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Review of the status of the Convention on the Rights of Persons with Disabilities in the Asian and Pacific region

Report on the status of the Convention on the Rights of Persons with Disabilities in the Asian and Pacific region

Note by the secretariat

Summary

In its resolution 58/4 of 22 May 2002 on promoting an inclusive, barrier-free and rights-based society for persons with disabilities in the Asian and Pacific region in the twenty-first century, the Commission proclaimed the extension of the Asian and Pacific Decade of Disabled Persons, 1993-2002, for another decade, 2003-2012.

As the second Decade draws to a close, it is recognized that, despite the achievements of the Decade, much remains to be done to ensure the full participation and equality of persons with disabilities in the region.

The Convention on the Rights of Persons with Disabilities, which entered into force on 3 May 2008, offers a new perspective on persons with disabilities, creating a compelling vision of accessibility and inclusion using a rights-based approach.

Effective implementation and enforcement of the Convention requires considerable and sustained attention from Governments. To help Governments prepare for the full implementation of the Convention, the present document outlines some areas of success as well as related challenges. It also provides examples of good practices and suggested guidance for the region.

The Committee may wish to review the document with a view to recommending measures for regional cooperation to promote the full implementation of the Convention.

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I. Introduction

1. Globally and in the Asia-Pacific region, persons with disabilities typically have lower employment rates, lower incomes, lower educational attainment and more unmet health needs than persons without disabilities. With the recent adoption of regional frameworks (see paras. 4-7 below) and the entry into force of the Convention on the Rights of Persons with Disabilities¹ on 3 May 2008, many countries have begun to remove the significant barriers that have unfairly deprived persons with disabilities and their families of the ability to enjoy a full, rich social, economic and civic life (see paras. 16-19 below).

2. The present document reviews the progress made by Governments in harmonizing domestic legal and policy frameworks with the Convention and provides guidance on how to address harmonization in a holistic manner.

II. Overview

3. The Asian and Pacific region is home to an estimated 400 million persons with disabilities, which represents two thirds of the total number of persons with disabilities throughout the world. Since 1992, ESCAP has played a leading role in expanding the mainstreaming of disability rights throughout the region. Through substantive analysis and support for consultative processes, particularly with the involvement of persons with disabilities, ESCAP has helped Governments to create enabling environments that have

¹ United Nations, *Treaty Series*, No. 44910, accessed from: <http://www.un.org/esa/socdev/enable/rights/convtexte.htm> on 24 July 2010.

given persons with disabilities a greater ability to exercise their fundamental rights and increased access to education, employment and other economic, social and political rights.

A. The Biwako Millennium Framework and Biwako Plus Five

4. Building on the ESCAP-led regional initiative of the Asian and Pacific Decade of Disabled Persons, which was established in 1992 and extended for a second decade through 2012, the Biwako Millennium Framework for Action towards an Inclusive, Barrier-free and Rights-based Society for Persons with Disabilities in Asia and the Pacific was adopted in 2002.²

5. The Biwako Millennium Framework for Action is a regional framework that provides policy recommendations and guidelines for action to enable Governments and relevant stakeholders in the region to achieve an inclusive, barrier-free and rights-based society for persons with disabilities in the current decade (2003-2012). It identifies seven areas for priority action.³ Each priority area covers critical issues and specifies targets and the action required to achieve them.

6. The regional framework for action explicitly incorporates the Millennium Development Goals and their relevant targets to ensure that concerns relating to persons with disabilities become an integral part of efforts to achieve the goals.

7. In early 2007, ESCAP facilitated the drafting of a document that would supplement the Biwako Millennium Framework for Action with a view to enhancing its implementation for the remaining five years of the Decade. The resulting document, Biwako Plus Five: Further Efforts towards an Inclusive, Barrier-free and Rights-based Society for Persons with Disabilities in Asia and the Pacific,⁴ was formulated through the concerted efforts of Governments and civil society representatives.

