

# NGO Statement on inclusion of disability in the update of the RGC National Strategic Development Plan, July 2009

## 1. Title DISABILITY AND DEVELOPMENT

### 2. Introduction

In Cambodia it is estimated that at least **4%<sup>1</sup> (CSES 2004) of the population has a disability**. Persons with disabilities are amongst the most vulnerable in Cambodian society. The NIS survey of 2004 showed that their income was half that of persons without disabilities. Disability and impairment are major risk factors for access to primary education. Children with disabilities are experiencing a gap twice as high as that associated with gender or rural location (Filmer, WB 2005). Despite a Prakas on free-of-charge access to health care, research of ADD in 2007 indicates that only 8% of people with disabilities are enjoying this free access.

Disability stakeholders in Cambodia follow the **disability definition** used by the WHO's International Classification of Functioning, Disability and Health (ICF) 2001 and the UN Convention on the Rights of Person with Disabilities 2006 (UN CRPD). It defines: "**Persons with disabilities** include those who have a long-term physical, mental, intellectual or sensory impairment which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others." (UN CRPD 2006)

These selected facts signify aspects of poverty faced by people with disabilities in Cambodia. The Royal Government of Cambodia (RGC), concerned with disability **signed the UN Convention on the Rights of Persons with Disabilities (2007)**, passed the **Law for the Protection and the Promotion of the Rights of Persons with Disabilities (PPRPD) in 2009** and **is about to adopt the National Plan of Action for persons with disabilities, including landmine/ ERW survivors (NPA-PWD)**.

Disability is both a cause and consequence of poverty alike. **The review leading to the update of the current NSDP<sup>2</sup> is a unique opportunity to reduce poverty within this part of the population whilst simultaneously adhering to the new law, National Plan and UN CRPD.**

In order to present a **collective view a consultative workshop on "Disability and Development Policies"** was organized in August 2008 by the Disability Action Council (DAC) and Handicap International France (HI F). Also a review among key stakeholders was facilitated with the Cambodian Disabled People's Organization (CDPO) to provide this input in 2009. A total of 37 key organizations, representing Disabled People Organizations (DPOs), NGOs and INGOs<sup>3</sup> as well as the National Center for Disabled Persons (NCDP), identified key concerns, progress made and made recommendations for ensuring reduction of poverty in the following sectors: Health, Education, Land Mine Action, Employment, Gender Equity and Governance from 2007 to 2010. In addition **the NPA-PWD, endorsed by MoSVY and CMAA, to be adopted in 2009, provides another set of indicative outcomes agreed to be achieved from 2009 onwards.**

---

<sup>1</sup> While the Asian Development Bank (ADB) is estimating the number to be even higher at 15%, "Identifying Disabilities Issues Related to Poverty Reduction: Cambodia Country Study, ADB 1999"

<sup>2</sup> NSDP: National Strategic Development Plan

<sup>3</sup> Thereafter, referred to as the 'disability sector'

Based on these recommendations, DPOs and other disability stakeholders urge **all concerned stakeholders to do their utmost** during the period of the updated NSDP (2009-2013) **to integrate disability in their actions** and **monitor the progress for reducing poverty** among persons with disabilities **and reach the Cambodian Millennium Development Goals.**

### **3. Joint Monitoring Indicators / Monitored progress on Actions Needed / Analysis of performance**

The near invisibility of disability in the current NSDP as well as the absence of disability inclusiveness in the JMIs is a major obstacle to monitoring progress of whether strategies and activities are benefiting people with disabilities. Therefore, disability focused organizations **suggest integrating disability as a cross-cutting issue** and within **joint monitoring indicators for inclusion into the updated NSDP**, following the good practice developed from gender mainstreaming. **More importantly the consultative workshop has produced specific recommendations, for each key sector, which we propose be integrated into the updated NSDP and relevant JMIs.** Key recommendations are outlined in the issues A)- E) in part 4 of this statement and enclosed in the more specific boxes below.

### **4. Important issues not covered by current NSDP and JMIs and Recommendations for the updated NSDP 2009-2013**

Embracing the overall NSDP vision of the RGC *"...to achieve a socially cohesive, educationally advanced, and culturally vibrant Cambodia without poverty, illiteracy and ill health where all Cambodians live in harmony free of hunger, inequality, exclusion, and vulnerability (...) to contribute to further progress of the country and for an increasingly higher standard of living"* we would like to propose issues and recommendations on **how the updated NSDP (2009- 2013) and its JMIs could better address the poverty situation of all Cambodian citizens through a more coherent integration of disability in monitoring and strategies.**

These recommendations wish **to support the politically important and highly appreciated moves by the RGC of:**

- **adopting the Disability Law in May/June 2009**
- **endorsing the National Plan of Action for Persons with Disabilities, including Landmine/ERW Survivors 2009- 2011, and**
- **having signed the UN Convention of The Rights of Persons with Disabilities in October 2007.**

