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Editorial

Disabling Social Environment

The suffering of persons with disabilities stems from various sources, including a disabling social environment. When viewed as insignificant members of society, persons with disabilities can easily be ignored, forgotten or abused.

This disabling social environment allows people in relevant institutions to create barriers to meaningful contribution of persons with disabilities to the development of society. This can be seen in cases of children with disabilities being prevented from learning in school, or those who are not given the chance to get employed, or those who cannot avail of appropriate medical services, or those whose mobility is hindered by physical barriers. This certainly applies when persons with disabilities are not properly involved in programs that are meant for them.

The development of international standards on the rights of persons with disabilities is a significant step in finding practical means of ensuring that these members of society are not suffering just because of their disabilities. And part of the solution to ending their suffering is in the protection of and support for their human rights.

The view that disabilities are "part of the human experience" as expressed in the 2010 Pacific Rim Declaration for Disability-Inclusive Millennium Development Goals supports the need for a new social norm on recognition of and support for the rights of persons with disabilities because they are significant part of the society just like everyone else.

Persons with Disabilities in Vanuatu

Nelly Caleb

Vanuatu consists of a Y-shaped chain of four main islands and eighty smaller islands, located in the Pacific Ocean between Australia and Hawaii. The official languages of Vanuatu include Bislama (national language), English and French; however there are over a hundred other local languages.

The 2009 Census shows a total population 234,033 people living in Vanuatu. Persons with disabilities constitute 12 percent of the total population, or 28,082 people.

A 2015 UNICEF report explains the government data on persons with disabilities:¹

According to Vanuatu's 2009 Census and based on the definitions used in this report, around 5 percent of the population have a mild, moderate or severe disability. However, according to the VDHS [Vanuatu Demographic and Health Survey], the disability prevalence rate is only 3.3 percent, but there are strong reasons to believe that the survey undercounts people with mild and moderate disabilities. The rate of severe disability according to the VDHS is 2.4 percent, which is similar to the rates found in studies in other countries.

Questions on disability in the Census and the VDHS do not

make it possible to determine the prevalence of disability among young children due to the nature of the questions asked about disability. Nonetheless, according to VEMIS [Vanuatu's Education Management Information System], 7–8 percent of primary school children have a disability. If we assume that children with disabilities are less likely to attend school, as has been found in this report and many studies in other countries, then the overall rate of childhood disability is most likely higher.

International Commitments

Vanuatu ratified the Convention on the Rights of Persons with Disabilities (CRPD) in 2008. From that time onward, the Vanuatu government took several crucial steps to implement its obligation under this international agreement. It adopted several action plans, namely, the National Disability Policy and Plan of Action 2008-2015, the Mental Health Policy and Plan 2009-2015, and the Inclusive Education Policy and Strategic Plan

2010-2020. It "created a Disability Desk within the Ministry of Justice and Community Services to monitor the implementation of disability related policies and to coordinate collaboration with government institutions, civil society and development partners."²

There are also non-governmental institutions that help promote the implementation of CRPD. The Disability Promotion & Advocacy Association (DPA Vanuatu) is a national umbrella body for Disabled Peoples Organizations (DPOs) in Vanuatu. It is led and managed by persons with disabilities in the country. The main purpose of the DPA Vanuatu is to advocate for the rights and promote the abilities of persons with disabilities.

DPA Vanuatu has a vision of working towards an inclusive, barrier-free and rights-based



society in which human rights, citizen participation, and the capabilities and diversity of all persons with disabilities are identified, developed and respected.

It has eighteen community-based DPO affiliates throughout Vanuatu. It also has units working on specific issues:

- Women with Disability Committee;
- Parents and Care Givers Committee;
- Youth with Disability Committee; and
- United Blind Persons Committee.

DPA Vanuatu Advocacy

DPA Vanuatu is an important and influential voice in Vanuatu. Its 2013-2017 vision calls for an all-inclusive society in all areas of life. An example is its advocacy with property developers of hotels and offices to best cater to the needs of persons with disabilities in their new development projects. DPA Vanuatu is advocating for ramps and wheel-chair-accessible toilets at all public buildings.

Its advocacy has led to greater employment of people with disabilities although this has been slow. It is heartening to see private companies and the national government employing persons with disabilities; and there is a good prospect for more jobs for them. For example, when a phone company Digicel opened its office in Vanuatu it promised to employ two persons with disabilities and then undertook to make building alterations to

accommodate the wheelchair of one of the employees. It also gave free phones and free phone lines to the staff of DPA Vanuatu and the Vanuatu Society for Disabled Persons. This is an example of the success of the DPA Vanuatu advocacy for persons with disabilities. DPA Vanuatu hopes to have more cases like this. DPA Vanuatu signed a Memorandum of Understanding with the Sanma Technical and Vocational Education and Training Centre to empower persons with disabilities to improve their business and employment opportunities as well as to provide training on numeracy and literacy.

