIVERSITY	OTHER	5	2	7
ANKARA HACI BAYRAM VELİ UNIVERSITY	PHYSICAL DISABILITY	1	0	1
ANKARA HACI BAYRAM VELİ UNIVERSITY	VISUAL-IMPAIRMENT	1	0	1
ANKARA UNIVERSITY	OTHER	114	77	191
ANKARA UNIVERSITY	SPEECH AND LANGUAGE IMPAIRMENT	1	0	1
ANKARA UNIVERSITY	PHYSICAL DISABILITY	14	7	21
ANKARA UNIVERSITY	VISUAL-IMPAIRMENT	27	14	41
ANKARA UNIVERSITY	HEARING-IMPAIRMENT	6	7	13
ANKARA UNIVERSITY	CHRONIC HEALTH PROBLEMS	3	1	4
ANKARA UNIVERSITY	PYSCHOLOGICAL DISORDERS	2	0	2
ANKARA UNIVERSITY	MENTAL DISABILITY	0	1	1
ANKARA YILDIRIM BEYAZIT UNIVERSITY	OTHER	2	1	3
ANKARA YILDIRIM BEYAZIT UNIVERSITY	PHYSICAL DISABILITY	4	3	7
ANKARA YILDIRIM BEYAZIT UNIVERSITY	VISUAL-IMPAIRMENT	6	1	7
ANKARA YILDIRIM BEYAZIT UNIVERSITY	HEARING-IMPAIRMENT	2	0	2

⁵ <https://istatistik.yok.gov.tr/>

ACCESSIBILITY REPORT ON UNIVERSITY CAMPUSES IN ANKARA

Name of University	Type of Disability	Male	Female	Total
ANKARA YILDIRIM BEYAZIT UNIVERSITY	MENTAL DISABILITY	2	0	2
BAŞKENT UNIVERSITY	INDIVIDUALS WITH ASPERGERS OR HIGH FUNCTIONING AUTISM	1	0	1
BAŞKENT UNIVERSITY	OTHER	4	2	6
BAŞKENT UNIVERSITY	ATTENTION DEFICIT DISORDER (HYPERACTIVITY)	1	0	1
BAŞKENT UNIVERSITY	SPEECH AND LANGUAGE IMPAIRMENT	1	0	1
BAŞKENT UNIVERSITY	PHYSICAL DISABILITY	1	0	1
BAŞKENT UNIVERSITY	VISUAL-IMPAIRMENT	0	1	1
BAŞKENT UNIVERSITY	HEARING-IMPAIRMENT	1	1	2
BAŞKENT UNIVERSITY	CHRONIC HEALTH PROBLEMS	4	1	5
ÇANKAYA UNIVERSITY	ATTENTION DEFICIT DISORDER (HYPERACTIVITY)	2	0	2
ÇANKAYA UNIVERSITY	SPEECH AND LANGUAGE IMPAIRMENT	0	1	1
ÇANKAYA UNIVERSITY	PHYSICAL DISABILITY	1	2	3
ÇANKAYA UNIVERSITY	VISUAL-IMPAIRMENT	3	3	6
ÇANKAYA UNIVERSITY	HEARING-IMPAIRMENT	1	2	3
ÇANKAYA UNIVERSITY	CHRONIC HEALTH PROBLEMS	1	1	2
GAZİ UNIVERSITY	OTHER	18	6	24
GAZİ UNIVERSITY	PHYSICAL DISABILITY	3	1	4
GAZİ UNIVERSITY	VISUAL-IMPAIRMENT	1	4	5
GAZİ UNIVERSITY	HEARING-IMPAIRMENT	1	0	1
HACETTEPE UNIVERSITY	OTHER	2	1	3
HACETTEPE UNIVERSITY	SPEECH AND LANGUAGE IMPAIRMENT	1	0	1
HACETTEPE UNIVERSITY	PHYSICAL DISABILITY	15	7	22
HACETTEPE UNIVERSITY	VISUAL-IMPAIRMENT	13	7	20
HACETTEPE UNIVERSITY	HEARING-IMPAIRMENT	7	9	16
HACETTEPE UNIVERSITY	CHRONIC HEALTH PROBLEMS	9	5	14
HACETTEPE UNIVERSITY	MENTAL DISABILITY	2	0	2
BİLKENT UNIVERSITY	INDIVIDUALS WITH ASPERGERS OR HIGH FUNCTIONING AUTISM	0	1	1
BİLKENT UNIVERSITY	OTHER	16	13	29
BİLKENT UNIVERSITY	ATTENTION DEFICIT DISORDER (HYPERACTIVITY)	7	3	10
BİLKENT UNIVERSITY	SPEECH AND LANGUAGE IMPAIRMENT	2	0	2
BİLKENT UNIVERSITY	TEMPORARY DEFICIENCIES	1	0	1
BİLKENT UNIVERSITY	VISUAL-IMPAIRMENT	2	3	5
BİLKENT UNIVERSITY	HEARING-IMPAIRMENT	3	0	3
BİLKENT UNIVERSITY	CHRONIC HEALTH PROBLEMS	14	6	20
MIDDLE EAST TECHNICAL UNIVERSITY	PHYSICAL DISABILITY	2	0	2
MIDDLE EAST TECHNICAL UNIVERSITY	VISUAL-IMPAIRMENT	0	1	1
MIDDLE EAST TECHNICAL UNIVERSITY	CHRONIC HEALTH PROBLEMS	1	0	1
TOBB UNIVERSITY OF ECONOMICS AND TECHNOLOGY	PHYSICAL DISABILITY	1	1	2
TOBB UNIVERSITY OF ECONOMICS AND TECHNOLOGY	VISUAL-IMPAIRMENT	1	0	1
TOBB UNIVERSITY OF ECONOMICS AND TECHNOLOGY	HEARING-IMPAIRMENT	0	1	1
TOBB UNIVERSITY OF ECONOMICS AND TECHNOLOGY	CHRONIC HEALTH PROBLEMS	1	1	2
TOTAL		334	198	532

5.3. STARTING POINT OF THE STUDY

The concept of "right" constitutes the starting point of the study. The accessibility of university campuses to the students, employees and academics with disabilities as well as all participants using this publicity is not a blessing, social responsibility, or "positive discrimination" Accessibility is the non-violation of one of the basic human rights or the necessity for the right of the persons with disabilities to human rights.

As for the accessibility issue, in line with the reasonable accommodation, all public spaces' being accessible to all areas of society has been included in national and international legislation and this has been recognized and adopted by the parties.

In the UN Convention on the Rights of Persons with Disabilities, also adopted by Turkey, it is stated "The discrimination based on disability involves all kinds of discrimination, including not making reasonable accommodation". In this sense, it is a requirement of the prohibition of discrimination for university administrations and other public places to plan and design in accordance with the accessibility criteria.

In summary, the starting points of the study are, within the framework of spatial accessibility, the human rights of the persons with disabilities and the monitoring of these rights' implementations.

5.4. PURPOSE OF THE STUDY

The study "We are Researching-Monitoring for Disabled-Friendly University" subjects spatial accessibility of the universities established in Ankara to research and monitoring It is the ultimate aim of the study to ensure the removal of the obstacles in front of the individuals with disabilities for involving them in social life with others, the implementation of accessibility, whose framework is outlined in the Convention on the Rights of the Persons with Disabilities, criteria enabling the persons with disabilities to live independently and to participate fully in all areas of society and the implementation of the Universal Design approach, also recognized as the basic principle in the Convention on the Rights of the Persons with Disabilities, to all areas of life, especially universities.

It is aimed to monitor the universities spatially and to make the obtained data statistical.

It is aimed to report the concrete situation obtained as a result of the study and share this report with the national and international institutions / organizations as well as the public.

In line with the data obtained as a result of the study and the Universal Design principle, overcoming the shortcomings in accessibility by sharing the accessibility standards with relevant space institutions being monitored and monitoring the process have been determined as the other targets.

5.5. METHOD OF THE STUDY

In accordance with the aims and objectives of the study, 250 places belonging to universities located in Ankara were observed via the "Information Observation Form" (Annex-6) by the researchers or examined and monitored through interviews with officials.

The Information Observation Form consists of 28 questions. The monitoring study was prepared in the format that marking yes-no options opposite the questions and making explanation if any necessary.

The questions in the Information Observation Form were prepared to monitor the accessibility of the persons with visual, orthopedic / physical, hearing-speech disabilities.

Accompanied by periods of planning and field research, the study "We are Researching- Monitoring for Disabled-Friendly University" was carried out between the dates 01.11.2019 and 15.12.2019.

During the study process, the students with disabilities and the students with an interest in the rights of the persons with disabilities provided voluntary support.

The data obtained as a result of the study were subjected to classifications and regimentation on the basis of universities and similar departments.

6. STUDY DATA AND ANALYSIS

"Accessible university monitoring study" with the slogan "We are Researching- Monitoring for Disabled-Friendly University" was carried out in the form of monitoring 250 places belonging to universities in Ankara.

In the study carried out with the method of presenting yes / no options and making explanation when necessary, "Information Observation Form" was used by the researchers and the numerical distribution of the answers corresponding to the specified questions is as follows:

Table 6- Field Study Numeric Data

QUESTIONS	YES	NO
Is the Location of the Place Convenient for the Persons with Disabilities? (in terms of public transportation)	200	50
Is There an Access Ramp for the Wheelchair at the Entrance of the Place? (slope range 5-7 %)	170	80
Is There a Guidance for the Persons with Visual-Impairments at the Entrance of the Place? (braille printing at an accessible point)	25	225
Are There Written Directions for the Persons with Hearing-Impairments at the Entrance of the Place or inside?	50	200
Are the Building Entrance Doors and the Door Sills Suitable for the Persons with Disabilities?	100	150
Can All Sections on the Ground Floor be Accessed without Steps and Access Ramps?	45	205
Is the Floor of the Building Suitable for the Persons with Disabilities?	192	58
Is there an Elevator in the Building?	112	138
Is the Elevator Suitable for the use of the Persons with Disabilities? (in terms of elevator width, location of buttons, audio and video guidance, handrails for persons with disabilities, etc.)	94	156
Is There a Toilet for the Persons with Disabilities?	75	175
Is There an Emergency Exit Specially Designed for the Persons with Disabilities?	0	250
Is There a Parking Space for the Persons with Disabilities?	75	175
Are the Staff Qualified in Sign Language Employed for the Persons with Hearing- Impairments?	0	250
Is the Distance Between the Rows in Classes Suitable for Wheelchair Passing? (minimum 80-90 cm)	150	100
Is the Height of the Rows in Classrooms Suitable for the Persons with Wheelchair? (maximum 120 cm)	210	40
Is There a Bathroom for the Persons with Disabilities?	0	1
Is There a Locker for the Persons with Disabilities?	0	1
Are There Any Set Hours for the Persons with Disabilities to Use the Pool?	0	1
Have Special Arrangements Been Made for the Persons with Disabilities to Use the Pool?	1	0

The graphic distribution of the answers given to the questions is also given below.

Graph 1- Data Graph Obtained from the Field Study

The percentage distribution of data obtained in the study;

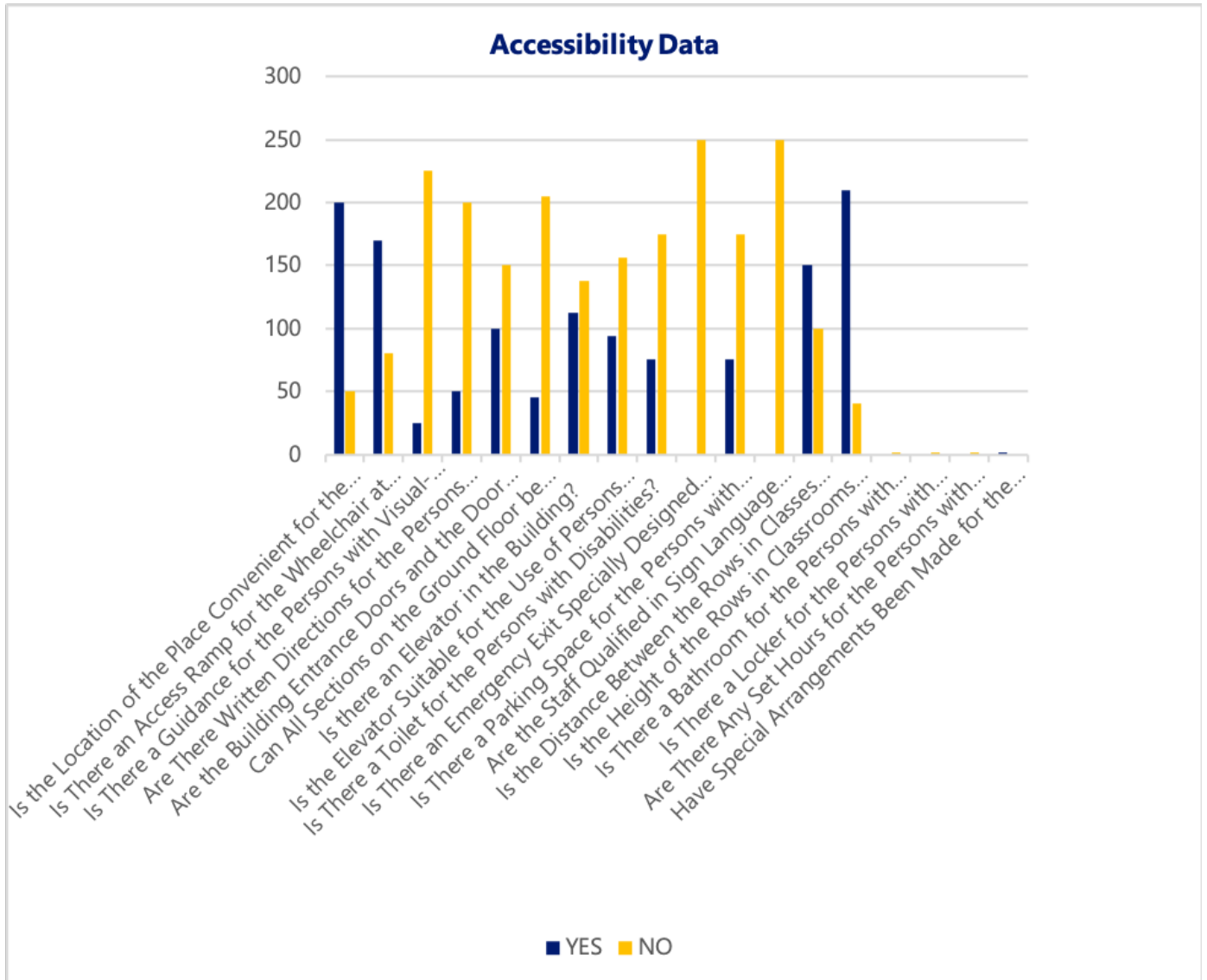
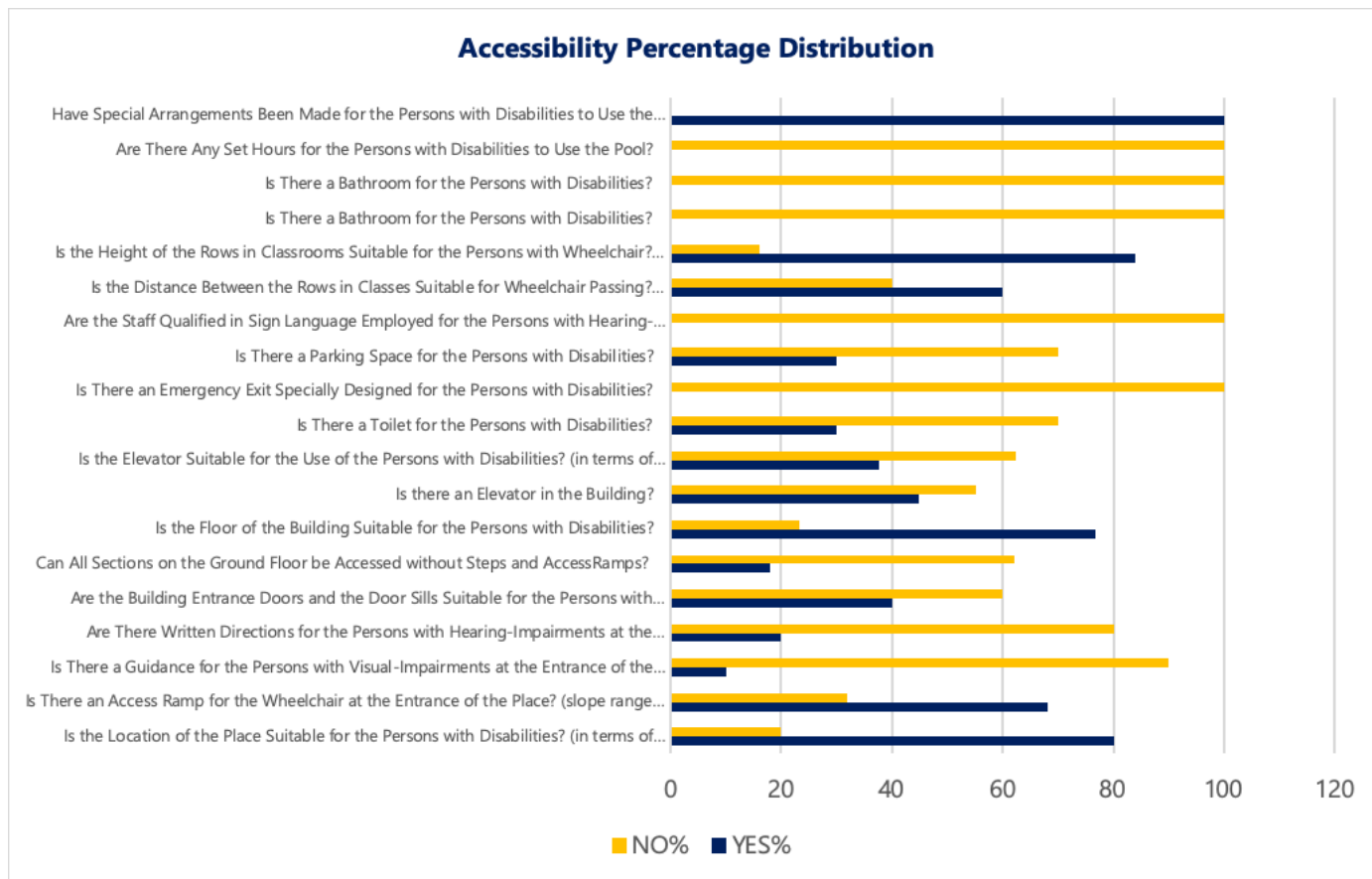


