

A Comprehensive Look into Monitoring Disability Rights: A Case of Northern part of Cyprus by Disability Rights Monitoring Committee at Near East University

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Abstract- All individuals living together in society have equal rights. Users with disabilities maintain their existence in the community with all users and are included in the description of all individuals. However, although this issue has been accepted in various countries, the problems faced by individuals with special needs have not completely disappeared. In this context, studies are carried out by researchers in many countries to raise awareness of the existence and place of users with disabilities in society. This research study as an outcome of the workshop on disability monitoring sheds light to examine activities and scientific reflections of Near East University activities about disability rights on behalf of the Northern part of Cyprus. The workshop is held with the contributions of researchers from different disciplines. Thus, the universal rights of persons with disabilities are discussed from various perspectives. It gives insights on holistic perspective to the services to all and provides valuable reflections to show the best practices within the local context setting an example to other countries.

Keywords- Accessibility, Disability Rights, Monitoring, Services for All.

1. Introduction

The rights of persons with disabilities have become an area of human rights that has been focused on for the last 150 years, with increasing scope and depth. In particular, as the perception of people with disabilities people in the public improves and public awareness of the rights of people with disabilities increases, countries make changes and developments in their national legislation that focus on the specialized rights of people with disabilities. Although these regulations differ between countries, they are generally intended to guide on creation of suitable environments for everyone, including people with disabilities. Different regulations and laws may exist for different disciplines. For example, there is a regulation titled “Chapter 96 (Fasil, 96) ROADS AND BUILDINGS” in Northern Cyprus. It involves data regarding application measures and techniques for cities (Duman & Asilsoy, 2022).

In the world in general, and Northern Cyprus in particular, "the people with disability cannot live under equal conditions and are exposed to discrimination." “Although legal regulations have been enacted, “providing and protecting equality after it has been achieved” continues to set the agenda as a serious problem and seems it will. In other words, there is always the risk of violations that may cause the breakdown of equality, and the sustainability of this equality is problematic. The limited studies also show that enacting laws is not enough, and comprehensive patient and persistent advocacy work is required by Non-Governmental Organizations (NGOs) and other parties to the issue for the laws to be implemented. Monitoring studies for the rights of people with disabilities is an issue that comes to the fore at this point.

2. Recent studies focus on the theme of disability and services

The vision of the Monitoring Committee for the Rights of People with Disabilities is to make the

rights of people with disabilities visible in all areas, to offer scientific solutions and suggestions in this direction, to observe the full implementation of the rights of the people with disabilities, to create social pressure through scientific projects and suggestions about the deficiencies and misapplications detected, to lead society and institutions to increase the quality of service in all fields such as education, health, sports, law, communications, engineering, architecture, etc. In addition, the mission of the committee is to inform academic and administrative staff and students about the rights of people with disabilities and universal practices and to work towards raising awareness that these rights and practices should be observed. Besides committee aims to organize and carry out informative, educational and guiding activities within the scope of the Faculty Coordinator ships in the committee, the relevant center outside the university and the university, to cooperate with institutions and organizations, to carry out activities aimed at raising awareness of the necessity of surveillance and inspection regarding the rights of the people with disability, and to contribute to the improvement of the quality of life of individuals with disabilities, taking into account the ethical framework.

It is also among the objectives of this committee to identify the “obstacles” that prevent students from continuing their academic lives equally and effectively and to remove these obstacles and create opportunities that will create a campus environment supporting the academic, social and personal development of students.

The working principle of the Near East University People with Disability Rights Monitoring Committee can be listed as identifying students with disabilities and their problems, identifying inequalities in access to academic programs, addressing the problems and priorities related to housing needs, determining the level of equality in participation in university life, and raising awareness of the University and stakeholders about disability.

In order to be able to carry out advocacy work on a healthy basis for the acquisition of the rights of the people with disability, first of all, monitoring studies are needed. Moreover, the issue can be handled and resolved on the right ground. Problems experienced by individuals are in which areas, in what ways and determining the extent to which it is experienced, and the policies developed by the state in this regard with disabilities remain to be seen how effective issues.

Monitoring studies are basically advocacy studies and evidence-gathering activities. In this context, it is possible to make all rights areas such as access, education, health, right to work, right to benefit from rehabilitation services, right to organize, etc. as the subject of monitoring. Field detection studies are in the forms of surveys and statistical studies, data on individuals with disabilities who benefit from public services, news in the media, cases reported by individuals with disabilities to those who do the monitoring work, the status of the legislation for the people with disability and its alternations over time. Within the scope of the workshop, the following concrete answers were presented.

When examined from an international perspective, monitoring and administering the rights of individuals with disabilities is of great importance for equality within the scope of sustainable goals a global perspective and cooperation. In this regard, evaluating active participation, planning the future by evaluating the current situation as well as determining legal policies have an important place in the value of developing a mechanism to monitor the rights of the people with disability.

