

# **Better Accessibility to Public Infrastructure for Persons with Visual and Mobility Disability, in Kasbat Al-Zarqa**



**West Asia- North Africa Institute, October 2020**

This policy paper is part of the training programme: “Towards Inclusive Participation of Marginalised Women and Persons with Disability in the Social and Economic Life”, implemented by the West Asia-North Africa Institute and in partnership with IM Swedish Development Partner in the Middle East. The programme aims to provide 20 male and female trainees with the necessary skills and tools to gain support on issues of concern to marginalised women and persons with disability by producing policy papers focused on the above two categories at the economic and social levels.

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# 1 Preface

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Among the characteristics of developed societies, which are considered a group of countries that have achieved progress in the economic and production field, is that they made all their members the building block for building the edifice of their progress and prosperity, and believed in the capabilities of all their members of different sexes regardless of their physical, mental and psychological capabilities. They also attached importance to persons with disability, which made them a major part in building the civilised edifice of these societies. Obstacles and challenges have always been considered a part of human life of all kinds, including economic, environmental, social and legal obstacles. When looking at them, these obstacles are somewhat similar to the physical obstacles facing persons with disability of all kinds, whether they are mobility, audio, visual, psychological, or even mental. However, what distinguishes persons with disability is that when the surrounding community embraces them and believes in their abilities and the inevitability of their participation in the construction process, such disability will turn into beacons that radiate creativity and shine with innovation to elevate this society in all its categories as a homogeneous beautiful mosaic.

**In Jordan, the number of individuals with a disability aged 5 years and over, reached (651,396).** Out of every nine individuals aged five years and more, there is a person with a disability, at a rate of 11.1% in 2015, according to the Department of Statistics, and the percentage of visual disability is 6.3%. As with regard to people with mobility disability, they reached a rate of 4.8%, making visual disability rank first according to the type of disability in Jordan. At the level of Zarqa Governorate, which is the third largest Jordanian governorate in terms of population, and consequently has a high percentage of people with disability, reaching 11.1%<sup>1</sup>.

This paper aims to 1) study the accessibility to public infrastructure for persons with visual and mobility disability in Kasbat Zarqa, 2) study the role of the competent municipalities and directorates in the provision of better accessibility to public infrastructure for persons with visual and mobility disability, and 3) study the extent of satisfaction of persons with visual and mobility disability with accessibility to public infrastructure, in Kasbat Zarqa.

The paper sheds light on the reality of persons with disability in the city of Zarqa, and specifically to identify the reality of their accessibility to public infrastructure. The paper was written within the project “[Towards Inclusive Participation of Marginalised Women and Persons with Disability in Social and Economic Life](#)” implemented by the West Asia-North Africa Institute in partnership with IM Swedish Development Partner. The project aims to provide 20 male and female trainees with the necessary skills and tools to gain advocacy on issues of concern to marginalised women and persons with disability through the production of policy papers on the two previous categories at the economic and social levels.

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<sup>1</sup> The reality of disability (functional difficulties) in Jordan, based on the data of the 2015 Population and Housing Census

## 2 Executive Summary

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Better accessibility to public infrastructure, or what is legally known as the concept of “accessibility” in accordance with Article 2 of the Rights of Persons with Disability Law 2017 is: “Ensuring better accessibility to buildings, roads, utilities and other public and private places, building requirements codes for persons with disability issued and available to the public, and harmonising them in accordance with the provisions of the Jordanian National Building Law and any special standards issued or approved by the Council<sup>2</sup>”. Accordingly, from a legal point of view, better accessibility to public infrastructure is a legally protected right for persons with disability, and there are foundations, standards, controls and special requirements that must be met in buildings and public facilities within agreed engineering foundations in the Code of Building Requirements for Persons with Disability<sup>3</sup>.