In line with its fundamental principle of persons with disabilities having equal rights in political life, DPA Vanuatu has advocated for special facilities on voting at all elections. At an information awareness session for voting at Luganville Municipal Council elections, I raised this subject, arguing that disabilities should not stop people from voting. Luganville is the second largest urban center of Vanuatu after the capital Port Vila, and has a population of 13,156.

To maximize its promotion and advocacy, DPA Vanuatu has now added its voice to social media, having just launched a Facebook page, *Disability Promotion & Advocacy Group - Vanuatu*. Despite the small percentage of the population regularly accessing the internet, it is important to promote its vital work through different forms of media.

Issues

The 2015 UNICEF report provides “indicative” findings on the problems faced by persons with disabilities in Vanuatu. It listed a number of issues, namely,³

- a. Education: Children with disabilities are significantly less likely to attend school than their non-disabled peers. For example, among 10-19 year olds, the gap in primary school attainment is more than 53 percentage points. Among adults, differences in educational attainment based on disability status are less pronounced, likely because a majority becomes disabled when they have passed the school age.
- b. Poverty: People with disabilities are much more likely to be poor; nearly 31 percent of people with severe disabilities are living in the lowest wealth quintile, compared with 16 percent of people without reported disabilities. The causal connection between disability and poverty is complex and multi-directional: disability could be caused by conditions associated with poverty; having a disability could inhibit one's ability to obtain wealth; and/or households with more wealth may have better access to health care or other services that lessen the degree of disability even if it does not eliminate its presence.
- c. Economic activity: While people with disabilities are equally likely to take part in productive activities as non-disabled people, they are less likely to be employed outside

the home and more likely to be either self-employed or working in a family business. This shows that despite the willingness and capability of people with disabilities to undertake productive activities, there are barriers preventing them from obtaining employment.

- d. Domestic violence against children and women: The data suggest that parents of children with disabilities are more likely to use the disciplinary practice of psychological aggression and less likely to use severe physical punishment than parents without children with disabilities. The husbands of women with disabilities were less inclined to justify wife-beating under certain circumstances. Since this finding differs from studies in other countries, further investigation is needed to determine if the finding is accurate, or merely skewed by certain methodological issues.

Disasters and Persons with Disabilities

After Cyclone Pam struck Vanuatu, there were reports about the exclusion of persons with disabilities (and also senior citizens) from receiving relief goods. DPA Vanuatu did an investigation and found that a person using a wheelchair had to resort to using crutches during food distribution because the distribution area was not accessible to wheelchairs. Moreover, some persons with disabilities and senior citizens did not receive their food supplies because they

were not able to reach the distribution center on time due to their impairments. Red Cross reported that a couple in Southwest Santo who were both persons with disabilities and whose home was burned down during the blue alert warning waited for some time for relief supplies. DPA Vanuatu projected that the failure to consider these groups might have resulted in the exclusion of at least 20 percent of the affected population in Vanuatu.

Attitudinal Barriers

Attitudinal barriers constitute the biggest obstacles faced by persons with disabilities in Vanuatu. Persons with disabilities are considered to have different rights from those of everyone else and are labelled by their impairments. They are seen in public places as strange people from another planet.

Even disaster relief workers have such attitudes that significantly affect the credibility and implementation on the ground of government initiatives for persons with disabilities. This was evident in the assessment conducted by the DPA Vanuatu after Cyclone Pam disaster. The assessment indicated that in some areas people who were not quick enough to come forward when names were called for relief distribution were simply left out. There was neither a rechecking nor follow-up on



Nelly and Electoral Office advisor Charles Vadu

listed people who failed to receive the relief goods. Thus persons with disabilities and senior citizens missed out on getting relief goods as their impairments did not allow them to move fast to reach the distribution point on time. And those who had to endure the long queue despite physical difficulties (such as those using wheelchairs) were not given any chance to be served first, unless they requested to be given such treatment.

Hence, questions arose. What happened to those who did not have the capacity to ask questions and were unaware of their rights? Did they receive disaster relief supplies if their impairments prevented them from standing in line or in some cases reaching distribution points? Most of them would have been left out as they did not have the capacity to ask or to go past attitudes of those who were distributing the emergency supplies after the cyclone.

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Marshall Islands: Developing Policy for Persons with Disabilities

Amy Riklon

In 2012, former Honorable Minister of Internal Affairs, Wilbur Heine, led a delegation from the Republic of Marshall Islands (RMI) to the Disability Ministerial Meeting held in Papua New Guinea. As a result of the meeting, a training workshop on Disability Inclusive Development was held in Majuro by representatives from the Suva-based Pacific Disability Forum (PDF). The weeklong training workshop brought together persons with disabilities and interested stakeholders from Majuro Atoll and its capital city to discuss current and emerging issues on disability inclusive development in the RMI.

In 2013, the government reported on the situation of persons with disabilities in the country:¹

The constitution states that no person may be treated in a discriminatory manner under law or by public officials, but it does not include disability in its listing of specific prohibited grounds of discrimination. In practice persons with physical, sensory, intellectual, and mental disabilities face difficulties in obtaining employment and accessing health care and other state services.

