

ACCESS FOR PEOPLE
WITH DISABILITIES
TO CULTURE,
TOURISM, SPORTS
AND LEISURE ACTIVITIES



Council of Europe Disability Action Plan
Quality of life and full participation in society

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

**Access for People with Disabilities
to Culture, Tourism, Sports and
Leisure Activities:
Towards Meaningful and
Enriching Participation**

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Council of Europe, 2015

French version:

Accès des personnes handicapées à la culture, au tourisme, au sport et aux activités de loisirs : vers une participation véritable et enrichissante

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PREFACE

The Council of Europe is a political organisation which was founded on 5 May 1949 by ten European countries in order to promote greater unity between its members. The organisation now numbers 47 member states with a total population of more than 800 million people.

The main aims of the Council of Europe are to reinforce democracy, human rights and the rule of law and to develop common responses to political, social, cultural and legal challenges in its member states. Since 1989, the Council of Europe has integrated most of the countries of central and eastern Europe into its structures.

Disability-related activities of the Council of Europe are central to Council of Europe activities to promote human rights. They are guided by the Council of Europe Disability Action Plan 2006-2015¹ (Recommendation CM/Rec(2006)5 of the Committee of Ministers to member states) and the United Nations Convention on the Rights of Persons with Disabilities. These activities are proposed and

¹ Council of Europe Action Plan to promote the rights and full participation of people with disabilities in society: improving the quality of life of people with disabilities in Europe 2006-2015 (called the Council of Europe Disability Action Plan 2006-2015).

monitored by experts from all 47 member states, observer states, various Council of Europe committees and bodies and from several international organisations, both governmental and non-governmental.

The present report was prepared by Mr Damjan Tatic (Serbia), with the help of a Drafting Group on participation of people with disabilities in cultural life, the composition of which appears in Appendix 2 to this publication. The report seeks to present a structured overview of the existing international legal basis, highlight challenges and consolidate political and practical responses pertaining to one of the essential dimensions of life, both for persons with disabilities and for those without disabilities: participation in culture, sports, tourism and leisure activities.

Examples of good practice from Council of Europe member states are also provided as an illustration rather than an exhaustive account of existing measures, because full and thorough consultation of all member states was not possible in the short time available.

The Secretariat of the Council of Europe would like to thank the consultant and all the experts who have worked on the drafting of this report and of Recommendation CM/Rec(2013)3 of the Committee of Ministers to member States on ensuring full, equal

and effective participation of persons with disabilities in culture, sports, tourism and leisure activities (see Appendix I). I hope that the two texts will encourage and inspire the relevant European stakeholders to adapt their regulations, policies and practices in order to ensure equal access of people with disabilities to cultural life in its broadest sense, both as participants and as spectators.

SUMMARY

Everyone has the right to enjoy the arts. Everybody has the right to take part in sports. Everyone has the right to go to hotels, restaurants and bars. But wheelchair users cannot go to a concert if there are only stairs in the concert hall. A blind person cannot enjoy a painting if there is no description of it he/she can hear in the gallery. A deaf person cannot enjoy a movie if there are no subtitles. A person with intellectual disability cannot enjoy a book if there is no easy-to-read version of it.

The Convention on the Rights of Persons with Disabilities requires governments to make sure that all persons with disabilities can:

- Enjoy culture in an accessible way
- Enjoy TV, films and theatre plays in an accessible way
- Access theatres, cinemas, museums, galleries, hotels and restaurants easily.

Deaf persons have the right to use their sign language.

All persons with disabilities have the right to take part in sports. Governments must take steps to enable them to do so.

All persons with disabilities have the right to go to hotels, restaurants and bars. People working in hotels, restaurants and bars have to make sure they are able to enter the relevant premises and make them feel welcome.

Various countries across Europe have taken action to make culture, sports, tourism and leisure activities accessible for persons with disabilities. Some measures have been successful. More must be done. All new cinemas, theatres, museums, galleries, libraries, sports and concert halls, hotels and restaurants must be accessible for persons with disabilities. People working there must receive training in how to cater for guests with disabilities. Governments must identify funding to make existing museums, galleries, libraries, sports and concert halls, hotels, restaurants and bars accessible for persons with disabilities. They must work together with persons with disabilities. Together, they can make sure that all persons with disabilities are able to access culture, sports, tourism and leisure activities.

1. INTRODUCTION: UNIVERSAL LEGAL FRAMEWORK

The Universal Declaration of Human Rights provides that “everyone has the right to freely participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits” (Article 27(1)). However, over the years, persons with disabilities have faced barriers to realising their right to participation in the cultural life of the community due to inaccessibility of cultural programmes, premises and venues. For example, a wheelchair user’s right is violated if he or she faces a flight of stairs at the entrance to a concert hall, and there is no other way in. A blind person’s right is violated if there is no description of exhibits in a museum or a gallery in accessible audio, electronic format or in Braille print. A deaf person cannot participate when he/she goes to a cinema and there are no subtitles or sign language interpretation. A person with intellectual disability’s right is violated if there are no easy-to-read versions of a text he or she wants to read.

The States Parties to the International Covenant on Economic, Social and Cultural Rights recognise everyone’s right to participate in cultural life (Article 15).

2. RELEVANT PROVISIONS OF THE CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES

The UN General Assembly unanimously adopted the Convention on the Rights of Persons with Disabilities (hereafter: “UN CRPD”) on 13 December 2006. The Convention entered into force on 3 May 2008. The purpose of the 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” (Article 1).

Article 30 of the UN CRPD provides that States Parties recognise the right of persons with disabilities to take part on an equal basis with others in cultural life, and must take all appropriate measures to ensure that persons with disabilities:

- Enjoy access to cultural materials in accessible formats;
- Enjoy access to television programmes, films, theatre and other cultural activities, in accessible formats;
- 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.

States Parties are required to take appropriate measures to enable persons with disabilities “to have the opportunity to develop and utilise their creative, artistic and intellectual potential” (Article 30, paragraph 2). States Parties are required to 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” (Article 30, paragraph 3). Negotiations currently taking place within the World Intellectual Property Organisation (WIPO) should lead to the adoption of an international instrument to regulate this issue.

The UN CRPD provides for recognition of and support for the specific cultural and linguistic identity of persons with disabilities on an equal basis with others. Article 30, paragraph 4, specifically stresses the recognition of and support for sign languages and deaf culture.

Article 30, paragraph 5, of the UN CRPD provides that, in order to enable persons with disabilities to participate on an equal basis with others in recreational, leisure and sporting activities, States Parties must take appropriate measures:

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

- to ensure that persons with disabilities have an opportunity to organise, 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;
- to ensure that persons with disabilities have access to sporting, recreational and tourism venues;
- 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;
- to ensure that persons with disabilities have access to services from those involved in the organisation of recreational, tourism, leisure and sporting activities.

Accessibility is one of the key principles underlying the UN CRPD. Effective implementation of Articles 9 (accessibility) and 21 (freedom of expression and opinion and access to information) is a vital precondition for meaningful participation by persons with disabilities in cultural life, tourism, sports and leisure activities.

In order to enable persons with disabilities to live independently and participate fully in all aspects of life, States Parties must take appropriate measures

to ensure that persons with disabilities have 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 must include the identification and elimination of obstacles and barriers to accessibility (Article 9). Inter alia, States Parties must:

- develop, promulgate and monitor the implementation of minimum standards and guidelines for the accessibility of facilities and services open or provided to the public;
- 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;
- provide training for stakeholders on accessibility issues facing persons with disabilities;
- provide in buildings and other facilities open to the public signage in Braille and in easy to read and understand forms;

- 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;
- promote other appropriate forms of assistance and support to persons with disabilities to ensure their access to information.

It is of crucial importance to ensure the implementation of minimum standards and guidelines for the accessibility of facilities and services in the fields of culture, tourism, sports and leisure activities. All new facilities and services must be designed to be accessible for everyone, including persons with disabilities, in accordance with the principles of universal design/design for all.² The barriers in existing facilities and services must be removed progressively.

² Article 2 of the UN CRPD defines “Universal design” as 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 specialised design. “Universal design” shall not exclude assistive devices for particular groups of persons with disabilities where this is needed.

3. COUNCIL OF EUROPE INSTRUMENTS AND DOCUMENTS

3.1 European Social Charter and the revised European Social Charter

Article 15 of the revised European Social Charter guarantees the right of persons with disabilities to independence, social integration and participation in the life of the community. Article 15, paragraph 3, of the revised European Social Charter is especially significant, as it provides that Parties to the Charter are “obliged to promote their full social integration and participation in the life of the community in particular through measures, including technical aids, aiming to overcome barriers to communication and mobility and enabling access to transport, housing, cultural activities and leisure”.

3.2 Council of Europe conventions relating to culture

The Council of Europe has adopted many conventions relating to culture, including the European Cultural Convention, the European Convention on the Protection of the Archaeological Heritage, the European Convention on Offences relating to Cultural Property, the Convention for the Protection of the Architectural Heritage of Europe, the revised European Convention on the Protection of the Archaeological Heritage, the European

Convention on Cinematographic Co-production and the Framework Convention on the Value of Cultural Heritage for Society.

Most of the above-mentioned conventions do not include articles relevant to the participation of persons with disabilities in cultural life. Some, however, include provisions which do not address persons with disabilities or accessibility explicitly, but still may be relevant to the participation of persons with disabilities in cultural life.

Article 4 of the Convention for the Protection of the Architectural Heritage of Europe provides that owners of heritage buildings or sites must submit plans to competent authorities prior to making, inter alia, any alterations which may impair the character of the buildings. However, this provision must not be abused to prevent possible adaptations of historic buildings or sites to make them accessible for persons with disabilities. The provision in Article 7 that “in the surroundings of monuments, within groups of buildings and within sites, each Party undertakes to promote measures for the general enhancement of the environment” may be interpreted to include the provision of accessibility. It is important that States

Parties foster the use of protected properties in the light of the needs of contemporary life (Article 11); this would serve as a basis for ensuring accessibility.

Article 12 of the Framework Convention on the Value of Cultural Heritage for Society provides that parties to it must take steps to improve access to the heritage, especially among young people and the disadvantaged. Even though persons with disabilities are not explicitly mentioned here, the term “the disadvantaged” should be interpreted so as to include them.

