

## **Asian and the Pacific Decade of Disabled Persons (2003-2012)**

Towards a rights-based approach to development for persons with disabilities in Asia and the Pacific: Gaining synergy through the implementation of three sets documents:

- 1) Biwako Millennium Framework for Action towards an Inclusive, Barrier-free and Rights-based Society for Persons with Disabilities in Asia and the Pacific (BMF), and the Biwako Plus Five;
- 2) Convention on the Rights of Persons with Disabilities; and
- 3) Millennium Development Goals (MDGs).

## Comparison of the Biwako Millennium Framework for Action towards an Inclusive, Barrier-free and Rights-based Society for Persons with Disabilities in Asia and the Pacific (BMF), the Biwako Plus Five, the Convention on the Rights of Persons with Disabilities and the Millennium Development Goals (MDGs)

Biwako Millennium Framework for Action towards an Inclusive, Barrier-free and Rights-based Society for Persons with Disabilities in Asia and the Pacific (BMF) and the Biwako Plus Five.	Convention on the Rights of Persons with Disabilities, Optional Protocol.	Millennium Development Goals (MDGs)
<b><i>Nature of the documents</i></b>		
<p><b>BMF</b></p> <ul style="list-style-type: none"> <li>➤ Time bound (2003-2012).</li> <li>➤ Framework for Asia and the Pacific, endorsed by ESCAP resolution 59/3 of 4 September 2003.</li> <li>➤ Legally not binding.</li> </ul> <p><b>Biwako Plus 5</b></p> <ul style="list-style-type: none"> <li>➤ Supplement to the BMF.</li> </ul>	<ul style="list-style-type: none"> <li>➤ One of the 8 human rights treaties.</li> <li>➤ Legally binding after 20 countries sign and ratify it</li> </ul>	<ul style="list-style-type: none"> <li>➤ Time bound (2000-2015).</li> <li>➤ Legally not binding.</li> <li>➤ Based on the Millennium Development Declaration, adopted by GA resolution 55/2 of 8 September 2000.</li> </ul>
<b><i>Conceptual underpinnings and characteristics of the documents</i></b>		
<ul style="list-style-type: none"> <li>➤ Inclusive, barrier-free and rights based society for persons with disabilities (as reflected in the title of the BMF).</li> <li>➤ Paradigm shift from a charity-based approach to human rights-based approach.</li> <li>➤ SHOs, family and related organizations as agents of change.</li> <li>➤ Lays down specific actions for achievement of the targets within a</li> </ul>	<ul style="list-style-type: none"> <li>➤ Respect for inherent dignity, individual autonomy, freedom to make one's own choices, and independence of persons, <ul style="list-style-type: none"> <li>➤ non-discrimination,</li> <li>➤ full and effective participation and inclusion in society,</li> <li>➤ respect for difference and acceptance of persons with disabilities as part of human diversity and humanity,</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>➤ Combating poverty, hunger, disease, illiteracy, environmental degradation and discrimination against women.</li> <li>➤ Concerted efforts for human development.</li> <li>➤ Partnership between the developed countries and the developing countries.</li> <li>➤ Gender goals included.</li> <li>➤ <b><i>Does not delineate persons with disabilities as a sub group.</i></b></li> </ul>

