



# Convention on the Rights of Persons with Disabilities

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## Committee on the Rights of Persons with Disabilities Twenty-second session

### Summary record of the 480th meeting

Held at the Palais des Nations, Geneva, on Thursday, 29 August 2019, at 10 a.m.

*Chair:* Mr. Ruskus (Vice-Chair)

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*In the absence of Mr. Basharu, Mr. Ruskus, Vice-Chair, took the Chair.*

*The meeting was called to order at 10 a.m.*

### **Consideration of reports submitted by parties to the Convention under article 35**

*(continued)*

*Initial report of Myanmar (continued) (CRPD/C/MMR/1; CRPD/C/MMR/Q/1 and CRPD/C/MMR/Q/1/Add.1)*

1. *At the invitation of the Chair, the delegation of Myanmar took places at the Committee table.*

*Articles 11 to 20 (continued)*

2. **Mr. Kyaw Moe Tun** (Myanmar) said that identity cards were issued to all persons, without discrimination, including persons with disabilities living in rural and remote areas. A mobile team had been established for the purpose of issuing identity cards in remote locations by the Ministry of Labour, Immigration and Population. The Ministry of Health and Sports also took steps to make birth registration procedures readily available for people in need of assistance in that respect.

3. The Rights of Persons with Disabilities Law of 2015 did not contain any provision on humanitarian emergencies. However, the Natural Disaster Management Law did contain a clause providing for government action on behalf of persons with disabilities in disaster situations.

4. **Mr. Zaw** (Myanmar) said that a DNA mobile application had been made available for use in helping to protect persons with disabilities, evacuate them and reach them with humanitarian assistance in the event of natural or human-made disasters. While the application could be used by persons with visual impairments, a more user-friendly version needed to be developed. The General Administration Department had compiled a list of the residential addresses of persons with disabilities in every town and village with a view to ensuring their safety, protection and evacuation in emergency and disaster situations. The planned classification and registration system for persons with disabilities would also facilitate such efforts. Chapter 6, article 13, of the Natural Disaster Management Law was being reviewed to ensure the delivery of comprehensive services.

5. **Mr. Win** (Myanmar) said that a number of civil society organizations were raising awareness among service providers of the need to refrain from discriminating against persons with disabilities in the camps for internally displaced persons in northern Myanmar. Sanitary facilities and schools that had not been accessible for persons with disabilities were being remodelled.

6. **Mr. Ya** (Myanmar) said that the classification and registration system for persons with disabilities was to be launched in three stages. The first stage involved the development of a set of questionnaires for use in classifying the degree of disability of persons over 18 years of age. The Ministry of Health and Sports had established a disability classification group that would assess people's degree of disability. An eight-month pilot project would then be launched, after which the system was to be operationalized in cooperation with Indonesian and United Nations agencies and non-governmental organizations (NGOs).

7. **Mr. Zaw** (Myanmar) said that the Lunacy Act, which discriminated against persons with psychosocial disabilities, had been enacted in 1912 during the colonial era. It was therefore outdated and was no longer enforced. There were at least two options for eliminating discrimination on grounds of psychosocial disability from the legal framework. The Code of Criminal Procedure, the Prisoners Act, the Burma Army Act and other laws could be amended, or the Lunacy Act could be repealed and replaced by a recently drafted bill entitled the Mental Health Care Act, which would guarantee equal rights for persons with mental impairments. In fact, the Rights of Persons with Disabilities Law already guaranteed such rights, and older laws were enforced only if they were not in conflict with more recent laws.

8. **Mr. Win** (Myanmar) said that civil society organizations held workshops on access to justice especially designed for persons with hearing impairments who needed sign language interpretation and other services. In addition, networks were formed with organizations of persons with disabilities and other organizations offering legal services.

9. **Mr. Kyaw Moe Tun** (Myanmar) said that civil society organizations, including organizations of persons with disabilities and other stakeholders, were provided input when bills were being drafted for submission to the legislature.

10. **Mr. Zaw** (Myanmar) said that the Subcommittee on Women and Girls with Disabilities had been established under the National Committee on the Rights of Persons with Disabilities. It included representatives of the Myanmar National Committee on Women, women with disabilities and organizations working on their behalf. The curricula of the new education system launched by the Ministry of Education in the 2016/17 academic year included a whole range of material relating to children with disabilities, ethnic cultures and traditions, and equal rights.