3.3 Recommendation No. R(86)18 on the European Charter on Sport for All: Disabled Persons

The Council of Europe’s Committee of Ministers adopted in December 1986 Recommendation No. R(86)18 on the European Charter on Sport for All: Disabled Persons. The recommendation calls on governments to take steps to make all public authorities and private organisations aware of the needs of persons with disabilities in the fields of sport and recreational activities. It stresses the significance of sports and recreation for the well-being of persons with disabilities. It focuses on the measures which have to be taken to make sports facilities accessible and to foster co-operation between the various stakeholders. It covers a broad range of sports, from high-level competitive sports, to recreation and physical education for children with disabilities.

3.4 Recommendation No. R(99)9 on the role of sport in furthering social cohesion

The Council of Europe's Committee of Ministers adopted in April 1999 Recommendation No. R (99)9 on the role of sport in furthering social cohesion. It provides for measures to be taken in respect of various marginalised social groups, including persons with disabilities. The governments of member states are called on to adapt sports facilities and facilitate access and transport to those facilities and recreation areas for persons with disabilities, set up projects for persons with disabilities aimed at promoting sports and encourage mainstream sporting bodies to forge co-operation with disabled sporting bodies in order to take measures towards eliminating the distinction between mainstream and disabled sports.

3.5 Recommendation Rec(2006)5 of the Committee of Ministers to member states on the Council of Europe Action Plan to promote the rights and full participation of people with disabilities in society: improving the quality of life of people with disabilities in Europe 2006-2015

The key objective of the Council of Europe Disability Action Plan is “to serve as a practical tool to develop and implement viable strategies to bring about full participation of people with disabilities in society and ultimately mainstreaming disability throughout all the policy areas of the member states.” In order to foster participation of persons with disabilities in all fields of society, the Disability Action Plan defines 15 key action lines. Action line No. 2 deals with participation of persons with disabilities in cultural life. To be fully integrated into society, people with disabilities should also be able to participate in the cultural life of that society. Appropriate measures should be taken to ensure that people with disabilities can participate in cultural activities. However, without access to information and communication (action line No. 3), access to the built environment (action line No. 6) and to transport (action line No. 7), one cannot expect persons with disabilities to participate in cultural life, tourism, sports and leisure activities in an effective and meaningful way.

The application of universal design is of paramount importance for improving the accessibility of the environment and the usability of products. A mainstream approach in policy development and service delivery plays an important role in promoting a more inclusive society. All services and facilities in cultural life, tourism, sports and leisure activities should be designed in accordance with the principles of universal design. The staff of both mainstream and specialised cultural, sports, tourist and leisure

institutions should be trained to provide their services to customers and users with disabilities on an equal basis.

“The right of people with disabilities as individuals to be fully integrated into society is dependent on them being able to participate in the cultural life of that society. If people with disabilities are to remain or become independent they must have as complete a life as possible interacting with other members of society, be they disabled or non-disabled people. They have the right to participate in culture, leisure, sport and tourism (action line No. 2).”

Action line No. 2 stresses the importance of taking into account the situation and rights of persons with disabilities when formulating a cultural policy. It points out that sometimes there will be a need for specific measures and calls for the application of “reasonable accommodation” in the case of historic buildings and sites when access to them has to be ensured for visitors with disabilities.³ Action line No. 2 also highlights the role of the media.

³ Article 2 of UN CRPD defines reasonable accommodation as “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”.

In order to ensure participation of persons with disabilities in cultural life, the following objectives should be achieved:

- Taking appropriate measures to ensure that persons with disabilities can access local, regional and national cultural life;
- Ensuring that people with disabilities can participate in cultural, recreational, leisure, sporting, spiritual and social activities, both as observers and as actors;
- Working to ensure that people with disabilities can develop and utilise their creative, athletic, artistic, spiritual and intellectual potential for their own benefit and that of their communities.

The action line spells out in great detail the measures which member states have to take in order to ensure participation of persons with disabilities in the cultural life of their respective communities on the basis of equality with others:

- “i. To encourage institutions and relevant bodies at local, regional, national and international level to make literature and other cultural information material accessible to people with disabilities, making full use of electronic technology where appropriate, and in simple and understandable wording;

- ii. to urge public institutions and to encourage private institutions, relevant bodies and providers to actively engage all people with disabilities in their cultural, leisure, sporting, spiritual and intellectual activities;
- iii. to encourage their broadcasting and related creative industries to ensure that people with disabilities can access broadcasting, films, theatre plays and other arts-related activities in accessible formats which may include captioning, subscript, audio description and sign language;
- iv. to urge national broadcasting and related creative industries to publish Action Plans for increasing the number of people with disabilities employed both “in front of the camera/microphone and behind it”;
- v. to encourage institutions and relevant bodies dealing with culture, sports, leisure and tourism to undertake regular disability awareness training for their staff as a mainstream activity;
- vi. to enable people with disabilities to enjoy access to culture, sports, tourism and leisure activities by encouraging providers to make their premises and services accessible through whatever means are necessary.

- vii. to take appropriate steps:
- to ensure that laws protecting intellectual property rights do not constitute an unreasonable or discriminatory barrier to access by people with disabilities to cultural materials, while respecting the provisions of international law;
 - to ensure that persons with disabilities can acquire artist's status and benefit from their artistic property;
- viii. to encourage people with disabilities to participate in activities regardless of whether they are intended for people with or without disabilities;
- ix. to ensure that sport and cultural activities are an integral part of the education programmes for children with disabilities, recognising the role of such activities in enhancing social skills."

Even though the title of the action line refers to "participation in cultural life", it is worth noting that a number of subparagraphs make explicit reference to sports, tourism and leisure activities as well (ii, v, vi), thus placing a clear obligation on member states to address not just culture but also sports, tourism and leisure activities.

3.6 Recommendation CM/Rec(2009)8 of the Committee of Ministers to member states on achieving full participation through Universal Design

The Committee of Ministers of the Council of Europe recommended that the governments of the member states:

- i. promote full participation in community life, and in particular, prevent the creation of new barriers by designing, from the outset, solutions that are accessible and usable for all; and in doing so, take into account and integrate as appropriate in their policy, legislation and practice the principles of Universal Design;
- ii. be guided, in their processes of integrating Universal Design principles in policy, legislation and practice, by the measures advocated in the appendix to this recommendation;
- iii. promote the application of Universal Design in the implementation of Recommendation Rec(2006)5 of the Committee of Ministers to member states on the Council of Europe Action Plan to promote the rights and full participation of people with disabilities in society: improving the quality of life of people with disabilities in Europe 2006-2015;

- iv. assure to this end the widest possible dissemination of this recommendation amongst all parties concerned, for example through awareness-raising campaigns and co-operation with the private sector and civil society, involving, in particular, non-governmental organisations of people with disabilities.”

The recommendation defined universal design as “a strategy which aims to make the design and composition of different environments, products, communication, information technology and services accessible and understandable to, as well as usable by, everyone, to the greatest extent in the most independent and natural manner possible, preferably without the need for adaptation or specialised solutions.”

According to the recommendation, governments should accept universal design as “a philosophy and strategy supporting implementation of full citizenship and independent living of all people, including people with disabilities.” They should also take full advantage of the potential of universal design to “cope with ageing and the increasing number of people with disabilities, as implementing and enforcing Universal Design strategies can facilitate the promotion of equal rights of all citizens in all aspects of society”. A co-ordinated approach and acceptance and implementation of universal design in a holistic manner are of crucial significance. The recommendation stresses the need to get all

stakeholders, especially civil society, experts and the private sector, involved in the application and promotion of universal design. It should be applied to all aspects of society, for example the built environment, information and communications technology (ICT) networks, transport, services, tourism, products and goods, information, employment and education.

3.7 Parliamentary Assembly Recommendation 1990 (2012): The right of everyone to take part in cultural life

Recommendation 1990 (2012) of the Parliamentary Assembly of the Council of Europe focuses on ensuring free and equal access for all to a variety of cultural resources. The Parliamentary Assembly makes a number of specific recommendations to the Committee of Ministers. It furthermore defines a set of General guidelines for developing policies to ensure effective participation in cultural life. General guideline 5 is of particular significance for persons with disabilities: “When framing integrated policies for cultural democratisation, take into consideration the paralysing effect of multiple sources of discrimination (such as economic circumstances, where people live, social status, problems arising from various disabilities, but also the specific situation of young people) in order to identify the types of support required so that participation in cultural life can be tailored to these specific contexts”.

3.8 Parliamentary Assembly Recommendation 2001 (2012): Protection of and access to the audiovisual cultural heritage

Recommendation 2001 (2012) of the Parliamentary Assembly of the Council of Europe focuses on protection of and access to the audiovisual cultural heritage. This recommendation is also relevant for ensuring access to cultural, sports, leisure and tourist activities for persons with disabilities, as it inter alia recommends that the Committee of Ministers “invite its competent steering committee to develop guidelines for ensuring access to the audiovisual heritage for people with disabilities, for instance by adding subtitles or sign language for the hearing impaired and additional soundtracks for the visually impaired” (12.3).

4. EXAMPLES OF GOOD PRACTICE IN ENSURING EQUAL PARTICIPATION OF PERSONS WITH DISABILITIES IN CULTURE, TOURISM, SPORTS AND LEISURE ACTIVITIES IN COUNCIL OF EUROPE MEMBER STATES

This section of the study seeks to highlight just some of the examples of good practice in individual Council of Europe member states. It will also attempt to provide an overview of the situation based on the information from the initial reports which various Council of Europe member states have submitted to the Committee on the Rights of Persons with Disabilities. It is further based on the information included in the replies by various Council of Europe member states to the Questionnaire on the promotion and implementation of the Council of Europe Disability Action Plan 2006-2015 (doc. ref. CAHPAH(2008)13). In addition, it contains information supplied by various organisations of persons with disabilities and other civil society stakeholders across Europe. In spite of the considerable progress achieved in various parts of Europe in making culture, sports, tourism and leisure activities accessible to persons with disabilities, it should be borne in mind that a lot remains to be done.