<p>specified time period.</p> <ul style="list-style-type: none"> <li>➤ Tends to focus more on social and economic rights of persons with disabilities.</li> </ul> <p><b>Biwako plus 5</b></p> <ul style="list-style-type: none"> <li>➤ Importance of international cooperation.</li> <li>➤ Multi-stakeholders efforts- including the private sector, local government.</li> <li>➤ Diversity of persons with disabilities.</li> </ul>	<ul style="list-style-type: none"> <li>➤ Equality of opportunity,</li> <li>➤ Accessibility,</li> <li>➤ Equality between men and women,</li> <li>➤ Respect for the evolving capacities of children with disabilities and respect for the right of children with disabilities to preserve their identities (Article 3)</li> <li>➤ Covers the civil, political, economic and social rights of persons with disabilities.</li> </ul>	<ul style="list-style-type: none"> <li>➤ Measure the progress by quantitative indicators.</li> </ul>		
<b>Structure of the documents</b>				
<p><b>BMF</b></p> <ul style="list-style-type: none"> <li>➤ Preamble</li> <li>➤ principles and policy directions.</li> <li>➤ 7 priority areas, 21 time bound targets and recommended actions.</li> <li>➤ 4 strategic areas.</li> <li>➤ Subregional, inter-regional collaboration.</li> <li>➤ Mid-point review.</li> </ul>	<p><b>Biwako plus 5</b></p> <ul style="list-style-type: none"> <li>➤ Additional actions for the existing targets,</li> <li>➤ 4 strategic areas have been revised to 5 strategic areas.</li> <li>➤ <b>One of the strategies, “Reinforcing a rights-based approach.” provides elements of alignment with the Convention.</b></li> <li>➤ Inter-agency and subregional collaboration.</li> <li>➤ Collaboration with the APDF and</li> </ul>	<p><b>Convention</b></p> <ul style="list-style-type: none"> <li>➤ Preamble,</li> <li>➤ 50 Articles which include,</li> <li>➤ Statement of Objectives General Principles, (Articles 1 and 3)</li> <li>➤ Definitions (Article 2)</li> <li>➤ General Obligations (Article 4)</li> <li>➤ Guarantee of Equality and non-discrimination (Article 5)</li> <li>➤ Guarantee of specific rights (Articles 6 - 30)</li> <li>➤ State Obligations (Articles 31 - 32)</li> <li>➤ Monitoring Mechanisms (Articles 33 – 40)</li> <li>➤ Additional Articles on Signing, Ratification, Entry, Reservations, Amendments, reservations, etc. (Articles 45</li> </ul>	<p><b>Optional Protocol</b></p> <ul style="list-style-type: none"> <li>➤ 18 articles on individual communications and other relevant measures.</li> </ul>	<p><b>MDGs</b></p> <ul style="list-style-type: none"> <li>➤ 8 Goals.</li> <li>➤ 18 targets</li> <li>➤ 48 indicators</li> </ul>

	APCD.	- 50)		
<b><i>Thematic areas covered by the documents</i></b>				
<ul style="list-style-type: none"> <li>➤ Self-help organizations of persons with disabilities and related family and parent associations.</li> <li>➤ Women with disabilities.</li> <li>➤ Early detection, early intervention and education.</li> <li>➤ Training and employment, including self-employment.</li> <li>➤ Access to built environments and public transportation. ....</li> <li>➤ Access to information and communications, including information, communications and assistive technologies.</li> <li>➤ Poverty alleviation through capacity-building, social security and sustainable livelihood programmes.</li> </ul>	<p>Article 6 - Women with disabilities  Article 7 - Children with disabilities  Article 8 - Awareness-raising  Article 9 - Accessibility  Article 10 - Right to life  Article 11 - Situations of risk and humanitarian emergencies  Article 12 - Equal recognition before the law  Article 13 - Access to justice  Article 14 - Liberty and security of person  Article 15 - Freedom of torture or cruel, inhuman or degrading treatment or punishment  Article 16 - Freedom from exploitation, violence and abuse  Article 17 - Protecting the integrity of the person  Article 18 - Liberty of movement and nationality  Article 19 - Living independently and being included in the community  Article 20 - Personal mobility  Article 21 - Freedom of expression and opinion, and access to information  Article 22 - Respect for privacy  Article 23 - Respect for home and the family  Article 24 - Education  Article 25 - Health  Article 26 - Habilitation and rehabilitation  Article 27 - Work and employment  Article 28 - Adequate standard of living and social protection  Article 29 - Participation in political and public life  Article 30 - Participation in cultural life, recreation, leisure and sport.</p>	<p>Goal 1: Eradicate extreme poverty and hunger  Goal 2: Achieve universal primary education  Goal 3: Promote gender equality and empower women  Goal 4: Reduce child mortality  Goal 5: Improve maternal health  Goal 6: Combat HIV/AIDS, malaria and other diseases  Goal 7: Ensure environmental sustainability  Goal 8: Develop a global partnership for development</p>		

