Session 1 “Tracking of the Disability Movement in the Asia-Pacific Region towards Social Inclusion”

**Kobayashi**/ My name is Kobayashi, from the Institute of Developing Economies (IDE-JETRO). In the first session, we have invited three guest speakers from Myanmar, Mongolia, and Fiji. In this session, we are going to discuss the outline of the situation of persons with disabilities in the Asia-Pacific region, the law and institutions, and the disability movement, aiming to solve these problems and to realize an inclusive society.

First I would like to explain how this session will proceed: To start with, I will give some background information that I would like you to know, in order to understand human rights in the Asia-Pacific region. Together with colleagues with disabilities, I study “disability and development” in developing countries, researching issues regarding persons with disabilities. “Social inclusion”, which is one of the topics of this session, and the spirit of “Nothing about us, without us” that means “Don’t make any decision about us without us”, which lies as a basis of the Convention on the Rights of Persons with Disabilities (CRPD), is also an important stance for “disability and development” studies.

(Slide 1-2)

As you know, one of the characteristics of CRPD is the involvement of persons with disabilities in its development, as distinct from other human rights treaties. Article 4 of CRPD, which stipulates general obligations, urges States Parties to actively involve persons with disabilities in decision-making processes of legislation and policies. This is closely related to how persons with disabilities are positioned in today’s society. In the area of human rights and development, issues concerning persons with disabilities had been formerly considered merely as a side-issue. However, CRPD visualized persons with disabilities, not as an object of protection, but as holders of rights. CRPD urges States Parties to recognize the rights of persons to education and employment, and to take legislative and administrative measures to attain equality in all human rights and other rights. For persons with disabilities, enforcement of rights in their countries is more important than anything else. My hope is that during this session we can learn how rights are treated in the Asia-Pacific region. Thanks to the active approach by groups of persons with disabilities, most countries in the Asia-Pacific region now have ratified the CRPD and have enacted domestic laws for persons with disabilities, one way or another. (Slide 3)

For education, CRPD urges States Parties to ensure that persons with disabilities are not excluded from their general education system and that education is based on inclusive education. In many countries, persons with disabilities face many difficulties even when in compulsory education. From the start, their eligibility to enrollment is questioned, and even after they manage to enter the school, they face subsequent issues, such as whether they can proceed to graduation or even to the upper grades. At present, most countries have some form of inclusive education, although it comes with many conditions. Most of the students attend their local schools without the required support that CRPD stipulates. Meanwhile, some countries focus their efforts on education for persons with disabilities, yet in many cases it is not inclusive education; instead, students with disabilities receive separate education from those without disabilities and are sent to special education schools. (Slide 4)

For work and employment, employers are urged to eliminate discrimination and to provide reasonable accommodation, and State Parties are urged to take affirmative action (quota system) and to promote employment in public sectors, self-employment, and entrepreneurship. Although employment rates of persons with disabilities are lower across all countries compared to that of persons without disabilities, it is especially so in the Asia-Pacific region and is the biggest obstacle. Following in the footsteps of Japan and other countries, some Asia-Pacific countries have adopted quota systems and laid out even more severe penalties than Japan, if the rule is violated. Yet the employment rate remains low. Some countries have paved the way to employment for persons with disabilities thanks to the disability movement, yet it still is based on welfare and paternalism. Some persons with disabilities and their groups have explored possibilities for themselves and become self-employed or entrepreneurs. (Slide 5)

We now are moving onto discussion. The theme is “Tracking of the Disability Movement in the Asia-Pacific Region towards Social Inclusion”. The guest speakers will share their knowledge and experience with us about good practice for persons with disabilities. (Slide 6)

**Soe**/ Hello, I am Nay Lin Soe, from Myanmar. I am a former trainee of the 7th Duskin Leadership Training in Japan. I am the first wheelchair user in Myanmar to earn a driver’s license. I spent one year in Japan. To build on what I learned in Japan, I went back to Myanmar, gathered my friends and established an organization entitled MILI, Myanmar Independent Living Initiative. At first, we had no office, no staff and no funding, but we worked hard, and the organization began to grow. Now we have many staff members and 28 branches across the country.