Table 7-The Percentage Distribution of Data Obtained from Monitoring Study

QUESTIONS	YES %	NO %
Is the Location of the Place Suitable for the Persons with Disabilities? (in terms of public transportation)	80	20
Is There an Access Ramp for the Wheelchair at the Entrance of the Place? (slope range 5-7 %)	68	32
Is There a Guidance for the Persons with Visual-Impairments at the Entrance of the Place? (braille printing at an accessible point)	10	90
Are There Written Directions for the Persons with Hearing-Impairments at the Entrance of the Place or inside?	20	80
Are the Building Entrance Doors and the Door Sills Suitable for the Persons with Disabilities?	40	60
Can All Sections on the Ground Floor be Accessed without Steps and Access Ramps?	18	82
Is the Floor of the Building Suitable for the Persons with Disabilities?	76,8	23,2
Is there an Elevator in the Building?	44,8	55,2
Is the Elevator Suitable for the Use of the Persons with Disabilities? (in terms of elevator width, location of buttons, audio and video guidance, handrails for persons with disabilities, etc.)	37,6	62,4
Is There a Toilet for the Persons with Disabilities?	30	70
Is There an Emergency Exit Specially Designed for the Persons with Disabilities?	0	100
Is There a Parking Space for the Persons with Disabilities?	30	70
Are the Staff Qualified in Sign Language Employed for the Persons with Hearing- Impairments?	0	100
Is the Distance Between the Rows in Classes Suitable for Wheelchair Passing? (minimum 80-90 cm)	60	40
Is the Height of the Rows in Classrooms Suitable for the Persons with Wheelchair? (maximum 120 cm)	84	16
Is There a Bathroom for the Persons with Disabilities?	0	100
Is There a Locker for the Persons with Disabilities?	0	100
Are There Any Set Hours for the Persons with Disabilities to Use the Pool?	0	100
Have Special Arrangements Been Made for the Persons with Disabilities to Use the Pool?	100	0

The graphic distribution of the answers given to the questions in percentage is given below:

Graph 2- The Graphic Representation of the Percentage Distribution of the Data Obtained from Monitoring Study



6.1. PUBLIC TRANSPORTATION VEHICLES

Monitoring studies have not been made with the observation method about public transportation vehicles; however, the information was requested from Ankara Metropolitan Municipality within the framework of the Right to Information Act, and in the response (Annex-5), it has been stated that 1540 public transportation vehicles providing service in Ankara BB, 1443 of which have an access ramp for wheelchair and battery powered cars and an access ramp is not included in the remaining 97.

Although the question about the visual and audio guidance status in public transportation vehicles of the municipality have not been answered, it has been determined that there is a visual and audible warning system in the public transportation vehicles of the municipality across Ankara.

Metro systems have audio warning systems for the persons with visual-impairments and video warning systems for the persons with hearing-impairments.

There is an elevator system for the persons with disabilities using wheelchair and battery powered vehicles at the metro stations.

The gaps between the subway wagons in the landing-boarding platforms pose a risk for the persons with visual-impairments at the metro stations.

The gaps in question have to be closed with screen-like methods fixed on the platforms.

6.2. CONVENIENCE OF THE PLACE'S LOCATION

80% of the spaces / buildings examined are located in accessible locations by public transportation vehicles.

6.3. CONVENIENCE OF THE ENTRANCE FOR THE WHEELCHAIR AND BATTERY-POWERED CAR

There are access ramps in 170 of the 250 places, in other words, 68% of them that have been monitored. However, the length and slope of the ramps are generally far from usability according to the international standards.



6.4. CONVENIENCE OF ENTRANCES FOR THE PERSONS WITH VISUAL-IMPAIRMENTS

At the entrances, 90% of the spaces are deficient in term of providing braille printing in accessible places for the persons with visual- impairments.

6.5. CONVENIENCE OF THE ENTRANCES FOR THE PERSONS WITH HEARING-IMPAIRMENTS

There are written direction signs for the persons with hearing-impairments in 50 points of the places examined. These signs are generally found in large buildings and Apparently, the main reason for their placement is not the persons with hearing- impairments.

6.6. CONVENIENCE OF THE BUILDING ENTRANCE DOORS AND DOORSILLS FOR THE PERSONS WITH DISABILITIES

40% of the places examined are sufficient and 60% are inadequate in terms of the compliance of the width of the building entrance doors and the height of the door sills for the passing of wheelchairs and battery-powered cars.

6.7. ACCESSIBILITY OF THE DEPARTMENTS ON THE GROUND FLOOR

The vast majority of the sections on the entrance floors of the spaces examined are in accessible condition by access ramps or stairs. The proportion of spaces with access ramps or stairs on the ground floor is 82%.

6.8. MOVABILITY CONVENIENCE OF THE BUILDING FLOORS FOR THE PERSONS WITH DISABILITIES

Of all the ground floors of the examined buildings, 76.8% are convenient for the persons with disabilities to use their mobility; nevertheless, the grounds must be ensured not to limit the mobility of the persons with disabilities; especially the ones using crutches and they must be rough but not slippery in order not to experience negativities such as falling and slipping.

6.9. AVAILABILITY OF ELEVATORS

There are elevators in 112 of the spaces examined. It has been determined that with 44.8%, less than half of the buildings have elevators.



6.10. ASANSÖRLERİN ENGELLİLERİN KULLANIMINA UYGUNLUĞU

Of all the buildings examined in terms of the availability of audio and video warning systems, raised numbers and braille characters for the persons with visual-impairments and handrails for the persons with disabilities, it has been identified that there are elevators convenient for the use of the persons with disabilities in 37.6%, and 84% of the elevators in the buildings with elevators are convenient for the use of the persons with disabilities.

6.11. CONVENIENCE OF THE TOILETS FOR THE USE OF THE PERSONS WITH DISABILITIES

In 70% of the spaces examined, there are not toilets having the specifications for the use of the persons with disabilities. In most of the places where there is an accessible toilet, common toilets have been constructed by recognizing the persons with disabilities as genderless. The toilets used by everyone in the building have not been arranged to be used with the persons with disabilities. Although the majority of the rooms do not have an accessible toilet, in the places with an accessible toilet, a discriminatory attitude has been followed by constructing toilets different from the ones used by other students.



Toilets for the persons with disabilities have generally been constructed by taking the persons with orthopedic impairments into account.

Throughout the research, embossed directions for the persons with visual-impairments were not encountered.

All universities are far from an arrangement that complies with the general standards and covers all disability groups.

6.12. EMERGENCY EXIT FOR THE PERSONS WITH DISABILITIES



Within the scope of public spaces' compliance for the accessibility of the persons with disabilities, the spaces with emergency exit appliances for the persons with disabilities have not been identified in the examination and monitoring study carried out in university spaces. There are no emergency exit sections for the persons with disabilities in 100% of the spaces examined.

6.13. IS THERE AN ACCESSIBLE PARKING SPACE FOR THE PERSONS WITH DISABILITIES?

A special space has been reserved for the vehicles of the persons with disabilities in 30% of the areas designated as car parks at universities, those spaces have been indicated with special signs and used by the persons with disabilities.

Although designated for the vehicles of the persons with disabilities but no obvious signs are placed, the car parking areas where other vehicles are parked apart from the vehicles of the persons with disabilities have been evaluated as "No Accessible Parking Spaces" in the monitoring study. Since the places reserved for the vehicles of the persons with disabilities need to be noticeably indicated with special signs and the space allocated for the vehicle must be empty to park when the individual with disabilities arrives at the parking lot; otherwise, the individual with disabilities has to struggle for having the vehicle parked in a reserved area lifted. This makes the practice of accessible parking space meaningless.

6.14. HAVING STAFF QUALIFIED IN SIGN-LANGUAGE PRESENT

The staff qualified in sign language are not employed in any of the spaces interviewed. The individuals with hearing-impairments are the leading disability group having the greatest difficulty in communicating in public institutions and in private sector workplaces. As the persons with hearing-impairments have also difficulty in communicating via writing, they must certainly have a companion qualified in sign language. This continues to be valid for public and private / foundation universities.

6.15. CONVENIENCE OF THE WIDTH OF ROW SPACING IN CLASSROOMS



The width of rows spacing in classes, especially for the persons with disabilities using a wheelchair and battery-powered car, has been evaluated over a minimum of 80-90cm which is the current international standard.

Since the desks in the classes are mostly movable, they are available to be organized according to the condition of the person with disabilities. In 60 % of the classes examined, the desks are convenient for the use of the persons with disabilities to pass through the rows with wheelchair and battery- powered car.

6.16. HEIGHT CONVENIENCE OF THE DESKS IN CLASSROOM

120-cm height, recognized as an international standard, has been taken as a basis for the maximum height of the desks. The ratio of the classes complying with this criterion is 84 %. With this rate, the classes generally have the appropriate property for the use of the individuals with wheelchair and orthopedic impairments.

7. INTERMEDIATE RESULT AND EVALUATION

In an important part of the 20th century; a process in which a more protective attitude towards the persons with disabilities was developed and the social state practices such as education, health, employment, vocational and medical rehabilitation and habilitation of the persons with disabilities were decisive was experienced.

In 1992 with the "European Urban Charter", the fundamental principles like cities' designing in the way everyone can enjoy, the practices' -aiming at the individuals with disabilities- not being overprotective but ensuring their integration with the society, spaces' designing in accordance with the needs of individuals with disabilities and everyone's enjoying of public transportation services were recognized.

With the Law No. 5378 on the Persons with Disabilities in 2005, spaces belonging to public institutions and organizations and public transportation vehicles have had to be made convenient for the accessibility of the persons with disabilities within 7 years. However, both the time limit set in the Law and the inspection of compliance have showed flexibilities.

With the Law numbered 6353 enacted in 2012, the arrangement "monitoring the implementation of accessibility standards and inspection of those standards in every province are performed by the Ministries of Family, Labour and Social Services, the Interior, Environment and Urban Planning, Transport, Maritime Affairs and Communication and the commission consisting of the representatives of the confederations for the persons with disabilities" has been made by adding that "administrative fines up to 500-thousand liras might be imposed to the institutions / organizations that do not make the necessary regulations approved by the commission." However, this law and followingly stated sanction cannot be said to have been put into practice effectively.

Within the scope of the study; the relevant information on the number of the spaces monitored and inspected, issued Accessibility Certificate, granted an extension of time, imposed Administrative Fines (AF) and the amount of AF were requested from the Ministry of Family, Labour and Social Services within the scope of the Right to Information Act (Annex-5)



Ulaşılabilirlik According to Accessibility Strategy and the National Action Plan 2010-2011⁶; accessibility is defined as "Being able to access to the rights and services in all areas of life and enjoy them" and according to TSI⁷; "Everyone's being able to access to anywhere and any service they want and use them". Under normal conditions of use, all kinds of buildings enabling the users of the whole building and immediate surroundings as well as the persons with any disabilities (especially those with wheelchairs or low perception) to enter and exit easily and without any help, to wander inside and enjoy all the services offered there are considered accessible.

"The UN Convention on the Rights of Persons with Disabilities", adopted at the UN General Assembly in 2006, was the most effective legal text in terms of legislation and the recognition of the rights of the persons with disabilities in the presence of the UN member states. By adopting it in TGNA in 2008, Turkey became a party to the convention and put it into force in 2009.

With the general principles it contains, the monitoring studies carried out in the presence of the UN and the "Shadow Reports" presented by NGOs, the Convention ensures to cause a pressure on the States Parties and Turkey on the rights of the persons with disabilities and the regulations enabling the accessibility of the persons with disabilities.

While the convention is taking on a guiding function on accessibility with the principle of "Universal Design / Design for All", it also enables the States Parties to the convention to make regulations without imposing undue burden simultaneously with "Reasonable Accommodation".

Across the country, the accessibility of primarily spaces belonging to public institutions, public transportation vehicles and services is now an international legislation, constitutional and legal obligation.

Making spaces, information, products and services accessible for the whole society (women, children, elders, employees, etc.) as well as the persons with disabilities in line with the Universal Design approach is a requirement of fundamental human rights parallel to the legal requirement outlined above.

The rights of the persons with disabilities commend managers, decision makers, business owners, NGOs and the whole society to make arrangements for accessibility and to monitor, determine and attempt in this regard. Any institution, organization, person, etc. not acting in line with this requirement is considered to have committed human rights violations.

As a result of the monitoring study conducted at universities, it has been of the opinion that available accessibility arrangements have been made to create the perception that accessibility criteria are mostly ensured and to be acted on legal obligations rather than the perspective on the human rights of persons with disabilities.

For this reason; accessibility arrangements made are far from being in compliance with the standards.

The persons with hearing-impairments are the disability group whose problems and rights have the minimal awareness in public institutions, private companies and society in general.

The arrangements for the persons with orthopedic impairments; access ramps, sidewalks, toilets, elevators are deficient and far from TSI standards.

Tactile pavement markings for the persons with visual-impairments are not useful, do not reach their goals and do not guide those people properly.