This legal and engineering aspect, which was mentioned previously, is sufficient for persons with visual and mobility disability to obtain complete accessibility to public infrastructure services in a manner that ensures their safe movement. When looking at the reality of accessibility to public infrastructure for persons with mobility and visual disability, and according to the results of the research, the problem lies in the mandatory implementation by the bodies providing public services, which is contrary to what was stated in Article No. 33 of the Law on the Rights of Persons with Disability 2017, where paragraph A states: Approval will not be granted for plans and designs or granting a license and occupancy permit for public or private buildings, places of worship, tourist sites and other entities and facilities that provide public services, unless they are compatible with accessibility.” Accordingly, the law obligates the official authorities responsible for ensuring better accessibility to public infrastructure to abide by the preparation procedures in accordance with the provisions of the law for the same article, paragraph (b), which states the following:

1. “The Ministry of Public Works and Housing, the Amman Municipality, the municipalities and the like, the Jordanian National Building Council and the relevant authorities, after the provisions of this law are enforced, shall oblige the authorities that provide services to the public to correct the conditions of their facilities and utilities according to better accessibility.”
2. “If the entities that provide services to the public do not commit to correcting the conditions of their facilities and utilities according to the better accessibility requirement, the Ministry of Public Works, the Greater Amman Municipality and the relevant authorities shall take the mandatory measures, including temporary or permanent closure against these entities.<sup>4</sup>”

Accordingly, it is clear that better accessibility to public infrastructure for persons with disability is legally guaranteed in a manner that ensures that the quality of accessible infrastructure is within engineering standards. It is worth noting that the infrastructure and services in Zarqa Governorate

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<sup>2</sup> Persons with Disability Rights Act

<sup>3</sup> Building code for the disabled from the National Building Codes, Jordan National Building Council, Ministry of Public Works and Housing, Amman, Jordan, 1993

<sup>4</sup> Persons with Disability Rights Act 2017

are not conducive to achieving better accessibility to public infrastructure, as the road network in Zarqa Governorate suffers from paving and maintenance problems, and there are a number of secondary and agricultural roads in the area, which are one of the longest road networks in the Kingdom, with a length of (1966 km), which suffer from problems based on the need for paving and re-maintenance.<sup>5</sup>.

Among the most prominent findings of the research is the direct impact of better accessibility to public infrastructure for people with mobility and visual disability on their economic and social participation, due to their lack of resources for direct communication with decision-makers, which makes it difficult for them to express their needs and participate in civil and political life. Persons with disability face various barriers, including: mobility barriers that limit their movement and access to their destinations, cultural and societal barriers represented in the societal stigma of being a person with a disability, and other challenges that usually limit their independence such as their need for facilities, and issues related to their mobility such as their suffering from public transportation, and consequently the reduced opportunities for them to engage meaningfully in the social and economic system.

Better accessibility to public infrastructure services in the Kasbat Zarqa face many challenges, most notably the following:

- Absence of persons with disability from participating in the implementation of strategic plans and the local development plan in Zarqa Municipality.
- The absence of financial support directed to accessibility projects for persons with disability in the Zarqa municipality budget.
- The absence of a culture of better accessibility to public infrastructure and knowledge of the building code for people with disability by the governmental and private sectors.
- Absence of an appropriate societal culture in dealing with persons with disability.
- The weak ability of persons with disability to claim and obtain their rights.

Based on the foregoing, a number of public policies were presented with the aim of improving the reality of better accessibility to public infrastructure services provided to persons with visual and mobility disability in Kasbat Zarqa, as follows:

- Policies to raise the level of better accessibility to public infrastructure in government and private buildings and streets in Zarqa Governorate through the application of the building code for persons with disability.
- Policies to raise awareness of the importance of better accessibility to public infrastructure.
- Policies for the representation of people with disability in decision-making positions in the Zarqa municipality.
- Policies to raise and defend people with disability's knowledge of their rights.
- Policies to raise societal awareness of the ethics of dealing with people with disability.

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<sup>5</sup> Zarqa Municipality Strategic Plan 2023, pages. 13, 5, 5 Infrastructure and Services



### 3 Introduction

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Persons with disability are defined as: “Every person who has a stable complete or partial deficiency in any of his senses or physical, psychological or mental capabilities to the extent that limits the possibility of learning, rehabilitation or work so that he is unable to meet the requirements of his normal life in the conditions of his non-disabled peers<sup>6</sup>”, according to Article No. (2) of the Law on the Rights of Persons with Disability.

