

**Expert Group Meeting-cum-Stakeholder Consultation to Review the Implementation of
the Second Asian and Pacific Decade of Disabled Persons, 2003-2012:
The Biwako Millennium Framework for Action**

23-25 June 2010
Bangkok

Agenda item 6: Proposals on the way forward after 2012

Summary

Under agenda item 6, the Expert Group Meeting-cum-Stakeholder Consultation will consider options for moving the regional agenda forward with regard to accelerating action to promote and protect the rights of persons with disabilities. The document provides the historical context and background as well as identifies emerging views, as expressed by key stakeholders, on the following issues:

1. Should a new decade of persons with disabilities in the Asian and Pacific region be proclaimed for the period 2013-2022?
2. If it is agreed to proceed with a new decade, what should be the theme or focus for such a decade?
3. For the advancement of persons with disabilities, what should be the outcome of the High-Level Intergovernmental Meeting on the Final Review of the Implementation of the Asian and Pacific Decade of Disabled Persons, 2003-2012?

The Expert Group Meeting-cum-Stakeholder Consultation is invited to deliberate on the above-mentioned issues with a view to reaching a consensus on the way forward. The recommendations of the Expert Group Meeting-cum-Stakeholder Consultation will be submitted to the governments attending the Committee on Social Development at its second session which will be held from 19-21 October 2010 in Bangkok.

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I. INTRODUCTION

1. The second Asian and Pacific Decade of Disabled Persons, 2003-2012 will conclude in 2102. The High-level Intergovernmental Meeting on the Final Review of the Implementation of the Asian and Pacific Decade of Disabled Persons, 2003-2012, to be hosted by the Government of the Republic of Korea in 2012, will review the progress made and challenges remaining in the region's efforts to promote and protect the rights of persons with disabilities.
2. Despite progress made during the second Decade, particularly in the development and promulgation of disability-related laws, policies and national plans in the region, there is a continuing need to further advocate for the translation of these policies and laws into meaningful action through full and effective implementation.
3. With the second Decade concluding soon, questions are already being raised by key stakeholders on the way forward, remaining challenges to be addressed and the regional strategy beyond 2012 to achieve the goal of an inclusive society for all people with disabilities.
4. Hence, the outcome of the High-Level Intergovernmental Meeting will have a profound impact in determining the course and direction of the disability movement beyond 2012 in Asia and the Pacific, including the decision on whether to proclaim a new decade of persons with disabilities.
5. This paper reviews the advocacy efforts undertaken by the United Nations system and organizations of persons with disabilities to highlight critical issues related to protection and promotion of rights of persons with disabilities, including proclamation of decades on disability at the global and regional level. It outlines options for moving the regional agenda forward on persons with disabilities.

II. BACKGROUND

A. United Nations Decade of Disabled Persons, 1983-1992

6. The General Assembly (GA) vide resolution 31/123 of 16 December 1976 proclaimed 1981 as the **International Year of Disabled Persons**, under the theme "full participation and equality"¹. The GA also adopted the World Programme of Action (WPA) concerning Disabled Persons on 3 December 1982².
7. The International Year of Disabled Persons gave a "genuine and meaningful impetus" to work related to persons with disabilities. It also led to the adoption in 1982 of the WPA concerning Disabled Persons. Recognizing the need for long-term action to implement the WPA, the GA **proclaimed the period 1983-1992 as the United Nations Decade of Disabled Persons, and encouraged Member States to utilize the decade as one of the means to implement the WPA concerning Disabled Persons.**³

¹ GA Resolution 34/154 of 17 December 1979

² GA Resolution 37/52 of 3 December 1982

³ GA Resolution 37/53 of 3 December 1982

B. Asian and Pacific Decade of Disabled Persons, 1993-2002

8. Subsequently, an Expert Group Meeting convened by ESCAP in August 1991 to review and appraise the achievements of the United Nations Decade on Disabled Persons in the Asian and Pacific region, recognized the need for a second decade of disabled persons to consolidate the gains achieved in the region. This was endorsed by the Fourth Asian and Pacific Ministerial Conference on Social Welfare and Social Development held in Manila in October 1991.