⁶ <https://resmigazete.gov.tr/eskiler/2010/11/20101112-19.htm>

⁷ TSE TS 9111, 2011: 3

8. SUGGESTIONS

According to the conclusion reached as a result of monitoring study in the field, urgent precautions are to be taken in the first place to overcome accessibility shortcomings are as follows;

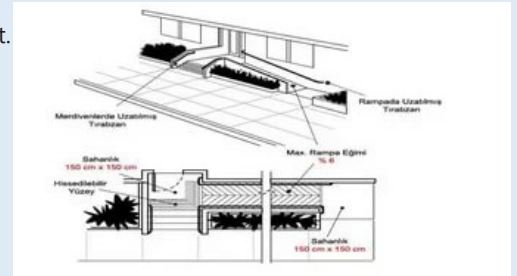
- All social actors should act with the perspective of human rights on accessibility,
- Cooperation should be established among public institutions, private sector workplaces, universities, local administrations, NGOs working in the field of the persons with disabilities and profession organizations,
- Awareness-raising training, activities, etc. should be carried out in institutions and organizations,
- Individuals with disabilities should be made active agents of the process,
- Integrated policies should be established by ensuring coordination between institutions,
- Accessibility commissions should be ensured to be free and independent from the ownership of institutions and administrators,
- The members of the accessibility commission should be ensured to act and make decisions independently,
- Accessibility commission members should be increased and other works of the members in workplaces should be planned according to monitoring and inspecting studies; what's more, monitoring and inspection should be their mere task,
- Accessibility monitoring processes and sanctions should be activated,
- Accessibility commissions should be opened to more NGOs,
- NGOs should be ensured to become more effective in monitoring and inspecting processes,
- Monitoring and inspecting commission and local administrations should work in coordination and the decision of the commission should be taken as a basis in cases of licenses, etc.

9. ACCESSIBILITY STANDARDS

TS 9111 standard of the Turkish Standards Institute (TSI) defines the standards of "Accessibility in buildings for those with disabilities and mobility restrictions". The surrounding of the building is also included in TS 9111. With TS 9111, the properties of sections such as outdoor stairs, access ramp, exterior door, doors inside the building, stairs, steps, windows, corridors, toilet, bathroom, kitchen, bedroom have been standardized.

A. Standards for Outdoor Areas

- In buildings, it is essential that everyone use the same route, entrance and equipment.
- It must be ensured that the entrance of the building be barrier-free and close to the parking lot, public transportation vehicles, the ground be rough, lightening and signing be proper and contrasting colors be used as much as possible.
- Garden paths must be at least 200 cm wide and they must not be laid with loose and slippery materials like gravel.
- There must not be any bumps and elevations between the car park and the building entrance.
- The curb ramp enabling the ups and downs to the pavements must be within sidewalk boundaries, not overflow to the traffic lane.
- Curb ramps must be at least 90 cm wide and at most 1:12 (8%) slope.
- If the level differences on the pedestrian path are more than 6 mm, surface must be beveled or ramped.
- At least one of the building entrances must have a barrier-free entrance.
- If an alternative barrier-free entrance is to be constructed except for the main entrance, this entrance must be visible with signposts to be placed on the main entrance.



Picture: Direction signs in case the barrier-free entrance is different from the main entrance.

B. Standards for Access Ramps

- All routes and access ramps must be at least 90 cm wide.
- The slope of the access ramps must not be more than 1:12 (8%). There must be handrails at least 90 cm in height at the edges for the access ramps that are longer than 200 cm and higher than 15 cm.
- The guards at the edges of an access ramp must be at least 5 cm high.
- There must be a rough warning surface at the start and end of an access ramp.
- Access ramp lengths must not be more than 900 cm. If so, access ramp must be divided via platforms.
-

The slope of the building entrance ramps should be as given in the table below.

Table-8 Standards for Wheelchair Access Ramps

Maximum Height of the Ramp	Maximum Slope of the Ramp
Less than 15 cm	1:12 i.e. 8%
Between 16-50 cm	1:14 i.e. 7%
Between 51-100 cm	1:16 i.e. 6%
100 cm and above	1:20 i.e. 5%

C. Standards for Stairs

- Stair steps must be at least 28cm in depth and at most 16 cm in height.
- The slip-resistant tape on the stair steps must be 40 mm wide and the wall thickness of the tape over the step must not be more than 0.01 cm.
- The bands must be in opposite colors with steps to guide the ones with low vision.
- **Outdoor stair railing and handrails must be at least 90 cm high from the ground and balustrades must continue for another 45 cm from the end of the stairs.**
- **Stairs must be marked with a 120 cm long tactile surface coating at the beginning and end of the stairs.**

D. Standards for Doors

- The doorstep platform must be at least 1.5 m x 1.5 m wide.
- The building entrance door must not be level with the wall.
- The illumination must have a sensor and the diaphone and doorbell must be 90-140 cm high.
- Interior doors must be opened to corridors with perpendicular axis for an easy opening.
- For the persons with visual-impairments, the doors must be of a different color than the walls.
- Braille below or next to the raised letters or numbers must be used at the door handle level so that the persons with visual-impairments can recognize the sections.
- When the door is opened 90 °, the width of the door must not be less than 90 cm.
- In any case, the net height of the door must be at least 210 cm.
- In places with narrow maneuvering area, sliding doors must be preferred instead of hinged doors.
- Automatic doors must be able to be opened with the average weight (20 kg) of dogs guiding the persons with visual-impairments.
- These doors must also perceive children, very short people and dwarves.

E. Standards for Windows

- The height of the walls under the windows must not exceed 80 cm from the ground for the persons with wheelchairs.
- In order for a person with wheelchair to open and close windows easily, the height of the espagnolets must be between 90-110 cm.

F. Standards for Grounds

- It should be ensured that the ground is hard, stable, durable, safe and nonslip along the accessible surfaces.
- If a carpet is used on the ground, it must be securely fixed on the ground. The thickness of the floor coverings of carpets, etc. must not exceed 1.3 cm.
- Materials suitable for noise and vibration insulation must be used to enable the persons with visual-impairments to use the sound reflective feature of the floors.
- The width of the corridors must be at least 90 cm and the height must be at least 220 cm.

G. Standards for Toilets

- Toilets, at least 1 woman and 1 man with disabilities, must be constructed for up to 25 people in public spaces.
- Toilet entrances must not be narrower than 90cm.
- If the movement area in toilet makes it difficult to move the wheelchair or battery-powered vehicle, the doors must be sliding.
- The toilet cabin area must be at least 150cmX150cm.
- The handle bars in toilets for the persons with orthopedic impairments must be 25-35cm higher than the toilet bowls.
- The height of the toilet seat must be between 43-48cm from the floor.
- Automatic lighting of toilet lights must be ensured.
- Emergency call apparatus must be located close to the toilet.
- The bottom of the mirror must be maximum 90cm from the ground and 190cm from the top.
- The liquid soap must be close to the tap and in the height range of 80-110cm from the floor.
- Hand dryer or paper towel must be close to liquid soap and in the same height range.
- Sinks should not be angled and they should have a rounded edge, allowing to approach from all directions.
- There must be no cabinet with doors under the sinks and a space for knees must be left.

H. Standards for Elevators

- For a single wheelchair user, it must be ensured that the elevator size is 95 cm x 140 cm.
- The elevator door width must be at least 90 cm. Elevator doors below 80 cm are not convenient for wheelchair users.
- 150 cm x 150 cm platform must be left in front of the elevator, if this is not possible, the range of motion and the danger indicator markings for the wheelchair must be in existence.
- Elevator number panels must be maximum 140 cm from the ground.
- Braille below or next to the raised characters must be present at the button panels of the elevators for the persons with visual-impairments.
- For each floor, there must be a verbal announcement for the persons with visual-impairments and a visual display for the persons with hearing-impairments in elevators.
- When the elevator door is opened, there must be a sufficient space between the door and the stair step, allowing the wheelchair user to move.

10. CONCLUSION

The UN Convention on the Rights of Persons with Disabilities and a number of regulations in national legislation evaluate accessibility as an indispensable constituent of participation in social life.

Although there have been periods of regression, the historical course of disability indicates that human history has had a positive and progressive process in the field of the rights of the persons with disabilities.

The present state in the 21st century describes the historical situation of the persons with disabilities with the "human rights of the persons with disabilities" and this perspective must be determinative in studies to be carried out.

It is obvious that accommodations on accessibility will not only cover the persons with disabilities but pregnant women or families with babies, children, elders, employees, tourists, patients, etc. as well, meaning that the whole society shall directly enjoy the spatial accessibility.

That all public spaces, information, technology, manufactured goods and services must be accessible for the whole society as well as the persons with disabilities and they must be in harmonization with universal design principles and international standards is under the responsibility of all actors and people in society.

This responsibility must not be interpreted and fulfilled due to the wrong perspective that everyone is a candidate for a disability or there are legal obligations but must be due to the perspective of the fundamental human rights.

Except for the times that are periodic and led humanity to darkness in all aspects, social accumulation, historical experience, laws explaining social relations, and the relationship and development of productive forces have tended to improve humanity in all senses. And even without the discrimination of the persons with disabilities, women, children, elders, employees, lepers, oppressed ones, etc. ...

With the hope of a barrier-free country and the world, where the whole society could access to all social wealth...

11. EKLER

ANNEX 1- The Planning of Accessible Urban Order

ANNEX 2- Accessibility for Everyone

ANNEX 3-To the Group Presidencies of the Parties in the Grand National Assembly of Turkey

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ANNEX 1-THE PLANNING OF ACCESSIBLE URBAN ORDER

The Planning of Accessible Urban Order**TMMOB Chamber of City Planners Ankara Branch**

Cities are modern spatiality of coming together freely and comfortably in public and common areas without any discriminations and barriers, accessing to contemporary urban spaces and services and enjoying them and finally integrating socially. In addition to its definition as economic, safe and comfortable transportation from one place to another for everyone including persons with disabilities, elders, children, poor, wealthy, urban, refugee, lgbt people, women, men, persons not speaking a language, etc. without any discriminations or obstructions, accessibility refers to making any services, knowledge, technologies or spaces offered in the city and in social life accessible and available to everyone within the framework of public benefits. Accessible urban spaces and service provisions are the most essential requirements of human self-existence and participation in social life. In accessibility definitions, there is a tendency to underestimate it predominantly to urban transportation and mobility matters. Even though the concept corresponds a meaning in social, cultural, economic, political, demographic, spatial, etc. fields; the concept can only be placed within the framework it deserves by determining the items to be accessed in those fields and building an integration and a plane of consensus among them.

In the cities of Turkey, a variety of access problems have been faced with in different areas. While creating a world of accessible cities and services growing in favor of especially wealthy and some privileged sections, a significant portion of the society suffers from aggrievement and deprivation. The conservation, production, fair distribution and accessibility of fundamental human needs, resources and several publicities in urban development processes form the focus on the issue of accessibility in cities. To this end, in Turkey, the problem of accessibility to enriched resources and publicities in scientific, socio-cultural, economic and democratic terms can be summarized on four main topics.

1. The deficiencies of shelter and nutrition, the most fundamental needs for human survival, are the primary problem areas having emerged under the title of accessibility and are getting deeper.

"Everyone has the right to housing and housing decently, which can meet their fundamental human needs." There is a need to provide all necessary research infrastructure and regulations to ensure that the housing and accommodation rights of the society exist in healthy, comfortable and safe ways and individuals have a fair access to these rights.

- **Shelter:** Through the planned urbanization, contemporary practices for housing must be accomplished and their accessibility must be ensured. In line with the scientific population projections made in our cities, the building stock and the reliability of this building stock must be ensured as needed. With the purpose of ensuring public access to this right; and making it easier, well-designed social housing offers must be prioritized instead of luxury housing projects, investment housing production and seasonal housing production. In addition, cheap housing offers must be designed in areas which are easily accessible in cities and where the society can easily access to urban life.
- **Nutrition:** When nutrition is considered as the fundamental human right, there is a need to plan urban areas in accordance with the purpose of reaching economical, fresh and reliable food and establish a healthy food access policy for everyone as a country policy. However, there is structuring policy extending built environment towards agricultural qualified lands in cities. For example, while all the neighborhoods of Ankara, without rural / urban exception, were being planned to produce zoning rent with a similar approach, the developments of local agriculture which is the source of healthy food production and the development of agro-industries were destroyed.

2. There is a need for a person to access equally and effectively to the rights, services and offerings brought by social life, which have equivalent significance to access to survival needs. Only in this way can human life be sustained with dignity. Unfortunately, the problem of access to urban and public services has reached serious levels in this period when the unemployment has peaked and the deliveries of urban services having become a part of the capital cycle through privatization and been reduced to the material. Accordingly, the need for a structuring which shall initially enable and equalize the right to work and ensure not only to get a job freely but also to work in nondiscriminating, fair, healthy and safe conditions via the freedom of organization is essential. With ensuring this equality for everyone, the policies of basic services such as justice, education, health, and the accessibility to natural and cultural environment must be grounded and must become accessible for everyone.

- **Justice:** There is a need for everyone to be ensured to enjoy fundamental human rights and justice services in the country widely and effectively. Human rights law in particular, the recognition, protection, fulfillment and developmental observation of the justice quest processes concerning the whole society are essential. In addition to the problems like not ensuring accessibility to justice equally in society and the violations of rights and laws in Ankara where the Courthouse has been moved from its current location by ignoring the society's access to the courthouse and its need for easy access, the plans have been made for the construction of the new courthouse.
- **Education:** Education is a fundamental human right and the access to education free of charge and in the easiest way is the essential for everyone. In addition to the regression of education, which is the most painful problem area in our country, the spatiality located in the center of the neighborhood and consisting of schools with a certain level and similar criteria has also been lost. Various access problems have been occurring in line with the preferences among the educational institutions tackled with out of the neighborhood scope, tossed aside, experiencing a quality loss and privatized.

School bus service dependence has emerged to be able to access to schools with certain standards. For the education of their children, extra costs such as bus service charges lay a burden on the shoulders of the people looking for a quality and also struggling with poverty.

The access of the children who are with special needs, under temporary protection and working under age compulsorily because of poverty to education free or cheap ways is almost impossible.

It is not sufficient for children to somehow have access to the place of education, which is a public service. In case of accessing education, "inclusive and qualified education" opportunities are not available for them. Therefore, the issue of access to education should be made accessible in all dimensions via central and local planning tools.

- **Health:** Regardless of their income level, ensuring that all members of the community have access to healthcare is the essential need of social life. As the socio-economic situation of the country deteriorates, health services have started to be presented to the society with its luxury offer packages in line with rent-sales marketing and they have become an offer which injustice increases in, access to primary health services is restricted by and individuals are able to access to by depending on their economic power. Although developed countries around the world have given up the idea, a building complex known as "City Hospitals" in our country; in other words, all the services offered by the various hospitals, located in the center of the city, unites at a great health complex with the pressure of the unification policy, has created a great problem area within the scope of the need to access health, which is spreading in our cities. For example, in Ankara with Bilkent City Hospital which has been taken into service and Etilik City Hospital which is still under construction, gigantic health complexes which are not only positionally problematic but also have been designed without considering the need for access from one end to the other for an individual with disabilities, with child or an elder have showed up.
- **Natural and Cultural Environment:** Natural and historical / cultural environment enable humankind to have a transgenerational manners and foresight and to reach a sustainable urbanization by seeing, learning and protecting the established and developed publicities for centuries. There are difficulties in accessing to these areas, which are seen as the heritage of all humanity, within the framework of protection and public interests. Both the society has been deprived of such areas, often accessible and utilizable for the development of private capital, and the loss of those areas has been experienced.

For example, the transformation of the historical city center under the rent pressure in Ankara and the loss of many historical and cultural assets; the destruction of the areas in Atatürk Orman Çiftliği providing agriculture-industry-urban integration and its closure to the society access, the divestment of the valleys, which are the air corridors of the city, by making them the ground or backyard of private residential projects from the society, the lack of open-green spaces, the basis of social communication, squares and access constraint to them; the artifacts removed from urban spaces and cinemas, theaters and libraries closed in the grip of the market mechanism and government policies under the leadership of managers who have no aesthetic sensitivity to art are the main areas the society has access difficulties.