Statistically, and due to the high number of people with mobility disability, it is necessary to ensure better accessibility to public infrastructure represented by the following: (streets and sidewalks, government and private institutions in addition to public facilities) so that the better accessibility to public infrastructure and facilities for public services for persons with disability contribute to activating the participation of persons with disability in education, work and social life, and achieving better accessibility to public services will reduce the dependence of people with disability on others, increase their activity and reduce their isolation<sup>7</sup>.

Better accessibility to public infrastructure services or what is known as “better accessibility” is not a new issue. After the Second World War, the number of people with disability increased, which required the provision of services for them. So, the European countries established housing complexes and provided job opportunities for them to commensurate with their disability, in addition to health, social and recreational services. However, persons with disability felt isolated from society which negatively affected them, thus creating the idea of constructing buildings for persons with disability within the community and providing better accessibility to all facilities in proportion to their conditions. These constructions and roads began to be designed within sound engineering standards to ensure the safety of persons with disability<sup>8</sup>.

This policy paper has reached several important results after analysing the data obtained from two focus groups, one with seven visually disable persons, and the another with six persons with mobility disability from Kasbat Zarqa who face many daily challenges. An in-depth interview was also conducted with Mr. Muhammad Nayef Al-Zawahra, Director of the Community Development Unit in the Municipality of Zarqa Governorate.

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<sup>6</sup> The Rights of Persons with Disability Act 2007, Article No. 2

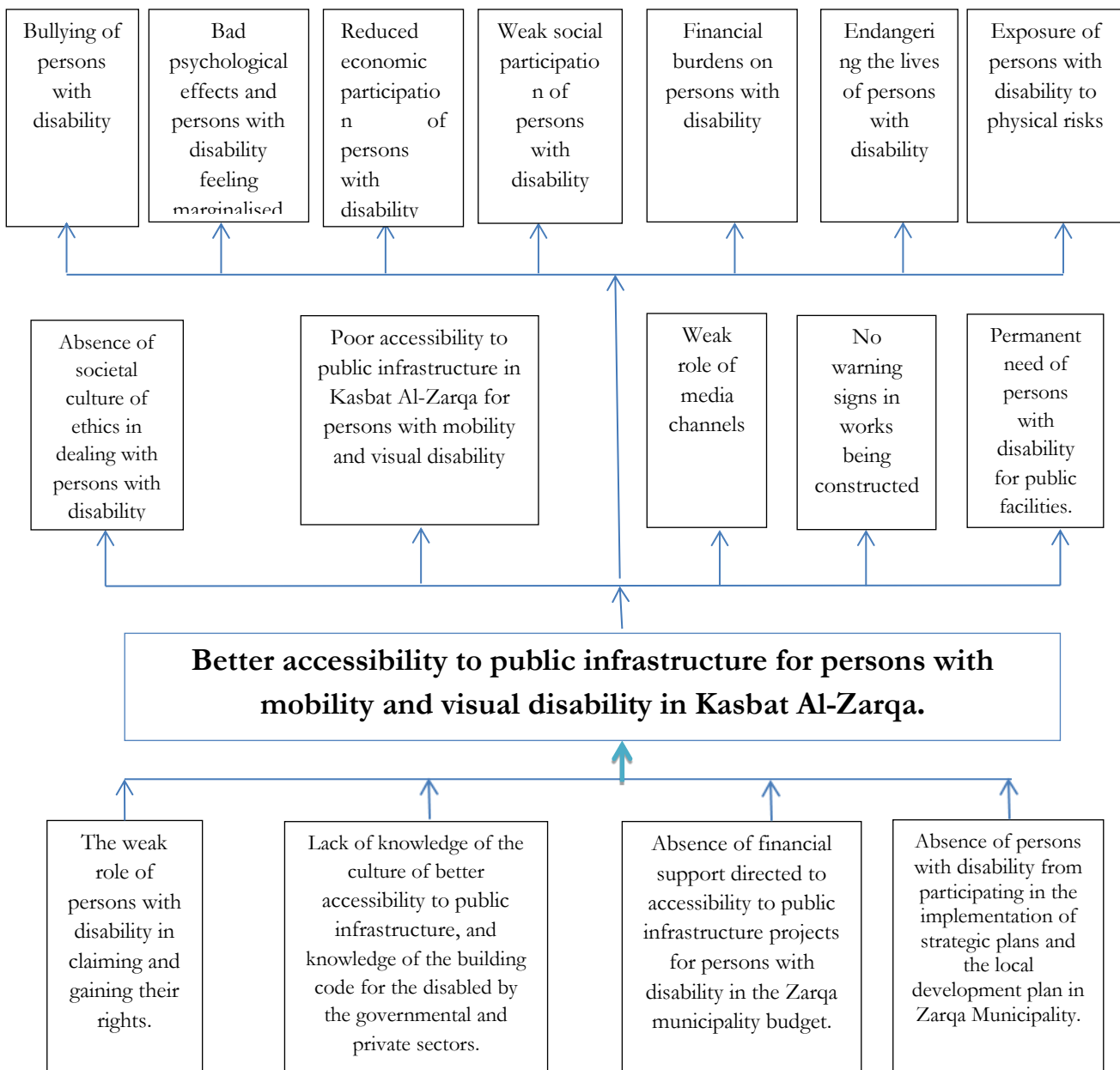
<sup>7</sup> World Health Organisation, Summary of the World Report on Disability 2011