11. Sterilization without consent and forced abortions were criminal offences in Myanmar. Therapeutic abortions were permissible, but they also required the woman's consent. The law on violence against women, which had been drafted and finalized by the Ministry of Social Welfare, Relief and Resettlement, had been referred to the Union Attorney-General's Office and would subsequently be submitted to the legislature for enactment.

12. **Mr. Kyaw Moe Tun** (Myanmar) said that the Administration that had assumed office in 2016 devoted special attention to the promotion and protection of the rights of persons with disabilities and had established the Department of Rehabilitation for those purposes. Although there were clearly still shortcomings, for instance in the area of accessibility, his country was determined to address the challenges it faced.

13. **Mr. Ya** (Myanmar) said that a workshop on access to justice had been organized on 30 and 31 July 2019 in cooperation with the Voluntary Service Overseas (VSO). It had identified the need for a greater awareness of disability in the judicial branch and a greater familiarity with the relevant legislation and policies on the part of persons with disabilities and their communities. Accordingly, future action plans would provide for training and educational activities for personnel in the justice system, persons with disabilities and their communities, the incorporation of universal design principles to ensure that new buildings were more accessible and measures to ensure that information and communications facilities and devices were provided in accessible formats. Arrangements were being made for the provision of easier access to modes of public transportation and for the installation of assistive technologies.

14. The Ministry of Health and Sports provided prostheses and orthoses to help persons with disabilities to live independently and take part in community affairs. In 2018 it had provided such devices free of charge to 311 adults and 58 children who were unable to afford them, as well as to 1,050 adults and 333 children who had the means to pay for them. The Ministry had also provided health-care services to 404 persons with disabilities in 2018, including amputees, persons with cerebrovascular disorders, post-polio patients and persons with musculoskeletal and neuromuscular disorders.

15. **Mr. Kyaw Moe Tun** (Myanmar) said that general comments from treaty bodies were sent to the Ministry of Foreign Affairs, which forwarded them to other ministries, such as the Ministry of Labour, Immigration and Population. Those ministries then transmitted the recommendations to relevant organizations and associations.

16. **Mr. Zaw** (Myanmar) said that the Ministry of Social Welfare, Relief and Resettlement was developing a national strategy for persons with disabilities based on a master plan that included six strategic areas: education, health, employment, social protection, accessibility, and natural disasters and emergency situations. A special subcommittee had been established to address accessibility issues, in particular.

17. The newly enacted Child Rights Law covered the rights of children with disabilities. Myanmar had made some headway in promoting the rights of persons with disabilities but required further technical and financial assistance so that it could ramp up its efforts.

18. Women and child victims of human trafficking were provided with emergency accommodation, food and psychosocial support. With assistance from China, the Ministry planned to build more shelters for such victims.

19. **Mr. Kyaw Moe Tun** (Myanmar) said that efforts were being made to raise awareness of disability issues by various means, including by incorporating awareness-raising elements into school curricula. Steps were also being taken to address discrimination against persons with disabilities that was based on customs, superstitions and traditional practices. Such discrimination was against the law and was rare in urban areas, but persisted in some rural and remote areas.

20. **Mr. Zaw** (Myanmar) said that a subcommittee had been established to review existing school programmes as part of the reform of the education system that had been initiated in 2016. That reform effort included mainstreaming the rights of persons with disabilities into school curricula.

21. **Mr. Kyaw Moe Tun** (Myanmar) said that awareness-raising efforts also involved the translation of information on persons with disabilities into minority languages. The law established discrimination on the basis of disability as a specific offence.

22. **Mr. Zaw** said that measures were also being taken to raise awareness of the rights of persons with disabilities among judicial officials and police officers. Plans for a comprehensive justice system for persons with disabilities were due to be presented to the Minister for Social Welfare, Relief and Resettlement in the next month.

23. **Mr. Win** (Myanmar) said that the country's main anti-discrimination law included a clause whereby it prevailed over any other law that included discriminatory provisions. Superstition was culturally entrenched in many Asian countries, but an effort was indeed being made in Myanmar to address discrimination based on superstition and traditional practices. The Myanmar Federation of Persons with Disabilities was engaged in a dialogue with government ministries as part of that effort.

24. **Mr. Zaw** (Myanmar) said that a fund had been established for the provision of health care, education, assistive devices and other support to persons with disabilities, and an administrative unit had been formed to ensure its effective management. In addition, the Ministry of Social Welfare, Relief and Resettlement was providing funding to assist persons injured by anti-personnel landmines.