B. The Convention on the Rights of Persons with Disabilities

8. In its resolution 61/106 of 13 December 2006, the General Assembly adopted the Convention on the Rights of Persons with Disabilities and an Optional Protocol. The adoption was the culmination of a five-year negotiation and drafting process. The Convention was opened for signature on 30 March 2007 and entered into force on 3 May 2008.

9. While such strategic frameworks as the Biwako Millennium Framework for Action continue to play an important role in highlighting disability issues, there was no legally binding international instrument that provided a comprehensive approach to respecting, protecting and fulfilling the rights of persons with disabilities prior to the adoption of the Convention.

² E/ESCAP/APDDP/4/Rev.1 (see also Commission resolution 59/3).

³ The seven priority areas for the Biwako Millennium Framework are: self-help organizations of persons with disabilities and related family and parent associations; women with disabilities; early detection, early intervention and education; training and employment, including self-employment; access to built environments and public transport; access to information and communications, including information, communications and assistive technologies; and poverty alleviation through capacity-building, social security and sustainable livelihood programmes..

⁴ E/ESCAP/APDDP(2)/2 (see also Commission resolution 64/8).

10. Previous paradigms on disability relied on a medical model, but the Convention, as the first disability-specific human rights treaty, continues a shift that began with the Biwako Millennium Framework for Action towards a rights-based, social model approach. The Convention explicitly empowers persons with disabilities as rights holders rather than objects of charity. This approach contrasts sharply with the decades-old medical model, which focuses on the disability as the main barrier to the development of a person's full human potential.

11. Not only was this Convention negotiated in a shorter time than any other human rights convention in the history of international law, it has also attracted swift ratification by States, second only to the Convention on the Rights of the Child.⁵

12. The ESCAP region played an instrumental role in the drafting process. In 2003, the Bangkok Draft: Proposed Elements of a Comprehensive and Integral International Convention to Promote and Protect the Rights of Persons with Disabilities⁶ was submitted to the Ad Hoc Committee on a Comprehensive and Integral International Convention on the Protection and Promotion of the Rights and Dignity of Persons with Disabilities. It was subsequently used as the basis for the first global draft of the Convention. The Bangkok Draft was the product of the concerted efforts of Governments, disabled persons' organizations (DPOs) and other stakeholders in the region (see E/ESCAP/SVG/4, paras. 66-68).

C. Key provisions of the Convention

13. The Convention contains wide-ranging provisions to address the various barriers that lead to an inadequate standard of living for persons with disabilities. In its 50 articles, the Convention articulates social, political, economic and cultural rights and views them as indivisible and interdependent. A right to receive equal health-care treatment, for instance, cannot be realized without accessible transport. There is an Optional Protocol which establishes procedures for individual communications (complaints) and an inquiry procedure for grave or systematic violations of the Convention.

14. The Convention is underpinned by eight fundamental principles: respect for inherent dignity, individual autonomy and independence of persons; non-discrimination; full and effective participation and inclusion in society; respect for difference; equality of opportunity; accessibility; equality between men and women; and respect for the evolving capacity of children with disabilities.⁷

15. In addition to equal protection under the law, Governments are expected to increase accessibility not only of physical infrastructure but also of information, education, and employment. The Convention acknowledges that some provisions are resource-dependent and will take time to implement. Article 4(2) makes a clear distinction between articles that must be immediately realized at the time of ratification/accession (such as non-discrimination or access to justice) and those economic, social and cultural

⁵ United Nations, *Treaty Series*, vol. 1577, No. 27531. The Convention on the Rights of the Child was adopted by the General Assembly on 20 November 1989 and entered into force on 2 September 1990, after its 20th ratification was deposited.

⁶ The text of the Bangkok Draft can be accessed from www.worldenable.net/bangkok2003a/bangkokdraftrev.htm.

⁷ See Article 3 of the Convention.

rights (such as the right to the highest attainable standard of health or accessible transport services), which may be realized progressively, to the maximum of available resources.⁸

D. The current status of ratification/accession

16. At the international level, a State that intends to become a party to the Convention and its Optional Protocol must express its consent to be bound by the treaty in one of the forms prescribed by the Convention. Article 43 establishes that consent to be bound can be expressed through ratification, accession or confirmation.