<sup>8</sup> Building code for the disabled from the codes of the Jordanian National Building Council, Ministry of Public Works and Housing, Amman, Jordan, 1993

## 4 Challenges facing persons with mobility and visual disability in Kasbat Zarqa

The problems of better accessibility to public infrastructure represent an obstacle for persons with disability to practicing their normal lives, which is one of their basic rights. These problems are negatively and directly reflected on the social, health and psychological levels. Through the process of research and analysis of information from its sources, the paper concluded that there is a clear and tangible problem in the issue of better accessibility to public services directed for persons with visual and mobility disability in the Kasbat Zarqa.

### 4.1 Tree of problems





## 5 Research findings and discussion

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### **First: Accessibility to public infrastructure for people with visual and mobility disability**

Persons with visual and mobility disability suffer from poor accessibility to public infrastructure in Kasbat Zarqa in both streets and sidewalks, and government sector buildings in addition to private sector buildings, and this is reflected in the exposure of persons with disability to physical and psychological effects that negatively affect their economic and social participation. For example: One of the participants (L) a person with a visual disability was subjected to physical harm as a result of falling into a hole 2 meters deep on the road, while participant (B) a person with a mobility disability was subjected to psychological harm as a result of being verbally harassed by taxi drivers.

1. The negative impact on people with visual and mobility disability as a result of poor accessibility to public infrastructure
  - People with visual and mobility disability are exposed to physical harm as a result of poor accessibility to public infrastructure.
  - Persons with visual and mobility disability were subjected to physical harm as a result of public transport owners' lack of awareness of how to deal with persons with visual and mobility disability.
  - Lack of respect for people with visual and mobility disability from some members of society and their feeling of being marginalised by them; the need for people with visual and mobility disability for a societal awareness of how to deal with them.
  - People with visual and mobility disability bear financial burdens to move from one place to another due to the poor accessibility of public transportation.
  - The cost of receiving treatment is high in private sector hospitals that are adapted for the visually impaired.
  
2. The weak role of persons with visual and mobility disability in claiming and obtaining their rights
  - First: Persons with disability lack knowledge of their rights and how to obtain them, as the majority of participants expressed their lack of knowledge of the mechanism for filing a complaint regarding better accessibility to public infrastructure.
  - Second: Some of them are aware of the complaint mechanism, but they have not been responded to. This resulted in a feeling of frustration and marginalisation, and their dependence on associations defending their rights, which in turn did not provide them with assistance by highlighting and solving their problems, as well as the media, which in turn did not provide support for people with disability by highlighting them.
  