4.1 Data provided by member states and other stakeholders

Armenia ensures participation of persons with disabilities in cultural life by active involvement of non-governmental organisations and through the financial support provided by the state and donor organisations. Various activities and events have been organised in recent years, including:

- Implementation of an Information Communication Project to ensure the provision of information through computer technologies to blind persons and those with visual impairments at the National Library, children's libraries and some regional libraries;
- Implementation of the Family Librarian Project to ensure access by persons with limited mobility to library services through home visits;
- Provision of support for the Chamber Choir of people with disabilities to participate in concert tours;
- Organisation of scientific-cognitive sightseeing tours for people with disabilities in Armenia;
- Regular provision of support to non-governmental organisations engaged in disability issues for the purpose of implementing cultural initiatives of people with disabilities by providing them with appropriate premises.

State support is currently also being provided to non-governmental organisations involved in disability sport through the Disability Sport Related Services Programme for the organisation of different types of sport events in the country, as well as for participation in competitions held in other countries.

In August 2012 the Government of the Republic of Armenia approved the 2013-2015 Programme on Artistic and Aesthetic Education of Children and Young People, according to which “the implementation of programmes on the development of artistic skills of children with special needs, in particular of those with disabilities, is aimed at ensuring the conditions for their participation in cultural life, as well as for receiving appropriate cultural education.”

Austria’s Federal Disability Equality Law inter alia prohibits and sanctions discrimination in access to goods and services delivered to the public. It also sets deadlines for the removal of architectural barriers. Additional legislation on the removal of barriers in the built environment is the competence of the federal provinces of Austria (CRPD/C/AUT/1).

In six of Austria’s National Parks (Gesäuse, Hohe Tauern, Thayatal, Donau-Auen, Neusiedler See-Seewinkel and Kalkalpen) “a range of measures related to barrier-free visitor facilities has already been implemented or planned on the basis of comprehensive concepts” (CRPD/C/AUT/1). Austrian

authorities are working on a permanent training workshop related to barrier-free travel. The above-mentioned efforts led to the production of a brochure, “Tourism for All – Barrier-Free Planning and Construction in the Tourism and Leisure Industries”.

Austria’s Copyright Act “permits the non-commercial use of a published work by means of copying and distribution to disabled persons in a form which is suitable for them, when access to the specific work via sensory means is not possible because of their disability” (CRPD/C/AUT/1).

Austria furthermore reports that in its federal provinces, budget funding is used to subsidise a range of recreational activities and communication facilities for disabled people. “As part of the economic development activities of the Länder, investments in measures to create barrier-free access (suitable infrastructure to enable the use of tourist facilities) are also subsidised” (CRPD/C/AUT/1).

Azerbaijan’s legislation provides for fines and penalties for enterprises, institutions and associations which fail to provide access to persons with disabilities (CRPD/C/AZE/1).

Azerbaijan has made efforts to make a number of cultural institutions of national importance accessible to persons with disabilities: “Wheelchair paths and elevators were constructed in Haydar Aliyev Palace,

Azerbaijan State Academic National Drama Theatre, Azerbaijan State Puppet Theatre, Azerbaijan State Russian Drama Theatre and Azerbaijan State Young Spectators' Theatre to ensure the right of equal participation of persons with disabilities in cultural life" (CRPD/C/AZE/1).

"A Library for Visually Impaired Persons was established in 1981. The library has around 5 000 books printed in Braille fonts, as well as audio-cassettes and CDs. The library co-operated closely with the Society of Visually Impaired Persons in Azerbaijan and they carry out projects together" (CRPD/C/AZE/1).

Azerbaijan has organised a number of specific cultural events for persons with disabilities, especially children with disabilities, and has supported participation of sportsmen and sportswomen with disabilities in international competitions such as the Paralympic Games.

Belgium's federal entities have taken measures to ensure access to tourism for persons with disabilities: In Flanders, an action plan for making tourism accessible for persons with disabilities was adopted in 2001. It involves subsidising projects aimed at making tourist facilities accessible and providing information on the accessibility of tourist services and facilities. In Wallonia, a project entitled "Tourism for all – accessibility for persons with reduced mobility" is aimed at tourists with disabilities.

Brussels-Capital Region also organises a range of activities to make its cultural sites and tourist facilities accessible for persons with disabilities (CRPD/C/BEL/1, paragraph 159). The federal entities in Belgium also support access to sport: In Flanders, the authorities have taken a variety of steps to promote sports for athletes with disabilities. In Wallonia, legislation is in place to ensure the accessibility of sporting venues. The French-speaking and German-speaking communities in Belgium subsidise sports activities for persons with disabilities (CRPD/C/BEL/1, paragraph 160).

In Flanders, three official decrees provide for support to organisations and programmes aiming to enable participation of persons with disabilities in cultural life. Research on the accessibility of cultural and community centres in Flanders (21 cultural and four community centres) financed by the Department for Culture, Youth, Sports and Media showed that 34% are inaccessible, 33% are accessible with assistance and 33% are fully accessible. As at 31 August 2012, 94% of all Flemish VRT programmes and 90% of news programmes were subtitled via teletext. All news programmes are live streamed with audio subtitles on the website. As from December, the 7 pm news was to have live sign language and was to be viewable on digital TV and the website. The authorities in the French-speaking Community have passed legislation aimed at ensuring infrastructural access to culture for persons with disabilities, including the provision of sign language for deaf

persons. In Brussels, the city authorities have taken various measures to make a number of museums and other cultural venues accessible for persons with disabilities (CRPD/C/BEL/1, paragraph 161).

In Bosnia and Herzegovina, culture is regulated at entity level. However, some activities aimed at ensuring access to culture for persons with disabilities are also conducted at the federal level: a cultural policy strategy for Bosnia and Herzegovina and the action plan for its implementation have been adopted. One of the measures is to increase participation and access to culture, as well as the development of creative programmes for specific target groups, including persons with disabilities. Bosnia and Herzegovina's Ministry of Civil Affairs annually allocates grants to projects aimed at enabling persons with disabilities to participate in cultural life. For example, the ministry awarded EUR 10 000 to the Association of the Deaf and Hard of Hearing of BiH (Mostar) for the Deaf Culture sign language programme to promote sign language and to the Association of the Deaf and Hard of Hearing (SLUH) in Mostar.

The Republika Srpska's Culture Development Strategy 2010-2015 opted for the inclusion of minorities and vulnerable groups (persons with disabilities) in all aspects of culture. A library for blind persons has been opened in Banja Luka as part of the library network of the Republika Srpska; such a library has existed in Sarajevo since 1972.

Under the Law on the Public Broadcasting System in Bosnia and Herzegovina, public broadcasting services are required to “adapt information, cultural, educational and entertainment programmes for hearing impaired persons and other persons with special needs”.

Under Bosnia and Herzegovina’s Sports Law, athletes with disabilities are equal to athletes without disabilities. Implementation of access to and participation in sports by persons with disabilities in Bosnia and Herzegovina is the competence of cantons in the Federation of Bosnia and Herzegovina, the District of Brcko and the Republika Srpska, which have passed appropriate legislation. In all entities, cantons and districts, laws provide for accessibility of sporting venues for persons with disabilities. The public authorities provide some funds for sportsmen and sportswomen with disabilities, and Bosnia and Herzegovina supports its Paralympic athletes.

Croatia’s Ministry of Culture and other authorities “continually support financially the projects and programmes of associations of persons with disabilities that sensitise the public for artistic work of persons with disabilities and specific theatres of persons with disabilities (painting and sculpture workshops, training of deaf-blind artists with visits to exhibitions, organisation of exhibitions, painting and sculpture colonies of deaf-blind artists and artistic

festivals that deal with the topic of disability as an important social and political problem)” (CRPD/C/HRV/1, paragraph 202). The Ministry of Culture continually supports and finances library programmes aimed at promoting and ensuring the rights of persons with disabilities, for example the *Round table for library services for persons with special needs*, and translating and publishing electronic issues of the IFLA Guidelines for easy-to-read materials (revised issue from 2010). The Ministry of Culture also regularly finances the Croatian Library for the Blind by providing support for performing regular library and publishing activities and by investing in equipment and premises (CRPD/C/HRV/1, paragraph 205).

Accessibility of information on part of the Croatian cultural heritage for the general public, including persons with disabilities, is ensured through the national digitisation programme, “Croatian Cultural Heritage” (CRPD/C/HRV/1, paragraph 201). In 2008, a new permanent exhibition was opened in the Typhological Museum, a national specialised museum adapted to persons with disabilities (the catalogue of the permanent exhibition and the legends were produced in Braille, raised-relief maps, and a computer adapted for blind persons is available) (CRPD/C/HRV/1, paragraph 203). The Croatian Museum Council has set standards for the systematic regulation of access to museums and galleries (CRPD/C/HRV/1, paragraph 204).

Since 2008, the Ministry of Tourism has conducted a programme awarding non-repayable funds, entitled Tourism without Barriers, which encourages investments in public tourism infrastructure designed for persons with disabilities and reduced mobility (adapted access paths to tourist hospitality and other facilities, lifts for entering the sea, access ramps, adapted public toilets...) (CRPD/C/HRV/1, paragraph 208).

Croatia subsidises sporting activities for persons with disabilities, and athletes with disabilities receive the same awards for medals won at international competitions like the Paralympic Games as non-disabled athletes.

In Cyprus, most sports facilities (stadiums, indoor athletic centres and swimming pools) are equipped with entrance ramps, parking spaces, as well as toilets and changing rooms for people with disabilities. Concerning all other facilities, the Cyprus Sports Organisation requires the recommendations of the Council of Europe Disability Action Plan 2006–2015 to be followed, and all sports facilities must comply with the regulations on accessibility for people with disabilities. About 90% of all current sports facilities (those owned by the Cyprus Sports Organisation, and private ones) are fully accessible. The Cultural Services have also taken the necessary measures so as to ensure that individuals with disabilities have easy access to a number of cultural

institutions such as the State Gallery, the National Museum of Struggle and the Cyprus Library.

All broadcasters are required to broadcast between 6 and 10 pm special newscasts understood by deaf people, which last five minutes, it being provided that the said special news bulletins must take up at least half of TV screens.

In the Czech Republic, museums and art galleries as well as other organisations under the responsibility of the Ministry of Culture are gradually making all exhibitions accessible to persons with disabilities (as part of general reconstruction of their premises or partial repairs).