17. Ratification occurs when a State executes the instrument of ratification and deposits it with the Secretary-General of the United Nations in accordance with Article 41. Expression of consent to be bound through ratification is a two-step process, as it requires signature of the Convention by the State prior to the deposit of the instrument of ratification. While the act of signing does not make a State party to the treaty, it does require the signatory State to refrain from acts which would defeat the object and purpose of the treaty.⁹ With the deposit of the act of ratification, on the other hand, the “State establishes on the international plane its consent to be bound by the Convention”.¹⁰

18. As of 15 October 2010, at the global level, 95 States are parties to the Convention on the Rights of Persons with Disabilities and 58 are parties to its Optional Protocol, while 147 and 90 countries, respectively, are signatories to the two instruments.¹¹ The Convention on the Rights of Persons with Disabilities is the first human rights treaty that contemplates the possibility of regional integration organizations, in addition to States, becoming parties to the Convention, and article 44 regulates such attribution. The European Community is a signatory to the Convention.

19. As of 15 October 2010, 20 countries in the Asian and Pacific region had ratified the Convention and 31 had signed it, demonstrating commitment to this important international instrument. It is expected that many more countries in the region will demonstrate such commitment in the near future.

III. Key barriers to the effective implementation of the Convention

A. Outdated norms on disability in existing legislative frameworks

20. Prevailing social stigma is often as harmful to full accessibility and inclusion as tangible physical barriers. Overcoming entrenched discriminatory patterns requires public education as well as explicit policies and affirmative strategies to foster the inclusion of people with disabilities in all aspects of public life. The complex process of changing such long-established “habits and practices”, as recommended in Article 4, can begin, however, with several important but relatively simple steps.

⁸ For further discussion on the distinctions between ratification and accession see: generally *Treaty Reference Guide*, United Nations Office of Legal Affairs, 1999, available at: <http://untreaty.un.org/ola-internet/Assistance/guide.pdf>.

⁹ Vienna Convention on the Law of Treaties, article 18 (United Nations, *Treaty Series*, vol. 1155, No. 18232).

¹⁰ *Ibid.*, article 2. para. 1 (b).

¹¹ Information on the status of the Convention and its Optional Protocol accessed from: http://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-15&chapter=4&lang=en on 15 October 2010.

Table
Ratification and accessions to the Convention on the Rights of Persons with Disabilities

As of: 15 October 2010

Participant	Signature	Accession (a) or Ratification	Optional Protocol Signature (s), Accession (a) or Ratification (r)
1. Armenia	30 Mar 2007	22 Sept 2010	30 Mar 2007 (s)
2. Australia	30 Mar 2007	17 Jul 2008	21 Aug 2009 (a)
3. Azerbaijan	9 Jan 2008	28 Jan 2009	
4. Bangladesh	9 May 2007	30 Nov 2007	12 May 2008 (a)
5. Bhutan	21 Sept 2010		
6. Brunei Darussalam	18 Dec 2007		
7. Cambodia	1 Oct 2007		1 Oct 2007 (s)
8. China	30 Mar 2007	1 Aug 2008	
9. Fiji	2 Jun 2010		2 June 2010 (s)
10. Georgia	10 Jul 2009		10 Jul 2009 (s)
11. India	30 Mar 2007	1 Oct 2007	
12. Indonesia	30 Mar 2007		
13. Iran (Islamic Republic of)		23 Oct 2009 (a)	
14. Japan	28 Sep 2007		
15. Kazakhstan	11 Dec 2008		11 Dec 2008 (s)
16. Lao People's Democratic Republic	15 Jan 2008	25 Sep 2009	
17. Malaysia	8 Apr 2008	19 Jul 2010	
18. Maldives	2 Oct 2007	5 Apr 2010	
19. Mongolia		13 May 2009 (a)	13 May 2009 (a)
20. Nepal	3 Jan 2008	7 May 2010	7 May 2010 (r)
21. New Zealand	30 Mar 2007	25 Sep 2008	
22. Pakistan	25 Sep 2008		
23. Philippines	25 Sep 2007	15 Apr 2008	
24. Republic of Korea	30 Mar 2007	11 Dec 2008	
25. Russian Federation	24 Sep 2008		
26. Solomon Islands	23 Sep 2008		24 Sep 2009
27. Sri Lanka	30 Mar 2007		
28. Thailand	30 Mar 2007	29 Jul 2008	
29. Tonga	15 Nov 2007		
30. Turkey	30 Mar 2007	28 Sep 2009	28 Sep 2009
31. Turkmenistan		4 Sep 2008 (a)	
32. Uzbekistan	27 Feb 2009		
33. Vanuatu	17 May 2007	23 Oct 2008	
34. Viet Nam	22 Oct 2007		
35. Cook Islands		8 May 2009 (a)	8 May 2009 (a)