First, I would like to talk briefly about my country, Myanmar. According to the 2014 national census, around 4.6% of the population, about 2.3 million people, live with disabilities. Only about 2% of these persons have graduated from university. About 53% of the persons with disabilities are not in school, and about 85% of adults with mental disabilities are jobless. They do not have a regular income. As you know, Myanmar is an agriculture-based country, but 62.5% of households with disabilities are landless. And enough wheelchairs, assisted devices, and so forth are not available, not produced in the country; personal assistance services are not accessible, and there are only 4 rehabilitation centers in Myanmar for 2.3 million persons with disabilities. (Slide 2-3)

Second, I would like to talk about the government’s actions and about the movement of persons with disabilities. Because of the disability rights movement of disability organizations including my organization, the government ratified the U.N. Convention on the Rights of Persons with Disabilities in 2011, then the National Parliament enacted a law for persons with disabilities in 2015. Then, in early 2018, the government established and founded a national committee for the rights of persons with disabilities, and the country’s Vice President is the chairperson of the committee. My organization works closely with the election management body, the Union Election Commission, and the commission amended the election rules and electoral policies and promoted disability access in local elections. The Ministry of Education also amended the National Education Law and incorporated inclusive education for persons with disabilities in 2014. The Ministry of Social Welfare, Relief and Resettlement adopted the National Strategic Plan for 2016 to 2025 for the development of persons with disabilities. So, because of the disability rights movement the government changed, introduced, and improved these policies. (Slide 4)

We still have gaps in implementation and concerns about the budget that is needed to implement all the laws and policies to really happen at ground-level. As I mentioned before, many children still are not in school. We have found five major barriers and difficulties for persons with disabilities to be allowed in schools and universities. The first one is architectural design and the geographical locations of schools, colleges and universities; second is the attitude and teaching capacity of school teachers to accept children with disabilities. Third are teaching methods and teaching aids, fourth is public transportation, and the fifth is the perspective of communities toward those with disabilities. According to my colleagues’ experience, 99% of domestic universities and colleges are not accessible to persons with disabilities. However, the new democratic government is committed to accepting more children with disabilities. Also, we now have more opportunities to access to the schools, but gaps still exist between the cities and the rural areas. Another agenda is that many policymakers and other disability people’s organizations spend money to have more special schools, rather than spending it on inclusive education and inclusive schools. That agenda limits our access to major education. (Slide 5-6)

For job opportunities, according to the law, we have a quota system, but the agenda is that we cannot negotiate among relevant stakeholders, that is, the government, employers and business organizations, and the disabled people’s organizations. We do not have a common agreement, so, it is still in the development process. Individually, my organization and other Disabled Person’s Organization (hereafter DPOs) approach business companies and advocate their hiring more persons with disabilities. Recently, Myanmar Apex Bank, KBZ Bank, Blue Ocean Operating & Management Company, and some other holders committed to hire more persons with disabilities. Later, they will renovate their offices to make them more accessible for persons with disabilities. We have achieved some things, but we still need law enforcement to offer more job opportunities for persons with disabilities. For public transport and facilities for persons with disabilities in the country, not only in Yangon City, but also in many cities and in rural areas, disability access to public facilities is still a challenge. This situation is difficult for us, so recently my organization closely collaborated with the local regional government and organized a national seminar with topics on universal-design cities for everyone. We now are making recommendations to the government, and also to the Yangon regional government’s chief minister, who is willing to incorporate these recommendations for new urban development in Yangon. So, it is a good opportunity for us, and we are working together with them. (Slide 7-8)

The strong point of my organization is advocacy, so we try systematically to function by three pillars: development, social business, and politics. All three pillars seek to promote the rights and inclusion of persons with disabilities in developmental, business, and political agenda. My organization is the first one to engage in the political process, in political participation by persons with disabilities. We regularly organize political assemblies for persons with disabilities, civil education training, board of education training, peace engagement training, and so on. Our involvement in the political sphere is very important. We believe that disability issues are political issues. So, if politicians or political leaders make a commitment or sign something into law, then we can secure more nationwide achievement and progress for the disability community and see more political leaders in the future. We approach the political stakeholders and work together with them. Of course, we also approach the parliament and the government ministries and election management bodies. We have done many such activities and have had some progress and achievements from them. We now have some members of the parliament with disabilities, and the election commission has amended the election by-laws and implemented accessible polling stations. We also created the first ballot paper, so that voters with visual impairment can vote independently without needing assistance in some urban polling stations, this development is really an initiative to make the local elections accessible for persons with disabilities. These (shown on the slide 9&10) are some examples of our activities for promoting disability accessibility in elections. So, whenever election management bodies organize electoral training, they always invite my organization as to act as a resource team to deliver training for election management, officers, and poll workers at the ground-level. (Slide 9-11)