The most relevant initiatives include:

- a) The third updated and extended issue of the book “Jak dobýt hrad, památky takřka bez bariér” (How to Conquer a Castle, Historic Sights Almost Barrier Free) (Nopu, Prague, 2009),
- b) The project “Naslepo historií” (Blind Roaming Through History) implemented in 2008-2009 – special sightseeing tours of Křivoklát Castle and in Mníšek pod Brdy for blind, partially-sighted and deaf-blind persons in co-operation with the organisation, Czech Blind United.

- c) Annual “Dny s handicapem” (Days with Disability) in Český Krumlov Castle – special sightseeing tours for visitors with any type of disability – information for the public is available on the city website.
- d) Annually organised sightseeing tours for disabled persons in barrier-free sites of Buchlovice, Kozel, Kynžvart, Rájec n/S.

Through gradual adjustments, the National Institute of Folk Culture in Strážnice, an organisation under the responsibility of the Ministry of Culture, has implemented barrier-free access to the entire premises of the conservation area of the castle park and the South Moravian Village Museum, except for the castle building.

Contributory institutions managed by the Department for the Protection of Movable Cultural Heritage, Museums and Art Galleries organise both exhibitions and, occasionally as part of their lecturing initiatives, programmes for citizens with disabilities to enable them to satisfy their cultural needs and to create works of their own, such as:

- a) Doteky baroka (A Touch of Baroque) – a tactile exposition in the Schwarzenberg Palace in Prague.
- b) The Technical Museum in Brno (Department for Documentation of Typhlopedic Information)

carries on the work and tradition of the Blind Museum and develops collections, presentations and other activities (such as digitising publications and archiving materials, invitations and other works in order to subsequently transfer them into Braille, and co-operation in various projects). The department offers specific services in terms of making the resources of the Technical Museum and other museums accessible to blind and partially-sighted persons. The exhibitions include an audio library, archives and a library of publications printed in several types of embossed Roman script and Braille, which are available for study on request.

- c) Regular programmes for visually disabled visitors, especially children and young people, are also organised by the Museum of Puppet Culture in Chrudim, enabling visitors to get to know puppet theatres by touch.

In 2010, the sub-programme, “Tourism for All”, was announced to promote initiatives focused on specific target groups. Persons with disabilities (including children) are one such group. In 2011, the new sub-programme, “Travel Accessible to All,” was announced, also targeting persons with disabilities.

Denmark's Ministry of Culture is drawing up an action plan for persons with disabilities and their access to culture, with funding of DKK 7 million. "The Ministry of Culture considers accessibility to Denmark's cultural heritage and cultural institutions an important part of enabling the entire Danish population to experience, learn about and participate in cultural life. Technological solutions are developed on an ongoing basis and can be used for instance by visually impaired people.

Moreover, various institutions in the Ministry of Culture's area carry out ongoing activities for persons with disabilities: NOTA is a state-owned library under the Ministry of Culture, which produces and provides audio books, e-books and Braille for visually impaired and dyslexic people. NOTA's primary task is to ensure that dyslexic people have access to knowledge, participation in society and experiences in ways tailored to their needs.

Under the public service contract of 2011-2014, the Danish Broadcasting Corporation must aim to make its public service output accessible to all persons with disabilities by using adequate technological options, including audio description, subtitling and sign interpretation. Moreover, the Danish Broadcasting Corporation must be aware of new technological solutions" (CRPD/C/DNK/1).

In Denmark, a network consisting of the Standardisation Organisation, the umbrella organisation of hotels and restaurants and DPOs classifies premises into seven categories of accessibility, to provide persons with disabilities with information on the level of accessibility of places where they want to go.

The Ministry of Education and Culture in Finland had a policy programme to promote access to art and culture from 2006-2010. Information about improving accessibility was given, for example, to art and cultural institutions eligible for statutory state aid. The ministry has granted state subsidies to communal and private cultural institutions to map their accessibility, as well as to the Culture for All service, the sign-language theatre, Teatteri Totti, and Kettuki Art Centre (art centre for people with learning disabilities). The Ministry of Education and Culture also finances the Celia Library for the Visually Impaired. The Plain Language Committee of the Plain Language Centre grants state subsidies for plain language literature. State support for the acquisition of small-readership quality literature for libraries also covers plain language books, books with larger type and audio and sign-language books. The Ministry of Education and Culture takes accessibility into account when financing the refurbishing of cultural buildings.

Under the Act on Television and Radio Operations, Finnish and Swedish-language television programmes must be accompanied with subtitling and other programmes with audio description or a service that converts the subtitles into speech (audio description and subtitling service). According to the data Finland has provided to the Council of Europe, 0.2% of TV programmes in Finland are translated into sign language and 75% are subtitled.

In “the former Yugoslav Republic of Macedonia”, in 2011, the visually impaired received Braille books as well as audio material from a number of libraries, both of which are valuable means of helping the blind to stay informed. The National Association of Blind People heads a cultural and artistic association, “Eye catcher”, which preserves musical and folklore traditions of Macedonia and organises various cultural events. The National Association of the Deaf fosters the cultural and artistic creativity of its members through dance workshops and other types of activities. The Phoenix group from Bitola, which is part of the National Union of Physically Disabled Persons (Mobility), organises cultural and artistic events. The Centre for Support of Persons with Intellectual Disabilities (Message) conducts activities to encourage the cultural creativity of its target group.

On Macedonian National Television, 10% of the national and international news programmes are translated into sign language. The public broadcaster

is the only media outlet to provide programmes in sign language. 20% of programmes, mostly movies and documentary films produced abroad, are available with audio-description, but they are broadcast on only a few national television channels.

In France, access to culture for people with disabilities is governed by a law of 11 February 2005. The Ministry of Culture has drawn up a list of diplomas and qualifications for which it is compulsory that students undergo training regarding the accessibility of buildings for people with disabilities. All of the courses run by the national higher schools of architecture now cover this aspect. Since 2006, culture professionals have had the possibility of participating in a training scheme on how buildings can be brought into line with accessibility standards. The Ministry of Culture has launched a series of practical guides on accessibility: a general one in 2007, followed by a second on the accessibility of live performances and a third on visitors with mental disabilities. Additional guides are planned.

Since the law of 11 February 2005, the Ministry of Culture has been working to “ensure the accessibility of the ‘cultural’ national higher education establishments, national ‘heritage’ establishments and national establishments responsible for disseminating artistic works.” The “Assembly of Cultural Establishments for Accessibility” (RECA) brings together about twenty public establishments involved in “implementing tangible measures to

improve cultural establishments' reception of people with disabilities in the short term". The Ministry of Culture has included the issue of accessibility in the national policy guidelines for the regional cultural affairs directorates. It also supports awards for institutions that promote participation of persons with disabilities in cultural life.

A number of associations and institutions in France have been involved in enabling persons with disabilities to participate in cultural life: The *Association Musique et situations de handicap* (MESH) has been running a national resource centre aimed at adapting music teaching to pupils with disabilities and developing projects that enable music making by people with disabilities. The *Centre de Ressources Théâtre et Handicap* (CRTH) includes a specialist resource centre, a drama school and a creation centre offering emerging young performers, who are linked with disability in one way or another, support in implementing their projects. *Accès Culture* has been offering free technical assistance to people with impaired hearing or eyesight or mental deficiencies so that they can attend theatre, dance or opera performances in an autonomous manner. Its activity, involving co-ordination between the specialist departments of 49 national theatres or opera houses in 17 regions, consists in adapting certain performances using a range of technical resources: audio description, supertitling, adaptation in French sign language.

For those who are deaf or whose hearing is impaired, Law No. 2005-102 of 11 February 2005 on equal rights, equality of opportunities, inclusion and citizenship for people with disabilities established the general principle that “all television programmes broadcast on the main channels, with the exception of advertisements and a few justified instances of programmes with specific characteristics, must be adapted within a maximum of five years of the law’s promulgation”.

More recently, Law No. 2009-258 of 5 March 2009 on audiovisual communication and the new public television service amended Law No. 86-1067 of 30 September 1986 on freedom of communication with regard to “the adaptation of television programmes for those who are blind or whose sight is impaired through use of the audio description technique”.

The law of 1 August 2006 on copyright and related rights in the information society, known as the DADVSI law, introduced in the Intellectual Property Code a new exception to the reproduction and distribution rights enjoyed by authors and the holders of similar rights, for the benefit of people with disabilities. This exception permits “the reproduction and distribution of works protected by copyright in formats suitable for people with disabilities, without prior authorisation or the payment of royalties, provided that they are reproduced and distributed on a not-for-profit basis by legal entities or by

establishments open to the public” (such as libraries, archives departments, documentation centres or specialist medical centres).

More recently, the public authorities have addressed the issue of access by people with disabilities to cinemas and to audiovisual works. A number of measures have been announced to the associations representing these persons’ interests, including in particular:

- The National Cinema Centre is to implement an incentive scheme to support the gradual introduction of subtitling and audio description of films from their first day of release;
- The launch of two projects: one on the audio description professions and another on co-ordination of information on works available with subtitles and/or audio description;
- A working group is being set up to provide small and medium-sized cinema-owners with support for accessibility projects;
- A new practical guide on accessibility and cinemas is being drafted.

In Germany, ensuring that persons with disabilities have equal access to media services is one of the fundamental prerequisites for participation of persons with disabilities in cultural life. For persons

with a hearing disability in Germany, “the recognition of German sign language as an independent language is combined with this. Arrangements and schemes to make television programmes accessible for persons with a hearing disability are fundamentally a matter for the *Länder*. The television corporations have especially expanded videotext subtitling in recent years. By contrast, sign language interpretation is used more rarely, but nonetheless increasingly. In the meantime, a number of news broadcasts, as well as programmes relating to specific events (including celebrations, broadcasts on the Bundestag elections) are broadcast with interpretation into German sign language. Furthermore, there are a growing number of services which can be accessed as video streams with sign language interpretation” (CRPD/C/DEU/1).

The promotion of sport is largely a matter for the federal provinces in Germany – the *Länder*. “The Federation is responsible when it comes to projects representing the nation, and for the promotion of high-level sport in particular. The competitive sports programme from 2005 provides for equal treatment of high-level sport of athletes with and without a disability. The Federation and the *Länder* provide funding for the promotion of participation of persons with disabilities in the broad spectrum of sports services and activities” (CRPD/C/DEU/1).