9. Noting the above recommendations, and recognizing the progress made by the region in the prevention of disability and rehabilitation of persons with disabilities during the United Nations Decade on Disabled Persons, **the Commission proclaimed the Asian and Pacific Decade of Disabled Persons 1993-2002**, with a view to giving fresh impetus to the implementation of the WPA concerning Disabled Persons in the ESCAP region beyond 1992 and strengthening regional cooperation to resolve issues affecting the achievement of the goals of the WPA, especially those concerning the full participation and equality of persons with disabilities⁴.

C. Proclamation on the Full Participation and Equality of People with Disabilities in the Asian and Pacific Region and Agenda for Action for the Asian and Pacific Decade of Disabled Persons, 1993-2002

10. A landmark Proclamation on the Full Participation and Equality of People with Disabilities in the Asian and Pacific Region was adopted at the Meeting to Launch the Asian and Pacific Decade of Disabled Persons, 1993-2002, held at Beijing in December 1992. The Proclamation highlighted the joint commitment of ESCAP member States to translating into action the ideals and objectives of the Asian and Pacific Decade of Disabled Persons. As of 3 December 2002, 43 countries and territories of the Asia-Pacific region had signed the Proclamation.

11. The Commission at its forty-ninth session in 1993 also endorsed the Agenda for Action for the Asian and Pacific Decade of Disabled Persons, 1993-2002, which consisted of the following 12 major policy categories:

1. National coordination;
2. Legislation;
3. Information;
4. Public awareness;
5. Accessibility and communication;
6. Education;
7. Training and employment;
8. Prevention of causes of disability;
9. Rehabilitation;
10. Assistive devices;
11. Self-help organizations; and
12. Regional cooperation.

⁴ ESCAP Resolution 48/3 of 23 April 1992

12. Each of the policy categories contained a list of target areas of direct relevance to the development of policies in support of the full participation and equality of persons with disabilities in Asia and the Pacific.

13. At the first regional meeting to review the progress towards the achievement of Decade goals, held at Bangkok in June 1995, 73 targets for the implementation of the Agenda for Action were adopted. Further review meetings were held in 1997 and 1999, leading to the adoption of 107 strengthened targets, with delineation of actors and strategic action for target fulfilment. The Agenda for Action became an important policy tool for Governments in the ESCAP region to guide their planning and implementation of programmes concerning persons with disabilities during the first Decade.

14. The first Decade witnessed many fine examples of collaboration and pioneer contributions, including on demonstration projects that advanced implementation of all 12 areas of the Agenda for Action. Regional initiatives explored means of effecting multisectoral collaboration and inclusion of disability concerns in mainstream development such as poverty reduction and public transport. Secretariat documentation on these were uploaded on its webpage, with technical support contributed by the Japan Society on the Rehabilitation of Persons with Disabilities.

D. Extension of Asian and Pacific Decade of Disabled Persons for another 10 years

15. Among its activities in the area of public awareness during the first Decade, ESCAP, in collaboration with host governments and civil society entities, actively supported regional campaigns organized by the Regional NGO Network for the Promotion of the Asian and Pacific Decade of Disabled Persons. In 2001, the largest campaign in this series adopted the Hanoi Declaration of Campaign 2001 on the Facilitation of Community Integration of People with Disabilities, **which urged Governments in the region to extend the Decade for another 10 years.**⁵

16. Taking note of the Hanoi Declaration of Campaign 2001, and recognizing an overall improvement in the course of the Decade in all 12 policy categories under the Agenda for Action, while acknowledging considerable room for improvement in many areas, the Commission proclaimed the extension of the Asian and Pacific Decade of Disabled Persons, 1993-2002, to cover the period 2003-2012, with a view to giving further impetus beyond 2002 to the implementation of the WPA concerning Disabled Persons and the Agenda for Action for the Asian and Pacific Decade of Disabled Persons in the ESCAP region.⁶

E. Biwako Millennium Framework for Action

17. The High-level Intergovernmental Meeting to conclude the Asian and Pacific Decade of Disabled Persons, 1993-2002, held at Otsu City, Japan, in October 2002, adopted the **Biwako Millennium Framework for Action** towards an Inclusive, Barrier-free and Rights-based Society for Persons with Disabilities in Asia and the Pacific.