We still have many issues and challenges: We do not have a nationwide system and data on disabilities, which are not available yet in the country, so it is hard for us to do effective planning and data-based advocacy for the disability communities. Another challenge is that we have limited number of disability people’s organizations, but some of these organizations focus more on charity, and some focus more on medical care and treatment. We need more DPOs working with the rights-based approach, and most DPOs need to double their capacity and to have a strategic plan for their advocacy work. Another challenge is the level of financial support from the national government to the DPOs. National committees are discussing this, seeking to have a government budget for the disability community.

Hopefully, it will be discussed at the next meeting of the national committee. Of course, we have to stick together more with relevant stakeholders. Taking care of the inclusive approach and support for persons with disabilities is everyone’s and every organization’s responsibility. It needs to be viewed as a “need to do”, not as “nice to do”, but many people still think it’s “nice to do” something for persons with disability, but in reality it is “need to do” and “must do”. People think it is very difficult to secure inclusion for persons with disabilities, but in reality, it is very easy. We just need commitment from everyone. So, my organization has been doing a lot of programs like broadcasting, radio, citywide programs, scholarships and support for university students, livelihood programs, and so on. We also have supporters, partners, like the Nippon Foundation, which is one of our main supporters, and also some other supporters from the United States, Netherlands, and Australia, so they also are partners working together with us. My organization is doing some kinds of social business, such as printing and newspaper services. We aim to have more sustainable funding for the organization to do more social business programs. So, this is my very brief presentation. If you have any questions or comments, let me answer them later. (Slide 12)

**Kobayashi**/In Myanmar, there are some enforcement issues, but persons with disabilities are talking with the government and businesses, and the situation is improving, and the same goes for accessibility. Very useful information. Next, I would like to introduce Eve from the Fiji Association for the Deaf.

**Eve**/I am from Fiji, a country with a population of about 912,000. Fiji has many religions, such as Christianity, Hinduism, Islam, as well as many other religions and races. Some persons with disabilities in Fiji are independent and working. About half of Fiji’s persons with disabilities have an environment organized for them, but rural areas still have a long way to go, with few ongoing activities. (Slide 2)

Fiji ratified the UN Convention on the Rights of Persons with Disabilities on June 7, 2017. Fiji also enacted a domestic law, Rights of Persons with Disability Act, in 2018. Pacific countries, including Fiji, have a “Pacific Framework for the Rights of Persons with Disabilities”, which is incorporated into the laws of respective countries and relevant activities. The countries help one another when they are unable to do something alone, such as providing sign language interpretation on TV programs for deaf people and providing Braille for persons with visual impairment. (Slide 3)

I would like to show you my activities. In the bottom-right corner (on the slide 4), you see a man in a wheelchair. He is an enthusiastic lobbyist. In the top-right corner, you see an appeal to the parliament, which led to the ratification of the Convention on the Rights of Persons with Disabilities. The image in the bottom-left corner shows a team of persons with disabilities surveying barrier-free accessibility in hospitals. Persons with disabilities face various discriminations and barriers, although barrier-free access is stipulated by the law. Accessibility for persons with disabilities should be taken into consideration when company office and hospitals buildings are built. If it is not available, we have to demand fair treatment. As Mr. Kakiuchi spoke of the attitude “I am sorry to cause you trouble,” it is the wrong attitude. Instead, we should talk proactively to relevant parties and seek to change their views. (Slide 4)

Access to information and communication also is important. For instance, sign language interpreters are essential for TV programs, and at times of accidents and disasters. Without information, deaf people and people with visual impairment will be deeply troubled. Information from the radio is essential. There are barriers in the social environment and infrastructure. These need to be free of barriers.