“A central point of contact for the interests of barrier-free tourism is the National Co-ordination Agency Tourism for All (NatKo). The NatKo is available to travel operators, transport companies, tourism regions, hoteliers and other providers in the field of tourism as a point of contact in order to support them in designing barrier-free services. Projects of the Co-ordination Agency are promoted by the Federal Government. For instance, in a nationwide training and skill-building initiative of the German Hoteliers Association and the National Co-ordination Agency, hoteliers, restaurateurs and providers of tourism services are trained in how to deal correctly with persons with a disability and reduced mobility” (CRPD/C/DEU/1).

“The Federal Government has investigated the economic significance of barrier-free tourism for all in Germany in two studies, and has worked out success factors and schemes to improve its quality. A working party “Barrier-free travel destinations in Germany” has been formed in this context. This working party is committed to developing facilities for guests with a disability in the regions” (CRPD/C/DEU/1).

Hungary’s Act LXIV of 2001 on the protection of cultural heritage provides that efforts must be made to ensure equal opportunities for people with disabilities in terms of the accessibility of cultural heritage. Act CXL of 1997 on museums, public library supplies and public education specifies in

general terms that cultural goods must be accessible for everybody in Hungary. The purpose of this act is to provide everybody with the right to use libraries. The requirement of equal treatment is laid down as a basic principle. A ministerial document entitled “Recommendation on improving library supplies to library users living with disabilities” was published in 2009 (CRPD/C/HUN/1, paragraph 236).

The tourism tenders (attraction and accommodation development) invited by the Regional Operative Programme always lay down the compulsory requirement that facilities should be freely accessible. The national tourism database contains information – voluntarily supplied by the service providers – on accessible tourism facilities (CRPD/C/HUN/1, paragraph 237).

“Act LXXVI of 1999 on copyright promotes access by people with disabilities to cultural contents. By virtue of the act, people with disabilities can have free access to all copyright contents” (CRPD/C/HUN/1, paragraph 238).

In Latvia, participation of persons with disabilities in cultural life includes various types of activities – accessibility to theatre performances, exhibitions, concerts, museums, films and libraries, etc. For example, since February 2012, Latvian National Television has vastly increased the number of films and broadcasts with subtitles and sign language. This project has received state-budget earmarked

grants of LVL 60 000. To ensure greater participation by people with disabilities in the events of the state agency, “Latvian Library for the Blind”, there is active co-operation with the Latvian Society of the Blind, the Ministry of Culture of the Republic of Latvia and social institutions. In 2012, Latvian TV broadcast 1 064 hours of programmes with subtitles.

The state agency, “Latvian Library for the Blind”, is a cultural, educational and information-providing establishment, the main goal of which is to provide library, bibliographical and informational services for the visually disabled. Its main task is to provide access to books and information in a form suitable for people unable to read ordinary print, such as Braille books and talking books. Library services for the visually disabled are offered at the central library situated in Riga and in seven branch libraries located in the biggest cities in Latvia. In 2011, the Latvian Library for the Blind organised 100 different events. In 2011, the Latvian Library for the Blind was used by 1 414 readers who do not read conventional print.

Sports Policy Guidelines for 2004 to 2012 were drawn up to provide sports activities for people with disabilities. For people with disabilities, regular sports activities and participation in sports activities are offered in approximately 17 sports clubs.

In Lithuania, the Lithuanian Library for the Blind “offers persons with visual disabilities the opportunity to participate in cultural life by organising various

events, such as marking the anniversaries of important dates in the lives of public figures who were blind, presentations of the work of blind writers, meetings with outstanding people and representatives of organisations, international and national conferences, formation of groups (circles) of blind or visually impaired authors, including people who have an interest in culture” (CRPD/C/LTU/1, paragraph 286).

In co-operation with various non-governmental associations comprising people with disabilities as well as nursery schools and schools, Lithuanian museums and libraries organise various events (concerts, exhibitions and performances) and conduct education programmes and projects designed for the disabled. For instance, the tactile exhibition, “Things Which Can Talk”, set up in Šiauliai Aušra Museum, aims to acquaint blind and sight-impaired visitors with Lithuanian history, culture and modern art through touchable object-exhibits (CRPD/C/LTU/1, paragraph 287).

Every year, the Ministry of Culture provides co-financing for cultural projects. Financing is also granted to support the cultural projects of disability organisations. The co-financing is carried out via the public institution, “The Press, Radio and Television Support Fund”, by means of tenders submitted to the fund by public information providers (CRPD/C/LTU/1, paragraph 289).

Lithuania's legislation on copyright allows for non-commercial copying of works of art, which enables persons with disabilities to access various works of art in accessible formats.

Lithuania supports sports for persons with disabilities, both recreational and high performance, including through funding for Paralympic athletes.

In Luxembourg, national cultural institutions and public cultural establishments under the authority of the Ministry of Culture have been adapted to provide access to people with reduced mobility. Since 2007 the Ministry of the Family and Integration has had an agreement with a sign-language interpreter who is available to anyone on request and will help people with hearing impairments in various situations, including activities in the cultural sphere. The news on Luxembourg's main TV channel is subtitled. It is planned that in the future this channel will broadcast some live programmes of national interest with sign language interpretation.

In Moldova, under Law No. 60 of 30 March 2012 on Social inclusion of people with disabilities, "central and local public authorities, public associations and public and private-law legal entities are required to facilitate access by persons with disabilities to cultural values, national heritage and tourism sites and sports facilities, as well as recreation and leisure places" (Art. 23). The law also establishes some

special arrangements for people with disabilities such as free or discounted entry to cultural sites.

Together with the Ministry of Labour, Social Protection and Family and the Ministry of Culture, the Deaf Association organises a National Dance Festival in which about 100 children with hearing disabilities participate. In co-operation with Pro-Youth, the Ministry of Culture and the Ministry of Labour, Social Protection and Family, the Serghei Lunchevici National Philharmonic Orchestra annually organises a festival-contest (“I want to be a star”) attended by around 70 children and young people with disabilities from throughout the country. The National Museums under the Ministry of Culture organise various competitions, workshops, festivals and discussions, etc.

The National Library offers people with disabilities various services and facilities such as:

- Free entry and special assistance at a central information desk in the entrance hall;
- Installation of handrails on stairs in the main building entrance halls and the library buildings;
- Information and documentation assistance for people with disabilities who receive home loan books;
- Access via the library’s web page, the electronic catalogue and local databases to publications

prepared by the library and a range of information about encyclopaedias, dictionaries and so on.

The Action Plan for People with Disabilities in Montenegro for 2012 and 2013 provided for a number of measures, including:

- Building new facilities and adapting existing sports, recreational and cultural facilities, as well as monuments and sites of cultural importance, to the needs of persons with disabilities
- Providing persons with disabilities with access to cultural materials, films, theatre and other cultural activities in formats accessible to them
- Training journalists and editors to promote a social approach to disability, the rights and the potential of persons with disabilities.
- Planning, developing and implementing programmes, campaigns and activities to encourage and promote participation of persons with disabilities in cultural, recreational and sports activities at all levels to the greatest possible extent, and similar measures to be implemented over the next two years.

As a form of support and encouragement for cultural development, the ministry introduced a new category covering creative work by persons with disabilities in the annual call for co-financing of programmes and projects in the cultural and art sector in 2010. The public institution in the field of culture responsible for encouraging and promoting creative work by blind persons is the Library for the Blind. The library was founded in 2004 and its operating funds are provided from the state budget.

Activities of cultural institutions relating to the active inclusion of people with disabilities in cultural events have included the following:

- The National Museum established contact with the Razvitak Association of Parents, Children and Young People with Developmental Disabilities being established in Cetinje. The first joint project involved their participation in the “1+1/ Life & Love” exhibition which the National Museum staged in co-operation with the Swedish non-governmental organisation, SHWB, in March/April 2011.
- The Maritime Museum of Montenegro adapted its building to persons with disabilities in 2007 by establishing a department on the ground floor of the Grgurina Palace equipped with modern access to the exhibition areas on the first and second floors.

With funding from the Ministry of Culture and the Ministry of Agriculture, the NGO, “Inter-mont”, produced a theatre play called “Categorical request” by Borislav Pekić, the first play in the world in sign language.

“Sound magazine” (*Zvučna revija*) – a magazine for the blind – was published monthly in 2011, and is issued digitally in MP3 format on compact discs.

In Poland, 47% of centres and establishments, clubs and community centres have facilities for persons with disabilities, but this usually only means access for wheelchairs.

One third of the libraries in Poland have an accessible entrance, while one fifth have indoor facilities suitable for persons with disabilities.

The National Library in Warsaw provides special services for people with disabilities and materials in alternative formats.

The largest quantity of materials in alternative formats is provided by the Central Library of the Polish Association for the Blind in Warsaw, which has branches all over Poland. The library offers about 6 000 titles in all alternative formats. Alternative formats (mostly audio books) are also available in many public libraries throughout the country. Nevertheless, the availability of publications in alternative formats is not sufficient.

The most popular cultural activity among Poles is going to the cinema. 82% of cinemas are accessible for persons using wheelchairs, but only 15 cinemas are equipped for audio description. The number of such cinemas has doubled in comparison to 2010.

More than one third of museums are accessible for wheelchair users. It should also be mentioned that in Poland people with disabilities are offered reduced ticket prices for all kinds of museums.

More than 50% of art galleries, theatres and music institutions have facilities for persons with disabilities

Polish public television offers two kinds of services for hearing-impaired people: programmes with captioning or subtitles (two types of daily news, movies and a few other programmes) and programmes with translation in sign language (a few movie series, one daily regional news programme and two or three other programmes). About 40 hours of programming per month are offered in both closed captioning and sign language.

Under Polish legislation, 10% of television and radio programmes should be accessible for persons with disabilities.

A good opportunity for promoting participation of persons with disabilities in mainstream sporting activities was UEFA EURO 2012. It also improved access to many sporting, recreational and tourism venues for persons with disabilities. There are now

more ramps for wheelchairs, automatic doors, lifts and hotel rooms accessible for persons with disabilities.

The best example of a well-adapted venue is the Municipal Stadium in Wrocław, which has been adapted not only for disabled sportspeople and spectators, but also for disabled reporters.