<b>Definitions in the documents</b>		
<ul style="list-style-type: none"> <li>➤ 'Inclusive' -society for all.</li> <li>➤ "Barrier-free" – free from physical, attitudinal, social, economic and cultural barriers.</li> <li>➤ 'Rights-based' –human rights including the right to development.</li> </ul> <p><b>Biwako plus 5</b></p> <ul style="list-style-type: none"> <li>➤ <b>Strategy 1 “Reinforcing a rights-based approach.”-takes note of the Convention description of persons with disabilities.</b></li> </ul>	<ul style="list-style-type: none"> <li>➤ Definition-like description on persons with disabilities- Persons with disabilities include those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others (Article 1)</li> <li>➤</li> <li>➤ Communication'includes languages, display of text, Braille, tactile communication, large print, accessible multimedia as well as written, audio, plain-language, human-reader and augmentative and alternative modes, means and formats of communication, including accessible information and communication technology;</li> <li>➤ 'Language', includes spoken and signed languages and other forms of non spoken languages.</li> <li>➤ Discrimination on the basis of disability', means any distinction, exclusion or restriction on the basis of disability which has the purpose or effect of impairing or nullifying the recognition,</li> </ul>	

	<p>enjoyment or exercise, on an equal basis with others, of all human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field. It includes all forms of discrimination, including denial of reasonable accommodation.</p> <ul style="list-style-type: none"><li>➤ 'Reasonable accommodation' means necessary and appropriate modification and adjustments not imposing a disproportionate or undue burden, where needed in a particular case, to ensure to persons with disabilities the enjoyment or exercise on an equal basis with others of all human rights and fundamental freedoms;</li><li>➤ 'Universal design' means the design of products, environments, programmes and services to be usable by all people, to the greatest extent possible, without the need for adaptation or specialized design. "Universal design" shall not exclude assistive devices for particular groups of persons with disabilities where this is needed.</li></ul>	
--	--	--

**Substantive parts of the documents, issues**

Priority Area A - Self Help Organisations of Persons with Disabilities and Related Family and Parent Association

- Support to DPOs and other organizations by Gov. international development organizations.
- Inclusion of persons with disabilities in all decision-making processes.

**Biwako Plus 5**

- Participation of persons with disabilities in the political and civil processes as well as in the development, implementation, monitoring of economic, social policies and programmes.
- Development of young leaders.
- Mainstreaming of SHOs in other vulnerable groups organizations.

Principles- full and effective participation.

Article 17- Protecting the integrity of the person -Every person with disabilities has a right to respect for his or her physical and mental integrity on an equal basis with others.

Article 29 – Participation in political and public life -the right and opportunity for persons with disabilities to vote and be elected, Participation in non-governmental organizations and associations concerned with the public and political life of the country, and in the activities and administration of political parties; Forming and joining organizations of persons with disabilities to represent persons with disabilities at international, national, regional and local levels.

Article 30 – Participation in cultural life, recreation, leisure and sport- persons with disabilities have an opportunity to organize, develop and participate in disability-specific sporting and recreational activities and, to this