This study is important in that it is a workshop outcome that brings together researchers from different disciplines, users with special needs and their families, who share their experiences, in order to emphasize the place of people with disability in the context of universal rights.

3. Disability Rights Monitoring Projects and Suggestions

Today, when more than one billion people live in the world, disability appears as a concept that is human rights problem. This situation ensures that disability is perceived as a social problem. However, the real problem is not a disability, but environments created without considering the existence of individuals with disability.

In today's democratic society, it is important that people and institutions related to the problem play a role to reach the necessary solutions for the problems of social cohesion and participation of people with disability. At the beginning of these institutions are non-governmental organizations. In this study, the importance of the effectiveness of non-governmental organizations in the policies developed for the people with disability in Northern Cyprus was discussed in the Session of the Monitoring Projects and Suggestions for the Rights of Persons with Disabilities. In the context of these determinations, the outputs obtained at the workshop are the inadequacy of the power of non-governmental organizations, and the short life of the governments in Northern Cyprus, negatively affecting the struggle of civil society and putting the process of obtaining rights into a dead end. Considering these problems, a committee to be established within the body of ministries, which will gather all services for people with disability under a single roof, and which will supervise the practices, will contribute to the development of the rights of the people with disability. Such a board will also be able to solve another problem of Northern Cyprus, which is the non-implementation of laws, through the control mechanism.

In addition, as one of the approaches to solving the problems of individuals with disability, the necessity of completing the Barrier-Free Living House project, which is planned to create a living space where the future of individuals who develop differently in society will be secured, and can have the education, interest, love and standard of living they are entitled is also discussed at this study. It was noted that the Barrier-Free Living House should be put into service as soon as possible.

Additionally, it is a well-known fact that although the Special Education Law passed by the Parliament and the People with disability Human Rights Declaration Law were passed by the Parliament in 2010, the statutes of this law have not been enacted for 12 years. The statutes of this law need to be completed and their rights should be restored. The problems experienced by people with disabilities are the common problems of all people, and it is necessary to remove these obstacles with public policies and social regulations. Within the scope of these projects and suggestions, the necessity of including Non-Governmental Organizations in the disability rights monitoring committees of universities has an important place.

On behalf of the People with disability Families Solidarity Association, it was stated that the family with a people with disability person should think about different things in social life, and it was revealed that the psychological dimension of these should be considered as well as their financial

dimension, and that families should be considered as the most important stakeholder in this process. It was emphasized that families with disabilities and people with disabilities are sometimes excluded from the society and therefore, it is necessary to increase the awareness of the society. It has been revealed that the People with disability-Free Life House, whose foundations were laid in 2014 and whose construction was completed in 2020, could not be put into service, and that the opening of the Barrier-Free Life House is important for everyone and always for service.

With the importance of sustainability, it is necessary to provide the basis with both laws and practices in social life so that individuals with disabilities can “create wonders” when they are supported and contributed, and in addition, they can become self-sufficient individuals. It is seen that the People with disability-Free Living House has a very important function in case the people with disability person loses his/her family.

Another issue contributing to this part of the study is member of the Monitoring Committee for the Rights of Individuals with Disabilities (Visually Impaired NEU Master's Student) shared the problems and successes he faced and experienced in his education and life struggle from his primary school days to this date and showed that he set an example for individual self-confidence. For example, can sing and play the reed flute. At the event of the Special Education Student Club affiliated to the Dean of Students, he set an example for everyone by taking part in Awareness Tones Through Differences (Concert Dance show). The session, in which the problems that could not be fully resolved due to negative effects despite positive developments and their reasons were discussed, is thus concluded.

3.1. Individuals and Families with Special Needs

Individuals with special needs should be able to spend their existence in society together with everyone. They have various rights and responsibilities at different stages of their life. At this point, it is important to realize that the rights of children in the 0-18 age group special needs users are the same as those of other children. Regarding their Rights and Responsibilities, it was emphasized that individuals with special needs are also children and that all parties should take the necessary precautions so that children aged 0-18 can benefit from the rights of other children. It is explained that the Convention on the Rights of the Child, accepted on 20 November 1989, is a document prepared for the protection and development of all children of the world and that the purpose of this convention is to determine universal principles for the protection of children and to protect them against all kinds of neglect, abuse and ill-treatment. In addition, the Convention includes the aim of creating a framework for programs that will enable the development of children's potential and abilities (Akyüz, 2000).