There are no laws or policies designed to ensure access for individuals with disabilities to buildings, public transport, education, communications, or information. There are no building codes, and in practice most buildings are not accessible to persons with disabilities. Hospitals and two major grocery stores on Majuro have ramps for persons with disabilities.

The lack of accommodations for people with disabilities is an ever more pressing challenge. It is expected that the numbers of persons with disabilities will increase due to high rates of diabetes-related amputations and blindness, increased traffic and industrial accidents, and the aging of the RMI population. With many competing priorities in an already strained fiscal environment, it is difficult for the RMI to identify sustainable financing for disabilities initiatives. One bright spot in this arena is disabilities services for children with special needs in the education system.



Supported by funds from the U.S. Individuals with Disabilities Act, MOE is able to place special education teachers in over 90% of RMI public schools. The strong partnership between the RMI and the US in this area to provide services is a model to build upon. The interests of the disabled are further represented by two existing CSOs [civil society organizations], for disabled persons and parents of disabled persons respectively.

Government Policy

The organizations of persons with disabilities in the Pacific region have been advocating for the adoption of government policy on persons with disabilities. In a 2013 policy development workshop, one speaker (Villaney Remengesou, President of Omekesang, an

organization of persons with disabilities in Palau) stated that it was time to²

work to protect the rights of persons with disabilities. People with disabilities have to be treated as equal community members.

Another speaker (Laisiasa Merumeru, Disability Coordinator of the Pacific Islands Forum) stressed that

People with disabilities have a lot to offer. There is hope for everyone. There is a problem in society when fellow human beings are not concerned (for others).

The government disability program started way back in 1998.³ In that year, the *Nitijela* of the Marshall Islands (parliament) adopted a resolution to “establish a local and regional comprehensive plan of services for persons with disabilities.”⁴ At present, the Ministry of Education provides special education for children with disabilities in the school system, while the Ministry of Health has a department that deals with persons with disabilities.

The government adopted the *Marshall Islands National Policy*

on Disability Inclusive Development – 2014-2018 based on the 2009 *Pacific Regional Strategy on Disability (PRSD)*, *Incheon Strategy to Make the Right Real for Persons with Disabilities in the Asia Pacific Region 2013-2022* and the CRPD. The policy covers several priority areas, namely, operations of an inter-agency task force, the preparation of necessary legislations particularly to enshrine the “rights of persons with disability” and to amend existing laws to ensure that they are “aligned” with CRPD, ratification of CRPD, public awareness and advocacy on positive image of disability and persons with disabilities and on their needs and rights, employment and livelihood, access to health services, mainstreaming disability across RMI government and civil society, strengthening Marshall Islands Disabled Persons Organizations (MIDPO), and women with disabilities and youth with disabilities. The policy likewise refers to other international human rights instruments such as the Convention on the Rights of the Child (CRC) regarding measures for children with disabilities and the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) for measures on women with disabilities.

On 17 March 2015, RMI ratified the CRPD. With the ratification of CRPD, the government policy for persons with disabilities in general is now being finalized.

MIDPO

The 2012 training workshop on Disability Inclusive Development led to the establishment of MIDPO.

MIDPO aims to represent the common interests of persons with disabilities in the Marshall Islands. This aim is further elaborated as follows: 1) to promote and protect the rights and interests of persons with disabilities; 2) to facilitate opportunities for equal and full participation of persons with disabilities, their families, and communities through training, information dissemination, referral and support; and 3) to encourage and support independence, empowerment, and capacity building development of persons with disabilities. MIDPO serves as the central point to combine and oversees efforts for disabled persons in all of the Marshall Islands. To this end, MIDPO coordinates its efforts and works hand in hand with the RMI Ministry of Internal Affairs, the Public Service System and the Marshall Islands Disability Task Force.

MIDPO organized several activities toward the ratification of CRPD including the following:

- First consultation workshop entitled “Development of the Disability Policy” – co-organized with Pacific Disability Forum;
- Second consultation workshop on disability policy – with United Nations Economic and Social Commission for Asia-Pacific (UNESCAP)



and Pacific Islands Forum Secretariat;

- Legislative Compliance Review on CRPD;
- CRPD workshop and training on development of MIDPO Strategic Plan; and
- Ongoing public awareness-raising activities on the CRPD.

MIDPO is led by President Paul Maddison, Vice President Jackson Elcar, Treasurer Ricky Reimers, and Project Manager Florence Ned while the Secretary post is still vacant.

Challenges and Response Measures

One of the major challenges regarding measures to support persons with disabilities in Marshall Islands was the lack of data on them. There is also the issue of adopting a broader view of persons with disabilities in the national census system.⁵

The *Marshall Islands National Policy on Disability Inclusive Development – 2014-2018* states that “attitudes towards PWD [persons with disabilities] are typically negative with teasing and mocking commonplace, reinforcing stigma and stereotypes.” This is further explained as follows:⁶

It is apparent that PWD in RMI suffer discrimination and are thus often disadvantaged and marginalized, especially in regard to employment and general participation and inclusion in society. While the traditional approach is to care for vulnerable family

members, cases of neglect and mistreatment are not unknown. Such attitudes and treatment mean that PWD are not able to fully enjoy their human rights as members of Marshallese society.