Source: http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-15&chapter=4&lang=en

21. Initially, Governments should review existing legal definitions of disability, as they may be inherently discriminatory (albeit unintentionally). The Convention does not provide a definition of disability per se. Rather, it acknowledges that disability is an evolving concept and promulgates the view that disability arises from the interaction between persons with impairments

and existing attitudinal and environmental barriers. As a result, the various barriers “may hinder their full and effective participation in society on an equal basis with others” (Article 2).

22. In moving towards harmonization with the Convention, Governments should ensure that any definition of disability is focused on the barriers in society that preclude the full participation of persons with disabilities, rather than on the impairment itself. Rephrasing or removing terms that are clearly pejorative would also be appropriate (such as references to persons with disabilities as “abnormal” or to persons with psychosocial disabilities as “lunatics”). The participation of civil society organizations and in particular, of disabled persons’ organizations, in such a review is required by Article 4 of the Convention.

23. As a consequence of updating their disability-specific legislation, a number of Governments in the region have strengthened their laws to afford greater anti-discrimination protection to persons with disabilities. China, the Lao People’s Democratic Republic, Malaysia and the Republic of Korea have adjusted their legislation in order to more closely align it with the rights-based approach of the Convention.

24. In 2007, after conducting a thorough review of existing legislation, the Republic of Korea promulgated two laws consistent with the Convention: the Special Education Law for the Disabled and Those with Special Needs and the Anti-discrimination against and Remedies for Persons with Disabilities Act. The Anti-discrimination Act incorporates most components of the Convention, ensuring a range of protections and the fulfilment of rights throughout a person’s life cycle. Data suggest, however, that the wide-ranging provisions and remedies of the Anti-discrimination Act are available in only a few Asia-Pacific countries.

B. Existing restrictions on autonomy and decision-making

25. Historically, the autonomy of persons with disabilities has been restricted in a number of political, social and economic areas. At various times, the ability of persons with disabilities to marry, found a family, stand for public office, open bank accounts, sign a contract, own/inherit property or vote has been severely curtailed with little regard for the inevitable social and economic consequences.

26. The Convention explicitly calls upon Governments to revise such laws and, where necessary, repeal or amend them. Updating a legislative framework to ensure that persons with disabilities are able to engage in these particular activities is relatively straightforward and should incur few fiscal outlays by Government, but the visible support for an inclusive society can significantly assist the harmonization process by creating a more favourable and supportive climate among the general public and policymakers.

27. Of particular concern for persons with disabilities is the revision of existing guardianship systems that may be overly restrictive. The traditional approach of guardianship involves substituting the judgement of a guardian over the will of a person with a disability. This renders the person with a disability unable to act autonomously and segregates that person from many critical aspects of social, economic and civic life.

28. In contrast, the Convention prioritizes the concept of “supported decision-making”. Under Article 12(4) of the Convention, limitations on

autonomy should be “proportional and tailored to the person’s circumstances”. An automatic blanket restriction on the right to vote for a person under partial guardianship, for instance, would not be in line with the Convention.