Here is a picture (on the slide 6) that represents the current situation: Some disability groups are united and connected under the umbrella of the Pacific Disability Forum, composed of 14 Pacific countries. If any of these countries faces a common issue, we will visit them from Fiji to give them guidance about the UN Convention on the Rights of Persons with Disabilities and check how it is enforced. Take Papua New Guinea, for example. Their laws stipulate all kinds of rights, but there are no real activities or law enforcements for persons with disabilities. If their government uses funds inappropriately, Fiji representatives will visit them and urge the government to spend the fund for persons with disabilities. For other member countries please see this slide. (Slide 5-6)

I belong to Fiji Association of the Deaf. The association holds meetings for the World Association of Sign Language Interpreters, as well as training that lasts about 1-2 months, with deaf people coming from all over Fiji by air and sea. The bottom-left picture (on the slide 7) shows a sports competition for persons with disabilities from the Pacific countries. The bottom right picture is me, making an appearance on TV for the first time to appeal for the need of sign language interpreters. (Slide 7)

As for the vision of the future, I feel that we will need to incorporate the human rights of persons with disabilities into the law and to make the law truly effective. When the government talks about such laws and rules, it is essential to involve persons with disabilities or such persons’ representatives. They need to be involved to check if the state budget is spent properly, for a purchase of wheelchairs, for instance, or PCs for persons with visual impairment, in a way that benefits persons with disabilities. The important thing is to keep monitoring the laws’ enforcement after they are enacted. We also need individuals who understand and have knowledge of persons with disabilities. We need to make our society more inclusive. We need mutual dialogue. (Slide 8-9)

**Kobayashi**/Eve suggests that it is key for specialists and groups of persons with disabilities to work together. I agree that it is important to monitor laws and rules from the viewpoint of persons with disabilities, and that persons with disabilities fully understand the laws that apply to them, before the laws are applied. Our next speaker is Undrakhabayar Chuluundavaa from Mongolia. Thank you, Mr. Chuluundavaa.

**Bayar**/Hello, I am from Mongolia, please call me Bayar. As a 9th Duskin Leadership Training trainee, I came to Japan 11 years ago for the first time. First, I would like to talk briefly about Mongolia. Mongolia has a population of 3.1 million, of whom 4.1% are persons with disabilities, which is approximately 18,000 people. As you know, Mongolia is the coldest country in the world. The city of Ulaanbaatar is said to be the coldest capital in the world. (Slide 2)

To tell you about Mongolia, it has been 29 years since it dropped socialism in 1990 and turned into a democracy. I was 10 years old at the time and I vaguely recall how hard socialism was. Even in the socialist times, there were some considerations for human rights and laws for persons with disabilities, but they were not enough. As the country developed, the disability movement also became active, resulting in more policies and laws for persons with disabilities. There are both good and bad things. The good thing is that persons with disabilities are involved when new rules are introduced. Mongolia ratified the UN Convention on the Rights of Persons with Disabilities before Japan did, followed by laws enacted to accept persons with disabilities in society. The government also established a new organization called the General Agency for Development of Persons with disabilities. Yet, despite all these laws and rules, few of them are enforced, because the society and government have little awareness of persons with disabilities. (Slide 3-5)

For education for persons with disabilities, new developments are emerging, such as laws for the inclusion of persons with disabilities. Inclusive education for persons with disabilities is one, but unfortunately the basic view has not changed. Persons with disabilities attend only special education schools, which are found only in Ulaanbaatar. Two years ago, there was a demonstration at a special school for deaf children that led to huge discussions throughout the year, spreading the view among the general public offered by this opportunity that we need to start thinking about inclusive education. Also, although there were specialists in special education schools, none had inclusive education in mind. The state budget this year included a budget for special education schools but none for inclusive education. That was why we built a network in order to change this situation, involving not only persons with disabilities but also everyone interested in education. (Slide 6)

This (slide 7) shows a study from 10 years ago about employment and work. I just saw a similar study before I came over to Japan, but there has not been much change. Of the persons with disabilities who can work, only about 20% are working, and 20% of them are unpaid, helping in family business. Few people have had education to become specialized in something or got a job at companies. Also, there is little support from the government for employment of persons with disabilities. (Slide 7-8)

For the last 10 years, I have appealed to society and the government, but I have realized that we need to change the view of persons with disabilities, before establishing a personal assistance service or other assistive services, such as in Japan. For instance, we do not go outdoors, because we stick to our old beliefs. Some people go out only once a year. We need to launch a model project, finding people who can be our role models. We need to tell people that even people with severe disabilities can live just like others. We also have realized that if society’s view is wrong, laws and rules alone will not be effective, no matter how good they sound. Mongolia now has the Law on the Rights of Persons with Disabilities, in order to create services to support persons with disabilities to live independently, but first, we need to appeal to the government and society and change their view on persons with disabilities. Japanese people taught us this. Until now, groups of persons with disabilities acted separately, some in groups of persons with visual or hearing impairment, and some in groups of physical disability, but we realize that we need to come together. We also need to join hands with people who are doing research on overseas initiatives and activities, in order to change Mongolia’s society even more. (Slide 9-12)

Finally, I would like to mention that although I did not believe this when we started out, I am now confident and have reason to believe that we can change the society in Mongolia. We have funding issues, but I am certain that by improving the systems we now have, we will be able to realize systems that will match our needs. Very soon, Mongolia will be a much better place. Thank you for your attention.