25. **Mr. Kyaw Moe Tun** (Myanmar) said that employers who hired persons with disabilities were eligible for tax relief and other incentives.

26. **Mr. Alsaif** said he wished to know how access to habilitation and rehabilitation services was ensured for all persons with disabilities in rural areas, including refugees and Rohingyas. He would also like to know what steps were being taken to provide equal opportunities for persons with disabilities in the public and private sectors and to encourage the employment of women with disabilities and to ensure that their salaries were on a par with those of their fellow workers. He would appreciate up-to-date information on the involvement of organizations of persons with disabilities in dealings with international NGOs and other States parties. He was also eager to know how the Government was ensuring the active involvement of such organizations in monitoring activities under the Convention. Lastly, he wondered what efforts were being made to establish independent enforcement mechanisms to monitor the implementation of the Convention and whether any institutions in the country fully reflected the principles relating to the status of national institutions for the promotion and protection of human rights.

27. **Ms. Gamio Ríos** said that she would like to know whether persons with disabilities in remote areas had access to health services and, in particular, whether hospitals were suitably equipped and wheelchair-friendly, if staff were trained to discuss sexual and reproductive health with deaf persons and whether information was made available in Braille. While the State party had reported that the inclusion of persons with disabilities was taken into account in national social protection policies and programmes, she wished to have further information on that score and, in particular, on the situation of persons with disabilities living in rural areas or in extreme poverty. Finally, she wished to know what

steps were being taken to combat extreme poverty and how many persons with disabilities were living in those conditions.

28. **Mr. Rebrov** said that he would be grateful to know whether the Government had established standards on the accessibility of polling booths and pre-electoral campaign materials for persons with disabilities. Since sport was such an effective tool for rehabilitation and integration, he wondered what specific measures the State party had taken to develop sporting activities for persons with disabilities, including children. He was keen to know whether and how the Government ensured the right of deaf persons to participate in sporting life, including international competitions.

29. **Mr. Zaw** (Myanmar) said that the Ministry of Health had set up a national helpline to facilitate the provision of primary health care to persons with disabilities. It had also established a network of rural health-care centres offering basic services in more remote areas of the country. In cases where it was decided that persons with disabilities required secondary services or specialist treatment, appropriate referrals were made. With certain exceptions, basic treatment and primary health care were available free of charge to persons with disabilities.

30. Several different government agencies worked to provide support to landmine victims, primarily in remote areas of the country that were prone to conflict. Health-care assistance was offered by the Ministry of Health, while the Ministry of Social Welfare, Relief and Resettlement helped victims to find employment. At the same time, a number of ministries were working alongside the Ministry of Defence on the removal of landmines. The Government had also held meetings to discuss the possibility of establishing a national mine action authority and a network of mine action centres with the support of European Union countries. Exact statistics on the level of the assistance provided to landmine victims were not immediately available but would be submitted to the Committee in writing following the conclusion of the meeting.

31. **Mr. Kyaw Moe Tun** (Myanmar) said that improving public health care was a government priority. Indeed, the Minister of Health and the Minister of Social Welfare, Relief and Resettlement were both qualified doctors. Since the current Administration had taken office in 2016, the provision of public health care in rural and urban areas had been transformed. For example, in spite of its limited budget, the Ministry of Health had started to digitize the health-care system by, among other things, providing midwives and health-care workers with tablet computers on which files on medications and treatments had been loaded. Those devices were also equipped with geolocation technology so that the Ministry could trace the whereabouts of public health-care personnel.

32. **Mr. Win** (Myanmar) said that the Government did not have a specific health-care policy for persons with disabilities and that it faced many challenges in the area of accessibility. For example, it was often difficult for hearing-impaired persons to communicate with medical staff at hospitals. There were only two specialist rehabilitation hospitals, in Yangon and Mandalay, which simply did not have the capacity to cater for the needs of the entire national population of persons with disabilities. To address the situation, the Ministry of Health was planning to launch a new national rehabilitation strategy in September 2019.