29. Enacting legislation that complies with this provision would be a major step towards strengthening the autonomy of persons with disabilities. If used properly, it could gradually replace many forms of guardianship.

30. Governments should therefore review any laws and procedures based on outdated models which lead to the social exclusion of persons with disabilities. New laws should be founded on the idea of removing restrictions on autonomy and developing meaningful alternatives to guardianship. This would represent a significant step forward in addressing the challenges that many Governments will face in harmonizing civil and criminal laws.

C. Low levels of economic participation

31. Globally, 8 out of every 10 persons with disabilities live below the poverty line. While some persons with disabilities are successfully employed and fully integrated into society, a disproportionate number face unemployment and lower earnings and, especially in the case of developing countries, are consequently shunted into the informal sector.

32. According to ESCAP research, in some countries, persons with disabilities face unemployment rates as high as 70 per cent, 10 times higher than that of the total population.¹² In the United States of America, Australia, and several other countries in the region with highly developed economies, persons with disabilities have a significantly lower rate of participation in the labour force – up to 25 per cent less – than persons without disabilities.¹³

33. Exclusion from the formal workplace not only leads to lost output of persons with disabilities as individuals but has a broader economic impact as well. Restrictions on the ability of persons with disabilities to engage in work due to physical barriers or existing prejudices results in indirect costs that Governments must bear related to care or social support for un- or under-employed persons with disabilities.

34. For most employers, the largest barrier to employing persons with disabilities is not the removal or adaption of physical barriers but rather the deconstruction of long-held prejudices and misconceptions.

35. As employers globally have discovered, persons with disabilities have proved valuable and productive employees. An analysis conducted by DuPont,¹⁴ a multinational chemical corporation, over the past four decades has demonstrated that persons with disabilities have equal or higher performance

¹² ESCAP, *Disability at a Glance 2009: A Profile of 36 Countries and Areas in Asia and the Pacific* (ST/ESCAP/2513).

¹³ Ibid. See also, Australian Human Rights and Equal Opportunity Commission, *National Inquiry into Employment and Disability*, “Issues Paper 1: Employment and Disability – The Statistics”. 4 March 2005 (Accessed from www.hreoc.gov.au/disability_rights/employment_inquiry/papers/issues1.htm on 14 July 2010). See also Kevin Hindle, Jock Noble and Brian Phillips, “Are workers with a disability less productive? An empirical challenge to a suspect axiom” paper submitted to the refereed stream of the ANZAM 99 Conference, University of Tasmania, Australia, 8 September 1999.

¹⁴ Mention of firm names and commercial products does not imply the endorsement of the United Nations.

ratings, less absenteeism and better retention rates, thus reducing the high cost of turnover.¹⁵ Similar studies have also provided demonstrable proof of greater productivity by disabled employees in comparison to non-disabled employees in small, early-stage or entrepreneurial businesses.¹⁶ In a 2003 survey in the United States, almost three quarters of employers reported that employees with disabilities did not require any special accommodation.¹⁷

36. As an initial step towards raising awareness, Governments can organize forums (small or large) to bring together employers that have persons with disabilities on their staff and employers that do not. Frank discussion, exchange of ideas and mentorship between private sector business owners could assist employers with less experience in taking the steps necessary to create inclusive workplaces.

37. Additionally, Government can adopt policies that establish minimal quotas. This approach has been used successfully by both Thailand and Japan, which require large-scale businesses to employ one person with disabilities for every 100 non-disabled employees. Employers who satisfy the quota are provided with concomitant tax benefits. Under such a scheme, an employer that is unable to offer such employment must make a contribution to a common fund, which is usually designed to conduct activities that empower persons with disabilities.

