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Economic and Social Commission for Asia and the Pacific**High-level Intergovernmental Meeting on the Final Review of the
Implementation of the Asian and Pacific Decade of
Disabled Persons, 2003-2012**

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Item 2 of the provisional agenda*

**Review of the implementation of the Biwako Millennium
Framework for Action and Biwako Plus Five towards an
Inclusive, Barrier-free and Rights-based Society for
Persons with Disabilities in Asia and the Pacific****Overview of regional implementation of the Biwako
Millennium Framework for Action and Biwako Plus Five
towards an Inclusive, Barrier-free and Rights-based Society
for Persons with Disabilities in Asia and the Pacific****Note by the secretariat***Summary*

The present document contains a review drawn from the findings of an ESCAP survey of governments and civil society organizations. The survey was mandated by Commission resolution 64/8 of 30 April 2008, in which the Commission requested the Executive Secretary, among other things, to convene a high-level intergovernmental meeting to assess the progress made during the second Asian and Pacific Decade of Disabled Persons, 2003-2012, in the implementation of the Biwako Millennium Framework for Action and Biwako Plus Five in 2012, the concluding year of the Decade. The review benefited from the inputs of 51 Governments and 95 civil society organizations, representing 82 and 74 per cent response rates, respectively, on the achievements and challenges of the second Decade.

The review shows second Decade advancements in legal, policy and practical areas that promoted the inclusion, participation and economic empowerment of persons with disabilities, including through greater access to the physical and information environments. Multi-ministerial and inclusive collaborative efforts to implement the Biwako Millennium Framework and Biwako Plus Five have established the rights-based approach as the key foundation for disability work in Asia and the Pacific, consistent with the Convention on the Rights of Persons with Disabilities.

Challenges, however, remain; the most fundamental challenge is the lack of measurement of policy outcomes and gaps to serve as the evidence base for promoting disability-inclusive development. Furthermore, the intensity and focus of policy initiatives have been uneven, with women and children and economically disadvantaged areas receiving insufficient attention. By proclaiming a new Decade, from 2013 to 2022, in its resolution 68/7 of 23 May 2012, the Commission provided Asia and the Pacific with the opportunity to build on the strong progress of past Decades, and to address remaining and emerging challenges.

Taking into account this review, the Meeting may wish to consider follow-up actions to further promote a rights-based approach and disability-inclusive development in the new Decade. The outcome of deliberations under this agenda item is expected to contribute to the finalization of the draft Incheon strategy to “make the right real” for persons with disabilities in Asia and the Pacific, which will be considered under agenda item 3.

* E/ESCAP/APDDP(3)/L.1.

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I. Introduction

1. The adoption in 2002 of the Biwako Millennium Framework for Action¹ expressed the region's commitment to continuing the strong progress made in advancing disability issues following the successful implementation of the Agenda for Action for the Asian and Pacific Decade of Disabled Persons, 1993-2002.² This commitment was further reinforced through the adoption of Biwako Plus Five³ in 2007, at the midpoint review of the Biwako Millennium Framework, which the Commission had mandated in its resolution 61/8.

2. These regional frameworks complement and contribute to the implementation of the Convention on the Rights of Persons with Disabilities⁴ by promoting a rights-based approach to disability work and disability-inclusive development. Certain imperatives are enshrined in these frameworks: (a) including persons with diverse disabilities in society through their full enjoyment, without discrimination, of the right to participate in economic, social and political life; (b) empowering persons with disabilities economically by promoting both their employability and employment opportunities, as well as protection from poverty; (c) ensuring adequate access to the physical and information environments so that persons with disabilities can effectively participate as development actors and beneficiaries.

3. This review examines these aspects in the context of the implementation of the Biwako Millennium Framework and Biwako Plus Five. The outcome may be taken into consideration in the finalization of the draft Incheon strategy to "make the right real" for persons with disabilities in Asia and the Pacific.

II. The ESCAP disability survey 2011

4. This regional survey was carried out pursuant to Commission resolution 64/8 of 30 April 2008, in which the Commission called upon the Executive Secretary, among other things, to convene a high-level intergovernmental

¹ E/ESCAP/APDDP/4/Rev.1 (see also Commission resolution 59/3).