The rights of the child contained in the Convention are mainly based on the concepts in the 1959 declaration of the rights of the child. However, these rights have been developed and expanded to determine the obligations of the state on the subject. It also indicated that some of the rights in the Convention are fundamental principles to be considered in the exercise of all other rights granted to children and in the fulfilment of the duties imposed on the states. The principle of “Prevention of Discrimination”, which is one of the basic principles of the convention, is the 2nd article of the convention. In this article of the Convention, the state parties implement the children's rights written in the convention without discrimination and take the necessary measures to prevent all

kinds of discrimination (Akyüz, 2000).

It is also explained that in Article 3 of the Convention, stipulates that "the best interests of the child" should be taken into account in every decision regarding the child. This principle is one of the most fundamental principles of the Convention. Furthermore, with this principle, it is emphasized that "what is best for the child should be considered first" in all activities.

Article 6 of the Convention states that every child has the "innate" right to life. In other words, living is a natural right. One of the basic principles of the Convention is that children who have the ability to form their opinions have the right to express their opinions freely during the issue and process that concerns them and to participate in the decisions (Akıllıoğlu, 1995; Akyüz, 2000).

In addition, it is mentioned that children's rights also have titles such as personal rights (civil rights) and economic, social and cultural rights in the Convention. In the Convention on the Rights of the Child, he mentioned the importance of the Right to Education on the Rights of People with Disabilities and stated that education must be right-based and state obligations classified as "respect", "protection" and "fulfilment", which are accepted in relation to the rights in international human rights conventions, should be interpreted in a way that includes several special measures and positive actions specific to the right to education of the people with disability. In Article 28 of the Convention on the Rights of the Child, everyone has the right to education based on equal opportunity and primary education is expressed as a compulsory and free right for everyone. Individuals with disabilities will also benefit from this right. While fulfilling this obligation, the general principles of the contract should be considered. In other words, there should be no discrimination, and whatever the best interests of the child require, education should be provided in that system and order. In the General Comment Decision No. 1 of the Committee on the Rights of the Child, "on the purposes of education"; It is also emphasized that teaching methods should be shaped according to the different needs of different children.

It was stated that each child should be structured in a way to ensure that they acquire the necessary life skills and have the power and abilities to cope with various situations that they will encounter in life. The fact that put into the words Education needed to go beyond sending children to school and that education should be provided "child-centered". "Inclusive Education" is preferred in the interpretation of the committee.

UN Tallinn Principles, The Tallinn Principles on the development of human resources in the field of disability were established in 1989. The inadequacy of the Tallinn Principles adopted by the UN in 1989 has taken the right of people to education further than the CRC. The document consists of rules to guide governments and politicians on the education and employment of people with disabilities. Among the education strategies, priority was given to the right of persons with disabilities to work and receive education on an equal basis with others in the labour market.

In general, the right to education in the Disability Rights Convention focuses on Equal opportunity (equality-justice), Prohibition of discrimination, Integrative (inclusive education) education, and Lifelong education issues.

As for the Northern Cyprus Law on the Education of Individuals with Special Needs, the Law includes individuals with special needs, their families and the education and training services to

be provided directly or indirectly to them, the work of the schools and/or institutions that will provide these services and the principles and programs to be implemented.

The right to education is expressed as follows; Special education is an integral part of general education, and the right of individuals with special needs to receive an education cannot be prevented for any reason. The parent has the right to object to the placement decision. Family education and family involvement are important. It is stated that family education includes all kinds of guidance and education services to be given to the family to contribute to the education of individuals with special needs at all types and levels.

It is stated that early childhood special education services cover the 0-3 age period, and Family Service Plans will be implemented to inform and support the family and to enable them to participate in the education of their children. It is declared that the family will take part in the IEP team. Instructional adaptations are changes that enable children with different needs and learning characteristics to participate in the activity or learning process by making changes in the classroom environment, materials used, learning content and process. When the adaptations are evaluated with a broad perspective; considering the principles of universal design for learning with differentiated instruction, it can be seen that it includes suggestions which support the participation of all children in learning processes in line with their individual characteristics, not only for children with developmental disabilities. None of the adaptations and learning process arrangements is independent of each other. Material, environment, learning content, learning process and reactions/products as a result of learning are related to each other; It should not be forgotten that they should be considered holistically in supporting the learning processes of all individuals.

In the adaptations that can be made in universities, it is stated that there should not be discrimination against students in any disability group, Emotional approach towards students with disabilities, being privileged in exams, and exemption from some academic studies or courses are within the scope of positive discrimination and positive discrimination is also an attitude that should not be taken. It is important to equalize the services and opportunities offered by the instructor to the student and to include people with disability students and other students on equal terms (Demirok,2022).

Stating that there are 6,500 people with people with disability living in the country, and all of these people receive a salary of 50, 60 and 100 percent of the minimum wage. Although each workplace is obliged to employ 1 person with a disability employee for 25 employees within the framework of a 4 percent quota there has not been employment since 2006. 650 people with people with disability are waiting to be employed. Since 2006, not a single person with a person with disability has been employed as government staff (Kibrit,2022).