IV. Ways forward

A. Timely, thorough review of existing legislation

38. In ratifying the Convention, States affirm that they will subsequently take action to ensure the realization of all rights stipulated therein.¹⁸ Ratification or accession must be followed by harmonization within a Government's existing domestic legal framework. Given the broad scope and multi-sectoral applicability of the Convention, it is essential that any legislative review be comprehensive and extend beyond the traditional scope of disability-specific laws.¹⁹

39. The legislative review process has been observed by several early signatories of the Convention in the region (Australia, Bangladesh, Japan, Lao

¹⁵ E.I. du Pont de Nemours and Company, *Equal to the Task II - 1990 DuPont Survey of Employment of People with Disabilities* (Wilmington, Delaware, 1993).

¹⁶ Hindle, Noble and Phillips, 1999 (see note 13).

¹⁷ K.A. Dixon, Doug Kruse and Carl E. Van Horn, "Restricted Access: A Survey of Employers about People with Disabilities and Lowering Barriers to Work," *Work Trends: Americans' Attitudes About Work, Employers and Government* (New Brunswick, New Jersey: John J. Heldrich Center for Workforce Development, March 2003 (accessed from www.heldrich.rutgers.edu/uploadedFiles/Publications/Restricted%20Access.pdf on 14 July 2010).

¹⁸ Once the Convention has entered into force for a State, it does not automatically become part of its national law. There exist two main approaches to the status of treaties within the domestic legal system, on the basis of which States are referred to as "monist" and "dualist" countries. These two approaches are defined by the prevalence of, respectively, monist or dualist theories on the relationship between international and national law. See A. Aust, *Modern Treaty Law and Practice* (Cambridge University Press, 2006), pp. 146 and 150.

¹⁹ By referring to the traditional scope of disability-related legislation, reference is made to legislation based on a medical understanding of disability and primarily focusing on areas of health, prevention of disability, rehabilitation and social welfare.

People's Democratic Republic, New Zealand, Republic of Korea). These countries reviewed both criminal and civil laws and noted that changes were necessary with regard to laws regulating the accessibility of the built environment, elections, immigration and citizenship, administration of justice, family law, detention and prisons, insurance, education, employment, health, mental health and compulsory assessment and treatment, guardianship and legal personality, and welfare and pensions.²⁰

40. In Japan, under the auspices of the Prime Minister, the Ministerial Board for the Disability Policy Reform was established in December 2009 to critically review existing disability legislation in the light of the Convention on the Rights of Persons with Disabilities.²¹ Under the Board, there is a Council for Disability Policy Reform, whose principal members are persons with disabilities.

B. Establishment of inter-ministerial cooperation mechanisms

41. Although many Governments have designated a particular ministry as the focal point for implementation, as required under the Convention, the substance of the Convention touches on the mandates of virtually all ministries. To help create an accessible, fully inclusive society for persons with disabilities, the Convention stretches across education, employment, infrastructure, transport and many other areas.

42. A key challenge for implementation of the Convention is successful coordination between ministries. For many countries, such coordination is very difficult. In part, the challenge lies in ensuring that a holistic approach is adopted, not only in developing or refining disability-specific legislation, but also in taking a wider perspective that examines national planning documents on education, employment, poverty alleviation, review of building codes, information technology policies and even a country's criminal justice system.

43. As evidenced by similar efforts in other areas, such an approach requires support from the highest political levels, allocation of adequate resources and strong institutional mechanisms. When these factors are not present, significant legislative change is unlikely to occur.

44. In this respect, there are lessons to be learned from other Conventions. Other responses have included the establishment of parliamentary committees responsible for implementation, development of reporting mechanisms between the designated focal point ministry and all other ministries or the incorporation of the targeted issue into the mission and vision statements of all ministries.

45. A total of 20 Governments in the Asia-Pacific region have established national coordination mechanisms for disability that are inter-ministerial in nature. In 2005, the Government of Bangladesh established a task force comprising representatives of 17 ministries and 7 non-governmental organizations working in the area of disabilities to draft the National Action

²⁰ See the Treaty National Interest Analysis conducted by Australia (see www.austlii.edu.au/au/other/dfat/nia/2008/18.html, accessed on 12 July 2010), or the one conducted by New Zealand (see <http://www.odi.govt.nz/documents/convention/2008-06-24-national-interest-analysis.doc>, accessed on 12 July 2010).