18. The Commission at its fifty-ninth session adopted a resolution⁷ on the regional implementation of the Biwako Millennium Framework for Action (BMF) during the Asian

⁵ E/ESCAP/1281, 12 February 2003

⁶ Resolution 58/4 of 22 May 2002

⁷ Resolution 59/3 of 4 September 2003

and Pacific Decade of Disabled Persons, 2003-2012, which called upon all ESCAP members and associate members to support its implementation. The resolution also called upon all governments to sign the Proclamation on the Full Participation and Equality of People with Disabilities in the Asian and Pacific region, and to contribute to the technical assistance trust fund for the extended decade, 2003-2012, and for effective implementation of the BMF.

19. Reflecting broader acceptance of a rights-based approach to development at the inception of the twenty-first century, the BMF contained explicit language on the protection of the civil, cultural, economic, political and social rights of persons with disabilities. The BMF identified seven priority areas for action, in each of which critical issues and targets with specific time frames and actions followed. The seven priority areas identified are:

1. Self-help organizations of persons with disabilities and related family and parent associations;
2. Women with disabilities;
3. Early detection, early intervention and education;
4. Training and employment, including self-employment;
5. Access to built environments and public transport;
6. Access to information and communications, including information, communications and assistive technologies;
7. Poverty alleviation through capacity-building, social security and sustainable livelihood programmes.

In all, 21 targets and 17 strategies supporting the achievement of all the targets were identified.

20. The BMF served as the primary document guiding regional actions to protect the civil, cultural, economic, political, and social rights of persons with disabilities. In the second Decade, secretariat efforts in promoting the spirit and intent of the Proclamation focused on facilitating the process of Asia-Pacific negotiation to advance consideration of inputs to the drafting of the Convention on the Rights of Persons with Disabilities.

F. The Convention on the Rights of Persons with Disabilities

21. Towards the end of the first Decade, action was initiated towards the drafting of a convention: in 2000 the China Disabled Persons' Federation, with ESCAP technical support, hosted in Beijing a meeting of key international civil society entities in the field of disability that resolved to support the process for an international convention on the rights of persons with disabilities.

22. The formal international process of drafting a convention on the protection and promotion of the rights of persons with disabilities began with the constitution of an *ad hoc* committee on 19 December 2001. It was open to the participation of all States Members and observers of the United Nations, to consider proposals for a comprehensive and integral international convention to promote and protect the rights and dignity of persons with disabilities.⁸ The Convention, in its draft form, was discussed in eight rounds of intergovernmental negotiation during 2002-2006, before being adopted on 13 December 2006. Countries in the Asian and Pacific region, facilitated by ESCAP, played an important role in shaping the Convention. A series of workshops held under the auspices of ESCAP provided

⁸ GA Resolution 56/168 of 19 December 2001

a platform for strengthening the Asia-Pacific regional position in deliberations of the *Ad Hoc* Committee during this period.

23. The Convention on the Rights of Persons with Disabilities (CRPD), with its Optional Protocol, was adopted on 13 December 2006 at the United Nations Headquarters in New York, and was opened for signature on 30 March 2007. The Convention entered into force on 3 May 2008.

24. The CRPD is a human rights instrument with an explicit social development dimension. It espouses a broad understanding of disability as resulting “from the interaction between persons with impairments and attitudinal and environmental barriers that hinders their full and effective participation in society on an equal basis with others” and reaffirms that persons with disabilities must enjoy all human rights and fundamental freedoms. It clarifies and qualifies how all categories of rights apply to persons with disabilities and identifies areas where adaptations have to be made for persons with disabilities to effectively exercise their rights and areas where their rights have been violated, and where protection of rights must be reinforced.

III. THE WAY FORWARD

A. A New Decade of Persons with Disabilities

25. As the Asian and Pacific Decade of Disabled Persons, 2003-2012, draws to a close, discussions have begun among governments and civil society organizations, including disabled people’s organizations (DPOs), to determine the nature and direction of the regional agenda for promotion and protection of the rights of persons with disabilities beyond the year 2012. For this, a new decade would serve as a vehicle for promoting stronger advocacy and action.