Many words in the Marshallese language to describe disability or PWD have negative connotations that reinforce the stereotyped views of weakness, incompleteness, inadequacy or stupidity. The commonly used word *mojno* implies weakness. Assumptions about the causes of disability generally relate to punishments for women for actions during pregnancy; curses or punishment from God. Families with disabled family members are often embarrassed or ashamed. There is, therefore, a great need for advocacy and awareness raising on the rights of PWD to participate fully in society as equals.

Under the *Marshall Islands National Policy on Disability Inclusive Development – 2014-2018*, the Ministry of Internal Affairs will be the “main coordinating agency to ensure the implementation of the Policy.” But it will seek “strong partnerships” with “different government ministries, civil society, churches, parents’ associations and MIDPO” “if progress is to be made in addressing the rights and needs of PWD.”⁷

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Endnotes

- 1 Ministry of Foreign Affairs, *Republic of the Marshall Islands: National Report* (Majuro, May 2013), page 15. This report was prepared for the Third International Conference on Small Islands States in Apia, Samoa held in 2014.
- 2 Isaac Marty, “Disabled people policy needed,” *The Marshall Islands Journal*, 30 August 2013.
- 3 Marty, *ibid*.
- 4 See Annex 1, *Republic of Marshall Islands National Policy on Disability Inclusive Development – 2014-2018*.
- 5 Marty, *op. cit*.
- 6 *Republic of Marshall Islands National Policy on Disability Inclusive Development – 2014-2018*, page 10.
- 7 *Ibid.*, page 14

Silent Forms of Discrimination Against Persons with Disabilities in Bhutan*

Amrith Bdr Subba

In September 2011, I was in Dhaka, the capital city of Bangladesh, as part of the three-member delegation from Bhutan representing Disabled Persons' Association of Bhutan (DPAB) in the first ever South Asian Disability Forum which was held from 19-21 September 2011. On behalf of the team, I was given the opportunity to do a ten-minute presentation on the general living conditions of persons with disabilities in Bhutan. As I pulled the audience through my PowerPoint slides, I talked about how people with disabilities in Bhutan enjoyed equal rights and justice in all aspects of life. I even cited the example of how the Royal Government of Bhutan provided equal opportunities to persons with disabilities for employment and scholarships as long as they were capable of competing with their non-disabled counterparts. I further justified this statement by saying that Bhutan was a close-knit society founded on basic Buddhist principles and philosophies because of which people in general were sympathetic and compassionate towards persons with disabilities, and hence, there was no noticeable social discrimination against them.

I then talked about some of the challenges currently faced by

persons with disabilities in Bhutan such as lack of accessible public infrastructures mostly due to unfriendly geographical topography, inadequate public awareness on the rights and needs of disabled persons and lack of proper facilities like assistive devices that would help persons with disabilities meaningfully participate in the social mainstream. Nevertheless, I concluded my presentation on the note that despite all those challenges, we felt fortunate to be born in Bhutan where the traditional family circle served as the social cushion for their disabled members and hence, they enjoyed the love and care of their family-members and friends at all times.

Following the presentation, the floor was opened for interactive question-and-answer session. The questions flew in from all corners. There were representatives from all South Asian countries where disability movements had begun decades and in some cases, even centuries ago. I did not realize that some of my statements had contradicted each other until a female delegate from India bombarded me with a series of thought-provoking questions. The first question she asked me was that if we did not have accessible infrastructures like public sidewalks and alternative

ramps in public buildings such as hospitals and banks for wheelchair users, how would I justify that we did not face noticeable social discrimination. She said that the lack of commitment and interest from the government and the public sector to build such accessible public facilities despite the needs could also be a form of social discrimination. She also pointed out how I had misunderstood the concept of sympathy and compassion. She argued that even sympathy and compassion could be a part of social discrimination. She asked how many disabled children had been locked up in their homes just because their parents were too sympathetic towards them to let them go to schools fearing that they might get bullied or harassed. She convinced me how sympathy and compassion could deprive persons with disabilities of the opportunities to interact with the outside world, exploring avenues to showcase their talents, and to live an independent life. Yes, after all, she was absolutely right. I had to take back my words and surrendered myself to her opinions.

Since that day, I have come to realize that although we do not face much open social discrimination in Bhutan, I agree that we do experience so-called

silent form of discrimination at any point of time in life. It may not be always intentional though. We have construction rules on paper that require all public structures such as banks, hotels, hospitals and other public offices to be made accessible for all types of persons with disabilities, but we do not even have accessible sidewalks to walk across our cities safely. Forget about persons with disabilities, some of our sidewalks are not even safe enough for non-disabled people to walk comfortably. We do not have ramps for wheelchair users, disabled-friendly services in service-providing organizations, and above all, many agencies, either government or private, are still hesitant to employ persons with disabilities despite their right qualification and relevant skills. The worst thing is that we do not have disability pension as in other countries and 10 percent reservation quota in the job market. Because of the equal-opportunity policy, those persons with disabilities who have been able to compete with their non-disabled counterparts are enjoying full independence and rights whereas those who have failed to challenge their non-disabled competitors are still left at the mercy of their family.