² E/ESCAP/902, annex II (see also Commission resolution 49/6).

³ E/ESCAP/APDDP(2)/2 (see also Commission resolution 64/8).

⁴ General Assembly resolution 61/106, annex I.

meeting to review the implementation of the Biwako Millennium Framework and Biwako Plus Five in 2012, the concluding year of the second Decade.

5. The survey questionnaire was disseminated in mid-2011 to the 62 ESCAP members and associate members and 129 civil society organizations (CSOs).⁵ These CSOs were participants in ESCAP disability activities, and they included organizations for and of persons with disabilities (single and cross-disability) operating at the national, subregional and regional levels in Asia and the Pacific.

6. A total of 51 Governments (82 per cent response rate) from all five ESCAP subregions and 95 CSOs (74 per cent response rate) provided feedback on progress made in implementing the Biwako Millennium Framework and Biwako Plus Five during the second Decade.⁶ These high rates are unprecedented. During the midpoint review, 36 Governments and 9 CSOs responded.⁷ The increase in CSO respondents is indicative of enhanced CSO capacity for participation in regional intergovernmental processes.

7. The Government questionnaire focused on policy and legal environments, the Convention on the Rights of Persons with Disabilities, efforts to collect statistical data, and progress in implementing the priority areas of the Biwako Millennium Framework. Apart from addressing aspects related to the implementation of the Convention, the CSO questionnaire focused on CSO participation in policy formulation and implementation and initiatives that had been undertaken to empower persons with disabilities.

8. The next section captures the key findings of the ESCAP disability survey 2011. Indicators of progress and/or challenges include:

- (a) Measurable outcomes, including statistical information to support policy formulation and implementation;
- (b) Policy and legal measures involving both disability-specific efforts or as part of a broader mainstreaming exercise;
- (c) Capacity (financial, technical and human resources expended) to support implementation;
- (d) Breadth of support, including partnerships.

9. Where relevant, comparison is made with previous surveys, namely the reviews undertaken at the end of the first Decade (E/ESCAP/APDDP/1) and the midpoint of the second Decade (E/ESCAP/APDDP(2)/1), and reference is made to good practices.

⁵ Unless indicated otherwise, the generic term “civil society organization” (CSO) is used to represent non-governmental organizations (NGOs), disabled people’s organizations (DPOs) and self-help organizations (SHOs) in this review.

⁶ Government respondents: (1) *The Pacific*: Australia; Cook Islands; Fiji; Kiribati; Marshall Islands; Micronesia (Federated States of); Nauru; New Caledonia; New Zealand; Niue; Palau; Papua New Guinea; Samoa; Solomon Islands; Tonga; Tuvalu; Vanuatu; (2) *East and North-East Asia*: China; Hong Kong, China; Japan; Macao, China; Mongolia; Republic of Korea; (3) *North and Central Asia*: Armenia; Azerbaijan; Georgia; Kyrgyzstan; Russian Federation; Tajikistan; Uzbekistan; (4) *South and South-West Asia*: Afghanistan; Bangladesh; Bhutan; India; Iran (Islamic Republic of); Maldives; Nepal; Pakistan; Sri Lanka; Turkey; (5) *South-East Asia*: Brunei Darussalam; Cambodia; Indonesia; Lao People’s Democratic Republic; Malaysia; Myanmar; Philippines; Singapore; Thailand; Timor-Leste; Viet Nam.

⁷ For the midpoint review, survey questionnaires were sent to 100 CSOs, and 9 responded. In 2011, questionnaires were sent to 129 CSOs, and 95 responded.

III. National-level efforts: key findings

A. Limitations in statistical data quality and comparability

10. Based on the estimated global disability prevalence of 15 per cent, there are approximately 650 million persons with disabilities in the Asia-Pacific region.⁸

11. Government estimates suggest that national disability prevalence, based on the respective definitions of disability, ranges from 1 to 18.5 per cent in the ESCAP region. Most ESCAP developing countries/territories report prevalence of below 6 per cent, while two developed countries—Australia and New Zealand—report disability prevalence that is above the global prevalence of 15 per cent.