3. "Mobility" and "circulation" are the fundamental concepts which play a key role in the integrated development of resources and various publicities and shall reveal sustainable social utilization within this development. The infrastructure for the realization of social movements ensuring equality and justice among communities from different classes and cultures is designed through successful design of mobility and circulation tools and by maintaining the daily rhythms in a healthy way.

- **Pedestrian Access:** The main subject whose mobility and circulation are to be ensured in the city is human. The communicative space of the physical and mental development of human is created by ensuring safe and comfortable circulation of people in the city. Not being able to access urban areas on foot has created the first step of the problem arising in this area in our cities.

Pedestrian roads' being full of obstacles, sidewalks' lack of continuity, sidewalks' not being constructed at heights and widths in accordance with the standards, non-integration of pedestrian roads with pedestrian crossings, the lack of signaling, signposting as well as orientation and the available regulations' preventing healthy individuals, let aside the persons with disabilities, from mobility and circulation are the most fundamental problems observed in this area.

Furthermore, an important dimension of the problem in this area is the inadequacy of public transportation forming the basis of cheap, fast and environmentally friendly mobility. The master plans of transportation must be prepared and sustainable transportation and mobility models must be developed in today's cities where transportation and access issues are integrated. The fact that access is not possible without policies supporting transportation and mobility must be taken into consideration. Citizens', from all walks of life, leaving home and accessing to wherever they want via integrated and sustainable transportation models have become one of the requirements of modern urban life. On the other hand, the participation of disadvantaged groups in social life can only be achieved in this way.

Demand management policies in which pedestrian and public transportations are predominant, must be implemented in urban centers, environmentally sensitive, alternative transportation types must be promoted by diversifying the types of transportation and the safety of pedestrians and cyclists must be ensured in traffic.

Pedestrian priority must be dominant **in urban and rural centers** instead of vehicle priority and efforts must be made to generalize and improve existing pedestrian zones and roads.

The design and implementation studies of pedestrian zones must be handled a participatory and holistic approach in urban centers and neighborhoods.

Individuals with mobility restrictions are the need groups requiring special attention while developing pedestrian standards during the development and implementation of pedestrian zones.

In pedestrian-intensive areas, level-crossings (stepless) and grade-signalized pedestrian crossings must be constructed instead of overpasses. In these crossings, the passing time for pedestrians must be determined based on the slowest pedestrian speed.

National and international standards must be taken into consideration in both the construction and maintenance-repair services and infrastructure works of pedestrian roads and zones and the uses restricting pedestrian movement and occupying must be removed.

Some additional regulations must be taken into consideration for the persons with disabilities to enjoy public transportation services effectively and to access pedestrian areas independently and safely. (low steps, curb ramps, convenient width, convenient material and movement area, etc.)

4. The right to information and access to information is based on the principle of transparency of the administration, an important element of the rule of law. The process that public institutions has almost given up work within the scope of "public interest", that in a social structuring where managers and the market are being worn by the decisions taken within the economic and political and social interests framework and that information is not presented and / or the correct information is not available is being gone through. Precisely for this reason, there is a need to be made public whether public works have realized within the framework of law and the correct information about the works done on issues like public interest, public and environmental health, basic services, etc. have produced in the institutions. Still in the field of planning profession, there are such problems that suspended plan and the suspension processes can be followed only at the institution concerned and that the practices, results and effects of plans and public tenders are closed to access in the age of information.

As a result, access itself is a multidimensional issue and its scope is related to various factors such as the presence and needs of the labourers of the structure to be accessed, their educational backgrounds, what the funding used is for and how it is provided, geographical accessibility, freedom of choice, community education and ensuring the quality of service. Aiming to plan physical, social, economic and cultural environment, these services and spaces for all sections of the society and the infrastructure for access must be provided.

Spatial arrangements have a vital importance in ensuring that individuals in the society can participate in urban life and access to information and service in equal opportunities. At every stage of planning; it is essential for urbanites, elders, young persons, children, women, persons with disabilities, persons with disadvantages to enjoy the urban services provided (social, cultural, health, education, etc.) equally and effectively, to increase accessibility to urban services, and to follow a participatory policy. **While making upper scale plans** in which especially the macroform of the city and the spatiality of urban and public services are formed, a holistic and participatory approach must be followed and holistic, inexpensive, safe and comfortable urban uses and their access must be ensured in a way that persons from all sections of the city are able to have access them fairly. This can only be achieved through the development of urban policies and strategies in not only physical but social aspects as well.

ANNEX 2-ACCESSIBILITY FOR EVERYONE

Accessibility for Everyone

Av. Ali ULUSOY

President of Çankaya City Council Disabled Assembly

Chairman of Barrier-Free and Happy Life Association

I'm happy to see that the report of the study "Accessible Universities" prepared by Association for Persons with Disabilities and Youth has made up a major deficiency about the effects of public spaces' being accessible on education or employment.

Accessibility is very important for individuals with disabilities and all people to participate in social life. Although accessibility is guaranteed by both the United Nations Convention on the Rights of Persons with Disabilities and the Constitution and laws, the implementation is not exactly as it should be.

This report prepared by Association for Persons with Disabilities and Youth has been a unique source in which the provisions of the legislation on accessibility have been involved all together. With the slogan "We are Researching-Monitoring for Disabled-Friendly Universities", I think "Accessible university monitoring study", performed in the form of monitoring the spaces in 250 universities in Ankara is the first study on the accessibility of universities in Ankara.

I congratulate Association for Persons with Disabilities and Youth and field researchers, for they have carried out this study, a very important resource for both university students with disabilities, universities' disability-related units and non-governmental organizations and academics working in the field of disability and prepared the report after a meticulous monitoring and research.

Thank you...

Association for Persons with Disabilities
And Youth
Gerede St. 7/9 Çankaya/ ANKARA
engencder@gmail.com
05074517735



Subject: The Right to Request a Parliamentary Inquiry
on Accessibility
Number: 2020/2

**The Grand National Assembly of Turkey
To the Group Presidency of Justice and Development Party**

In the 3rd article titled Definitions of the Disability Rights Law No. 5378 dated 01.7.2005, Accessibility has been defined as "Buildings, open spaces, transportation and information services and information and communication technology can be accessed and used safely and independently by persons with disabilities" and stated that the Turkish Standards Institute (TSI) shall publish standards on accessibility.

In the 7th article of the Law aforesaid; 7-year-adaptation period has been given to comply with the accessibility criteria of the specified localities by making the arrangement "Accessibility standards are complied with in the processes of planning, design, construction, manufacturing, licensing and inspection to ensure the accessibility of persons with disabilities in the built environment. Besides private and public transportation systems, private and public transportation vehicles, which have nine or more seats apart from the driver's seat, have to be convenient for the accessibility of persons with disabilities. It is ensured that informing services, information and technology are accessible to persons with disabilities."

With the article 34 of Law No. 6353 dated 04.07.2012 on Amending Some Laws and Decree Laws, the 7-year adaptation process has been increased to 8 years and with the provisional article added to the Law No. 5378, 8 years has actually been increased to 10 years by stating "Monitoring and inspection of the implementation of the accessibility standards specified in the provisional article 2 of this Law and the first paragraph of this article are carried out by the Ministries of Family, Labour and Social Services, the Interior, Environment and Urban Planning, Transport, Maritime Affairs and Communication and the commission consisting of representatives of confederations about persons with disabilities in each province. More than one commission can be established if needed. As a result of the inspection, an extension of time, not exceeding two years from the end of the period specified in the first paragraph, may be granted to the owners of all kinds of structures and open spaces providing public services, the owners of public transport vehicles in addition to the relevant municipalities, public institutions and organizations to compensate the deficiencies."

By acting against the periods specified in the Law numbered 6353 and contrary to the Law, it has been declared ".....from places where accessibility determination has been made, public institutions and institutions that have been determined not to fulfill their accessibility obligations and real and private legal entities who own them be granted an extension of time from 3 months to 6 months" in the Circular, dated 26.02.2017 and numbered 96413503-010.06.01-E.22639 2017/3, of the Ministry of Family, Labour and Social Policies- General Directorate of Services for Persons with Disabilities and Elderly People.

In the UN Convention on the Rights of Persons with Disabilities, one of the international agreements above national legislation and adopted by the Grand National Assembly of Turkey on 03.12.2008, the obligation to make regulations on accessibility which is pervaded into the general mood of the Convention and defined in the convention as "designing products, environment, programs and services be used by everyone as much as possible without the need for a special design or adaptation and designing assistive devices for specially disabled groups if needed", embodied in the form of universal design and inclusive design and grounded on acting of the independence of individuals with disabilities independently also imposes binding obligations in international law for Turkey.

Data obtained from the monitoring study via using the form attached to our petition in the regions determined as pilot in Ankara province by our association shows that the areas, defined as public spaces and frequently used by persons with disabilities, are far from accessible to persons with disabilities.

Beyond the obligation imposed by legal regulations, that public spaces, information technology and goods and services produced are accessible to everyone in the community is a requirement of the prohibition of discrimination, which is one of the fundamental human rights and explicitly stated in the Universal Declaration of Human Rights.

The purpose of the study conducted by our association and stated above is not only determining the state of accessibility, but making attempts to redress accessibility deficiencies and promoting the authorities in terms of legal obligation and human rights principles as well.

In the 98th article of the Constitution, it is stated " *The Grand National Assembly of Turkey shall exercise its powers of obtaining information and supervision by means of parliamentary inquiry, general debate, parliamentary investigation and written question.*"

In the Rules of Procedure of the Grand National Assembly of Turkey, the article 94 titled "Description and Explanation of Parliamentary Inquiry" and the article 95 titled " Committees and Powers of Parliamentary Inquiry " have regulated that Parliamentary inquiries could be conducted and a special committee of inquiry could be established.

Regarding the accessibility of persons with disabilities to public areas, legal framework of which has been mentioned above and one of the fundamental human rights, we kindly request the Parliamentary Group Presidency of your party to take steps in accordance with the Constitution and the TGNA Rules of Procedure on conducting a Parliamentary inquiry in the province of Ankara.

Coşkun GÖK

Association for Persons with Disabilities and Youth

ANNEX 4-

Association for Persons with Disabilities
And Youth
Gerede St. 7/9 Çankaya/ ANKARA
engencder@gmail.com
05074517735



Subject: The Right to Request a Parliamentary Inquiry
on Accessibility
Number: 2020/4

The Grand National Assembly of Turkey
To the Group Presidency of Republican People's Party

In the 3rd article titled Definitions of the Disability Rights Law No. 5378 dated 01.7.2005, Accessibility has been defined as "Buildings, open spaces, transportation and information services and information and communication technology can be accessed and used safely and independently by persons with disabilities" and stated that the Turkish Standards Institute (TSI) shall publish standards on accessibility.

In the 7th article of the Law aforesaid; 7-year-adaptation period has been given to comply with the accessibility criteria of the specified localities by making the arrangement "Accessibility standards are complied with in the processes of planning, design, construction, manufacturing, licensing and inspection to ensure the accessibility of persons with disabilities in the built environment. Besides private and public transportation systems, private and public transportation vehicles, which have nine or more seats apart from the driver's seat, have to be convenient for the accessibility of persons with disabilities. It is ensured that informing services, information and technology are accessible to persons with disabilities."

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In the UN Convention on the Rights of Persons with Disabilities, one of the international agreements above national legislation and adopted by the Grand National Assembly of Turkey on 03.12.2008, the obligation to make regulations on accessibility which is pervaded into the general mood of the Convention and defined in the convention as "designing products, environment, programs and services be used by everyone as much as possible without the need for a special design or adaptation and designing assistive devices for specially disabled groups if needed", embodied in the form of universal design and inclusive design and grounded on acting of the independence of individuals with disabilities independently also imposes binding obligations in international law for Turkey.

Data obtained from the monitoring study via using the form attached to our petition in the regions determined as pilot in Ankara province by our association shows that the areas, defined as public spaces and frequently used by persons with disabilities, are far from accessible to persons with disabilities.

Beyond the obligation imposed by legal regulations, that public spaces, information technology and goods and services produced are accessible to everyone in the community is a requirement of the prohibition of discrimination, which is one of the fundamental human rights and explicitly stated in the Universal Declaration of Human Rights.

The purpose of the study conducted by our association and stated above is not only determining the state of accessibility, but making attempts to redress accessibility deficiencies and promoting the authorities in terms of legal obligation and human rights principles as well.

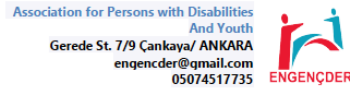
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Regarding the accessibility of persons with disabilities to public areas, legal framework of which has been mentioned above and one of the fundamental human rights, we kindly request the Parliamentary Group Presidency of your party to take steps in accordance with the Constitution and the TGNA Rules of Procedure on conducting a Parliamentary inquiry in the province of Ankara.

Coşkun GÖK

Association for Persons with Disabilities and Youth



Subject: The Right to Request a Parliamentary Inquiry
on Accessibility
Number: 2020/5

**The Grand National Assembly of Turkey
To the Group Presidency of People's Democratic Party**

In the 3rd article titled Definitions of the Disability Rights Law No. 5378 dated 01.7.2005, Accessibility has been defined as "Buildings, open spaces, transportation and information services and information and communication technology can be accessed and used safely and independently by persons with disabilities" and stated that the Turkish Standards Institute (TSI) shall publish standards on accessibility.

In the 7th article of the Law aforesaid; 7-year- adaptation period has been given to comply with the accessibility criteria of the specified localities by making the arrangement "Accessibility standards are complied with in the processes of planning, design, construction, manufacturing, licensing and inspection to ensure the accessibility of persons with disabilities in the built environment. Besides private and public transportation systems, private and public transportation vehicles, which have nine or more seats apart from the driver's seat, have to be convenient for the accessibility of persons with disabilities. It is ensured that informing services, information and technology are accessible to persons with disabilities."

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By acting against the periods specified in the Law numbered 6353 and contrary to the Law, it has been declared ".....from places where accessibility determination has been made, public institutions and institutions that have been determined not to fulfill their accessibility obligations and real and private legal entities who own them be granted an extension of time from 3 months to 6 months" in the Circular, dated 26.02.2017 and numbered 96413503-010.06.01-E.22639 2017/3, of the Ministry of Family, Labour and Social Policies- General Directorate of Services for Persons with Disabilities and Elderly People.

In the UN Convention on the Rights of Persons with Disabilities, one of the international agreements above national legislation and adopted by the Grand National Assembly of Turkey on 03.12.2008, the obligation to make regulations on accessibility which is pervaded into the general mood of the Convention and defined in the convention as "designing products, environment, programs and services be used by everyone as much as possible without the need for a special design or adaptation and designing assistive devices for specially disabled groups if needed", embodied in the form of universal design and inclusive design and grounded on acting of the independence of individuals with disabilities independently also imposes binding obligations in international law for Turkey.

Data obtained from the monitoring study via using the form attached to our petition in the regions determined as pilot in Ankara province by our association shows that the areas, defined as public spaces and frequently used by persons with disabilities, are far from accessible to persons with disabilities.

Beyond the obligation imposed by legal regulations, that public spaces, information technology and goods and services produced are accessible to everyone in the community is a requirement of the prohibition of discrimination, which is one of the fundamental human rights and explicitly stated in the Universal Declaration of Human Rights.

The purpose of the study conducted by our association and stated above is not only determining the state of accessibility, but making attempts to redress accessibility deficiencies and promoting the authorities in terms of legal obligation and human rights principles as well.