In Portugal, some departments within the State Secretariat for Culture provide special services for persons with disabilities, both as audiences and as artists. This includes the production of Braille and audio books, audio guides and video guides (in sign language), as well as facilities for artists with disabilities through contracts with artistic structures which compete for funding (CRPD/C/PRT/1). Portugal's authorities also provide considerable funding and take measures to promote access by persons with disabilities to sports, especially in terms of supporting Portuguese athletes with disabilities and the country's Paralympic movement.

Serbia's Law on Prevention of Discrimination against Persons with Disabilities provides that denial of access to facilities in public use, including cultural, sports and tourist facilities, constitutes a prohibited act of discrimination (Article 13). Local authorities are required to take measures to promote participation of persons with disabilities in the cultural, sporting and religious life of the community (Article 37). The Ministry of Culture adopted a regulation on ensuring

equal access to cultural programmes and institutions for persons with disabilities in 2007, and provides annual funding for projects by DPOs and other stakeholders so as to enable participation by persons with disabilities in cultural media and activities.

In 2003, in the Fresco Gallery of the National Museum of Serbia, museum curators and other culture experts received training organised by “Europa Nostra” and “Serbia Nostra” in co-operation with Serbian DPOs on making their programmes accessible.

As part of the renovation of their buildings, the Fresco Gallery of the National Museum of Serbia, the Museum of Natural Science, the Ethnographic Museum in Belgrade and Prijepolje Museum made their buildings accessible for persons with disabilities. The Belgrade Philharmonic Orchestra made its concert hall accessible for persons with restricted mobility. The House of Parliament of Serbia and the City Hall in Belgrade were also made accessible as part of reconstruction work over the past decade.

The National Museum of Serbia and the Museum of Natural Science organise tactile exhibitions for blind persons. Accessibility is one of the criteria for projects to be presented at the European Heritage Days in Belgrade and from 2005 to 2007 an expert

with disability was a member of the European Heritage Days organising committee in Belgrade.

“In the course of 2009 the Ministry of Youth and Sports carried out eight infrastructure projects in total aimed at construction, recovery and adaptation of buildings for sports, recreation and leisure activities of persons with disabilities... In the course of 2010 three infrastructure projects were carried out in total aimed at construction, recovery and adaptation of buildings for sports, recreation and leisure activities of persons with disabilities...” (CRPD/C/SRB/1, paragraph 338). The Ministry of Youth and Sports also finances programmes and activities of sports organisations of persons with disabilities.

In Slovakia, besides the Culture for Persons with Disabilities Programme, the Ministry of Culture also has other subsidy programmes facilitating accessibility to culture for the blind – in particular, the Cultural Activities in the Repositories of Public Knowledge subsidy programme, the Libraries and Library Activities sub-programme and the Cultural Vouchers subsidy programme – which may involve special schools (e.g. schools for blind children and young people, blind or disabled artists presenting their programmes). The subsidy system of the Audiovisual Fund supports audio commentary and subtitling for audiovisual works. The international multicultural Art Therapy festival organised by the Divadlo z pasáže/Theatre from the Passage in Banská Bystrica is supported by the art subsidy

programme. (*Theatre from the Passage is a community-based theatre, the only one in the Slovak context which works with people with learning disabilities*).

The Slovak Museum of Nature Protection and Speleology in Liptovský Mikuláš has provided barrier-free access for people with physical disabilities to the Fauna Habitats exhibition. The current reconstruction of the historical building of the museum will allow wheelchair access to all parts of the museum exhibitions and the library, as well as barrier-free access to outdoor areas (nature trails).

The information centre of the biggest zoo in Bojnica has barrier-free wheelchair access and new exhibitions, e.g. the newly built Carpathian Fauna Nature Trail, and all new information and communication technologies are designed barrier-free. Buildings where access used to be difficult such as the Pavilion of Predators and the Vivarium/Terrarium have been adapted for wheelchair users by the provision of a special path equalising height differences.

As regards access to sport, special arrangements facilitating access by people with disabilities (mainly physical disabilities/wheelchair users) are included in new conceptual and strategic documents. This applies, in particular, to sports infrastructure of special importance subsidised by the government. One recent example was the government investment

in the reconstruction (2009-2011) of Ondrej Nepela Ice Stadium for the holding of the World Ice Hockey Championships in 2011. The reconstruction work followed barrier-free principles in order to enable people with disabilities to participate not only in this global sports event, but also in other sports and cultural events.

In Slovenia, 34 of the country's 58 public libraries (58.6%) were accessible for persons with disabilities in 2011. During 2012, TV Slovenia recorded 20 educational TV shows for the deaf and hard of hearing, which were co-financed by the Ministry of Education, Science, Culture and Sport (MESCS) for a total amount of €8 700. TV Slovenia provides access to public information, scientific and other educational television programmes and information on Slovenian cultural heritage using Slovenian sign language for the deaf and audio descriptions for the blind. In addition, on 1 October 2012, TV Slovenia screened a documentary about the life of blind and visually impaired persons, entitled "Words beyond the visible", which was produced in 2010-2011 with co-financing from the former Ministry of Culture.

The National Museum of Slovenia is gradually supplementing the permanent historical and art collections in Metelkova with elements that make the exhibits more accessible to blind and visually impaired visitors. The Rudolf Cvetko exhibition, which presented the country's first Olympian, was supplemented with replicas which visitors can touch

and feel, with legends in Braille. This was done in co-operation with the Slovenian Institute for Blind and Partially Sighted Children. The Mannerist graphics exhibition was also adapted for visually impaired visitors.

The Slovenian Ethnographic Museum has set up a communication centre for persons with disabilities for permanent exhibitions where computer applications and an introductory film give access to the content of the exhibitions. Special programmes have been put in place for persons with special needs, for instance, adaptation with descriptions and the possibility of touching objects to ensure better understanding of the exhibitions.

The Slovenian National Theatre in Maribor (SNT Maribor) holds regular exchanges with disability organisations to gather suggestions and requests, and enables people with disabilities to visit performances. Involvement in cultural and artistic events contributes to quality of life and access to cultural goods. A drama performance was translated into sign language in co-operation with the Podravje Association of the Deaf and Hard of Hearing in 2011 and, at the same time, a show called “I hear with my eyes” was presented to a group of deaf persons. In the SNT Maribor, special lifts provide full wheelchair access to the entrance and performance areas, while, in the main auditorium, the seats in the first row of the parterre can be dismantled. The old

auditorium is equipped with an induction loop, while opera performances come with subtitles.

Following a call for projects for the sensory impaired, the MESCS co-financed 10 cultural projects by representative disability organisations for the blind and deaf and persons with head injuries for a total amount of €182 908 (three projects for the blind, six for the deaf and one for people with head injuries). The projects co-financed involved books, newspapers and newsletters in Braille, audio books and electronic newspapers for the blind, books, newspapers and newsletters in bigger print for the visually impaired, audiovisual (videos, DVDs, etc.) and web content with interpretation in Slovenian sign language and/or with subtitles for the deaf and audio books for persons with head injuries. The technical infrastructure of the Association of the Blind and Partially Sighted of Slovenia and the Association of the Deaf and Hard of Hearing of Slovenia also received co-financing under a call for projects for the sensory impaired.

Following a European call for projects, nine projects for cultural education, training and employment of persons with disabilities in the field of culture were co-financed for a total amount of €766 016.36 (five projects solely for the disabled for a total amount of €384 139.30 and four projects intended for persons with disabilities and members of various ethnic minorities for a total amount of €381 877.06).

The Slovenian Museum of Natural History includes visually impaired persons in its staff (a partially sighted person was in charge of the Central Slovenian collection of insects).

Domžale Library has implemented a project called READ (Reading Education Assistance Dogs). It is designed to help children with learning difficulties and reading and speech disorders.

Together with the Rotary Club and the Ministry of Labour, Family and Social Affairs, the Slovenian National Theatre in Nova Gorica staged a performance entitled “Waiting room” as part of the “Stage for all” project.

Spain’s Law on Equal Opportunities, Non-Discrimination and Universal Access for Persons with Disabilities guarantees access to public buildings, spaces, transport and services open to the public and sets deadlines for the removal of existing barriers. “The Ministry of Industry, Tourism and Commerce, acting through the National Communication Technologies Institute (INTECO), has launched a number of projects designed to improve access to digital public services offered by the central government administration and its public agencies. The projects include analysis of and support for the adaptation of public websites, the training of both public- and private-sector professionals involved in the development and updating of those websites, the launching of

innovative technological projects designed to develop tools and services facilitating maintenance of the level of accessibility required by law, and the promotion of awareness in society of the importance of universal design as a means of guaranteeing non-discriminatory access to the services of the information society” (CRPD/C/ESP/1, paragraph 106).

On 21 December 2009, accessible terrestrial television decoders (TTD) were presented, incorporating a pioneering operating system developed by the Ministry of Industry, Tourism and Commerce through the National Institute of Communication Technologies (INTECO), which enables firms to make any devices they manufacture accessible. Spain thus became the first country to have accessible TTD decoders (CRPD/C/ESP/1, paragraph 228). The purpose of this project, which has a budget of €500 000, is to take advantage of the possibilities offered by TTD to give persons with disabilities and older persons access to this medium, thereby offering them an effective alternative so that they can make unimpeded use of TTD (CRPD/C/ESP/1, paragraph 229). This measure will directly benefit some 100 000 visually impaired persons and their families and will facilitate the use of these devices by the more than 7 million members of the elderly population.

The year 2009 in Spain saw two important advances in participation in cultural life. The first involved Virtual Accessible Museum Guides (GVAM), which can provide interactive visits for all types of users, including persons with disabilities. They facilitate the design of accessibility resources essential for persons with sensory disabilities, such as subtitles, audio description, audio navigation and sign language. Secondly, Order CUL/74/2009 of 29 January 2009 regulating public visits to state-owned museums assigned to and managed by the Ministry of Culture and the National Institute of Scenic Arts and Music states that entry shall be free from March [2009] onwards for persons with disabilities on presentation of the appropriate supporting document, and that free entry is also available to a companion “provided that that person is essential to the visit of the disabled person” (CRPD/C/ESP/1, paragraph 237).

The Spanish authorities offer subsidies for accessible tourist programmes and provide support to athletes with disabilities.

The 15-year plan for providing universal accessibility in the city of Barcelona, which began prior to the 1992 Olympic Games held there, is an excellent example of a long-term policy that provided for adequate resources and set deadlines which inter alia ensured access to culture, sports, tourism and leisure activities for persons with disabilities.