12. Different prevalence estimates may not point to actual variance in the number of persons with disabilities but, rather, to different dimensions of disability measured, depending on the conceptual framework and definition of disability used. Examination of census and survey responses reinforce the observation that intercountry comparison of disability prevalence estimates is challenging due to variations in national definitions of disability, and data collection approaches, cycles and capabilities. A total of 30 Governments collected disability data using the population census. Other data collection methods used include registers (24), sample surveys (18), household income/expenditure surveys (8) and labour force surveys (7).⁹

13. Some Governments are making efforts to use the standards of the World Health Organization's International Classification of Functioning, Disability and Health (ICF). While using the ICF framework facilitates intercountry comparison, technical and financial issues involved in changing to the new data collection system must be resolved.

14. Despite these challenges, there has been noteworthy progress in data collection. By 2002, nine Governments had developed national disability databases and five were in the process of doing so. In contrast, by 2012, 50 Governments indicated that they had data on disability prevalence. Furthermore, 30 Governments had collected prevalence data based on population censuses; this reflected some degree of mainstreaming of disability into national data collection systems.

B. Policy and legal environments supporting a rights-based approach

15. A cornerstone of the Biwako Millennium Framework is the rights-based approach. An indicator of action on this matter is represented by the signing, ratification and/or implementation of the Convention on the Rights of Persons with Disabilities, an instrument that applies existing rights to persons with disabilities and clarifies the obligations of States Parties to promote and protect these rights.

16. Among ESCAP regional members, 35 Governments (70 per cent) have signed the Convention, and 24 Governments (about 34 per cent) have ratified

⁸ World Health Organization and World Bank, *World Report on Disability* (Geneva: World Health Organization, 2011), p. 44; and ESCAP, *Statistical Yearbook for Asia and the Pacific 2011* (United Nations publication, Sales No. E.11.II.F.1), p. 1.

⁹ The number in parentheses indicates the number of Governments that reported using the respective data collection method.

it.¹⁰ A total of 34 Governments reported that the Convention was available in their respective national languages, thereby enhancing awareness of the Convention, while 27 reported on the availability of the Convention in diverse formats: Braille (13), audio (11) and/or electronic formats (23).

17. ESCAP initiatives to promote awareness of the Convention include the “Make the Right Real!” campaign, with national launches in Bangladesh, India, Kazakhstan, Myanmar, Pakistan, Papua New Guinea, the Philippines and the Republic of Korea, and plans are under way for more.

18. Commitment to a rights-based approach is also reflected in the ongoing efforts by 36 Governments to harmonize the Convention with domestic legislative, administrative and other measures. Such efforts include the drafting, review and/or adoption of anti-discrimination and other related laws, research on good practices and the expansion of financial resources for related implementation.

19. One or more disability-specific laws have been adopted by 36 Governments, while 32 have disability-related provisions in non-disability-specific legislation covering a wide range of areas.

20. Efforts to monitor legislative compliance have been made by 34 Governments, including Australia, China, India, Japan, New Zealand, the Republic of Korea, the Russian Federation, and Sri Lanka. Efforts concerning enforcement have been made by 28 Governments. Generally, Governments have cited the following as key challenges to the ratification and implementation of the Convention: monitoring and enforcement of legislative compliance; financial and technical constraints in reviewing legislation; varying definitions of disability; and general unawareness of the Convention.

21. Similar challenges are indicated by Governments with regard to formulating and implementing disability-inclusive policies. Nonetheless, there has been progress: 41 Governments have disability policies, many of which are supported by action plans, compared to 16 in 2002. Australia, China, India, Japan and the Republic of Korea have adopted more comprehensive approaches which started even from the first Decade, while other Governments have initiated sector-specific policies in recent years.

22. A total of 29 Governments reported having provided financial resources for disability initiatives. The level of commitment ranged from those which saw a substantial jump in spending since the first Decade to those which had recently initiated steady allocations through their national budgets.

23. Reflecting further support for disability initiatives, 35 Governments have established national coordination mechanisms for disability policies, many of which are multi-ministerial and distinct from disability focal points. These coordination platforms play diverse roles, including policy formulation, implementation, monitoring and evaluation, awareness-raising and advocacy.