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In the Rules of Procedure of the Grand National Assembly of Turkey, the article 94 titled "Description and Explanation of Parliamentary Inquiry" and the article 95 titled " Committees and Powers of Parliamentary Inquiry " have regulated that Parliamentary inquiries could be conducted and a special committee of inquiry could be established.

Regarding the accessibility of persons with disabilities to public areas, legal framework of which has been mentioned above and one of the fundamental human rights, we kindly request the Parliamentary Group Presidency of your party to take steps in accordance with the Constitution and the TGNA Rules of Procedure on conducting a Parliamentary inquiry in the province of Ankara.

Coşkun GÖK

Association for Persons with Disabilities and Youth



Subject: The Right to Request a Parliamentary Inquiry
on Accessibility
Number: 2020/6

**The Grand National Assembly of Turkey
To the Group Presidency of İYİ Party**

In the 3rd article titled Definitions of the Disability Rights Law No. 5378 dated 01.7.2005, Accessibility has been defined as "Buildings, open spaces, transportation and information services and information and communication technology can be accessed and used safely and independently by persons with disabilities" and stated that the Turkish Standards Institute (TSI) shall publish standards on accessibility.

In the 7th article of the Law aforesaid; 7-year- adaptation period has been given to comply with the accessibility criteria of the specified localities by making the arrangement "Accessibility standards are complied with in the processes of planning, design, construction, manufacturing, licensing and inspection to ensure the accessibility of persons with disabilities in the built environment. Besides private and public transportation systems, private and public transportation vehicles, which have nine or more seats apart from the driver's seat, have to be convenient for the accessibility of persons with disabilities. It is ensured that informing services, information and technology are accessible to persons with disabilities."

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By acting against the periods specified in the Law numbered 6353 and contrary to the Law, it has been declared ".....from places where accessibility determination has been made, public institutions and institutions that have been determined not to fulfill their accessibility obligations and real and private legal entities who own them be granted an extension of time from 3 months to 6 months" in the Circular, dated 26.02.2017 and numbered 96413503-010.06.01-E.22639 2017/3, of the Ministry of Family, Labour and Social Policies- General Directorate of Services for Persons with Disabilities and Elderly People.

In the UN Convention on the Rights of Persons with Disabilities, one of the international agreements above national legislation and adopted by the Grand National Assembly of Turkey on 03.12.2008, the obligation to make regulations on accessibility which is pervaded into the general mood of the Convention and defined in the convention as "designing products, environment, programs and services be used by everyone as much as possible without the need for a special design or adaptation and designing assistive devices for specially disabled groups if needed", embodied in the form of universal design and inclusive design and grounded on acting of the independence of individuals with disabilities independently also imposes binding obligations in international law for Turkey.

Data obtained from the monitoring study via using the form attached to our petition in the regions determined as pilot in Ankara province by our association shows that the areas, defined as public spaces and frequently used by persons with disabilities, are far from accessible to persons with disabilities.

Beyond the obligation imposed by legal regulations, that public spaces, information technology and goods and services produced are accessible to everyone in the community is a requirement of the prohibition of discrimination, which is one of the fundamental human rights and explicitly stated in the Universal Declaration of Human Rights.

The purpose of the study conducted by our association and stated above is not only determining the state of accessibility, but making attempts to redress accessibility deficiencies and promoting the authorities in terms of legal obligation and human rights principles as well.

In the 98th article of the Constitution, it is stated " *The Grand National Assembly of Turkey shall exercise its powers of obtaining information and supervision by means of parliamentary inquiry, general debate, parliamentary investigation and written question.*"

In the Rules of Procedure of the Grand National Assembly of Turkey, the article 94 titled "Description and Explanation of Parliamentary Inquiry" and the article 95 titled " Committees and Powers of Parliamentary Inquiry " have regulated that Parliamentary inquiries could be conducted and a special committee of inquiry could be established.

Regarding the accessibility of persons with disabilities to public areas, legal framework of which has been mentioned above and one of the fundamental human rights, we kindly request the Parliamentary Group Presidency of your party to take steps in accordance with the Constitution and the TGNA Rules of Procedure on conducting a Parliamentary inquiry in the province of Ankara.

Coşkun GÖK

Association for Persons with Disabilities and Youth

ANNEX 7-

Association for Persons with Disabilities
And Youth
Gerede St. 7/9 Çankaya/ ANKARA
engender@gmail.com
05074517735



Subject: The Right to Request a Parliamentary Inquiry
on Accessibility
Number: 2020/8

**The Grand National Assembly of Turkey
To the Group Presidency of Nationalist Movement Party**

In the 3rd article titled Definitions of the Disability Rights Law No. 5378 dated 01.7.2005, Accessibility has been defined as "Buildings, open spaces, transportation and information services and information and communication technology can be accessed and used safely and independently by persons with disabilities" and stated that the Turkish Standards Institute (TSI) shall publish standards on accessibility.

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In the UN Convention on the Rights of Persons with Disabilities, one of the international agreements above national legislation and adopted by the Grand National Assembly of Turkey on 03.12.2008, the obligation to make regulations on accessibility which is pervaded into the general mood of the Convention, defined in the convention as "designing products, environment, programs and services be used by everyone as much as possible without the need for a special design or adaptation and designing assistive devices for specially disabled groups if needed", embodied in the form of universal design and inclusive design and grounded on acting of the independence of individuals with disabilities independently also imposes binding obligations in international law for Turkey.

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In the 98th article of the Constitution, it is stated " *The Grand National Assembly of Turkey shall exercise its powers of obtaining information and supervision by means of parliamentary inquiry, general debate, parliamentary investigation and written question.* "

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Regarding the accessibility of persons with disabilities to public areas, legal framework of which has been mentioned above and one of the fundamental human rights, we kindly request the Parliamentary Group Presidency of your party to take steps in accordance with the Constitution and the TGNA Rules of Procedure on conducting a Parliamentary inquiry in the province of Ankara.

Coşkun GÖK

Association for Persons with Disabilities and Youth

ANNEX 8-TO OMBUDSMAN INSTITUTION

Association for Persons with Disabilities
And Youth
Gerede St. 7/9 Çankaya/ ANKARA
engencder@gmail.com
05074517735 ENGENÇDER

Subject: The Right of Accessibility to Public Spaces
for Persons with Disabilities
Number: 2020/7

To the Ombudsman Institution

In the 3rd article titled Definitions of the Disability Rights Law No. 5378 dated 01.7.2005, Accessibility has been defined as "Buildings, open spaces, transportation and information services and information and communication technology can be accessed and used safely and independently by persons with disabilities" and stated that the Turkish Standards Institute (TSI) shall publish standards on accessibility.

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Regarding the accessibility of persons with disabilities to public areas, legal framework of which has been mentioned above and one of the fundamental human rights, we kindly request the Parliamentary Group Presidency of your party to take steps in accordance with the Constitution and the TGNA Rules of Procedure on conducting a Parliamentary inquiry in the province of Ankara.

Coşkun GÖK

Association for Persons with Disabilities and Youth

ANNEX 9- MINISTRY OF FAMILY, LABOUR AND SOCIAL SERVICES

Association for Persons with Disabilities
And Youth
Gerede St. 7/9 Çankaya/ ANKARA
engencder@gmail.com
0507451773



Subject: Knowledge Acquisition on the Right of Accessibility
to Public Spaces for Persons with Disabilities
Number: 2020/3

T.R.
Ministry of Family, Labour and Social Policies
(Directorate of General for the Persons with Disabilities and elders Services)

In the 3rd article titled Definitions of the Disability Rights Law No. 5378 dated 01.7.2005, Accessibility has been defined as "Buildings, open spaces, transportation and information services and information and communication technology can be accessed and used safely and independently by persons with disabilities" and stated that the Turkish Standards Institute (TSI) shall publish standards on accessibility.

In the 7th article of the Law aforesaid; 7-year- adaptation period has been given to comply with the accessibility criteria of the specified localities by making the arrangement "Accessibility standards are complied with in the processes of planning, design, construction, manufacturing, licensing and inspection to ensure the accessibility of persons with disabilities in the built environment. Besides private and public transportation systems, private and public transportation vehicles, which have nine or more seats apart from the driver's seat, have to be convenient for the accessibility of persons with disabilities. It is ensured that informing services, information and technology are accessible to persons with disabilities."

With the article 34 of Law No. 6353 dated 04.07.2012 on Amending Some Laws and Decree Laws, the 7-year adaptation process has been increased to 8 years and with the provisional article added to the Law No. 5378, 8 years has actually been increased to 10 years by stating "Monitoring and inspection of the implementation of the accessibility standards specified in the provisional article 2 of this Law and the first paragraph of this article are carried out by the Ministries of Family, Labour and Social Services, the Interior, Environment and Urban Planning, Transport, Maritime Affairs and Communication and the commission consisting of representatives of confederations about persons with disabilities in each province. More than one commission can be established if needed. As a result of the inspection, an extension of time, not exceeding two years from the end of the period specified in the first paragraph, may be granted to the owners of all kinds of structures and open spaces providing public services, the owners of public transport vehicles in addition to the relevant municipalities, public institutions and organizations to compensate the deficiencies."

By acting against the periods specified in the Law numbered 6353 and contrary to the Law, it has been declared ".....from places where accessibility determination has been made, public institutions and institutions that have been determined not to fulfill their accessibility obligations and real and private legal entities who own them be granted an extension of time from 3 months to 6 months" in the Circular, dated 26.02.2017 and numbered 96413503-010.06.01-E.22639 2017/3, of the Ministry of Family, Labour and Social Policies- General Directorate of Services for Persons with Disabilities and Elderly People.

In the UN Convention on the Rights of Persons with Disabilities, one of the international agreements above national legislation and adopted by the Grand National Assembly of Turkey on 03.12.2008, the obligation to make regulations on accessibility which is pervaded into the general mood of the Convention, defined in the convention as "designing products, environment, programs and services be used by everyone as much as possible without the need for a special design or adaptation and designing assistive devices for specially disabled groups if needed", embodied in the form of universal design and inclusive design and grounded on acting of the independence of individuals with disabilities independently also imposes binding obligations in international law for Turkey.

Data obtained from the monitoring study via using the form attached to our petition in the regions determined as pilot in Ankara province by our association shows that the areas, defined as public spaces and frequently used by persons with disabilities, are far from accessible to persons with disabilities.

Of the aforementioned legislative regulations, the fulfilment of the provisions in "Accessibility Monitoring and Inspection Regulations" and the responsibility of "Accessibility Monitoring and Inspection Commissions" have left to your Ministry.

That Administrative Fines (AF) shall be imposed to the institutions and organizations not meeting the accessibility requirements in addition to the fine criteria and amount has been stated in both legislative regulations cited and your Ministry's circular on 02.03.2017 and numbered 2017/4.

According to this;

- Has an Accessibility Monitoring and Inspection Commission been established in Ankara? If so, from which date does it operate? What institutions and organizations are included in the commission?
- What is the number of institutions / organizations / spaces where the relevant commission has monitored and inspected on accessibility in Ankara?
- As a result of the monitoring and inspections, how many institutions / organizations have been given to "Accessibility Certificate"?
- As a result of the monitoring and inspections, how many institutions / organizations have been granted an extension of time from 3 months to 6 months to redress the deficiencies?
- As a result of monitoring and inspections, how many institutions / organizations have AF been imposed to?
- What is the exact amount of AF imposed?
- How much of the amount of AF imposed has been collected?

By operation of the Law No. 4982 on the Right to Information, we; on behalf of our Association, kindly request the questions above which are within the field of interest and responsibility of your Ministry to be answered.

Coşkun GÖK

Association for Persons with Disabilities and Youth

Responded

🕒 14.11.2019 15:13

As of 14.11.2019, there are 1540 buses that actively provide public transportation service. These 1443 buses, 1063 of which are solo type; namely, short and 380 are bendy buses, operate with CNG, natural gas fuel. The number of 99 model buses operating on diesel fuel is 97. 97 Mercedes diesel buses are taken into the service in case of emergency. There are not ramps or elevators for persons with disabilities in 97 buses. There are elevators for persons with disabilities in 1063 short buses. 380 bendy buses do not have a ramp for persons with disabilities. Each bus has the capacity for a car or a wheelchair for passenger with disabilities. Each bus has an attachment and seat belt for one car or chair for passenger with disabilities. There is a white wheelchair icon on the blue background of solo type short public transportation bus doors. There is a driver warning light for getting a car or a wheelchair for passenger with disabilities from the doors having a ramp or elevator for persons with disabilities. Upon pressed on this button, the warning light is on at a point where the bus driver is able to see. In this way, the bus driver is informed that there is a car or chair for passenger with disabilities at the stop and enables the car or wheelchair for passenger with disabilities to get on the bus by opening the door.

We respectfully submit it for your consideration.

ANNEX 11-INFORMATION OBSERVATION FORM

WE ARE RESEARCHING-MONITORING FOR DISABLED FRIENDLY UNIVERSITY FIELD RESEARCH SURVEY^{8*}

University:
Faculty:
Department:
Date:

Question Number	QUESTIONS	ANSWERS								
1	Which is the Public Space Inspected?	<table border="1"> <tr> <td>Administrative Building ()</td> <td>Faculty ()</td> </tr> <tr> <td>Dining Hall ()</td> <td>Dormitory ()</td> </tr> <tr> <td>Restaurant/café ()</td> <td>Public Transportation Vehicle ()</td> </tr> <tr> <td>Swimming Pool ()</td> <td>Diğer ()</td> </tr> </table>	Administrative Building ()	Faculty ()	Dining Hall ()	Dormitory ()	Restaurant/café ()	Public Transportation Vehicle ()	Swimming Pool ()	Diğer ()
Administrative Building ()	Faculty ()									
Dining Hall ()	Dormitory ()									
Restaurant/café ()	Public Transportation Vehicle ()									
Swimming Pool ()	Diğer ()									
2	Write the Name / Plate Number / Address and Telephone of the Inspected Place.									
3	How was the research carried out?	By making observation () By interviewing with official ()								
4	Is the Location of the Place Convenient for the Persons with Disabilities? (in terms of public transportation)	Yes () No ()								
5	Is There an Access Ramp for the Wheelchair at the Entrance of the Place? (slope range 5-7 %)	Yes () No ()								
6	Is There a Guidance for the Persons with Visual-Impairments at the Entrance of the Place? (braille printing at an accessible point)	Available () Unavailable ()								
7	Are There Written Directions for the Persons with Hearing-Impairments at the Entrance of the Place or inside?	Available () Unavailable ()								
8	Are the Building Entrance Doors and the Door Sills Suitable for the Persons with Disabilities? (wheelchair, with regard to persons with visual impairments, etc.)	Yes () No () Explanation:								
9	Can All Sections on the Ground Floor be Accessed without Steps and Access Ramps?	Yes () No () Explanation:								
10	Is the Floor of the Building Suitable for the Persons with Disabilities? (in terms of slipperiness, roughness)	Yes () No () Explanation:								

⁸ engellidostuuniversite@gmail.com

@engellidostukentlericin

Bu formun içeriği **Engelliler ve Gençlik Derneği**'ne aittir.

