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Human Rights and Disability: Investigating the Problems Faced by People with Disabilities in the Russian Federation

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This study focuses on some of the biggest challenges faced by people with disabilities in Russia. The human rights approach to disability is part of the human rights movement that has developed over the latter half of the 20th century. From a rights perspective disability has come increasingly to be seen as less a matter of personal misfortune than of societal neglect and obstruction, and as much warranting claims on the state to ensure inclusion and equality as to prosecute a duty of care. This shift resonates with other transitions within international discourse, most notably the increasing prominence of the notion of human development, which emphasizes the importance of equity, freedom, and full realization of human rights and capabilities as central to societal developmental objectives (Bayless, 2002).

Disability as a social phenomenon appears to be of political importance, especially from the perspective of guaranteeing universal human rights for

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everyone. According to estimates persons with disabilities account for almost 8% of the Russian population (Federal Register of Disabled People, 2019). Despite their large numbers, persons with disabilities often face many forms of discrimination, social exclusion, along with lack of employment opportunities and barriers to education.

According to the UN Convention on the Rights of Persons with Disabilities, disabled persons are those who have “long-term physical, mental, intellectual or sensory impairments,” which might prevent them from fully and effectively participating in societal life (United Nations 2016, p. 5) The main objective 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” (p. 5). As a UN member country, Russia signed the Agreement on September 24, 2008. However, as aptly noted by the Foreign Minister of Russia Sergey Lavrov, despite the measures taken by the government to protect the rights of disabled persons, a myriad of issues remains unaddressed (Paramonova, 2008).

More than a decade has passed since the ratification of the document by the Russian Federation, but the state of disability human rights in Russia remains of serious concern. There is ample evidence of severe disability human rights violations on social media and beyond. To give an idea of the scale of discrimination and violations, it is noteworthy, that as posted on social media by a resident of Zelenodolsk, her son, 2nd group disabled, was taken off the last intercity bus (Inkazan, 2020). Another person was killed, while trying to protect a disabled person from violent attack by two assaulters (Sport24, 2020). According to another report, Moscow City Government

University of Management rejected a student's application because of her disability (Sher, 2020).

Not surprisingly, people with disabilities file over 1000 complaints to the High Commissioner for Human Rights in the Russian Federation, pertaining to the procedure of disabled person status recognition; reassessment of disability status and causes, as well as to arbitrary changes of individual rehabilitation programs, etc. (UN Human Rights Office of the High Commissioner, 2018).

Legislation for disabled and historical background

The social protection of the disabled persons in Russia is regulated within the framework of the Federal Law "On Social Protection of the Disabled in the Russian Federation". The ultimate goal is to ensure equal opportunities for disabled persons to exercise their civil, economic, political and other rights. The Federal Law defines disability, its categories, and the responsibilities of the federal government towards people with such a condition (Ministry of Labor and Social Protection, 2012).

The history of creating a coherent social system for the needy people, including disabled ones, has its deep roots in the Russian Empire, when Peter I ordered to build special hospitals for the wounded soldiers. Since then and especially during the Soviet period first non-governmental organizations were established to help the disabled. Such organizations, like All-Russian Society of the Blind and All-Russian Association of the Deaf and Mute were engaged in addressing the problems of employment of incapacitated persons and those of their social security (Baglay, 2014).

Nevertheless, during the Soviet period, foreign visitors would be shocked by the absence of disabled persons in public places. This owed to the constraints that forced disabled people to avoid outdoor activities because of nonexistent facilities and negative social attitudes (Bruk, 2013).

As stated by Soviet communist party leader Leonid Brezhnev in the 1980s, "In our country, there are no disabled people". For this reason, in 1980, the Soviet Union refused to host the Paralympic Games. As a matter of fact, the USSR was a real hell for disabled people, condemned to social exclusion and isolation. Only in late 1980s under Mikhail Gorbachev's rule disabled people got equipped with some basic freedoms and as essential opportunity of coming out of shadows (Blaschke, 2014).

Government intervention

The collapse of the USSR took its social and economic toll on the Russian population, giving rise to massive consumption of alcohol and drugs, which in its turn triggered a considerable increase in the number of disabled people. The Russian government launched a number of projects aimed at alleviating the plight of the disabled. In 2011, the government project "Accessible environment" was inaugurated, aiming to implement a wide range of measures to ensure unhindered access to priority facilities and services, as well as to provide services of rehabilitation. As a result, the number of most important and frequently visited objects increased from 5 thousand to more than 24 thousand (from 14.4% to 64.1%) over the course of eight years (Ministry of Labor and Social Protection, 2019).

Moreover, in 2017 the Federal Register of Disabled Persons was established, as a comprehensive database for citizens recognized as disabled, and for authorities that provide services or measures of social support to

disabled persons. Through their personal accounts in the platform, users can receive public services in electronic form, give feedback and file complaints.