26. There is agreement that the Asian and Pacific region should build on the achievements in the implementation of the BMF and Biwako Plus Five towards an Inclusive, Barrier-free and Rights-based Society for Persons with Disabilities. The adoption by the General Assembly in 2006 of the CRPD provides an international instrument for the same purpose.

27. The CRPD is the most comprehensive legally-binding international instrument for protecting and promoting the rights of persons with disabilities. As of 1 June 2010, 30 governments in the Asia-Pacific region had signed the Convention and 18 had confirmed, ratified or acceded to it. Views have been expressed that a new decade could focus on the need to promote and support the wider ratification and implementation of the CRPD as well as its Optional Protocol. This would ensure a more uniform level of protection and promotion of rights of persons with disabilities across the Asia-Pacific region. In countries that have ratified the Convention, the process of harmonization of national legislation with the commitments specified in the Convention is still in progress. Implementation of the CRPD, and other legal and policy measures, is critical for the fuller achievement of the rights of persons with disabilities.

28. Another area that has been stressed is the issue of promoting the leadership of persons with disabilities. It is generally recognized that while significant progress has been achieved over the last two decades in promoting the rights of persons with disabilities, much more needs to be done to engage persons with disabilities in making decisions that affect

their lives. It is felt by some that achieving the rights of persons with disabilities to the fullest extent will require building and promoting the next generation of DPO strategic leadership capability.

29. Some organizations working in the field of disability have highlighted the need to further promote the mainstreaming of disability issues into the regional development agenda, as well as national development plans and programmes in diverse development sectors. Such a development focus, or one that concentrates on “disability-inclusive development”, would highlight key issues such as poverty reduction among persons with disabilities, addressing the multiple discrimination faced by women and girls with disabilities and responding to the needs of rural-based persons with disabilities.

30. Lastly, the importance of partnership has also been highlighted as a possible theme for a new decade. This would include building stronger partnerships between governments and civil society groups, including DPOs, the private sector, the UN system and subregional organizations such as ASEAN, SAARC and the Pacific Island Forum, with a focus on full and effective implementation.

31. Hence, on the whole, there appears to be an emerging consensus on the value of proclaiming a new decade of persons with disabilities, with opinions on the theme, as outlined above.

B. Post-2012 Regional Strategy

32. With the decision of the Commission at its sixty-sixth session to hold in the Republic of Korea in 2012 the High-Level Intergovernmental Meeting on the Final Review of the Implementation of the Asian and Pacific Decade of Disabled Persons, 2003-2012, the secretariat is committed to an effective and inclusive preparatory process to ensure that the Meeting yields concrete and results-oriented outcomes.

33. Both regional Decades have resulted in comprehensive regional agendas and frameworks for action to support their implementation. The Agenda for Action for the Decade spanning the period 1993-2002 had 12 major policy categories, 107 targets and strategic action towards target fulfilment. The BMF for the second Decade, 2003-2012, has seven priority areas, 21 targets and 17 strategies.

34. In terms of moving forward, as the CRPD now serves as the universal framework that builds on, *inter alia*, the above-mentioned regional policy guides, many experts are of the view that a key outcome of the 2012 Intergovernmental Meeting could be a regional strategy, to be adopted by governments, calling for the implementation of the CRPD in the Asian and Pacific region. Therefore, a preference of many advocates, at this early stage, is to focus on preparing a practical region-specific strategy outlining regional, subregional and national mechanisms and means for the implementation of the CRPD. The targets and indicators in such a strategy would also need to be time-bound, measurable and closely monitored.

C. Issues for consideration

35. Taking into account the above analysis, the Expert Group Meeting-cum-Stakeholder Consultation is expected to consider the following:

1. Should a new decade of persons with disabilities in the Asian and Pacific region be proclaimed for the period 2013-2022?
2. If it is agreed to proceed with a new decade, what should be the theme or focus for such a decade?
3. For the advancement of persons with disabilities, what should be the outcome of the High-Level Intergovernmental Meeting on the Final Review of the Implementation of the Asian and Pacific Decade of Disabled Persons, 2003-2012?