Question Number	QUESTIONS	ANSWERS
11	Is there an Elevator in the Building?	Yes () No () Explanation:
12	<i>If the answer is Yes to the 11th question</i> Is the Elevator Suitable for the Use of the Persons with Disabilities? (in terms of elevator width, location of buttons, audio and video guidance, handrails for persons with disabilities, etc.)	Yes () No () Explanation:
13	Is There a Toilet for the Persons with Disabilities?	Yes () No () Explanation:
14	Is There an Emergency Exit Specially Designed for the Persons with Disabilities?	Yes () No () Explanation:
15	Is There a Parking Space for the Persons with Disabilities?	Yes () No () Explanation:
16	Are the Staff Qualified in Sign Language Employed for the Persons with Hearing-Impairments?	Yes () No () Explanation:
17	Is the Distance Between the Rows in Classes Suitable for Wheelchair Passing? (minimum 80-90cm)	Yes () No () Explanation:
18	Is the Height of the Rows in Classrooms Suitable for the Persons with Wheelchair? (maximum 120cm)	Yes () No () Explanation:
19	<i>(If the place inspected is a restaurant, cafe, etc., in addition to other related questions, answer the questions 19-20 (included) accordingly)</i> Is the Menu List Prepared with Brail Alphabet Used in the Workplace?	Yes () No () Explanation:
20	Is the Height of Furniture (table, desk, counter) Used by Customers Suitable for Persons with Wheelchairs? (minimum 120cm)	Evet () Hayır () Açıklama:
21	<i>(If the place inspected is a dormitory, in addition to the other related questions, answer the question 21 accordingly)</i> Is There a Bathroom for the Persons with Disabilities?	Yes () No () Explanation:
22	<i>(İncelenen yer <u>Yüzme Havuzu</u> ise diğer ilgili sorulara ek olarak 22-24. (dahil soruları (If the place inspected is a swimming pool, in addition to the other related questions, answer the questions 22-24 (included) accordingly)</i> Is There a Locker for the Persons with Disabilities?	Yes () No () Explanation:
23	Are There Any Set Hours for the Persons with Disabilities to Use the Pool?	Yes () No () Explanation:
24	Have Special Arrangements Been Made for the Persons with Disabilities to Use the Pool?	Yes () No () Explanation:

ANNEX 12-BAHÇELİEVLER EXPERIENCE



The signature campaign launched by Bahçelievler Assistance and Solidarity Association on September 22, 2019 (In Bahçelievler District (**Bahçelievler, Yukarı Bahçelievler, Emek Neighbourhoods**), we ask for **the ending of sidewalk occupations and the sidewalks that are not occupied by billboards, where persons with disabilities, elders and children can walk comfortably in life safety.**) Concluded with 1624 signatures and it has been sent to Ankara Metropolitan Municipality and Çankaya Municipality. In this regard, the Head of Municipal Police Department in Ankara Metropolitan Municipality has sent articles to relevant Departments, Public Institutions and Organizations and the studies have been given a start. With the help of a technical team, our associates made discoveries in our district on January 24, 2020 in order to make the sidewalks convenient for person with disabilities and our requests regarding the issue were conveyed. The process has been followed by our Association.

Bahçelievler Assistance and Solidarity Association

ANNEX 13-THE UN CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES

CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES⁹

Preamble

The States Parties to the present Convention,

- (a) Recalling the principles proclaimed in the Charter of the United Nations which recognize the inherent dignity and worth and the equal and inalienable rights of all members of the human family as the foundation of freedom, justice and peace in the world,
- (b) Recognizing that the United Nations, in the Universal Declaration of Human Rights and in the International Covenants on Human Rights, has proclaimed and agreed that everyone is entitled to all the rights and freedoms set forth therein, without distinction of any kind,
- (c) Reaffirming the universality, indivisibility, interdependence and interrelatedness of all human rights and fundamental freedoms and the need for persons with disabilities to be guaranteed their full enjoyment without discrimination,
- (d) Recalling the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Rights of the Child, and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,
- (e) Recognizing that disability is an evolving concept and that disability results from the interaction between persons with impairments and attitudinal and environmental barriers that hinders their full and effective participation in society on an equal basis with others,
- (f) Recognizing the importance of the principles and policy guidelines contained in the World Programme of Action concerning Disabled Persons and in the Standard Rules on the Equalization of Opportunities for Persons with Disabilities in influencing the promotion, formulation and evaluation of the policies, plans, programmes and actions at the national, regional and international levels to further equalize opportunities for persons with disabilities,
- (g) Emphasizing the importance of mainstreaming disability issues as an integral part of relevant strategies of sustainable development,
- (h) Recognizing also that discrimination against any person on the basis of disability is a violation of the inherent dignity and worth of the human person,
- (i) Recognizing further the diversity of persons with disabilities,
- (j) Recognizing the need to promote and protect the human rights of all persons with disabilities, including those who require more intensive support,
- (k) Concerned that, despite these various instruments and undertakings, persons with disabilities continue to face barriers in their participation as equal members of society and violations of their human rights in all parts of the world,

⁹ <https://resmigazete.gov.tr/eskiler/2009/07/20090714-1.htm>

- (l) Recognizing the importance of international cooperation for improving the living conditions of persons with disabilities in every country, particularly in developing countries,
- (m) Recognizing the valued existing and potential contributions made by persons with disabilities to the overall well-being and diversity of their communities, and that the promotion of the full enjoyment by persons with disabilities of their human rights and fundamental freedoms and of full participation by persons with disabilities will result in their enhanced sense of belonging and in significant advances in the human, social and economic development of society and the eradication of poverty,
- (n) Recognizing the importance for persons with disabilities of their individual autonomy and independence, including the freedom to make their own choices,
- (o) Considering that persons with disabilities should have the opportunity to be actively involved in decision-making processes about policies and programmes, including those directly concerning them,
- (p) Concerned about the difficult conditions faced by persons with disabilities who are subject to multiple or aggravated forms of discrimination on the basis of race, colour, sex, language, religion, political or other opinion, national, ethnic, indigenous or social origin, property, birth, age or other status,
- (q) Recognizing that women and girls with disabilities are often at greater risk, both within and outside the home, of violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation,
- (r) Recognizing that children with disabilities should have full enjoyment of all human rights and fundamental freedoms on an equal basis with other children, and recalling obligations to that end undertaken by States Parties to the Convention on the Rights of the Child,
- (s) Emphasizing the need to incorporate a gender perspective in all efforts to promote the full enjoyment of human rights and fundamental freedoms by persons with disabilities,
- (t) Highlighting the fact that the majority of persons with disabilities live in conditions of poverty, and in this regard recognizing the critical need to address the negative impact of poverty on persons with disabilities,
- (u) Bearing in mind that conditions of peace and security based on full respect for the purposes and principles contained in the Charter of the United Nations and observance of applicable human rights instruments are indispensable for the full protection of persons with disabilities, in particular during armed conflicts and foreign occupation,
- (v) Recognizing the importance of accessibility to the physical, social, economic and cultural environment, to health and education and to information and communication, in enabling persons with disabilities to fully enjoy all human rights and fundamental freedoms,
- (w) Realizing that the individual, having duties to other individuals and to the community to which he or she belongs, is under a responsibility to strive for the promotion and observance of the rights recognized in the International Bill of Human Rights,
- (x) Convinced that the family is the natural and fundamental group unit of society and is entitled to protection by society and the State, and that persons with disabilities and their family members should receive the necessary protection and assistance to enable families to contribute towards the full and equal enjoyment of the rights of persons with disabilities,
- (y) Convinced that a comprehensive and integral international convention to promote and protect the rights and dignity of persons with disabilities will make a significant contribution to redressing the profound social disadvantage of persons with disabilities and promote their participation in the civil, political, economic, social and cultural spheres with equal opportunities, in both developing and developed countries,

Have agreed as follows:

Article 1

Purpose

The purpose of the present Convention is to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities, and to promote respect for their inherent dignity.

Persons with disabilities include 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.

Article 2

Definitions

For the purposes of the present Convention:

“Communication” includes languages, display of text, Braille, tactile communication, large print, accessible multimedia as well as written, audio, plain-language, human-reader and augmentative and alternative modes, means and formats of communication, including accessible information and communication technology;

“Language” includes spoken and signed languages and other forms of non-spoken languages;

“Discrimination on the basis of disability” means 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. It includes all forms of discrimination, including denial of reasonable accommodation;

“Reasonable accommodation” means necessary and appropriate modification and adjustments not imposing a disproportionate or undue burden, where needed in a particular case, to ensure to persons with disabilities the enjoyment or exercise on an equal basis with others of all human rights and fundamental freedoms;

“Universal design” means the design of products, environments, programmes and services to be usable by all people, to the greatest extent possible, without the need for adaptation or specialized design. “Universal design” shall not exclude assistive devices for particular groups of persons with disabilities where this is needed.

Article 3

General principles

The principles of the present Convention shall be:

- (a) Respect for inherent dignity, individual autonomy including the freedom to make one’s own choices, and independence of persons;
- (b) Non-discrimination;
- (c) Full and effective participation and inclusion in society;
- (d) Respect for difference and acceptance of persons with disabilities as part of human diversity and humanity;

- (e) Equality of opportunity;
- (f) Accessibility;
- (g) Equality between men and women;
- (h) Respect for the evolving capacities of children with disabilities and respect for the right of children with disabilities to preserve their identities.

Article 4

General obligations

1. States Parties undertake to ensure and promote the full realization of all human rights and fundamental freedoms for all persons with disabilities without discrimination of any kind on the basis of disability. To this end, States Parties undertake:

- (a) To adopt all appropriate legislative, administrative and other measures for the implementation of the rights recognized in the present Convention;
- (b) To take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices that constitute discrimination against persons with disabilities;
- (c) To take into account the protection and promotion of the human rights of persons with disabilities in all policies and programmes;
- (d) To refrain from engaging in any act or practice that is inconsistent with the present Convention and to ensure that public authorities and institutions act in conformity with the present Convention;
- (e) To take all appropriate measures to eliminate discrimination on the basis of disability by any person, organization or private enterprise;
- (f) To undertake or promote research and development of universally designed goods, services, equipment and facilities, as defined in article 2 of the present Convention, which should require the minimum possible adaptation and the least cost to meet the specific needs of a person with disabilities, to promote their availability and use, and to promote universal design in the development of standards and guidelines;
- (g) To undertake or promote research and development of, and to promote the availability and use of new technologies, including information and communications technologies, mobility aids, devices and assistive technologies, suitable for persons with disabilities, giving priority to technologies at an affordable cost;
- (h) To provide accessible information to persons with disabilities about mobility aids, devices and assistive technologies, including new technologies, as well as other forms of assistance, support services and facilities;
- (i) To promote the training of professionals and staff working with persons with disabilities in the rights recognized in the present Convention so as to better provide the assistance and services guaranteed by those rights.

2. With regard to economic, social and cultural rights, each State Party undertakes to take measures to the maximum of its available resources and, where needed, within the framework of international cooperation, with a view to achieving progressively the full realization of these rights, without prejudice to those obligations contained in the present Convention that are immediately applicable according to international law.

3. In the development and implementation of legislation and policies to implement the present Convention, and in other decision-making processes concerning issues relating to persons with disabilities, States Parties shall closely consult with and actively involve persons with disabilities, including children with disabilities, through their representative organizations.

4. Nothing in the present Convention shall affect any provisions which are more conducive to the realization of the rights of persons with disabilities and which may be contained in the law of a State Party or international law in force for that State. There shall be no restriction upon or derogation from any of the human rights and fundamental freedoms recognized or existing in any State Party to the present Convention pursuant to law, conventions, regulation or custom on the pretext that the present Convention does not recognize such rights or freedoms or that it recognizes them to a lesser extent.

5. The provisions of the present Convention shall extend to all parts of federal States without any limitations or exceptions.

Article 5

Equality and non-discrimination

1. States Parties recognize that all persons are equal before and under the law and are entitled without any discrimination to the equal protection and equal benefit of the law.

2. States Parties shall prohibit all discrimination on the basis of disability and guarantee to persons with disabilities equal and effective legal protection against discrimination on all grounds.

3. In order to promote equality and eliminate discrimination, States Parties shall take all appropriate steps to ensure that reasonable accommodation is provided.

4. Specific measures which are necessary to accelerate or achieve de facto equality of persons with disabilities shall not be considered discrimination under the terms of the present Convention.

Article 6

Women with disabilities

1. States Parties recognize that women and girls with disabilities are subject to multiple discrimination, and in this regard shall take measures to ensure the full and equal enjoyment by them of all human rights and fundamental freedoms.

2. States Parties shall take all appropriate measures to ensure the full development, advancement and empowerment of women, for the purpose of guaranteeing them the exercise and enjoyment of the human rights and fundamental freedoms set out in the present Convention.

Article 7

Children with disabilities

1. States Parties shall take all necessary measures to ensure the full enjoyment by children with disabilities of all human rights and fundamental freedoms on an equal basis with other children.

2. In all actions concerning children with disabilities, the best interests of the child shall be a primary consideration.
3. States Parties shall ensure that children with disabilities have the right to express their views freely on all matters affecting them, their views being given due weight in accordance with their age and maturity, on an equal basis with other children, and to be provided with disability and age-appropriate assistance to realize that right.

Article 8

Awareness-raising

1. States Parties undertake to adopt immediate, effective and appropriate measures:
 - (a) To raise awareness throughout society, including at the family level, regarding persons with disabilities, and to foster respect for the rights and dignity of persons with disabilities;
 - (b) To combat stereotypes, prejudices and harmful practices relating to persons with disabilities, including those based on sex and age, in all areas of life;
 - (c) To promote awareness of the capabilities and contributions of persons with disabilities.
2. Measures to this end include:
 - (a) Initiating and maintaining effective public awareness campaigns designed:
 - (i) To nurture receptiveness to the rights of persons with disabilities;
 - (ii) To promote positive perceptions and greater social awareness towards persons with disabilities;
 - (iii) To promote recognition of the skills, merits and abilities of persons with disabilities, and of their contributions to the workplace and the labour market;
 - (b) Fostering at all levels of the education system, including in all children from an early age, an attitude of respect for the rights of persons with disabilities;
 - (c) Encouraging all organs of the media to portray persons with disabilities in a manner consistent with the purpose of the present Convention;
 - (d) Promoting awareness-training programmes regarding persons with disabilities and the rights of persons with disabilities.

Article 9

Accessibility

1. To enable persons with disabilities to live independently and participate fully in all aspects of life, States Parties shall take appropriate measures to ensure to persons with disabilities access, on an equal basis with others, to the physical environment, to transportation, to information and communications, including information and communications technologies and systems, and to other facilities and services open or provided to the public, both in urban and in rural areas. These measures, which shall include the identification and elimination of obstacles and barriers to accessibility, shall apply to, inter alia:

(a) Buildings, roads, transportation and other indoor and outdoor facilities, including schools, housing, medical facilities and workplaces;

(b) Information, communications and other services, including electronic services and emergency services.

2. States Parties shall also take appropriate measures:

(a) To develop, promulgate and monitor the implementation of minimum standards and guidelines for the accessibility of facilities and services open or provided to the public;

(b) To ensure that private entities that offer facilities and services which are open or provided to the public take into account all aspects of accessibility for persons with disabilities;

(c) To provide training for stakeholders on accessibility issues facing persons with disabilities;

(d) To provide in buildings and other facilities open to the public signage in Braille and in easy to read and understand forms;

(e) To provide forms of live assistance and intermediaries, including guides, readers and professional sign language interpreters, to facilitate accessibility to buildings and other facilities open to the public;

(f) To promote other appropriate forms of assistance and support to persons with disabilities to ensure their access to information;

(g) To promote access for persons with disabilities to new information and communications technologies and systems, including the Internet;

(h) To promote the design, development, production and distribution of accessible information and communications technologies and systems at an early stage, so that these technologies and systems become accessible at minimum cost.

Article 10

Right to life

States Parties reaffirm that every human being has the inherent right to life and shall take all necessary measures to ensure its effective enjoyment by persons with disabilities on an equal basis with others.

Article 11

Situations of risk and humanitarian emergencies

States Parties shall take, in accordance with their obligations under international law, including international humanitarian law and international human rights law, all necessary measures to ensure the protection and safety of persons with disabilities in situations of risk, including situations of armed conflict, humanitarian emergencies and the occurrence of natural disasters.

Article 12

Equal recognition before the law

1. States Parties reaffirm that persons with disabilities have the right to recognition everywhere as persons before the law.

2. States Parties shall recognize that persons with disabilities enjoy legal capacity on an equal basis with others in all aspects of life.

3. States Parties shall take appropriate measures to provide access by persons with disabilities to the support they may require in exercising their legal capacity.