Bhutan has been signatory to the United Nations' Convention on the Rights of Persons with Disabilities (CRPD) since September 2009. But six years on, the government has still not even talked about ratifying it. As of now, we do not even have a policy or a law in place that can protect our rights. However, I have heard that under Prime Minister Tshering Tobgay's

personal command, the Gross National Happiness Commission is spearheading the drafting of Disability Policy which might help us create an inclusive society in which all the members enjoy equal rights, respect and dignity regardless of their disability status. Moreover, the parliament has also recently discussed the disability issues in Bhutan and has resolved to ratify the CRPD soon. So at least, it seems things are taking some shape in the country.

I was also struck by the fact that even sympathy and compassion could be a form of social discrimination. There have been many a time when I had wanted to go out for shopping with friends but I had been advised to stay back saying they would get me what I wanted from the market. I have realized that while this could be a gesture of sympathetic feelings towards me, it might also indicate that my friends were not so comfortable walking with me in the public. I feel that because of such an attitude, there are many persons with disabilities hidden behind the public curtains. The parents may not send their children with disabilities to schools or let them mingle with non-disabled friends, simply because they love them too much. This deprives their children of the opportunities to integrate themselves into the mainstream society by acquiring appropriate independent living skills. Therefore, we do not want sympathy. We want empathy. We want people around us to understand who we are as human beings, rather than simply sympathizing with us for our disabilities. Empathizing

does not only mean being in our shoes but also recognizing our needs and dignity of life and this should guide and direct all policies towards promoting an inclusive society for all. You may not see so many persons with disabilities in the public but that does not mean that we do not have many of them. Most of them still remain behind closed doors mainly because of the lack of accessible infrastructures and facilities that literally block their way to the public stage. So, let us all work together towards creating a society that respects the rights and needs of all its members.

* This article is a slightly edited and updated version of the blog of the author that originally appeared in Amrith Bdr Subba's diary | My Personal Journal!, <https://amrithdiary.wordpress.com/2015/03/19/silent-forms-of-discrimination-against-persons-with-disabilities-in-bhutan/>.

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Challenges Faced by Japanese Women with Disabilities and their Policy Proposals*

Kumiko Fujiwara

The Disabled People's International (DPI) Women's Network Japan was established in 1986 aiming to empower women with disabilities and to advocate for the repeal of the Eugenic Protection Act. After 1996, when the law was revised with the deletion of its eugenic clause and changed its name to Maternal Protection Act, the Women's Network sustained its activities temporarily. But stimulated by the hosting in Japan of the DPI World Assembly and the adoption in the United Nations of the Convention on the Rights of Persons with Disabilities (CRPD), the Women's Network was launched once again in 2007. It is currently engaged in advocacy work on various challenges faced by women with disabilities at the national and international levels.

I have been involved in the Women's Network since 2010 when the national annual assembly of DPI Japan was organized in Nagoya. My participation in the national assembly of that year helped me realize that the uneasiness I always had was deeply linked to my life living as a woman, a person with disabilities and their inter-connection. While actively being involved in the national women's network, I took the initiative of setting up the Kansai Regional DPI

Women's Network in 2012 with my peers who shared the same uneasiness with me.

In 2013, Japan ratified the CRPD which reaffirmed that persons with disabilities should be equally guaranteed the human rights stipulated in various international human rights instruments. It should be noted that persons with disabilities from around the world participated in the drafting process of the CRPD. In the process, "nothing about us, without us" was repeatedly voiced. Article 6 of the CRPD recognizes that women and girls with disabilities are subject to multiple discrimination, and provides that state parties shall take measures to ensure the full and equal enjoyment by them of all human rights and fundamental freedoms.

In advocating for Japan's ratification of the CRPD, a nationwide campaign was staged calling for the reform of the existing national legal system regarding persons with disabilities. We actively joined this campaign by focusing on the incorporation of the concept of "multiple discrimination" in reforming laws. Finally, the 2011 revised Basic Act for the Disabled Persons incorporated a new provision on ensuring that any measures for the facilitation of independence and participation

of the disabled persons should be developed and implemented taking the gender and age factors into consideration. The 2013 Third Basic Plan for the Disabled Persons recognizes that disabled women often face a multiplicity of difficult situations due to their status as disabled persons and as disabled women, and specifies that for the sake of adequate planning, implementation, evaluation and review of any measures for persons with the disabilities, the government should enhance information collection and data accumulation by paying attention to sex, age and types of disabilities.