3. Absence of societal culture in dealing with persons with visual and mobility disability

Societal ignorance of the ethics or what is called “dealing etiquette” with people with visual and mobility disability has reflected on their mental health, exposing them to psychological harm, bullying, and the stigmatised stereotype towards them, which describes them as helpless and

ignorant and overshadowed by feelings of pity. Such behaviour practiced on them by members of the community reduces their active social, economic and political participation.

4. The low satisfaction of persons with visual and mobility disability with accessibility to public infrastructure in Zarqa Governorate

All participants showed their dissatisfaction with the services provided to them in government institutions, while the majority of them showed their dissatisfaction with the other services provided to them. A person with a visual disability (H) stated that the services provided by some government hospitals exposed him to many procedures that require permanent movement that require using the stairs because the elevators are often out of work, and here we note the low satisfaction of people with visual and mobility disability with accessibility to public infrastructure provided to them, which reflects the poor accessibility to public infrastructure services in Kasbat Zarqa.

**Second: The role of the municipality in providing better accessibility to public infrastructure for people with visual and mobility disability**

The Zarqa Municipality was established in 1928 and is managed by the mayor and 18 members elected by the citizens of the city of Zarqa. The results showed an imbalance in the municipality's role through the following:

1. No persons with disability are participating in the development and implementation of strategic plans and the local development plan in Zarqa Municipality.

The results showed the absence of any person with disability in the local council, and their absence seems to result from not obtaining their rights, and despite the reference to the development plan of the Zarqa Municipality for the years 2020-2023, where the main objectives were divided into cards that include the project plan and its definition, as the card No. ( 22) The third goal includes: "Contributing to the development of the local community through development projects that serve all, especially people with special needs." The plan refers to the parties involved in implementing development plans and the local development plan despite the absence of people with disability from this important process.<sup>9</sup> It was clear that the municipality has strategic plans for 2023 and there are no provisions for people with disability, as all items consider them as merely citizens.

The lack of participation of persons with disability in developing and implementing strategic plans and the local development plan in Zarqa Municipality resulted in the following:

- The absence of supervisory bodies in the municipality to follow up the work of accessibility to public infrastructure by persons with disability in the areas affiliated with the Zarqa municipality.
- Providing services by employees who are able to deal with people with visual and mobility disability to help them with paper transactions only, which indicates that they are not permanently available.

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<sup>9</sup> The strategic and development plan of the municipality of Zarqa (2020-2023) page 32

- There are no special departments in the municipality to provide services for people with disability.
- Poor preparation of the municipality's buildings and consequently its affiliated areas for the use of persons with disability.
- Persons with disability are not included in the municipality's priority list.
- There is no special guide on how to deal with the problems of persons with disability in the municipality.
- The rented municipality buildings do not provide accessibility to public infrastructure for people with visual disability, so that there is no speaker or employee able to deal with them, and they are not prepared for people with mobility disability, so that there are no ramps prepared for them<sup>10</sup>.
- The staff in the municipality who is responsible for preparing the buildings do not have special skills to take into account people with disability.
- There is no representation of persons with disability in local councils.
- One of the important roles of the municipality is to provide better accessibility to public infrastructure by persons with disability, while the municipality's services for persons with disability are limited to kiosks or stalls, which indicates that the municipality does not define its role with regard to persons with disability.

2. Absence of financial support for better accessibility to public infrastructure projects for people with visual and mobility disability

The Zarqa municipality suffers from a difficult financial situation, as it relies on revenues from fees and taxes, and lacks investment projects that provide the municipality with revenues. Salaries constitute 80% of the actual expenses, and the Zarqa municipality suffers from high expenses and low revenues, which directly affects the quality of services provided by the municipality in general and the better accessibility to public infrastructure to be provided to people with disability in particular.

Mr. Muhammad Nayef Al-Zawahra, Director of Community Service in the Municipality of Zarqa, expressed through the in-depth interview that the Zarqa Municipality has strategic partnerships with local and international organisations through which projects are provided for better accessibility to public infrastructure and services, but these projects provide services for temporary periods and their impact is intangible due to the absence of a supervisory cadre on the process and the absence of an element sustainability and the difficulty of reaching the largest number of persons with disability.