In Sweden, the Swedish Arts Council and the Swedish National Heritage Board are sector authorities responsible for co-ordinating, supporting and driving forward developments in order to achieve the national disability policy goals.

The Swedish Arts Council has conducted a survey among 301 operators who receive grants from the Ministry of Cultural Affairs. These operators work in theatre, dance, music, literature, libraries and museums. Nearly half (42%) have an action plan, and 33% have begun to work on an action plan. 40% of the plans were developed before 2007, but almost all have been updated since 2007. 25% of the operators have had revised plans from 2012. For physical accessibility, 44% of the operators had inventoried their public buildings fully, 43% had done so in part. Among these, 16% had corrected all easily removed obstacles and 50% had done so to a significant extent. The Swedish Arts Council believes that better information is needed on the content of easily removed obstacles. A further difficulty is that many of the operators are not running their activities in premises which they own themselves. 52% of the operators provide information about the accessibility of their activities on their websites. A smaller number provide information about shortcomings in accessibility (21%). The study showed that education was one of the most important factors for improving accessibility. 29% of the operators had completed training on accessibility. The Arts Council's examination of museums showed that just over half

had no special activities for children and young people with disabilities. Some museums felt that since all were welcome regardless of ability, there was no need for special solutions.

The Arts Council's work was previously focused on museums and libraries, where the work on increasing accessibility has made substantial progress. Within the field of drama, progress has also been made – in part with the aid of Nordic collaboration – in terms of improving access to information, premises and activities for persons with disabilities. In order to increase access to touring theatre companies, the Swedish Arts Council is supporting work aimed at developing portable devices for visual and sign language interpreting in co-operation with disability organisations. It is becoming increasingly common for professional theatre and dance groups to include actors and dancers both with and without disabilities (CRPD/C/SWE/1).

“Within the Nordic Council of Ministers, the Swedish National Heritage Board has participated in a collaborative project regarding accessibility to various culturally historical settings, such as extensive historical landscapes and ancient monuments. The Board has also worked towards accessibility issues being introduced in cultural heritage education at Stockholm University” (CRPD/C/SWE/1).

Swedish DPOs present annual awards to cultural institutions which make their programmes and venues accessible for persons with disabilities.

For a number of years, the Copyright Act has included technology-neutral provisions which guarantee that persons with disabilities have access to copyright-protected works. In its broadcasting licences for Sveriges Radio AB, Sveriges Television AB (SVT) and Sveriges Utbildningsradio AB, the government stipulates that these companies must take the needs of persons with disabilities into consideration. In the broadcasting licences for the period 2010-2013, the goals have been increased for example with regard to the subtitling of TV programmes (CRPD/C/SWE/1).

The Swedish Library of Talking Books and Braille (TPB) is conducting extensive work on change, with digital technology being used for example for the downloading of talking books. TPB, the Talking Newspapers Council and the Swedish Post and Telecom Agency have received commissions relating to e.g. talking newspapers. Operations at the Talking Newspapers Council were transferred to TPB on 1 August 2010 (CRPD/C/SWE/1).

The Easy-to-Read Foundation has been commissioned by the government and parliament to make news information and literature available to persons with reading difficulties or who are not trained in the Swedish language (CRPD/C/SWE/1).

Ukraine's Law on The Basis of Social Protection for Persons with Disabilities provides that the authorities have a duty to ensure participation of persons with disabilities in the cultural and sporting life of the community (Article 34) (CRPD/C/UKR/1, paragraph 282). Persons with a disability of the first and second category are entitled to attend cultural events free of charge, and children with disabilities are entitled to musical and artistic education in educational institutions (CRPD/C/UKR/1, paragraph 283). Libraries serve as centres of cultural activity for persons with disabilities in Ukraine. Ukraine's authorities support various cultural activities of persons with disabilities, as well as sports (CRPD/C/UKR/1).

In the United Kingdom, "the Arts Council England's Disability Equality Scheme 2010/13 is centred around a vision for 'Prominence' for disabled people, which means raising their profile and presence. The Arts Council lottery grants promote the work of disabled artists and increase participation in the arts by disabled people. The Big Lottery Fund has supported over 1 000 voluntary and charitable projects for disabled people, including projects involving engagement with arts activities" (CRPD/C/GBR/1, paragraph 328).

The United Kingdom puts a lot of effort into making sports accessible for persons with disabilities. The London 2012 Paralympic Games clearly

demonstrated this, with the event being one of the most successful ever in disabled sport.

It is worth noting that since the 1990s and the passage of the UK's Disability Discrimination Act, many cultural, tourist, sporting and leisure activities and facilities open to the public have had to make their services and facilities accessible in order to avoid legal actions for disability-based discrimination. In many cases, museums, cultural sites, galleries, theatres, cinemas, halls, hotels and sporting venues have made reasonable adjustments, thus enabling customers with disabilities to access their services and facilities.

At European level, various interested stakeholders have formed the European Network for Accessible Tourism, which works on awareness-raising, supporting education and events and distributing information on accessible tourism, including via a newsletter.

4.2 Participation of persons with disabilities in culture, sports, tourism and leisure activities in Council of Europe member states: Highlighting the success so far and mapping the areas where progress has yet to be made

Based on the data available, it may be concluded that in certain areas considerable progress has been made in ensuring participation of persons with disabilities in culture, sports, tourism and leisure

activities across Europe. Measures have been taken to ensure access for persons with disabilities. Nevertheless, there are some areas where much more has to be done in order to ensure the meaningful participation of persons with disabilities.

Most Council of Europe member states have taken measures to provide for the necessary legislative and policy frameworks. In a number of countries, the laws on accessibility and non-discrimination provide a legal basis for ensuring access to culture, sports, tourism and leisure activities. Many Council of Europe member states have policies in place that stress the need for ensuring equal participation of persons with disabilities in those areas. In many member states, public funds are used for funding projects aimed at ensuring equal access and participation of persons with disabilities in culture and sports, on both an active and a passive basis. However, the funds are often insufficient.

Many Council of Europe member states fund specific cultural programmes intended solely for persons with disabilities, including special exhibitions, art festivals and tours of cultural monuments, etc. Libraries for blind persons which stock literature in accessible formats exist in virtually all member states. In some countries, such libraries also provide additional cultural activities, such as the organisation of exhibitions, etc. In a number of member states, copyright and intellectual property laws provide for free access for persons with disabilities to cultural

materials, but there are still significant challenges when persons with disabilities attempt to exercise that right in practice.

Legislation in most member states provides for accessibility of public broadcasters' output. However, data shows that in most countries subtitling is much more widespread than translation into sign language. A lot more therefore has to be done to promote sign languages and the cultural identity of deaf persons.

Even though measures for making museums, galleries, concert halls, theatres, cultural venues and sites accessible for visitors with disabilities are being taken in many Council of Europe member states, large numbers of venues and sites across Europe still remain inaccessible. Examples from various countries which have made cultural venues accessible should serve as models for additional efforts needed to make further progress. Making historic buildings and sites accessible can be particularly challenging, but many European countries have shown that it can be done! Member states must make more efforts to make mainstream culture fully accessible for persons with disabilities and enable them to participate in it, both actively and passively.

In most Council of Europe member states, information on accessible tourist services is available, and efforts are continuously being made to ensure that tourism is accessible for persons with

disabilities. A number of states have invested substantial funds in making tourism accessible and educating tourism workers on how to make their services accessible, but much more must be done, especially in the area of low-cost tourism. There is a need to support the “horizontal” exchange of information between the various stakeholders at various levels.⁴ Networking of professionals in the tourism sector and interaction by them with all relevant stakeholders is crucial, as are regular exchanges of information, optimisation of resources and strategic planning.⁵

Many Council of Europe member states strongly support the Paralympic movement in their respective countries and place top athletes with disabilities on an equal footing with their fellow sportsmen and sportswomen without disabilities. Further progress can nevertheless be made in promoting sports for persons with disabilities among the general public. More attention should be focused on participation of persons with disabilities in recreational sports and physical education for children with disabilities. In addition, sporting venues are often not accessible for persons with disabilities.

⁴ CAHPAH(2011)14 on “Accessible tourism – taking stock and showing the way forward” by S. Sagamola with the support of P. Neumann.

⁵ Ibid.

5. CONCLUSIONS AND RECOMMENDATIONS

The governments of Council of Europe member states, having due regard to their specific national, regional or local structures and respective responsibilities, should:

- i Take a twin-track approach, mainstreaming participation of persons with disabilities in culture, sports, tourism and leisure activities for the general population, while not neglecting activities aimed specifically at persons with disabilities and reflecting their diversity.
- ii Take appropriate measures to ensure that education of children and teenagers with disabilities in an inclusive setting contributes to and is used for the development and promotion of their creative, artistic, intellectual and athletic potential, and that it encourages them to take part in culture, sports and leisure activities, on both an active and a passive basis, from the earliest age,
- iii Take appropriate measures to encourage all stakeholders in the fields of culture, sports, tourism and leisure activities (public authorities at national, regional and local levels, private enterprises, cultural and sporting institutions and expert and civic associations, organisations

representing persons with disabilities, media outlets, academics and others) to work towards creating national, regional and local strategies and action plans for making cultural, sports, tourism and leisure activities accessible to persons with disabilities and enabling persons with disabilities to take a full and equal part in those activities, on both an active and a passive basis,

- iv Ensure continuous and effective consultation of persons with disabilities and their representative organisations in the process of drafting legal and policy frameworks, and when taking practical measures to ensure accessibility of cultural, sports, tourism and leisure activities, such consultation being a vital requirement for ensuring effective and meaningful participation of persons with disabilities in those activities,
- v Take measures to ensure from the outset adequate planning to make cultural, sports, tourism and leisure venues, programmes, services and facilities accessible to all persons with disabilities, especially through the application of universal design/design for all, such planning being a powerful tool for ensuring access with little or no additional cost and contributing significantly to mainstreaming and optimisation of costs,

- vi Take appropriate measures to ensure that all new cultural, sports, tourism and leisure services and facilities open to the public are fully accessible to persons with disabilities through the application of universal design/design for all and to work towards the identification and progressive removal of architectural, environmental, information and communication barriers in all existing premises, goods, products, facilities and services in the fields of culture, sports, tourism and leisure activities for persons with disabilities, in order to provide for full and equal participation in those fields,

- vii Take appropriate steps to develop and implement effectively a legislative framework to ensure that denial of access to cultural, sports, tourism and leisure activities to persons with disabilities constitutes disability-based discrimination and require service providers (both public and private enterprises) in those fields to make reasonable accommodation for persons with disabilities and ensure access to venues, programmes and services which they provide in order to promote full and equal participation of persons with disabilities,

- viii Take appropriate measures to ensure that public procurement procedures, incentives and subsidies are applied as an effective tool for ensuring and promoting access to cultural, sports, tourism and leisure activities for persons with disabilities and their full and equal participation,
- ix Take appropriate measures to provide continuing training on disability matters for all relevant staff in cultural, sports, tourism and leisure activity service providers and institutions and to ensure the availability of comprehensive and precise information on practical solutions for enabling persons with disabilities to take part in cultural, sports, tourism and leisure activities, on both an active and a passive basis,
- x Take appropriate measures to ensure that all stakeholders provide access for persons with disabilities across the broad range of cultural, sports, tourism and leisure activities, covering both traditional forms of culture and venues and programmes and also modern art forms, using all available means, taking care to use to full effect modern technologies such as information and communication technologies so as to enable effective and meaningful participation of persons with disabilities, on both an active and a passive basis,

- xi Take appropriate measures to encourage all stakeholders to take into account the diversity of persons with disabilities and the wide range of ways in which participation in culture, sports, tourism and leisure activities can be made a reality for all persons irrespective of their sex, age or type of disability.