4. States Parties shall ensure that all measures that relate to the exercise of legal capacity provide for appropriate and effective safeguards to prevent abuse in accordance with international human rights law. Such safeguards shall ensure that measures relating to the exercise of legal capacity respect the rights, will and preferences of the person, are free of conflict of interest and undue influence, are proportional and tailored to the person's circumstances, apply for the shortest time possible and are subject to regular review by a competent, independent and impartial authority or judicial body. The safe guards shall be proportional to the degree to which such measures affect the person's rights and interests.

5. Subject to the provisions of this article, States Parties shall take all appropriate and effective measures to ensure the equal right of persons with disabilities to own or inherit property, to control their own financial affairs and to have equal access to bank loans, mortgages and other forms of financial credit, and shall ensure that persons with disabilities are not arbitrarily deprived of their property.

Article 13

Access to justice

1. States Parties shall ensure effective access to justice for persons with disabilities on an equal basis with others, including through the provision of procedural and age-appropriate accommodations, in order to facilitate their effective role as direct and indirect participants, including as witnesses, in all legal proceedings, including at investigative and other preliminary stages.

2. In order to help to ensure effective access to justice for persons with disabilities, States Parties shall promote appropriate training for those working in the field of administration of justice, including police and prison staff.

Article 14

Liberty and security of person

1. States Parties shall ensure that persons with disabilities, on an equal basis with others:

(a) Enjoy the right to liberty and security of person;

(b) Are not deprived of their liberty unlawfully or arbitrarily, and that any deprivation of liberty is in conformity with the law, and that the existence of a disability shall in no case justify a deprivation of liberty.

2. States Parties shall ensure that if persons with disabilities are deprived of their liberty through any process, they are, on an equal basis with others, entitled to guarantees in accordance with international human rights law and shall be treated in compliance with the objectives and principles of the present Convention, including by provision of reasonable accommodation.

Article 15

Freedom from torture or cruel, inhuman or degrading treatment or punishment

1. No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. In particular, no one shall be subjected without his or her free consent to medical or scientific experimentation.

2. States Parties shall take all effective legislative, administrative, judicial or other measures to prevent persons with disabilities, on an equal basis with others, from being subjected to torture or cruel, inhuman or degrading treatment or punishment.

Article 16

Freedom from exploitation, violence and abuse

1. States Parties shall take all appropriate legislative, administrative, social, educational and other measures to protect persons with disabilities, both within and outside the home, from all forms of exploitation, violence and abuse, including their gender-based aspects.

2. States Parties shall also take all appropriate measures to prevent all forms of exploitation, violence and abuse by ensuring, inter alia, appropriate forms of gender- and age-sensitive assistance and support for persons with disabilities and their families and caregivers, including through the provision of information and education on how to avoid, recognize and report instances of exploitation, violence and abuse. States Parties shall ensure that protection services are age-, gender- and disability-sensitive.

3. In order to prevent the occurrence of all forms of exploitation, violence and abuse, States Parties shall ensure that all facilities and programmes designed to serve persons with disabilities are effectively monitored by independent authorities.

4. States Parties shall take all appropriate measures to promote the physical, cognitive and psychological recovery, rehabilitation and social reintegration of persons with disabilities who become victims of any form of exploitation, violence or abuse, including through the provision of protection services. Such recovery and reintegration shall take place in an environment that fosters the health, welfare, self-respect, dignity and autonomy of the person and takes into account gender- and age-specific needs.

5. States Parties shall put in place effective legislation and policies, including women- and child-focused legislation and policies, to ensure that instances of exploitation, violence and abuse against persons with disabilities are identified, investigated and, where appropriate, prosecuted.

Article 17

Protecting the integrity of the person

Every person with disabilities has a right to respect for his or her physical and mental integrity on an equal basis with others.

Article 18

Liberty of movement and nationality

1. States Parties shall recognize the rights of persons with disabilities to liberty of movement, to freedom to choose their residence and to a nationality, on an equal basis with others, including by ensuring that persons with disabilities:

(a) Have the right to acquire and change a nationality and are not deprived of their nationality arbitrarily or on the basis of disability;

(b) Are not deprived, on the basis of disability, of their ability to obtain, possess and utilize documentation of their nationality or other documentation of identification, or to utilize relevant processes such as immigration proceedings, that may be needed to facilitate exercise of the right to liberty of movement;

(c) Are free to leave any country, including their own;

(d) Are not deprived, arbitrarily or on the basis of disability, of the right to enter their own country.

2. Children with disabilities shall be registered immediately after birth and shall have the right from birth to a name, the right to acquire a nationality and, as far as possible, the right to know and be cared for by their parents.

Article 19

Living independently and being included in the community

States Parties to the present Convention recognize the equal right of all persons with disabilities to live in the community, with choices equal to others, and shall take effective and appropriate measures to facilitate full enjoyment by persons with disabilities of this right and their full inclusion and participation in the community, including by ensuring that:

(a) Persons with disabilities have the opportunity to choose their place of residence and where and with whom they live on an equal basis with others and are not obliged to live in a particular living arrangement;

(b) Persons with disabilities have access to a range of in-home, residential and other community support services, including personal assistance necessary to support living and inclusion in the community, and to prevent isolation or segregation from the community;

(c) Community services and facilities for the general population are available on an equal basis to persons with disabilities and are responsive to their needs.

Article 20

Personal mobility

States Parties shall take effective measures to ensure personal mobility with the greatest possible independence for persons with disabilities, including by:

(a) Facilitating the personal mobility of persons with disabilities in the manner and at the time of their choice, and at affordable cost;

(b) Facilitating access by persons with disabilities to quality mobility aids, devices, assistive technologies and forms of live assistance and intermediaries, including by making them available at affordable cost;

(c) Providing training in mobility skills to persons with disabilities and to specialist staff working with persons with disabilities;

(d) Encouraging entities that produce mobility aids, devices and assistive technologies to take into account all aspects of mobility for persons with disabilities.

Article 21

Freedom of expression and opinion, and access to information

States Parties shall take all appropriate measures to ensure that persons with disabilities can exercise the right to freedom of expression and opinion, including the freedom to seek, receive and impart information and ideas on an equal basis with others and through all forms of communication of their choice, as defined in article 2 of the present Convention, including by:

- (a) Providing information intended for the general public to persons with disabilities in accessible formats and technologies appropriate to different kinds of disabilities in a timely manner and without additional cost;
- (b) Accepting and facilitating the use of sign languages, Braille, augmentative and alternative communication, and all other accessible means, modes and formats of communication of their choice by persons with disabilities in official interactions;
- (c) Urging private entities that provide services to the general public, including through the Internet, to provide information and services in accessible and usable formats for persons with disabilities;
- (d) Encouraging the mass media, including providers of information through the Internet, to make their services accessible to persons with disabilities;
- (e) Recognizing and promoting the use of sign languages.

Article 22

Respect for privacy

1. No person with disabilities, regardless of place of residence or living arrangements, shall be subjected to arbitrary or unlawful interference with his or her privacy, family, home or correspondence or other types of communication or to unlawful attacks on his or her honour and reputation. Persons with disabilities have the right to the protection of the law against such interference or attacks.
2. States Parties shall protect the privacy of personal, health and rehabilitation information of persons with disabilities on an equal basis with others.

Article 23

Respect for home and the family

1. States Parties shall take effective and appropriate measures to eliminate discrimination against persons with disabilities in all matters relating to marriage, family, parenthood and relationships, on an equal basis with others, so as to ensure that:
 - (a) The right of all persons with disabilities who are of marriageable age to marry and to found a family on the basis of free and full consent of the intending spouses is recognized;
 - (b) The rights of persons with disabilities to decide freely and responsibly on the number and spacing of their children and to have access to age-appropriate information, reproductive and family planning education are recognized, and the means necessary to enable them to exercise these rights are provided;
 - (c) Persons with disabilities, including children, retain their fertility on an equal basis with others.
2. States Parties shall ensure the rights and responsibilities of persons with disabilities, with regard to guardianship, wardship, trusteeship, adoption of children or similar institutions, where these concepts exist in national legislation; in all cases the best interests of the child shall be paramount. States Parties shall render appropriate assistance to persons with disabilities in the performance of their child-rearing responsibilities.
3. States Parties shall ensure that children with disabilities have equal rights with respect to family life. With a view to realizing these rights, and to prevent concealment, abandonment, neglect and segregation of children with disabilities, States Parties shall undertake to provide early and comprehensive information, services and support to children with disabilities and their families.

4. States Parties shall ensure that a child shall not be separated from his or her parents against their will, except when competent authorities subject to judicial review determine, in accordance with applicable law and procedures, that such separation is necessary for the best interests of the child. In no case shall a child be separated from parents on the basis of a disability of either the child or one or both of the parents.

5. States Parties shall, where the immediate family is unable to care for a child with disabilities, undertake every effort to provide alternative care within the wider family, and failing that, within the community in a family setting.

Article 24

Education

1. States Parties recognize the right of persons with disabilities to education. With a view to realizing this right without discrimination and on the basis of equal opportunity, States Parties shall ensure an inclusive education system at all levels and lifelong learning directed to:

(a) The full development of human potential and sense of dignity and self-worth, and the strengthening of respect for human rights, fundamental freedoms and human diversity;

(b) The development by persons with disabilities of their personality, talents and creativity, as well as their mental and physical abilities, to their fullest potential;

(c) Enabling persons with disabilities to participate effectively in a free society.

2. In realizing this right, States Parties shall ensure that:

(a) Persons with disabilities are not excluded from the general education system on the basis of disability, and that children with disabilities are not excluded from free and compulsory primary education, or from secondary education, on the basis of disability;

(b) Persons with disabilities can access an inclusive, quality and free primary education and secondary education on an equal basis with others in the communities in which they live;

(c) Reasonable accommodation of the individual's requirements is provided;

(d) Persons with disabilities receive the support required, within the general education system, to facilitate their effective education;

(e) Effective individualized support measures are provided in environments that maximize academic and social development, consistent with the goal of full inclusion.

3. States Parties shall enable persons with disabilities to learn life and social development skills to facilitate their full and equal participation in education and as members of the community. To this end, States Parties shall take appropriate measures, including:

(a) Facilitating the learning of Braille, alternative script, augmentative and alternative modes, means and formats of communication and orientation and mobility skills, and facilitating peer support and mentoring;

(b) Facilitating the learning of sign language and the promotion of the linguistic identity of the deaf community;

(c) Ensuring that the education of persons, and in particular children, who are blind, deaf or deafblind, is delivered in the most appropriate languages and modes and means of communication for the individual, and in environments which maximize academic and social development.

4. In order to help ensure the realization of this right, States Parties shall take appropriate measures to employ teachers, including teachers with disabilities, who are qualified in sign language and/or Braille, and to train professionals and staff who work at all levels of education. Such training shall incorporate disability awareness and the use of appropriate augmentative and alternative modes, means and formats of communication, educational techniques and materials to support persons with disabilities.

5. States Parties shall ensure that persons with disabilities are able to access general tertiary education, vocational training, adult education and lifelong learning without discrimination and on an equal basis with others. To this end, States Parties shall ensure that reasonable accommodation is provided to persons with disabilities.

Article 25

Health

States Parties recognize that persons with disabilities have the right to the enjoyment of the highest attainable standard of health without discrimination on the basis of disability. States Parties shall take all appropriate measures to ensure access for persons with disabilities to health services that are gender-sensitive, including health-related rehabilitation.

In particular, States Parties shall:

(a) Provide persons with disabilities with the same range, quality and standard of free or affordable health care and programmes as provided to other persons, including in the area of sexual and reproductive health and population-based public health programmes;

(b) Provide those health services needed by persons with disabilities specifically because of their disabilities, including early identification and intervention as appropriate, and services designed to minimize and prevent further disabilities, including among children and older persons;

(c) Provide these health services as close as possible to people's own communities, including in rural areas;

(d) Require health professionals to provide care of the same quality to persons with disabilities as to others, including on the basis of free and informed consent by, inter alia, raising awareness of the human rights, dignity, autonomy and needs of persons with disabilities through training and the promulgation of ethical standards for public and private health care;

(e) Prohibit discrimination against persons with disabilities in the provision of health insurance, and life insurance where such insurance is permitted by national law, which shall be provided in a fair and reasonable manner;

(f) Prevent discriminatory denial of health care or health services or food and fluids on the basis of disability.

Article 26

Habilitation and rehabilitation

1. States Parties shall take effective and appropriate measures, including through peer support, to enable persons with disabilities to attain and maintain maximum independence, full physical, mental, social and vocational ability, and full inclusion and participation in all aspects of life. To that end, States Parties shall organize, strengthen and extend comprehensive habilitation and rehabilitation services and programmes, particularly in the areas of health, employment, education and social services, in such a way that these services and programmes:

(a) Begin at the earliest possible stage, and are based on the multidisciplinary assessment of individual needs and strengths;

(b) Support participation and inclusion in the community and all aspects of society, are voluntary, and are available to persons with disabilities as close as possible to their own communities, including in rural areas.

2. States Parties shall promote the development of initial and continuing training for professionals and staff working in habilitation and rehabilitation services.

3. States Parties shall promote the availability, knowledge and use of assistive devices and technologies, designed for persons with disabilities, as they relate to habilitation and rehabilitation.

Article 27

Work and employment

1. States Parties recognize the right of persons with disabilities to work, on an equal basis with others; this includes the right to the opportunity to gain a living by work freely chosen or accepted in a labour market and work environment that is open, inclusive and accessible to persons with disabilities. States Parties shall safeguard and promote the realization of the right to work, including for those who acquire a disability during the course of employment, by taking appropriate steps, including through legislation, to, inter alia:

(a) Prohibit discrimination on the basis of disability with regard to all matters concerning all forms of employment, including conditions of recruitment, hiring and employment, continuance of employment, career advancement and safe and healthy working conditions;

(b) Protect the rights of persons with disabilities, on an equal basis with others, to just and favourable conditions of work, including equal opportunities and equal remuneration for work of equal value, safe and healthy working conditions, including protection from harassment, and the redress of grievances;

(c) Ensure that persons with disabilities are able to exercise their labour and trade union rights on an equal basis with others;

(d) Enable persons with disabilities to have effective access to general technical and vocational guidance programmes, placement services and vocational and continuing training;

(e) 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;

(f) Promote opportunities for self-employment, entrepreneurship, the development of cooperatives and starting one's own business;

(g) Employ persons with disabilities in the public sector;

(h) Promote the employment of persons with disabilities in the private sector through appropriate policies and measures, which may include affirmative action programmes, incentives and other measures;

(i) Ensure that reasonable accommodation is provided to persons with disabilities in the workplace;

(j) Promote the acquisition by persons with disabilities of work experience in the open labour market;

(k) Promote vocational and professional rehabilitation, job retention and return-to-work programmes for persons with disabilities.

2. States Parties shall ensure that persons with disabilities are not held in slavery or in servitude, and are protected, on an equal basis with others, from forced or compulsory labour.

Article 28**Adequate standard of living and social protection**

1. States Parties recognize the right of persons with disabilities to an adequate standard of living for themselves and their families, including adequate food, clothing and housing, and to the continuous improvement of living conditions, and shall take appropriate steps to safeguard and promote the realization of this right without discrimination on the basis of disability.

2. States Parties recognize the right of persons with disabilities to social protection and to the enjoyment of that right without discrimination on the basis of disability, and shall take appropriate steps to safeguard and promote the realization of this right, including measures:

(a) To ensure equal access by persons with disabilities to clean water services, and to ensure access to appropriate and affordable services, devices and other assistance for disability-related needs;

(b) To ensure access by persons with disabilities, in particular women and girls with disabilities and older persons with disabilities, to social protection programmes and poverty reduction programmes;

(c) To ensure access by persons with disabilities and their families living in situations of poverty to assistance from the State with disability related expenses, including adequate training, counselling, financial assistance and respite care;

(d) To ensure access by persons with disabilities to public housing programmes;

(e) To ensure equal access by persons with disabilities to retirement benefits and programmes.