3. The absence of a culture of better accessibility to public infrastructure and knowledge of the building code for persons with disability by the governmental and private sectors.

Through the analysis of the focus group sessions with persons with visual and mobility disability, it was found that the concept of better accessibility to public infrastructure for both governmental

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<sup>10</sup> Building code for the disabled from the National Building Codes, Jordan National Building Council, Ministry of Public Works and Housing, Amman, Jordan, 1993

and private service sectors is somewhat absent, as one of the commercial centres was prepared for the passage of shopping carts so that it served people with mobility disability but was not directed to them, as participant (L) who had a visual disability, said: "If better accessibility to public infrastructure services are available, they are directed to the mobility disability, forgetting that there are other and different disability that must be served." Another participant (B) said: "The existing environmental preparation lacks engineering standards such as ramps, which exposes people with disability to more risks. Finally, participant (Q), a person with a visual disability, said: "With regard to the works under construction, they lack warning signs that warn those with visual and mobility disability."

## 6 Options and Alternatives

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### **First: Public policies to better the accessibility to public infrastructure in government and private buildings and streets, in Kasbat Zarqa**

Objective: To prepare government buildings and public institutions to facilitate access to services for persons with disability.

By analysing the data that was taken from the focus group sessions and the in-depth interview, it was clear that the following should be done:

- Activating Article 33 of the Persons with Disability Law 2017, which obligates government and private establishments to ensure better accessibility to their buildings.
- Involving international organisations in creating institutions to facilitate access to public services for people with disability.
- Creating a section in the municipality that specialises in preparing buildings and providing services for people with disability within government institutions in Zarqa, such as the presence of elevators, ramps and speakers to facilitate their access to the service.
- Allocating an employee in each department to complete the transactions related to people with disability.
- Ensure the presence of supervisory bodies in the municipality to follow up the work of better accessibility to public infrastructure in the areas affiliated with the Zarqa municipality.

### **Second: Public policies to raise awareness of the importance of better accessibility to public infrastructure**

Objective: To reach a common awareness among employees of public and governmental institutions and persons with disability about the means that facilitate the access of persons with disability to the services.

- Workshops for engineers and workers in the field of construction and roads on the building code for the disabled.
- Awareness of the private sector about the importance of better accessibility to public infrastructure and its impact on people with disability, and the commitment of better accessibility to public infrastructure to the standards and specifications of the codes.
- Focusing on the role of the close circle (family or friends) in educating and assisting people with disability in accessing services.
- Creating brochures and guides about the adapted services provided by the municipality for people with visual and mobility disability.
- Training courses for employees of institutions and public service providers on how to deal with persons with disability.
- Building the capacities of the staff in charge of following up the construction works in the municipality for better accessibility to public infrastructure and the building code for the disabled employees.

### **Third: General policies for the representation of people with disability in decision-making positions in the Municipality**

Objective: Involve people with disability in the decision-making process within the municipality and monitor service work provided to people with disability.

- Forming committees of persons with disability to join the development plans in the municipality and plan implementation.
- Motivating people with disability to run for local councils in the municipality.

### **Fourth: Public policies to raise the knowledge of persons with disability about their rights and to defend them**

Objective: To provide persons with disability with the necessary knowledge of human rights laws and international treaties for persons with disability and the appropriate tools to defend their rights.

- Partnerships with human rights organisations defending the rights of persons with disability.
- Human rights campaigns to defend the rights of persons with disability.
- Campaigns to activate laws related to persons with disability.

### **Fifth: Public policies to raise societal awareness of the ethics of dealing with people with disability**

Objective: To raise awareness of the etiquette of dealing with persons with disability.

- Educational curricula in schools and universities on the ethics in dealing with people with disability.
- Workshops for public service providers in the public and private sectors on the ethics of dealing with persons with disability.
- Media campaigns highlighting the challenges facing persons with disability.
- Changing the negative societal stereotype about persons with disability.





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