Against this backdrop, only 20% of the interviewed opine that the government pays enough attention to the disabled persons (Russian Public Opinion Research Center, 2019). The problems faced by people with disabilities in Russia fall into several categories.

Welfare and social security of the disabled: The problems of access to education and labor market

The welfare of families having people with disabilities is relatively lower than that of other families in Russia. The average monthly income of the first group is approximately 37 thousand rubles, which is 4 thousand rubles lower than for other families (The Levada Center, 2019). Meanwhile, there are extra costs of treatment and fulfillment of the needs of disabled people. Studies show that approximately 30% of families having disabled persons barely have enough money for food and clothing (28%), while among ordinary families this indicator accounts for -21%. (The Levada Center, 2019). This prompts to posit, that there is considerable imbalance of income and expenditure among families comprised of disabled members.

In terms of legislative regulation, the gaps are not that discernible. For example, the Federal Law "On Education" defines that 1st and 2nd group disabled persons are eligible for non-competitive entry to public higher education institutions (Federal Law of the Russian Federation, 2012).

However, the existing gap between policy measures and practices lucidly indicates significant barriers and obstacles. For example, the

percentage of people with disabilities studying at higher educational institutions in Russia constitutes 0.3%, far from being an indication of inclusive education (Bondarenko, Gokhberg, Kovaleva, et al., 2018). This situation owes to the lack of measures provided to the disabled, along with nonexistent devices for involving them in labor market.

According to the Human Rights Watch, the process of getting formal education for many disabled children is troublesome. Some of them are isolated in special schools, which are most often far away from their families and communities. Others get home education, with teachers visiting the disabled and teaching them for only a few hours a week. The remaining group get formal education in state orphanages amid harsh conditions (Human Rights Watch, 2016).

According to Russian jurisdiction, children with disabilities have three options of getting formal education: a mainstream school, a specialized school, or homeschooling through distance learning programs or visits from teachers (Human Rights Watch, 2016). However, many parents are obliged to send their children to specialized schools, since mainstream schools are not equipped with appropriate tools, such as wheelchair ramps, elevators, assistive technology, or teachers' aides to ensure disabled children's full involvement in the learning process. Moreover, it has not been uncommon for schools to refuse accepting disabled children (Human Rights Watch, 2016).

As regards, the disabled involvement in labor market, it is worth noting that only 902,280 (26,27% of the total) working-age disabled people are employed. Among them 66,6% are I group, 30,6% II second group and only 2.8% I group (Federal Register of Disabled People, 2019).

Social attitudes: The problems of social isolation and discrimination

Social attitudes towards disability and disabled people in particular are remarkable indicators of human rights and civility in any given country. As a matter of fact, self-identification and self-expression opportunities of disabled people is highly affected by public perceptions of disability (Nosenko-Stein, 2017).

Unlike western societies, that tend to treat disabled persons as equal members of the society, discrimination against and mistreatment of the disabled across Russia has not been uncommon (Puzanova, 2017). The survey conducted by the NAFI Analytical Center in September 2019, sheds light on the Russian population's mainstream attitudes towards disability. The main findings are as follows: First, the society in general is aware of the problems of the disabled persons. Second, vast majority of Russians believes that people with disabilities face a bunch of hardships, including lack of employment opportunities, health care problems, etc. Last, but not least, most Russians, treat the disabled as a socially vulnerable group (NAFI, 2019)

Another major problem faced by disabled persons is social isolation. It is common for the disabled to avoid interacting with others, out of fears of ostracism, discrimination or negative judgement, as well as lack of mutual understanding and empathy. According to public surveys, while it is not uncommon for Russians to empathize with the disabled, they do not tend to go the extra mile and assist them in the form of donations, etc. (NAFI, 2019). Moreover, considerable part of Russians would prefer not to have disabled

people in their circles. More specifically, every fourth person (25%) tries to avoid communication with the disabled; 40% believe that the disabled prefer to communicate with the disabled like them, while 48% of respondents said that they would not build a family with the disabled (NAFI, 2019).

In conclusion, despite the raising public awareness about the needs, rights and well-being of the disabled across Russia, a myriad of issues still remains unaddressed. Russian government's efforts at alleviating the plight of the disabled have not produced tangible results so far. Despite the policies of empowering the disabled people and ensuring their access to higher education and labor market, the vast majority of them end up unemployed with little to no access to higher education.

This prompts to posit that addressing the issues of the disabled requires a more comprehensive approach, involving measures at all levels, ranging from federal to local governments, as well as private companies. Besides, it is essential to launch educational campaigns, aimed at changing negative social attitudes towards the disabled with ensuing discrimination inflicted on the disadvantaged members of the Russian society.

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