The 7th and 8th Periodic Report of the Japanese Government submitted to the Committee on the Elimination of Discrimination Against Women mentioned the multiple difficulties faced by women with disabilities referring to the revised Basic Act for the Disabled Persons and the Third Basic Plan for the Disabled Persons. CEDAW General Recommendation No. 18 adopted in 1991 stipulates the obligation of the state party to include information about challenges faced by women with disabilities in a periodic report of state parties. Previous periodic reports of Japan listed the subtitle "the disabled women" on the table of contents, but no information was included in the

report except for information about the general policies and measures for the persons with disabilities. Thus, the government mentioned the progress on measures on women with disabilities for the first time by giving substantial information about them.

Yet, the key challenge rests with the genuine implementation of the plan. It is important that the government should take the issue of the multiple difficulties of women with disabilities in the basic policies to be developed according to the recently enacted Law Concerning the Promotion of the Solution of Discrimination on the Ground of Disabilities. It is also important to ensure that gender statistics are collected and policies are put into practice. Even today, official surveys on the persons with disabilities hardly make aggregated data by sex. Consequently, difficult situations of women with disabilities are not understood, and no effective measures for them are taken. Aggregated data in the statistical reports would make it possible to find any gaps or discrepancies existing between men and women with disabilities, for example, in the employment or service use. If such discrepancies are found, it is important to identify causes of such gaps and to develop solutions.

Against this backdrop, the Women's Network held a survey on difficulties faced by women with disabilities in 2011. The survey results showed that women with disabilities suffered the most from sexual abuses. The survey

results likewise indicated that while they were not seen as "women," they still suffered sexual exploitation. In the case of women in need of help, assistance provided by male helpers likely created opportunities for such sexual abuses.

Survey on Difficulties Faced by Women with Disabilities

The following are some of the testimonies included in the survey report:

Sexual abuses

1. I was sexually abused by a boyfriend of my mother while I was taking a bath with his help. He touched my breast and body, and I had a terrible and painful time. I told my mother what had happened, but, worse, she did not believe what I said. (a woman in her 30s who is orthopedically-impaired)
2. I was sexually harassed by my brother-in-law, and I did not tell anybody about it. I am neither able to live independently, nor allowed to break my family tie. It was too humiliating and I cannot find any words [to express my feelings]. (a woman in her 50s with impaired sight)

Sexuality and reproductive right

3. When I had my first menstruation, my mother told me, "You don't need menstruation." She meant that I better have an operation to remove my womb so that I would not disturb others to help me during the period. I did not accept it, and I did not want

to hear such words. Women older than me often had such an operation. (a woman in her 40s who is orthopedically-impaired)

Employment and livelihood

4. When I went for a job interview, the company officer told me, "To be honest, we don't need disabled persons. Male with invisible disabilities is a little better." (a woman in her 30s who is orthopedically-impaired)

According to available income data from a private research institution, the annual income of a single female with disabilities is 22 percent of the annual income of a single male with no disabilities. On the other hand, the annual income of a single male with disabilities is 44 percent and single female with no disabilities is 66 percent of the annual income of a single male with no disabilities.

Japan has the Act on the Prevention of Spousal Violence and the Protection of Victims. It covers domestic violence against women with disabilities. The Basic Plan for Gender Equality includes among women with multiple forms of difficulties the women with disabilities. Nevertheless, in practice, no specific policies for women with disabilities have been developed and implemented. None of the domestic violence counseling services set up throughout the country provides a sign-language service or barrier-free facilities. It is a de-facto exclusion of women with disabilities.

These survey results and the income data indicate the importance of taking gender-based statistics and of shedding the light on the real situation. It is also important that the plan is developed with the participation of women with disabilities and that concrete measures are promoted towards the solution of multiple forms of discrimination against women with disabilities.

About Myself

When I became pregnant ten years ago, my doctor and relatives recommended that I abort the baby because of possible impairment of the child or expected difficulties for me to care for him/her. Despite the revision of the law, the basic understanding of society has just remained the same. To date, many of the children with disabilities are being given birth in the midst of distress and

embarrassment of their parents or the sympathy and pity of all around them. In Hyogo prefecture where I currently live, there was once a campaign entitled "not to have a child of misfortune." People still hold the belief that children with disabilities are descendants of the impaired or unhappy children. In such circumstances, it is very difficult for women with disabilities to deliver a baby. It is still too far to have a support system for them to bring up their children.

We will keep our commitment to the realization of a society where even persons with severe disabilities are respected for their sexuality and can live a decent life as an individual without being excluded.

* This is the English translation of the article of the author in Japanese language that appeared in issue 181 of

IMADR-JC Newsletter, March 2015. The article was based on her presentation at the Minority Women Conference held in November 2014 in Tokyo.

Ms Kumiko Fujiwara is the Secretary-General of the DPI Women's Network Japan.

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Persons with Disabilities in Vanuatu

(Continued from page 4)

Therefore, there is a need for critical people such as those involved in disaster relief supplies distribution to receive disability awareness and inclusion training before they carry out their tasks. Such trainings are vital in ensuring that persons with disabilities live life normally on an equal basis with others and are not denied their human right to basic needs. Most importantly, the inclusion of persons with

disabilities in the planning, development and implementation of disaster responses is vital.