APPENDIX

RECOMMENDATION CM/REC(2013)3 OF THE COMMITTEE OF MINISTERS TO MEMBER STATES ON ENSURING FULL, EQUAL AND EFFECTIVE PARTICIPATION OF PERSONS WITH DISABILITIES IN CULTURE, SPORTS, TOURISM AND LEISURE ACTIVITIES

(Adopted by the Committee of Ministers on 11 December 2013 at the 1187th meeting of the Ministers' Deputies)

The Committee of Ministers, under the terms of Article 15.b of the Statute of the Council of Europe,

Considering that the aim of the Council of Europe is to achieve greater unity between its members and that this aim may be pursued, inter alia, by the adoption of common rules in the field of disability policy for the purpose of promoting the protection of political, civil, social and cultural rights of persons with disabilities;

Bearing in mind the Convention for the Protection of Human Rights and Fundamental Freedoms (ETS No. 5);

Bearing in mind the principles embodied in the revised European Social Charter (ETS No. 163), namely Article 15 “The right of persons with disabilities to independence, social integration and participation in the life of the community”;

Bearing in mind the Council of Europe conventions in the field of culture and cultural heritage such as the European Cultural Convention (ETS No. 18), the European Convention on the Protection of the Archaeological Heritage (ETS No. 66), the European Convention on Offences relating to Cultural Property (ETS No. 119), the Convention for the Protection of the Architectural Heritage of Europe (ETS No. 121), the European Convention on the Protection of the Archaeological Heritage (Revised) (ETS No. 143), the European Convention on Cinematographic Co-Production (ETS No. 147) and the Council of Europe Framework Convention on the Value of Cultural Heritage for Society (CETS No. 199);

Having regard to the United Nations Standard Rules on the Equalisation of Opportunities for Persons with Disabilities (1993);

Having regard to the International Classification of Functioning, Disability and Health (ICF) of the World Health Organisation (WHO) (2001);

Bearing in mind the United Nations Convention on the Rights of Persons with Disabilities (2008);

Having regard to Recommendation Rec(92)6 of the Committee of Ministers to member States on a coherent policy for people with disabilities;

Having regard to the Ministerial Declaration on People with Disabilities “Progressing towards full participation as citizens”, adopted at the Second European Conference of Ministers responsible for integration policies for people with disabilities held in Malaga (Spain) on 7 and 8 May 2003;

Having regard to Parliamentary Assembly Recommendation 1592 (2003) “Towards full social inclusion of people with disabilities”;

Having regard to recommendations in the field of sport such as Recommendation Rec(99)9 on the role of sport in furthering social cohesion and Recommendation Rec(86)18 on the European Charter on Sport for All: Disabled Persons;

Having regard to the Global Code of Ethics for Tourism, as adopted by Resolution A/RES/406(XIII) by the General Assembly of the World Tourism Organisation (WTO) at its 13th session (Santiago, Chile, 27 September-1 October 1999), and to related Resolution A/RES/56/212 of the General Assembly of the United Nations of 21 December 2001;

Working towards full implementation of Recommendation Rec(2006)5 of the Committee of Ministers to member States on the Council of Europe Action Plan to promote the rights and full participation of people with disabilities in society: improving the quality of life of people with disabilities in Europe 2006-2015;

Having regard to Recommendation CM/Rec(2009)8 of the Committee of Ministers to member States on achieving full participation through universal design, as well as the accompanying report;

Reaffirming the universality, indivisibility and interdependence of all human rights and fundamental freedoms, and the need for persons with disabilities to be guaranteed their full enjoyment without any discrimination;

Considering that the estimated proportion of persons with disabilities in the total population in Europe is 15%, and that the number of persons with disabilities is expected to grow steadily due to increasing life expectancy, inter alia;

Considering that failure to promote the rights of persons with disabilities and to ensure equality of opportunities is a violation of human dignity;

Considering that ensuring equal opportunities for members of all groups in society contributes to securing democracy and social cohesion;

Convinced that the human rights-based approach to ensuring the inclusion and full and equal participation of persons with disabilities in society should be incorporated in all relevant policy areas at international, national, regional and local level;

Emphasising the need to mainstream disability issues in all sectors through coherent policies and co-ordinate action;

Emphasising the importance of establishing partnerships with non-governmental organisations (NGOs) of persons with disabilities and other NGOs and stakeholders in the fields of culture, sports, tourism and leisure activities in the implementation and follow-up of this recommendation,

Recommends that the governments of member States, having due regard to their specific national, regional or local structures and respective responsibilities:

1. take a twin-track approach, mainstreaming the participation of persons with disabilities in culture, sports, tourism and leisure activities for the general population, while not neglecting particular activities aimed at persons with disabilities specifically, reflecting their diversity and needs;
2. take appropriate measures, including with regard to accessibility and the provision of

reasonable accommodation and relevant support services, to ensure that education of children and young persons with disabilities contributes to the development and encouragement of their creative, artistic, intellectual and athletic potential, and that it encourages them to take part in cultural, sports and recreational activities both as actors and spectators from the earliest ages;

3. take appropriate measures, including the provision of relevant support services, to encourage all stakeholders in the fields of culture, sports, tourism and leisure activities – public authorities at national, regional and local levels, private enterprises, cultural and sporting institutions and expert and civic associations, NGOs of persons with disabilities, media, academic society and others – to work towards creating national, regional and local strategies, action plans for making cultural, sports, tourism and leisure activities accessible to persons with disabilities and enabling full and equal participation of persons with disabilities in the above-mentioned activities, both as actors and spectators;
4. ensure effective and continuous consultation with persons with disabilities and their representative organisations in the process of drafting legal and policy frameworks, and in taking concrete measures to ensure

accessibility of cultural, sports, tourism and leisure activities, since such consultation is a crucial precondition for ensuring effective and meaningful participation of persons with disabilities in the above-mentioned activities;

5. take measures to ensure, from the outset of any project, adequate planning to make cultural, sports, tourism and leisure venues, programmes, services, facilities and related information and communication, including new technologies, accessible to all persons with disabilities, especially through the application of universal design/design for all principles, since such planning is a powerful tool for ensuring access with little or no additional cost and it contributes significantly to mainstreaming and the optimisation of costs;
6. take appropriate measures to ensure that all new cultural, sports, tourism and leisure services and facilities open to the public are fully accessible to persons with disabilities through application of the universal design/design for all principles, and to work towards the identification and progressive removal of architectural, environmental, information and communication barriers in all existing objects, goods, products, facilities and services in the fields of culture, sports, tourism and leisure activities for persons with

disabilities, in order to provide for full and equal participation in the above-mentioned fields;

7. take appropriate steps to create and implement effectively a legislative framework that ensures that denial of access to cultural, sports, tourism and leisure activities on the ground of disability constitutes discrimination and oblige service providers (both public and private enterprises) in the above-mentioned fields to guarantee accessibility and provide reasonable accommodation to persons with disabilities in order to ensure access to venues, programmes and services they provide and promote full and equal participation of persons with disabilities;
8. take appropriate measures to ensure that public procurement procedures and incentives and subsidies are applied as an effective tool in ensuring and promoting access to cultural, sports, tourism and leisure activities for persons with disabilities and their full and equal participation;
9. take appropriate measures to provide continuous training on disability matters for all relevant staff of service providers and institutions offering cultural, sports, tourism and leisure activities and to ensure the availability of comprehensive and precise information on practical solutions to enable persons with

disabilities to participate in such activities both as actors and spectators;

10. take appropriate measures to ensure that all stakeholders ensure access for all persons with disabilities, regardless of the type of disability, across the broad range of various cultural, sports, tourism and leisure activities, covering both traditional forms of culture, venues and programmes, as well as modern art forms, using all available means, taking care to use to full effect alternative formats of communication, notably texts that are easy to read and understand, interpretation into sign languages, Braille texts, audio description and modern technologies, such as information and communication technologies, to enable the effective and meaningful participation of persons with disabilities, both as actors and spectators;
11. take appropriate measures to encourage all stakeholders to take into account the diversity of persons with disabilities and the wide range of ways in which participation in culture, sports, tourism and leisure activities can be made a reality for all persons irrespective of their sex, age or type of disability.

The present report addresses the access of people with disabilities to cultural rights – one of the essential aspects of life. Despite the achievements and progress made in many member states, it is apparent that a lot remains to be done for a truly equal and meaningful participation of people with disabilities in culture, sports, tourism and leisure activities. This publication aims to take stock of the current situation and legal background and suggest actions for targeted improvements, to tackle discrimination and build fair and inclusive societies.

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The Council of Europe is the continent's leading human rights organisation. It comprises 47 member states, 28 of which are members of the European Union. All Council of Europe member states have signed up to the European Convention on Human Rights, a treaty designed to protect human rights, democracy and the rule of law. The European Court of Human Rights oversees the implementation of the Convention in the member states.

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