



## Convention on the Rights of Persons with Disabilities

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### Committee on the Rights of Persons with Disabilities

#### List of issues in relation to the initial report of Thailand\*

##### A. Purpose and general obligations (arts. 1-4)

1. Please indicate whether any steps have been taken to accede to the Optional Protocol to the Convention.

##### Definitions (art. 2)

2. Is the denial of reasonable accommodation acknowledged as a form of discrimination? What are the legal avenues available to persons with disabilities to challenge discriminatory laws and practices? Please indicate the percentage of such claims for which remedies have been granted.

3. Please indicate to what extent the criteria used by the Department of Empowerment of Persons with Disabilities to issue a disability identification card comply with the Convention.

##### General obligations (art. 4)

4. What are the key functions of the provincial committees on empowerment of persons with disabilities? Please indicate the membership of persons with disabilities in those committees.

##### B. Specific rights

##### Equality and non-discrimination (art. 5)

5. Are there any plans to establish a comprehensive framework of anti-discrimination legislation and an independent anti-discrimination monitoring body? Is there an action plan in place to implement the rights enshrined in the Convention? What measures have been adopted to ensure non-discrimination of persons with disabilities belonging to marginalized groups, including ethnic minorities?

6. Please indicate the measures adopted to upgrade and strengthen the Subcommittee on the Elimination of Unfair Discrimination against Persons with Disabilities by raising it

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\* Adopted by the pre-sessional working group at its fourth session (7-11 September 2015).



to committee status. Does the membership of the subcommittee include representative organizations of persons with disabilities?

**Women with disabilities (art. 6)**

7. Please indicate the measures adopted to ensure the full inclusion of women with disabilities in public policies and programmes, especially regarding basic data collection for the development of programmes to, inter alia, combat physical and sexual violence, abuse and exploitation of women and girls with disabilities.

8. Please indicate the measures being taken to support women and girls with disabilities, especially those living in rural and remote areas, in education, employment and other areas of public life, and particularly to address intersectional discrimination.

**Children with disabilities (art. 7)**

9. Please indicate the range of support services provided to the families of girls and boys with disabilities.

10. Please describe the measures adopted to protect the rights of the child and to prevent the abandonment of girls and boys with disabilities. Where are girls and boys with disabilities who are abandoned cared for?

**Awareness-raising (art. 8)**

11. What nationwide awareness-raising campaigns and strategies have been adopted to address stereotypes of and stigma associated with persons with disabilities, for example, based on cultural beliefs, especially in rural areas?

12. Please explain the extent to which the State party involves representative organizations of persons with disabilities in the training and awareness-raising initiatives it carries out.

**Accessibility (art. 9)**

13. Please indicate the legislative measures developed and promulgated to ensure that public and private sector providers offering facilities and services to the public take into account all aspects of accessibility. What is the involvement of representative organizations of persons with disabilities in monitoring and assessing the suitability of accessible facilities and services?

**Situations of risk and humanitarian emergencies (art. 11)**

14. Is there a disaster management plan for all persons with disabilities, containing, for example, a designated single point of contact?

15. Please describe the measures being taken to ensure the protection and safety of persons with disabilities in the southern border provinces who are in situations covered by article 11 of the Convention.

**Equal recognition before the law (art. 12)**

16. Please explain the State party's policy on guardianships for persons with disabilities and indicate the measures, including legislative measures, adopted to abolish the practice of substituted decision-making and to institute supported decision-making.

**Access to justice (art. 13)**

17. How are persons with disabilities made aware of their rights to ensure their access to justice on an equal basis with others? Please explain the measures available to ensure that the testimony of persons with disabilities is not dismissed as lacking credibility on account of their impairment.

**Liberty and security of the person (art. 14)**

18. Please provide information, including statistical data, on persons with disabilities who have been deprived of their liberty on the basis of their impairment, and explain what legislative and administrative measures have been adopted to ensure that no one is institutionalized or deprived of liberty on the basis of impairment.

**Freedom from torture and cruel, inhuman or degrading treatment or punishment (art. 15)**

19. Please explain the measures adopted to move away from current practices of subjecting persons with disabilities, against their will, but with their guardian's consent, to involuntary treatment, including electroconvulsive therapy, chaining to bedposts and other forms of confinement, and restrictions on outside contact.

**Freedom from exploitation, violence and abuse (art. 16)**

20. What specific safeguards and measures are being taken under the policies and plans to combat human trafficking to protect persons with disabilities, particularly women, girls and boys with disabilities, from exploitation, violence and abuse, including forced begging, and sexual or labour exploitation? To what extent have those safeguards and measures been effective?

**Protecting the integrity of the person (art. 17)**

21. Please indicate the safeguards available to ensure that no persons with disabilities, particularly those with intellectual and/or psychosocial disabilities, are subjected to forced involuntary medical treatment, including forced sterilization, on the basis of their impairment and upon the advice or the request of third parties.

**Living independently and being included in the community (art. 19)**

22. How many of the disability centres referred to in the report have shifted to community-based services to support independent living in collaboration with persons with disabilities? Please clarify whether there are similar plans in respect of the residences for children with disabilities.

**Education (art. 24)**

23. Please indicate the measures adopted to implement legislation prohibiting exclusion on the grounds of disability in education and to guarantee access to inclusive education, at all levels. How is financial and professional support provided to students in inclusive education schools? How are resources equally ensured for the disability support services at universities?

**Health (art. 25)**

24. Please explain the initiatives in place to provide rights-based mental health services to persons with psychosocial disabilities and to ensure the training of mental health professionals on the rights-based approach to disability.

**Habilitation and rehabilitation (art. 26)**

25. Please explain the measures adopted to expand community-based rehabilitation services beyond the district level and to ensure that they are also extended to rural and remote areas.

**Work and employment (art. 27)**

26. Please provide data to indicate the extent to which the administration of the Fund for the Empowerment of Persons with Disabilities has been effective for increasing employment opportunities, particularly among women, and whether there are accountability mechanisms in place. Please indicate whether persons with disabilities play an active role in decision-making and the administration of the fund. 27. Please provide data on the employment and unemployment of men and women with disabilities and indicate the measures available to promote and secure employment. Please include data on employment in the private and public sectors and sheltered workshops.

**Adequate standard of living and social protection (art. 28)**

28. Please explain the measures being taken to ensure that the monthly disability allowance (800 baht, compared to an average worker's monthly income of 9,000 baht) guarantees an adequate standard of living, and explain why an unemployed person with disabilities would have to wait one year before qualifying for any benefits.

**Participation in political and public life (art. 29)**

29. Please explain the legislative measures adopted to guarantee the exercise of political rights at the local, regional and national levels by persons with disabilities, such as repealing those laws which limit the right to participation.

**Statistics and data collection (art. 31)**

30. Please explain the low, in comparison to World Health Organization estimates, official estimates of persons with disabilities in national statistics. Please comment on efforts to improve the collection and analysis of data on persons with disabilities.

**International cooperation (art. 32)**

31. Please indicate the specific strategies envisaged to actively implement disability-inclusive development through the implementation of the Incheon Strategy to "Make the Right Real" for Persons with Disabilities in Asia and the Pacific and the 2030 Agenda for Sustainable Development.

**National implementation and monitoring (art. 33)**

32. Please clarify the role of the Department of Empowerment of Persons with Disabilities, following its restructuring, in the implementation of the Convention. Please indicate whether there is a coordination mechanism, and explain the role of the national commission for the promotion and development of the quality of life of disabled persons in this regard. What measures have been adopted to ensure that the National Human Rights Commission of Thailand complies with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles)?