It is seen that there are also problems related to transportation -mobility. Despite the issuance of the People with disability Standards Regulation under the Zoning Law in 2016, no local administration or municipality has provided the desired level of service for people with disability.

2. Awareness Training in Different Service Areas

All over the world, awareness is being created for the employment, education, participation of the people with disability in social and cultural life, but it has been revealed that this should not be limited to only 3 intervals. At the same time, it is an inescapable right to help them to be present in society as a whole, not as the other, and to give the individuals with special needs what they deserve in the social field. Setting the standards for web accessibility through awareness training is an important initiative. Within the framework of the UN (United Nation) Convention on the Rights of Individuals with Disabilities, approved by the Northern Cyprus Republican Assembly (Law no: 38/2010) and EU (European Union) resolutions regarding the subject, it is seen that web accessibility is of great importance in terms of ensuring the full participation of people with disability people in society and the economy.

In their examinations, it has been shown that there are accessibility problems in the Northern Cyprus central and local governments, non-governmental organizations and private company websites. It has been reported that there are no statutes, regulations and guides in the Northern Cyprus that set standards for website preparation and application development for central and local governments, and that the technical personnel working in the state and private companies mostly ignore accessibility due to ignorance. It is seen necessary that the awareness of technical personnel regarding web accessibility should definitely be increased. In addition to software courses such as web design and programming, web application development, etc. offered in the Departments of Software, Information Systems and Computer Engineering at the Faculty of Engineering of NEU (Near East University), there are subjects explained to the students in the e-government course, and individual and team projects with assignments in order to raise awareness about the subject. In addition to the courses, they provide their students, the faculty members working in the faculty have studies to raise awareness about web accessibility in the society.

It should also be emphasized that making necessary updates to increase students' awareness about accessibility in the content of web-related courses given at universities in the Northern Cyprus should be brought to the agenda of Higher Education Council. In order to create conscious awareness about the existence of people with disability people in the diversity of users, it must first be comprehended that all individuals have equal rights. Accessibility, as a broad concept that can be counted among human needs, refers to ensuring the full and effective participation of all individuals in all areas of life. To provide all these, the concept of universal design can be suggested. It is important to understand this concept during architectural education. In this way, architects who are aware of the diversity of users can be trained. During the design, students with disabilities naturally become considered among users. After getting acquainted with the concept of Universal Design, the student starts to examine the environments they are involved in daily life from the perspective of universal design. The student learns to use disability standards as a resource from the design stage to the implementation stage. Thus, professionals can be trained who will design accessible spaces for everyone and contribute to social sustainability.

3. Deans Roundtable Meeting: Action Study

In this meeting, which was held with the participation of deans, institute and dean representatives, in-house action studies were discussed. In this context, it has been suggested to include inventory studies prepared in the faculty administrative boards, and to evaluate the suitability of the service in physical, educational and social dimensions and to conduct a needs analysis in order to increase the service quality. Similar to the Awareness Training session in Different Service Areas, a proposal was developed to include the expectations of non-governmental organizations and to include the disability and service quality issues in the faculty structure and activities as a priority.

4. Conclusion and Suggestions for the Future in Monitoring the Rights of People with Disabilities

As the diversity of individuals increases in the world, universal design is given more importance by different disciplines in both developed and developing countries. Recently, there has been a rising focus on providing equal opportunities for all people, including those with disabilities, for everyone to participate in social and communal life (Duman & Asilsoy, 2022). The Rights of People with Disabilities Monitoring Commission carries out studies aiming to strengthen the visibility and accessibility of individuals with vital differences by acting from the sustainability of the rights of all individuals without discrimination among individuals living in society, based on human rights.

As a higher education institution, our university has undertaken an important role in providing this equipment as the Disability Rights Commission in order to support the development of qualified teachers and students who will contribute to the welfare of the society. Studies are being developed that have adopted the concept of a barrier-free university and aim to provide facilities for the benefit of students who have vital differences by addressing the existing problems in order to expand this scope. While reaching the targeted service quality, the experiences of the students who have vital differences are consulted. These units, which were established on the basis of expressing the information, support, guidance and difficulties experienced by our students who are guests on our campus within the scope of university education, actually provide great support in order to facilitate vital activities.

The medical and social model, which is described as the disability model in the resources regarding disability, has played a significant role in shaping the social positions of individuals with vital differences. The social model, which is defined as the most equipped model today, emphasizes that social environments make disability more visible rather than the medical aspect of disability (Pakkan, C.2021). The inability of individuals with vital differences to reach their rights is an important factor that brings the social model to life. The Disability Rights Monitoring Committee, which proceeds from the philosophy of eliminating the obstacles built by people in social life and building a livable free world “for everyone”, adopts the solution-oriented aspect of the social model.

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