Article 29**Participation in political and public life**

States Parties shall guarantee to persons with disabilities political rights and the opportunity to enjoy them on an equal basis with others, and shall undertake:

(a) To ensure that persons with disabilities can effectively and fully participate in political and public life on an equal basis with others, directly or through freely chosen representatives, including the right and opportunity for persons with disabilities to vote and be elected, inter alia, by:

(i) Ensuring that voting procedures, facilities and materials are appropriate, accessible and easy to understand and use;

(ii) Protecting the right of persons with disabilities to vote by secret ballot in elections and public referendums without intimidation, and to stand for elections, to effectively hold office and perform all public functions at all levels of government, facilitating the use of assistive and new technologies where appropriate;

(iii) Guaranteeing the free expression of the will of persons with disabilities as electors and to this end, where necessary, at their request, allowing assistance in voting by a person of their own choice;

(b) To promote actively an environment in which persons with disabilities can effectively and fully participate in the conduct of public affairs, without discrimination and on an equal basis with others, and encourage their participation in public affairs, including:

(i) Participation in non-governmental organizations and associations concerned with the public and political life of the country, and in the activities and administration of political parties;

(ii) Forming and joining organizations of persons with disabilities to represent persons with disabilities at international, national, regional and local levels.

Article 30

Participation in cultural life, recreation, leisure and sport

1. States Parties recognize the right of persons with disabilities to take part on an equal basis with others in cultural life, and shall take all appropriate measures to ensure that persons with disabilities:

(a) Enjoy access to cultural materials in accessible formats;

(b) Enjoy access to television programmes, films, theatre and other cultural activities, in accessible formats;

(c) Enjoy access to places for cultural performances or services, such as theatres, museums, cinemas, libraries and tourism services, and, as far as possible, enjoy access to monuments and sites of national cultural importance.

2. States Parties shall take appropriate measures to enable persons with disabilities to have the opportunity to develop and utilize their creative, artistic and intellectual potential, not only for their own benefit, but also for the enrichment of society.

3. States Parties shall take all appropriate steps, in accordance with international law, to ensure that laws protecting intellectual property rights do not constitute an unreasonable or discriminatory barrier to access by persons with disabilities to cultural materials.

4. Persons with disabilities shall be entitled, on an equal basis with others, to recognition and support of their specific cultural and linguistic identity, including sign languages and deaf culture.

5. With a view to enabling persons with disabilities to participate on an equal basis with others in recreational, leisure and sporting activities, States Parties shall take appropriate measures:

(a) To encourage and promote the participation, to the fullest extent possible, of persons with disabilities in mainstream sporting activities at all levels;

(b) To ensure that persons with disabilities have an opportunity to organize, develop and participate in disability-specific sporting and recreational activities and, to this end, encourage the provision, on an equal basis with others, of appropriate instruction, training and resources;

(c) To ensure that persons with disabilities have access to sporting, recreational and tourism venues;

(d) To ensure that children with disabilities have equal access with other children to participation in play, recreation and leisure and sporting activities, including those activities in the school system;

(e) To ensure that persons with disabilities have access to services from those involved in the organization of recreational, tourism, leisure and sporting activities.

Article 31

Statistics and data collection

1. States Parties undertake to collect appropriate information, including statistical and research data, to enable them to formulate and implement policies to give effect to the present Convention. The process of collecting and maintaining this information shall:

(a) Comply with legally established safeguards, including legislation on data protection, to ensure confidentiality and respect for the privacy of persons with disabilities;

(b) Comply with internationally accepted norms to protect human rights and fundamental freedoms and ethical principles in the collection and use of statistics.

2. The information collected in accordance with this article shall be disaggregated, as appropriate, and used to help assess the implementation of States Parties' obligations under the present Convention and to identify and address the barriers faced by persons with disabilities in exercising their rights.

3. States Parties shall assume responsibility for the dissemination of these statistics and ensure their accessibility to persons with disabilities and others.

Article 32

International cooperation

1. States Parties recognize the importance of international cooperation and its promotion, in support of national efforts for the realization of the purpose and objectives of the present Convention, and will undertake appropriate and effective measures in this regard, between and among States and, as appropriate, in partnership with relevant international and regional organizations and civil society, in particular organizations of persons with disabilities. Such measures could include, inter alia:

(a) Ensuring that international cooperation, including international development programmes, is inclusive of and accessible to persons with disabilities;

(b) Facilitating and supporting capacity-building, including through the exchange and sharing of information, experiences, training programmes and best practices;

(c) Facilitating cooperation in research and access to scientific and technical knowledge;

(d) Providing, as appropriate, technical and economic assistance, including by facilitating access to and sharing of accessible and assistive technologies, and through the transfer of technologies.

2. The provisions of this article are without prejudice to the obligations of each State Party to fulfil its obligations under the present Convention.

Article 33

National implementation and monitoring

1. States Parties, in accordance with their system of organization, shall designate one or more focal points within government for matters relating to the implementation of the present Convention, and shall give due consideration to the establishment or designation of a coordination mechanism within government to facilitate related action in different sectors and at different levels.

2. States Parties shall, in accordance with their legal and administrative systems, maintain, strengthen, designate or establish within the State Party, a framework, including one or more independent mechanisms, as appropriate, to promote, protect and monitor implementation of the present Convention. When designating or establishing such a mechanism, States Parties shall take into account the principles relating to the status and functioning of national institutions for protection and promotion of human rights.

3. Civil society, in particular persons with disabilities and their representative organizations, shall be involved and participate fully in the monitoring process.

Article 34

Committee on the Rights of Persons with Disabilities

1. There shall be established a Committee on the Rights of Persons with Disabilities (hereafter referred to as "the Committee"), which shall carry out the functions hereinafter provided.

2. The Committee shall consist, at the time of entry into force of the present Convention, of twelve experts. After an additional sixty ratifications or accessions to the Convention, the membership of the Committee shall increase by six members, attaining a maximum number of eighteen members.

3. The members of the Committee shall serve in their personal capacity and shall be of high moral standing and recognized competence and experience in the field covered by the present Convention. When nominating their candidates, States Parties are invited to give due consideration to the provision set out in article 4, paragraph 3, of the present Convention.

4. The members of the Committee shall be elected by States Parties, consideration being given to equitable geographical distribution, representation of the different forms of civilization and of the principal legal systems, balanced gender representation and participation of experts with disabilities.

5. The members of the Committee shall be elected by secret ballot from a list of persons nominated by the States Parties from among their nationals at meetings of the Conference of States Parties. At those meetings, for which two thirds of States Parties shall constitute a quorum, the persons elected to the Committee shall be those who obtain the largest number of votes and an absolute majority of the votes of the representatives of States Parties present and voting.

6. The initial election shall be held no later than six months after the date of entry into force of the present Convention. At least four months before the date of each election, the Secretary-General of the United Nations shall address a letter to the States Parties inviting them to submit the nominations within two months. The Secretary-General shall subsequently prepare a list in alphabetical order of all persons thus nominated, indicating the State Parties which have nominated them, and shall submit it to the States Parties to the present Convention.

7. The members of the Committee shall be elected for a term of four years. They shall be eligible for re-election once. However, the term of six of the members elected at the first election shall expire at the end of two years; immediately after the first election, the names of these six members shall be chosen by lot by the chairperson of the meeting referred to in paragraph 5 of this article.

8. The election of the six additional members of the Committee shall be held on the occasion of regular elections, in accordance with the relevant provisions of this article.

9. If a member of the Committee dies or resigns or declares that for any other cause she or he can no longer perform her or his duties, the State Party which nominated the member shall appoint another expert possessing the qualifications and meeting the requirements set out in the relevant provisions of this article, to serve for the remainder of the term.

10. The Committee shall establish its own rules of procedure.

11. The Secretary-General of the United Nations shall provide the necessary staff and facilities for the effective performance of the functions of the Committee under the present Convention, and shall convene its initial meeting.

12. With the approval of the General Assembly of the United Nations, the members of the Committee established under the present Convention shall receive emoluments from United Nations resources on such terms and conditions as the Assembly may decide, having regard to the importance of the Committee's responsibilities.

13. The members of the Committee shall be entitled to the facilities, privileges and immunities of experts on mission for the United Nations as laid down in the relevant sections of the Convention on the Privileges and Immunities of the United Nations.

Article 35

Reports by States Parties

1. Each State Party shall submit to the Committee, through the Secretary-General of the United Nations, a comprehensive report on measures taken to give effect to its obligations under the present Convention and on the progress made in that regard, within two years after the entry into force of the present Convention for the State Party concerned.

2. Thereafter, States Parties shall submit subsequent reports at least every four years and further whenever the Committee so requests.

3. The Committee shall decide any guidelines applicable to the content of the reports.

4. A State Party which has submitted a comprehensive initial report to the Committee need not, in its subsequent reports, repeat information previously provided. When preparing reports to the Committee, States Parties are invited to consider doing so in an open and transparent process and to give due consideration to the provision set out in article 4, paragraph 3, of the present Convention.

5. Reports may indicate factors and difficulties affecting the degree of fulfilment of obligations under the present Convention.

Article 36

Consideration of reports

1. Each report shall be considered by the Committee, which shall make such suggestions and general recommendations on the report as it may consider appropriate and shall forward these to the State Party concerned. The State Party may respond with any information it chooses to the Committee. The Committee may request further information from States Parties relevant to the implementation of the present Convention.

2. If a State Party is significantly overdue in the submission of a report, the Committee may notify the State Party concerned of the need to examine the implementation of the present Convention in that State Party, on the basis of reliable information available to the Committee, if the relevant report is not submitted within three months following the notification. The Committee shall invite the State Party concerned to participate in such examination. Should the State Party respond by submitting the relevant report, the provisions of paragraph 1 of this article will apply.

3. The Secretary-General of the United Nations shall make available the reports to all States Parties.

4. States Parties shall make their reports widely available to the public in their own countries and facilitate access to the suggestions and general recommendations relating to these reports.

5. The Committee shall transmit, as it may consider appropriate, to the specialized agencies, funds and programmes of the United Nations, and other competent bodies, reports from States Parties in order to address a request or indication of a need for technical advice or assistance contained therein, along with the Committee's observations and recommendations, if any, on these requests or indications.

Article 37

Cooperation between States Parties and the Committee

1. Each State Party shall cooperate with the Committee and assist its members in the fulfilment of their mandate.
2. In its relationship with States Parties, the Committee shall give due consideration to ways and means of enhancing national capacities for the implementation of the present Convention, including through international cooperation.

Madde 38

Komitenin Diğer Organlarla İlişkisi

In order to foster the effective implementation of the present Convention and to encourage international cooperation in the field covered by the present Convention:

1. The specialized agencies and other United Nations organs shall be entitled to be represented at the consideration of the implementation of such provisions of the present Convention as fall within the scope of their mandate. The Committee may invite the specialized agencies and other competent bodies as it may consider appropriate to provide expert advice on the implementation of the Convention in areas falling within the scope of their respective mandates. The Committee may invite specialized agencies and other United Nations organs to submit reports on the implementation of the Convention in areas falling within the scope of their activities;
2. The Committee, as it discharges its mandate, shall consult, as appropriate, other relevant bodies instituted by international human rights treaties, with a view to ensuring the consistency of their respective reporting guidelines, suggestions and general recommendations, and avoiding duplication and overlap in the performance of their functions.

Article 39

Report of the Committee

The Committee shall report every two years to the General Assembly and to the Economic and Social Council on its activities, and may make suggestions and general recommendations based on the examination of reports and information received from the States Parties. Such suggestions and general recommendations shall be included in the report of the Committee together with comments, if any, from States Parties.

Article 40

Conference of States Parties

1. The States Parties shall meet regularly in a Conference of States Parties in order to consider any matter with regard to the implementation of the present Convention.
2. No later than six months after the entry into force of the present Convention, the Conference of States Parties shall be convened by the Secretary-General of the United Nations. The subsequent meetings shall be convened by the Secretary-General biennially or upon the decision of the Conference of States Parties.

Article 41

Depositary

The Secretary-General of the United Nations shall be the depositary of the present Convention.

Article 42

Signature

The present Convention shall be open for signature by all States and by regional integration organizations at United Nations Headquarters in New York as of 30 March 2007.

Article 43

Consent to be bound

The present Convention shall be subject to ratification by signatory States and to formal confirmation by signatory regional integration organizations. It shall be open for accession by any State or regional integration organization which has not signed the Convention.

Article 44

Regional integration organizations

1. "Regional integration organization" shall mean an organization constituted by sovereign States of a given region, to which its member States have transferred competence in respect of matters governed by the present Convention. Such organizations shall declare, in their instruments of formal confirmation or accession, the extent of their competence with respect to matters governed by the present Convention. Subsequently, they shall inform the depositary of any substantial modification in the extent of their competence.

2. References to "States Parties" in the present Convention shall apply to such organizations within the limits of their competence.

3. For the purposes of article 45, paragraph 1, and article 47, paragraphs 2 and 3, of the present Convention, any instrument deposited by a regional integration organization shall not be counted.

4. Regional integration organizations, in matters within their competence, may exercise their right to vote in the Conference of States Parties, with a number of votes equal to the number of their member States that are Parties to the present Convention. Such an organization shall not exercise its right to vote if any of its member States exercises its right, and vice versa.

Article 45

Entry into force

1. The present Convention shall enter into force on the thirtieth day after the deposit of the twentieth instrument of ratification or accession.

2. For each State or regional integration organization ratifying, formally confirming or acceding to the present Convention after the deposit of the twentieth such instrument, the Convention shall enter into force on the thirtieth day after the deposit of its own such instrument.

Article 46

Reservations

1. Reservations incompatible with the object and purpose of the present Convention shall not be permitted.
2. Reservations may be withdrawn at any time.

Article 47

Amendments

1. Any State Party may propose an amendment to the present Convention and submit it to the Secretary-General of the United Nations. The Secretary-General shall communicate any proposed amendments to States Parties, with a request to be notified whether they favour a conference of States Parties for the purpose of considering and deciding upon the proposals. In the event that, within four months from the date of such communication, at least one third of the States Parties favour such a conference, the Secretary-General shall convene the conference under the auspices of the United Nations. Any amendment adopted by a majority of two thirds of the States Parties present and voting shall be submitted by the Secretary-General to the General Assembly of the United Nations for approval and thereafter to all States Parties for acceptance.

2. An amendment adopted and approved in accordance with paragraph 1 of this article shall enter into force on the thirtieth day after the number of instruments of acceptance deposited reaches two thirds of the number of States Parties at the date of adoption of the amendment. Thereafter, the amendment shall enter into force for any State Party on the thirtieth day following the deposit of its own instrument of acceptance. An amendment shall be binding only on those States Parties which have accepted it.

3. If so decided by the Conference of States Parties by consensus, an amendment adopted and approved in accordance with paragraph 1 of this article which relates exclusively to articles 34, 38, 39 and 40 shall enter into force for all States Parties on the thirtieth day after the number of instruments of acceptance deposited reaches two thirds of the number of States Parties at the date of adoption of the amendment.

Article 48

Denunciation

A State Party may denounce the present Convention by written notification to the Secretary-General of the United Nations. The denunciation shall become effective one year after the date of receipt of the notification by the Secretary-General.

Article 49

Accessible format

The text of the present Convention shall be made available in accessible formats.

Article 50

Authentic texts

The Arabic, Chinese, English, French, Russian and Spanish texts of the present Convention shall be equally authentic.

IN WITNESS THEREOF the undersigned plenipotentiaries, being duly authorized thereto by their respective Governments, have signed the present Convention.

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“All human beings are born free and equal in dignity and rights.

(Universal Declaration of Human Rights, Article 1)