24. Some national coordination mechanisms involve leadership at the highest levels. In the case of Georgia, the Republic of Korea and Thailand, it is the Office of the Prime Minister. In China, a vice premier is Chairman of the State Council Working Committee on Disability, a multi-ministerial body. The

¹⁰ The delegation of the Russian Federation informed the Commission at its sixty-eighth session that its Government would soon be ratifying the Convention (see *Official Records of the Economic and Social Council, 2012, Supplement No. 19* (E/2012/39-E/ESCAP/68/24), para. 181.

breadth of participation is the other distinguishing feature, such as that reflected in the diversity of stakeholders in the coordination mechanisms of Hong Kong, China, and Macao, China. These stakeholders include CSOs, government agencies, community leaders, business entities and other relevant parties. Effective communication channels from the central Government to the grass roots were cited by Fiji as the distinctive feature of its coordination mechanism.

C. Strong progress in disability-inclusive development despite gaps

1. Greater inclusion of persons with disabilities

25. Many Governments recognize the important contribution of CSOs, including self-help organizations (SHOs), in moving forward on disability issues. A total of 39 Governments have policies to support the development of CSOs. Other facilitative measures include providing funding opportunities, tax exemptions, subsidies, land/premises and other forms of financial support as well as technical and policy support.

26. These enabling conditions, combined with significant efforts by persons with disabilities, have yielded an expansion in the number and membership of CSOs at the national, subregional and regional levels. Some countries, such as Azerbaijan and Viet Nam, have over 100 CSOs. Some national CSOs representing single disability groups undertake important roles for global networks.¹¹ There are now CSOs representing cross-disability groups operating at the subregional and regional levels. For example, the Pacific Disability Forum (PDF) is a subregional organization which represents persons with disabilities and CSOs in the Pacific. There are also disability forums for Central Asia, South Asia and South-East Asia. The Asia and Pacific Disability Forum (APDF) has a large number of national bodies and regional chapters of international NGOs, while efforts are under way to establish a new Asia-Pacific umbrella for disabled people's organizations.

27. The effective partnerships among CSOs, and between CSOs, Governments and international organizations have resulted in notable Decade achievements. At the national level, for example, Japan's Commission on Policy for Persons with Disabilities (CPPD) is an inclusive consultative policy mechanism whose members are predominantly persons with diverse disabilities and their family members. It has made significant strides towards promoting a rights-based environment for developing disability policies. At the regional level, the Asia-Pacific Development Centre on Disability (APDC) is collaborating well with subregional (the Association of Southeast Asian Nations (ASEAN) and the Pacific Islands Forum) and regional (ESCAP) entities and development agencies, to advance the second Decade and the implementation of the Convention on the Rights of Persons with Disabilities. CSOs are also collaborating among themselves on key issues. For example, the Community-based Rehabilitation (CBR) Asia-Pacific Network aims at facilitating enhanced networking of CBR practitioners and persons with disabilities. The disability forums of Central Asia and South Asia aim at promoting the mainstreaming of disability in development agendas in the respective subregions. The ASEAN Disability Forum is a multi-stakeholder platform for supporting the ASEAN Decade of Persons with Disabilities, 2011-2020.

¹¹ For example, the Japan Federation of the Deaf is the Asia-Pacific Regional Secretariat of the World Federation of the Deaf.

28. Efforts to better meet the needs of more diverse disability groups are also evident in the region. In Japan, apart from the CPPD, the Japan Council on Disability has advocated for social service coverage to be extended to more disability groups.¹² In India, Parivaar is a national federation of parents' associations for persons with intellectual disability, autism, cerebral palsy and multiple disabilities. Kyrgyzstan has indicated that it would include in its new coordination mechanism all categories of persons with disabilities, among them persons with musculoskeletal disorders, visual impairments and hearing impairments. At the subregional and regional levels, the ASEAN Autism Network and the Asia-Pacific Federation of the Hard of Hearing and Deafened have been established to advocate for these underrepresented groups.