	end, encourage the provision, on an equal basis with others, of appropriate instruction, training and resources;	
<p>Priority Area B: Women with Disabilities</p> <ul style="list-style-type: none"> <li>➤ Anti-discrimination measures</li> <li>➤ Mainstreaming in DPOs and women's organizations.</li> </ul> <p><b>Biwako Plus 5</b></p> <ul style="list-style-type: none"> <li>➤ Sensitization of communities to the potential negative impacts of culture on women and girls with disabilities.</li> <li>➤ Respect for marriage and parenthood of women with disabilities.</li> </ul>	<p>Article 6 – Women with Disabilities</p> <p>Article 23 - Respect for home and the family</p>	<p>Goal 3: Promote Gender Equality and Empower Women</p> <p>Indicators include:</p> <ul style="list-style-type: none"> <li>➤ Ratio of girls to boys in primary, secondary and tertiary education</li> <li>➤ Ratio of literate women to men, 15-24 years old</li> <li>➤ Share of women in wage employment</li> <li>➤ Proportion of seats held by women in national parliament</li> </ul>
<p>BMF Priority Area C: Early detection, early intervention and education</p> <ul style="list-style-type: none"> <li>➤ <b><i>Target on education derives from the MDG target 3 – ensure children with disabilities would be able to complete a full course of primary schooling.</i></b></li> <li>➤ Overlap in health and education services for children with disabilities</li> </ul> <p><b>Biwako Plus 5</b></p> <ul style="list-style-type: none"> <li>➤ Acquisition of literacy skills, and adult education and life-long learning.</li> <li>➤ Provision of education in the most appropriate languages and modes and means of communication.</li> <li>➤ Training of teachers including those with disabilities.</li> </ul>	<ul style="list-style-type: none"> <li>➤ Article 7 - Children with disabilities-</li> <li>➤ Article 24 - Education</li> <li>➤ Article 25 - Health</li> <li>➤ Has more detailed provisions on Education</li> <li>➤ Includes tertiary education, adult education</li> <li>➤ Includes health insurance and life insurance</li> <li>➤ Includes free and informed consent</li> </ul>	<p>Goal 2: Achieve Universal Primary Education</p> <p>-Net enrollment ratio in primary education, proportion of pupils starting grade 1 who reach grade 5, literacy rate of 15-24 year olds.</p> <p>Goal 4: Reduce Child Mortality</p> <ul style="list-style-type: none"> <li>➤ Similar to the BMF early intervention strategy – for undertaking immunization</li> </ul>



<p>Priority Area D: Training and employment, including self-employment</p> <ul style="list-style-type: none"> <li>➤ Ratification of ILO 159.</li> <li>➤ Inclusive vocational training centers.</li> <li>➤ Data on employment.</li> </ul> <p><b>Biwako Plus 5</b></p> <ul style="list-style-type: none"> <li>➤ Persons with disabilities in public services.</li> <li>➤ Job retention, advancement through national and multinational partnerships.</li> </ul>	<p>Article 27 – Work and Employment</p> <ul style="list-style-type: none"> <li>➤ Includes labour and trade union rights</li> </ul>	<p><i>Target 1.B: Achieve full and productive employment and decent work for all, including women and young people</i></p> <p><i>Target 16: Develop and implement strategies for decent and productive work for youth.</i></p>
<p>Priority Area E: Access to Built Environments and Public Transport</p> <ul style="list-style-type: none"> <li>➤ Adopt and enforce accessibility standards, covering all types of transportation.</li> <li>➤ International/regional fund agencies include universal design concepts as loan/grant criteria.</li> </ul> <p><b>Biwako Plus Five</b></p> <ul style="list-style-type: none"> <li>➤ Research on good practices.</li> <li>➤ Accessibility for existing and newly built public transport and built environment.</li> <li>➤ Accessible services.</li> <li>➤ Promotion of accessible tourism.</li> </ul>	<p>Article 9- Accessibility</p> <ul style="list-style-type: none"> <li>➤ combines Physical Access and Access to Information and Communication technologies (ICTs), services.</li> </ul> <p>Article 20-Personal Mobility</p> <ul style="list-style-type: none"> <li>➤ Includes access to quality mobility aids, devices, assistive technologies and forms of live assistance at affordable cost – talks of quality aids and affordable cost or subsidised cost</li> <li>➤ Includes training in mobility skills to specialist staff</li> </ul> <p>Article 19- Living independently and being included in the community</p> <p>Article 30 - Access to cultural life, recreation, leisure and sport</p>	