33. **Mr. Zaw** (Myanmar) said that the Myanmar Association of Persons Affected by Leprosy had almost 300 members. Persons with leprosy not only faced physical challenges but were also the target of discrimination because of the stigma attached to their condition. As a result, they often struggled to find employment. Moreover, there was a shortage of medical personnel in the country, particularly physiotherapists, who were trained to care for persons with leprosy. Although the Ministry of Health was developing a new national rehabilitation strategy, the Government's current policy was to promote community-based programmes rather than prioritizing rehabilitation services in specialized institutions.

34. **Mr. Kyaw Moe Tun** (Myanmar), referring to the concern raised by the Committee about the lack of opportunities for deaf persons to take part in sporting activities, said that, thanks to the support of the Government and NGOs, a hearing-impaired citizen of Myanmar would soon travel to the Republic of Korea to take part in an international information technology challenge.

35. **Mr. Ya** (Myanmar) said that the Government had encountered various challenges in its efforts to promote the use of sign language among the deaf and hard-of-hearing community. The principal problem was that different dialects of sign language were used in different parts of the country. To address that issue, the Government had jointly organized a workshop on standardizing the use of sign language with the Myanmar Deaf Society. With respect to specialized services, the Ministry of Social Welfare, Relief and Resettlement administered two public schools for deaf and hard-of-hearing persons, and the Government had developed sign language interpretation services in collaboration with the Japan International Cooperation Agency. As a result, some television programmes produced by State media and private broadcasters now offered sign language interpretation and closed captioning. The Government had also taken steps to make information on both national laws and international standards concerning persons with disabilities accessible for deaf and hard-of-hearing persons by producing sign language presentations in video formats with a view to strengthening their ability to exercise their legal capacity.

36. **Mr. Win** (Myanmar) said that the Government had worked with the Japan International Cooperation Agency to provide training courses for sign language interpreters. However, although over 200 people had completed the training, the majority of them had ultimately found other jobs because there was very little guaranteed work for sign language interpreters. It was therefore important for the Government to look at how it could generate better employment opportunities in that field. Indeed, one of the reasons for the lack of demand was that most hearing-impaired persons did not understand sign language. The task facing the Government was therefore twofold: on the one hand, it needed to produce more sign language interpreters; on the other, it needed to teach sign language skills to more deaf and hard-of-hearing persons. The latter was proving difficult, not least because there were only three schools for deaf children in the country, including one private establishment. A lack of specialist education services was currently preventing deaf and hard-of-hearing children from fulfilling their potential in life and it was therefore hoped that more schools could be opened in the future.

37. **Mr. Kyaw Moe Tun** (Myanmar) said that the Government would welcome the advice of the international community with regard to the standardization of sign language in Myanmar, which would represent an important step forward in the process of ensuring the accessibility of education and health-care services for deaf and hard-of-hearing persons.

38. With reference to the Committee's request for statistics on the number of persons with disabilities in education, 55.9 per cent of young men with disabilities attended school. The equivalent figure for young women stood at 49.2 per cent. The delegation had taken note of the concern raised by the Committee about the teaching of basic literacy skills to blind people. That concern would be reported back to the Government. On a related note, the delegation wished to encourage all representatives of NGOs present at the meeting to do all they could to raise awareness of the issues discussed during the current dialogue upon their return to Myanmar.

39. **The Chair** thanked the members of the delegation for the information that they had shared over the course of the two meetings and reminded them that replies to the remaining unanswered questions could be submitted in writing within the following 24 hours.

40. **Mr. Kyaw Moe Tun** (Myanmar) said that the dialogue had served as a basis for increased cooperation between his country and the Committee. Despite the challenges it faced, the Government was determined to do all it could to remove the structural, institutional and cultural barriers that were currently preventing persons with disabilities from exercising their human rights. In that respect, his country looked forward to continuing to receive constructive support and technical assistance from both the Committee and the wider international community.

41. **Mr. Ishikawa** said that the State party had made a promising start on its implementation of the Convention but that greater efforts would be required in the years to come. He encouraged the Government to use the outcomes of the current dialogue to guide those efforts. In particular, it had become apparent to him over the course of the two meetings with the representatives of Myanmar that special attention should be devoted to the following areas: fighting against all forms of discrimination and stigma, particularly

those affecting ethnic minority groups; the transition from a medical model of disability to a rights-based model; protecting women and girls with disabilities against violence and crime; building the capacities of the Government and organizations of persons with disabilities; training professionals on accessibility and inclusive education; and developing a system of independent monitoring that provided for the participation of organizations of persons with disabilities.

*The meeting rose at 1 p.m.*