29. A total of 34 Governments reported the inclusion of persons with disabilities in their national coordination mechanisms. However, a key challenge is that many CSOs play informal, consultative roles and do not directly impact policymaking. Another challenge is that, with the growth of CSOs, appropriate representation at the national, regional and global levels has become a pressing issue. Effective representation and articulation of the Asia-Pacific CSO voice is crucial, as highlighted by the successful participation of Asia-Pacific CSOs in the negotiation and drafting process of the Convention.

2. More protection for the rights of women with disabilities

30. A total of 35 Governments reported on efforts to protect the rights of women and girls with disabilities, including through developing anti-discrimination laws.

31. Some Governments explicitly recognize that women with disabilities are more vulnerable to domestic violence and sexual assault, compared to women without disabilities. Australia's National Plan to Reduce Violence against Women and their Children, 2010-2022, is built on the Convention on the Elimination of All Forms of Discrimination against Women (1979),¹³ Declaration on the Elimination of Violence against Women (1993)¹⁴ and the Beijing Declaration and Platform for Action (1995).¹⁵ Thailand has instituted the Protection of Domestic Violence Victims Act (2007) and civil and commercial codes which grant the right to financial compensation to women and girls with disabilities who are victims of violence. The Republic of Korea has established domestic violence and sexual assault counselling centres for women with disabilities while protecting them with a wide range of anti-discrimination provisions covering training, education and employment.

32. Both Government and CSO responses indicate greater awareness of the need for gender equality. The coordination mechanisms of India and Nepal explicitly support the participation of women with disabilities. Women With Disabilities Australia receives Government funding to facilitate its participation in policymaking and advocacy.¹⁶ In the Pacific, the Cook Islands, Fiji, Papua New Guinea and Samoa have prioritized the rights of women and/or girls with disabilities in their national policies and/or laws, while Palau is in the process of establishing a national committee on women with

¹² These groups include persons with Asperger's syndrome and higher brain dysfunction.

¹³ United Nations, *Treaty Series*, vol. 1249, No. 20378.

¹⁴ See General Assembly resolution 48/104.

¹⁵ *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

¹⁶ Women With Disabilities Australia is the national peak body representing women with all types of disabilities.

disabilities. These positive developments notwithstanding, there is inadequate information in general about the meaningful inclusion of women with disabilities in advocacy and policymaking.

33. China has adopted a comprehensive approach by both establishing provisions to promote the equality of women with disabilities as well as mainstreaming them under the Programme for the Development of Chinese Women, 2001-2010.¹⁷ Equally notable, initiatives have been undertaken to facilitate training on ante- and post-natal health for women with disabilities. Access to much needed sexual and reproductive health information and services is a neglected issue for women with disabilities in most countries.

34. Some CSOs actively support the participation of women. The Centre for Disability in Development (Bangladesh) has a gender policy with a quota to ensure the adequate participation of women with disabilities in the organization. PDF has a gender equality policy and elects a woman with disability as Co-Chair of the Forum and its Board. At the regional level, chaired by a woman with a disability, APDF has a working committee on gender which has established a regional network of organizations of women with disabilities.

35. A total of 30 Governments indicate that gender-disaggregated data are being collected, among them Cambodia, China, India, Japan, Kiribati, Nauru, Republic of Korea, Thailand, Timor-Leste, Turkey, Vanuatu and Viet Nam, as well as Cook Islands, Macao, China, and New Caledonia.

3. Uneven progress in the education of children with disabilities

36. A total of 20 Governments include data and issues concerning the education of children and youth with disabilities in their Millennium Development Goal reports, indicating that disability has been mainstreamed into national development agendas to some degree. Similarly, 18 Governments reported on this measure for the midpoint review.

37. Many Governments have either mandatory education policies for all children, including those with disabilities, or policies with explicit provisions for children with disabilities. China, India, the Republic of Korea, Thailand and Turkey have legislative measures that support inclusive education policies for children with disabilities. In the Pacific, Samoa and Tuvalu have inclusive education policies.¹⁸ In the Federated States of Micronesia, resources are being directed to ensuring that children with disabilities remain in the educational system until the high school level at least.

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