**Kobayashi**/ Just like Myanmar, Mongolia shifted from socialism to democracy. It also turned to market economy. It was a very inspiring presentation, as Mr. Bayar has shown us that the disability movement is gaining momentum, despite such drastic social, legal and regulatory changes and difficult economic circumstances in Mongolia. Now, if anyone in the audience has questions, please raise your hand.

**Questioner A**/ I work for a polytechnic. I am sure you have faced many issues in your disability movement. I would like to know how you interact with the media, and how the media view issues of persons with disabilities. I know grassroot activities are important, but I also think it very important to involve media to expand activities.

**Soe/** Thank you for your question.

My organization tries to capitalize on the media. We have 70 radio programs, on one state and four private stations. Through these programs, we introduce our programs and activities to improve people’s understanding of persons with disabilities. The media tend to have a charity focus, so we try to minimize that angle and try to communicate objectively and effectively the positive results of our activities as well as their impact. We engage with the media in barrier-free campaigns, and I feel we are involving the media quite well.

**Bayar**/That is very important. Unless we actively release information, our society will not know of our activities.

Since last year, we have had the opportunity to have our views broadcast every three months on national TV, so we have been making 10-minute TV programs to introduce the activities of the disability center. In Mongolia, cities are far apart. People living in rural areas feel that they do not have much access to information. So, we talk on the radio once a week, not just about independent living, but also about services for persons with disabilities, and about how we can create systems to serve various needs.

**Eve**/We create opportunities to interact with people from TV and radio stations and exchange ideas with them to maintain good relations. We also receive funds to hold workshops for them to explain what terms are good to use on TV and radio programs, what expressions should be used to describe disability, and what they mean. If newspapers use inappropriate terms, we ask them to correct them. That is how we raise awareness.

**Kobayashi**/These are very effective, involving media in these countries, as well as building people’s networks. I am sure these approaches can be adopted in many ways. Anyone else, who would like to ask a question?

**Questioner B**/ As a lawyer, I work on advocacy for persons with disabilities. Please tell us about involuntary hospitalization of people with mental disabilities. I would like to know what you do for advocacy in your country for people who are involuntarily hospitalized or institutionalized. I would like to know if there is any advocacy work in your country that involves lawyers’ help.

**Soe**/We have seen people being hospitalized, and some are taken care of at home. Either these special institutions or families are taking on the responsibility. It is a difficult issue.

**Bayar**/ In the disability movement in Mongolia, intellectual and mental disabilities are the least taken care of. Last year, a network of independent living centers was launched in Mongolia. The network includes a group of people with mental disabilities, which they run themselves. Right now, they are doing peer counselling to understand one another, and they are thinking about how to talk to the government. I also think that intervention by lawyers is important. Three years ago, several disability organizations got together. When we have public lawsuits against municipal governments or the Ministry of Social Welfare and Labour, we cooperate with an association of lawyers. Although we face many barriers in the legal domain as well as in other areas, the lawyers have been a great help.

**Eve**/Lawyers have legal knowledge so, it is important for welfare organizations and hospitals to work together with them. That way, lawyers can intervene with such knowledge if they witness human rights violations at hospitals.

**Kobayashi**/With regard to this issue, that is, support and advocacy for people with mental or intellectual disabilities, developing countries have a long way to go. A colleague of mine from my research institute went to the Philippines to conduct interviews on the guardianship system and found out that neither persons with disabilities nor their associates knew about the guardianship system. Situations vary from country to country, even if they use the same words and terms. We have people from many Asia-Pacific regions with us today. Let us strengthen our network today and tomorrow. Some of you run your own businesses. Let us build a network from many angles and share ideas, so that hopefully the network will lead to new projects.

**MC**/ We now will close session 1.