<p>Priority Area F: Access to Information and Communications, including information, Communications and Assistive Technologies</p> <ul style="list-style-type: none"> <li>➤ ICT access.</li> <li>➤ Development of sign language interpreters, interpreters for deaf blind persons.</li> <li>➤ Tax exemption for ICT devices used by persons with disabilities and subsidize the cost of producing assistive technologies.</li> </ul> <p><b>Biwako Plus 5</b></p> <ul style="list-style-type: none"> <li>➤ Use of sign language, Braille, augmentative alternative means of communications in public information and educational, employment and legal processes.</li> </ul>	<p>Article 9 – Accessibility</p> <p>Article 21- Freedom of expression and opinion, and access to information</p> <p>Article 32- International Cooperation Providing, as appropriate, technical and economic assistance, including by facilitating access to and sharing of accessible and assistive technologies, and through the transfer of technologies.</p>	
<p>Priority Area G: Poverty alleviation through capacity building, social security and sustainable livelihood programmes</p> <ul style="list-style-type: none"> <li>➤ <b><i>Target on education derives from the MDG target 1- Halve the proportion of people with disabilities whose income is less than \$1 a day – between 1990 and 2015</i></b></li> <li>➤ Include disability in data collection on poverty, education, health –monitoring indicator</li> <li>➤ Participatory evaluation of social and economic policies through use of report card method- monitoring indicator</li> <li>➤ Schooling subsidy, health insurance – health insurance included here</li> <li>➤ Disability prevention and rehabilitation – related to health and rehabilitation</li> </ul>	<p>Article 28 – Adequate Standard of Living and Social Protection</p> <p>Article 26 – Habilitation and rehabilitation</p> <ul style="list-style-type: none"> <li>➤ This Article also corresponds to articles on health, education, employment as well as SHOs</li> </ul>	<p>Goal 1: Eradicate Extreme Hunger and Poverty</p> <ul style="list-style-type: none"> <li>➤ Target 1. a – Halve the proportion of people whose income is less than \$1 a day – between 1990 and 2015</li> <li>➤ Target 1.B: Achieve full and productive employment and decent work for all, including women and young people</li> <li>➤ Target 1.c2 - Halve the proportion of people who suffer from hunger – between 1990 and 2015</li> </ul>

<ul style="list-style-type: none"> <li>➤ Prevention of causes of disability and rehabilitation - related to health and rehabilitation</li> <li>➤ Health services to include rehabilitation services such as physiotherapy and occupational therapy, service provision for mental illness in local, rural and urban poor areas – health related</li> <li>➤ Institutional, outreach and community based approaches – can be one of the main strategies</li> <li>➤ Formation of self help groups in rural and urban areas – related to SHOs.</li> </ul> <p><b>Biwako Plus 5</b></p> <ul style="list-style-type: none"> <li>➤ Review existing social policies and practices and modify them.</li> </ul>		
<ul style="list-style-type: none"> <li>➤ Children with Disabilities not included as a sub group in BMF.</li> <li>➤ Their rights pertaining to health and education are addressed in Priority Area C: Early Detection, Early Intervention and Education</li> </ul>	Article 7 – Children with Disabilities	
<ul style="list-style-type: none"> <li>➤ Does not have a separate section on awareness raising but includes awareness raising in some of the priority areas, for example, women with disabilities, education and ICTs</li> </ul>	Article 8 – Awareness Raising	
<p><b>Biwako Plus 5</b></p> <ul style="list-style-type: none"> <li>➤ Strategy “Disability-inclusive development.”- Disability-inclusive disaster management.</li> </ul>	Article 11 – Situations of risk and humanitarian emergencies	