²¹ See CRC/C/JPN/Q/3/Add.1 (Written replies by the Government of Japan to the list of issues (CRC/C/JPN/Q/3) related to the consideration of the third periodic report of Japan (CRC/C/JPN/3)).

Plan, which outlines the different responsibilities of each ministry or department in order to promote services and opportunities for persons with disabilities. Approved by the National Coordination Committee on Disability, the National Action Plan is legally binding on all actors.

46. An inter-ministerial approach is being adopted in the Republic of Korea in order to monitor disability-related discrimination issues. In addition to experts and persons with disabilities, representatives from a wide array of ministries, ranging from justice to transport to culture, will sit on the committee.

C. Involvement of persons with disabilities in all aspects of the process

47. As with social and economic exclusion of any historically marginalized group, unfamiliarity lies at the heart of most prejudice. Though large-scale public information and education campaigns may be appropriate, the most significant changes required by the Convention might best be accomplished through visible support from leading individuals.

48. The Convention provides Governments with a formidable partner to assist in any public education effort – DPOs. As outlined in Article 4 of the Convention, DPOs have an important role to play in raising awareness as well as designing, implementing and monitoring policy.

49. One of the most effective methods for changing perceptions and attitudes towards persons with disabilities is a coordinated media campaign involving prominent Government officials from all ministries. This would entail identifying and incorporating disability-related issues into existing or ongoing public speaking commitments as well as periodic media interviews over a sustained period (a minimum of six months). Including persons with disabilities as spokespersons in existing public education campaigns on non-disability issues would also be an appropriate measure.

50. For those Governments that are not yet signatories of the Convention or are in the process of ratification/accession, those processes should be viewed as opportunities for Governments to engage in awareness-raising and promoting understanding of the Convention. Translating the Convention into the national language is an important first step.

51. Similarly, establishing consultative mechanisms with DPOs can be an important mechanism for ensuring the development of practicable, inclusive policies and laws that comply with the Convention in the local context. Approaches have included the direct involvement of DPOs in the development of national disability and policy action plans (Bangladesh, Cambodia, Vanuatu); the establishment of coordinative or monitoring mechanisms with DPO representatives (Australia, Republic of Korea); the involvement of DPOs in ministerial-level committees (Japan); and the integration of specific issues into national poverty reduction strategies on the basis of consultations with DPOs (Cambodia, Lao People's Democratic Republic).

D. International cooperation

52. The Convention emphasizes the importance of international cooperation in realizing the rights delineated therein. At a minimum, the plans, strategies, programmes and policies developed by Governments in cooperation with international institutions should take into account the needs, concerns and views of persons with disabilities. In view of the nexus between disability and

poverty, including persons with disabilities in the development of poverty reduction strategies would be of particular concern.

53. In particular, the need to advocate for change, build capacity, exchange and share information on good practices, and provide technical and economic assistance to facilitate the use of accessible and assistive technologies are all explicitly envisioned by the Convention. In this regard, the experience of Vanuatu in seeking out technical assistance from neighbouring Papua New Guinea prior to developing its inclusive education policy is notable.

V. Conclusion

54. Both regional Decades have resulted in comprehensive agendas and frameworks for action. The Convention now serves as the universal framework that builds on these regional initiatives. Among key stakeholders, it is recognized that, while there has been progress in promoting the rights of persons with disabilities, more action is needed in the coming years to achieve fully inclusive societies.

55. The Convention provides practical guidance to assist Governments in the implementation of its provisions, both immediately and over time. A number of Governments in the region have taken first steps towards implementation, particularly with regard to anti-discrimination, accessibility, education and employment.

56. The inclusion of persons with disabilities in all aspects of society is a new concept that will ultimately require new thinking and new approaches. The secretariat is prepared to assist Governments in analysing and improving their current mechanisms, where necessary, so that affirmative and inclusionary policies and laws can be adopted and promoted, with far-reaching benefits for all.

57. The Committee may wish to recommend measures for regional cooperation to promote the full implementation of the Convention.