Ms Nelly Caleb is the National Coordinator for DPA Vanuatu and also serving currently as the Co-Chair of the Pacific Disability Forum (PDF).

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Endnotes

- 1 UNICEF Pacific and Vanuatu National Statistics Office, *Children, Women and Men with Disabilities in Vanuatu: What do the data say?* (Suva: UNICEF, 2014), pages 6-7.
- 2 Ibid., page 6.
- 3 Ibid., pages 6-7.

Education 2030: A New Vision and Commitment?

HURIGHTS OSAKA

On 20 May 2015, one hundred thirty “government ministers, along with high-level government officials, Nobel Prize Laureates, heads of international and non-governmental organizations, academics, representatives of the private sector, researchers and other key stakeholders”¹ gathered in Incheon, Korea to²

- Take stock of achievements and shortfalls in the implementation of the Dakar Framework for Action and the education-related Millennium Development Goals during the period 2000-2015;
- Agree on a joint position for the education goal and targets in the post-2015 development agenda, which will be adopted by UN [United Nations] Member States at a Summit in September 2015;
- Agree on a comprehensive Framework for Action to guide and support the implementation of the future education agenda.

The conference, known as the World Education Forum 2015 (WEF 2015), resulted in a commitment to achieve a new vision in education, which will “[E]nsure inclusive and equitable quality education and promote life-long learning opportunities for all.” This goal is one of the proposed Sustainable Development Goals (SDGs)³ being discussed in the

United Nations (UN) as part of the Post-2015 UN Development Agenda, or development agenda after the target year (2015) for achieving the MDGs has passed.



The conference document, entitled “Education 2030: Towards inclusive and equitable quality education and lifelong learning for all” (Incheon Declaration),⁴ reaffirms “the vision and political will reflected in numerous international and regional human rights treaties that stipulate the right to education and its interrelation with other human rights.” It also reaffirms that

education is a public good, a fundamental human right and a basis for guaranteeing the realization of other rights. It is essential for peace, tolerance, human fulfilment and sustainable development.

The new vision on education is “inspired by a humanistic vision

of education and development based on human rights and dignity; social justice; inclusion; protection; cultural, linguistic and ethnic diversity; and shared responsibility and accountability.”

Commitments of States

The Incheon Declaration contains a number of commitments that are meant to be fulfilled by states by 2030. Some of these commitments are the following:

- a. “focus our efforts on access, equity and inclusion, quality and learning outcomes, within a lifelong learning approach;” (paragraph 5)
- b. “commit to providing meaningful education and training opportunities for the large population of out-of-school children and adolescents, who require immediate, targeted and sustained action ensuring that all children are in school and are learning;” (paragraph 6)
- c. “commit to making the necessary changes in education policies and focusing our efforts on the most disadvantaged, especially those with disabilities, to ensure that no one is left behind;” (paragraph 7)

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Human Rights Events in the Asia-Pacific

Asian Regional Congress on Death Penalty

The first Asian Regional Congress on Death Penalty was held on 11-12 June 2015 in Kuala Lumpur. The conference focused on several issues regarding the death penalty in Northeast and Southeast Asia and particularly on the issue of the link between death penalty and drug trafficking. The other issues included mandatory death penalty, elements of unfair trial, working with the victims' families, and judicial officials/judges and the death penalty. The speakers and participants included former government officials, non-governmental organization representatives and judges from Northeast and Southeast Asia, and Europe.

The Together Against the Death Penalty (ECPM) organized the conference jointly with the Anti-Death Penalty Asian Network (ADPAN), the Human Rights Commission of Malaysia (SUHAKAM) and the Bar Council Malaysia.

For further information please contact: Raphaël Chenuil-Hazan, Executive Director, ECPM, 69, rue Michelet, 93 100 Montreuil France; ph (331) 57 63 03 57; fax (331) 80 87 70 46; e-mail: rchenuil@abolition.fr; ecpm@abolition.fr; www.abolition.fr.

4th Asia Pro Bono Conference & Legal Ethics Forum

The 4th Asia Pro Bono Conference & Legal Ethics Forum will be held in Mandalay, Myanmar on 3-6 September 2015. The conference and forum will be jointly organized by the Bridges Across Borders Southeast Asia Community Legal Education Initiative (BABSEA CLE), Mandalay University, Mandalay University of Distance Education and Yadanabon University, in collaboration with an international consortium comprised of law firms, law societies, legal education institutions, access to justice related organizations and others. The primary objective of the Conference and Forum is to support the development of socially aware, ethical lawyers and non-lawyers to actively participate, advocate and lead pro bono initiatives as a means to strengthen access to justice on the part of people in fragile or vulnerable situations.

For further information, please contact: BABSEA CLE, 41/1 Soi 1, Sirorot Rd., Suthep, Muang, Chiang Mai, Thailand, 50200; ph (66) 52006367; e-mail: info@babseacle.ccsend.com; www.babseacle.org.