		Article 23- Respect for home and family Article 22 – Respect for Privacy	
<b>Biwako Plus 5</b> ➤ Strategy 1 “Reinforcing a rights-based approach.”- access to justice.		<ul style="list-style-type: none"> <li>➤ Article 10 – Right to life</li> <li>➤ Article 12 – Equal recognition before the law</li> <li>➤ Article 13 – Access to justice</li> <li>➤ Article 15 – Freedom from torture or cruel, inhuman or degrading treatment or punishment</li> <li>➤ Article 16 – Freedom from exploitation, violence and abuse</li> <li>➤ Article 22 - Respect for privacy</li> </ul>	
<b>Strategies BMF</b> <ul style="list-style-type: none"> <li>➤ National plan of action (five years) on disability</li> <li>➤ Promotion of a rights based approach to disability issues</li> <li>➤ Disability statistics/ common definition of disabilities for planning.</li> <li>➤ Strengthening comprehensive</li> </ul>	<b>Strategies Biwako Plus 5</b> <ul style="list-style-type: none"> <li>➤ Reinforcing a rights-based approach to disability issues. <b><i>Stronger connections with the Convention.</i></b></li> <li>➤ Promoting an enabling environment and strengthening effective mechanisms for policy formulation and implementation</li> <li>➤ Improving the availability and</li> </ul>		

<p>community-based approaches to disability issues for the prevention of the causes of disability and for the rehabilitation and empowerment of persons with disabilities.</p>	<p>quality of data and other information on disabilities for policy formulation and implementation  <b>Emphasis on capacity building of data collection professionals and other stakeholders.</b></p> <ul style="list-style-type: none"> <li>➤ Promoting disability-inclusive development  <b>MDGs indicator setting from a disability perspective.</b></li> <li>➤ Strengthening comprehensive community-based approaches to disability issues for the prevention of the causes of disability and for the rehabilitation and empowerment of persons with disabilities.</li> </ul>	<p>Article 31 – Statistics and data collection</p>	
<p>Cooperation and Support Mechanisms</p> <ul style="list-style-type: none"> <li>➤ Subregional cooperation and collaboration</li> <li>➤ Regional collaboration</li> <li>➤ Networking among centres of excellence in focused areas</li> <li>➤ Inter-agency collaboration.</li> </ul>	<p>Article 32- International Cooperation</p> <ul style="list-style-type: none"> <li>➤ Disability-inclusive development.</li> <li>➤ Research and support for technological support.</li> </ul>	<p>Goal 8: Develop a global partnership for development</p> <p><u>Official development assistance (ODA)</u>  8.1 Net ODA, total and to the least developed countries, as percentage of OECD/DAC donors' gross national</p>	

<p>➤ Collaboration with NGOs, development organizations, private sector</p>		<p>income</p> <p>8.2 Proportion of total bilateral, sector-allocable ODA of OECD/DAC donors to basic social services (basic education, primary health care, nutrition, safe water and sanitation)</p> <p>8.3 Proportion of bilateral official development assistance of OECD/DAC donors that is untied</p> <p>8.4 ODA received in landlocked developing countries as a proportion of their gross national incomes</p> <p>8.5 ODA received in small island developing States as a proportion of their gross national incomes</p> <p><u>Market access</u></p> <p>8.6 Proportion of total developed country imports (by value and excluding arms) from developing countries and least developed countries, admitted free of duty</p> <p>8.7 Average tariffs imposed by developed countries on agricultural products and textiles and clothing from developing countries</p> <p>8.8 Agricultural support estimate for OECD countries as a percentage of their gross domestic product</p> <p>8.9 Proportion of ODA provided to help build trade capacity</p>
<b>Monitoring and Review</b>		
<p>➤ Reporting to the mid-point and decade end</p>	<p>➤ Committee on Rights of</p>	<p>➤ National reporting, regional</p>

<p>reviews.</p> <ul style="list-style-type: none"><li>➤ Regional meetings, missions. Publications.</li></ul>	<p>Persons with Disabilities to monitor the implementation of the Convention.</p> <ul style="list-style-type: none"><li>➤ Conference of State Parties.</li></ul>	<p>reporting.</p> <ul style="list-style-type: none"><li>➤ Designation of on-track and off-track countries.</li></ul>
--	--	--