12th International Congress on AIDS in Asia and the Pacific

The 12th International Congress on AIDS in Asia and the Pacific (ICAAP12) will be held in

Dhaka from 20 to 23 November 2015. The Congress has the theme "Be the Change Towards an AIDS Free Generation: Our Right to Health" and highlights the global and regional needs for achieving an AIDS-free generation through science, innovation and community involvement and public-private partnership. The Congress will have, among other topics, the topic on "Law, Policy and Human Rights - the unfinished political and social agenda."

For further information, please contact: 12th ICAAP 2015 Secretariat; ph (88 02) 9881882; e-mail: info@icaap2015.org; http://www.icaap2015.org/.

Master on Human Rights and Democratization

The local program of the Master on Human Rights and Democratization (MHRD) of the Centre for the Study of Human Rights in the Faculty of Law, University of Colombo is scheduled to start in July till December 2015 for the first semester and January to July 2016 for the second semester. The second semester will have students from other countries who enroll under the Asia Pacific Regional MHRD Program (in coordination with the University of Sydney, Australia). The program will cover courses on human rights norms and mechanisms, human rights and democratization

research, dynamics of human rights violations, democracy theory and practice.

For further information, please contact: The Director, Centre for the Study of Human Rights, Faculty of Law, University of Colombo, 94 Cumarathunga Munidasa Mawatha, Colombo

03; ph (94-11 2500879/2503017; fax (94-11) 2598462; e-mail: cshr@sltnet.lk; http://cshr.cmb.ac.lk/?page_id=2603.

Education 2030

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- d. "committed to supporting gender-sensitive policies, planning and learning environments; mainstreaming gender issues in teacher training and curricula; and eliminating gender-based discrimination and violence in schools;" (paragraph 8)
- e. "strongly support the implementation of the Global Action Programme on ESD [Education for Sustainable Development] launched at the UNESCO World Conference on ESD in Aichi-Nagoya in 2014;" (paragraph 9)
- f. "stress the importance of human rights education and training in order to achieve the post-2015 sustainable development agenda." (paragraph 9)

These commitments have been made in the previous global conferences on education particularly in terms of principles (inclusive education, life-long learning, mainstreaming of gender-sensitive policies and teaching/learning human rights, among others).

It is significant that a statement has been included on human rights education (paragraph 9) in the Incheon Declaration. This statement provides a basis for promoting human rights education in the future global programming on education. On the other hand, the UN Secretary General (Ban Ki Moon) pointed out in the conference the importance of education in realizing human rights.⁵ Would the "new vision on education" be realized with the new momentum for human rights education? That remains to be seen.

For further information, please contact: UNESCO Secretariat, UNESCO Headquarters, 7 Place de Fontenoy 75352 Paris 07 SP France; e-mail: WEF2015@unesco.org.

UNESCO Office in Ha Noi, www.unesco.org/new/en/hanoi/about-this-office/single-view/news/save_the_date_world_education_forum_2015/#.VW_9Cc-qqko.

- 3 See Report of the Open Working Group of the General Assembly on Sustainable Development Goals, UNGA A/68/970, 12 August 2014, www.un.org/ga/search/view_doc.asp?symbol=A/68/970&Lang=E.
- 4 For the full text of the document, see <https://en.unesco.org/world-education-forum-2015/incheon-declaration>.
- 5 *Education 2030 Roadmap*, op. cit.

Endnotes

- 1 *Education 2030 Roadmap* - 19 May, World Education Forum 2015, <http://en.unesco.org/world-education-forum-2015/day-1/education-2030-roadmap-19-may>
- 2 See "Save the Date! UNESCO leads the way at the 2015 World Education Forum,"

HURIGHTS OSAKA Calendar

The whole pdf file of the second edition of the *Directory of Asia-Pacific Human Rights Centers* (2013) is now online (www.hurights.or.jp/archives/other_publications/) and the profiles of human rights centers have been updated in the wiki version of the Directory (<http://hurights.pbworks.com/w/page/11947500/FrontPage>).

Mr Osamu Shiraishi resigned from his post as Director of HURIGHTS OSAKA in June 2015. Ms Mariko Akuzawa is now the center's acting Director.



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HURIGHTS OSAKA, inspired by the Charter of the United Nations and the Universal Declaration of Human Rights, formally opened in December 1994. It has the following goals: 1) to promote human rights in the Asia-Pacific region; 2) to convey Asia-Pacific perspectives on human rights to the international community; 3) to ensure inclusion of human rights principles in Japanese international cooperative activities; and 4) to raise human rights awareness among the people in Japan in meeting its growing internationalization. In order to achieve these goals, HURIGHTS OSAKA has activities such as Information Handling, Research and Study, Education and Training, Publications, and Consultancy Services.

FOCUS Asia-Pacific is designed to highlight significant issues and activities relating to human rights in the Asia-Pacific. Relevant information and articles can be sent to HURIGHTS OSAKA for inclusion in the next editions of the newsletter.

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