#### **▪ Issue (A) – poverty reduction as frame for sector plans and other action**

**While people with disabilities do figure in the NSDP chapter on 'Key Strategies and actions', p.33** as a targeted group among the most needy and least served people *"to help rapidly reduce poverty"* (chapter IV, point 4.05), we note that **people with disabilities are not specifically mentioned in the 15 strategic goals, strategies and 43 critical targets.**

#### **Recommendations (A) inclusion into updated NSDP – Poverty Reduction:**

In NSDP chapter on *'Progress so far and current situation'* include facts on disability as suggested in statement point 4. and below sector specific boxes , page 6 onwards;

In respective NSDP **critical targets, priority goals, key strategies and actions include persons with disabilities as a cross-cutting category and specific target group for poverty reduction actions** with respective indicators at least in the key sectors of health, employment, infrastructure, governance, social safety nets, gender, and education by 2010.

Under each of the four pillars constituting the four rectangulars of the future NSDP on *'Capacity Building and Human Resources Development'*, *'Further Rehabilitation and Construction of Infrastructure'*, *'Enhancement of Agricultural Sector'* & *'Private Sector Development and Employment Generation'* **include** actions such as **developing capacities on disability, new disability law and UN Convention within the RGC at all relevant levels of governance and among other development stakeholders** through awareness raising, government endorsed guidelines for inclusion of disability dimension and knowledge transfer by 2013.

**Promote in each section on 'key strategies and actions' disability-related adjustment and implementation of sector policies and/or ministry strategies and plans for governance and decentralization, education, health, social safety nets and employment.**

**In chapter 'Key strategies and actions' on Governance promote the ratification of the currently signed UN Convention on the Rights of Persons with Disabilities:**

- o **Ensure the Law on the Protection and Promotion of the Rights of People with Disabilities** is fully mentioned for implementation, promotion and monitoring onwards through a cross-sector national plan.

**Through the NSDP 'Key strategies and action' promote dissemination and implementation of the National Plan of Action for Persons with Disabilities including Landmine and ERW survivors nationwide as integral part of key pillars: health, de-concentration & decentralization, education, mine victim assistance, employment and rural development.**

**In NSDP section on 'Monitoring and Evaluation': include the disability dimension through the NIS of MOP presenting existing and future data on disability and impairment-related as regular part of the annual monitoring publications, assessing the impact of impairments and environmental/social barriers to poverty reduction across the sectors to guide development action; and promoting the implementation of a national survey on disability.**

**Include Disabled People's Organizations in all monitoring exercises, priority setting and in capacity building initiatives.**

#### ▪ Issue (B) – 'Education'

Exemplifying this challenge further, the education chapter of the current NSDP estimates that by 2010 the full enrollment of all children in primary school education will be accomplished, and thus an important Millennium Development Goal reached. However, information gathered from organizations of and for people with disabilities show that **a high number of children with disabilities are not enjoying the benefits of enrollment and education.** Therefore, we are concerned that **this goal is not truly reachable.** We can assume that similar major challenges apply in the other sectors and so negatively influence the process to reach the main CMDGs by 2015.

#### Recommendation (B) for inclusion into updated NSDP 'key strategies and actions', 'goals and target areas':

**Integrate a paragraph** in NSDP chapter on *'Progress so far and current situation'* referring to **Education** mentioning the adopted **'Policy on the Education of Children with Disabilities' (March 2008);**

**Mention among NSDP chapter on 'key strategies and actions' the implementation of the Master Plan for the Policy on the Education of children with disabilities of the MOEYS, and emphasize:**

- **To measure** the enrolment rates, collect data on children outside education, progression and comparative success in education of children with disabilities;
- **To include clear priorities actions such as** support for initiatives to enhance the enrollment and quality of basic, secondary and tertiary education of children and youth with disabilities; and
- **To draw up a set of disability-sensitive indicators in the Education Sector Policy and Education Sector Support Plan** to cover at least 50% of primary schools to implement the Policy on Education for Children with Disabilities and the related Master Plan.

▪ **Issue (C) – ‘Governance’, Decentralization and De-concentration:**

Whilst appreciative of the move of the RGC to support the participative local development in the NSDP (2006-2009) for increased decentralized and de-concentrated service delivery on the commune and grass root level (4.16; page 37 and 4.17) **we note that disability related services and persons with disabilities are not mentioned in this section of the NSDP.** The majority of the people with disabilities are living in the rural areas (5% of the rural population in comparison to overall 4% national prevalence rate), according to CSES 2004.

**Recommendation (C) for inclusion of actions to address disability into relevant ‘key strategies and actions’, ‘goals and target areas’ of the NSDP**

Include clear targets to support awareness-raising on disability issues and further expansion of disability dimension within the 10-Year National Program for Sub-national Democratic Development (4.18 section of current NSDP);

Include the Community-Based Rehabilitation programs and the National Disability Law as part of commune level service delivery strategies and expand the program to all provinces;

Raise awareness about target and methods of Community-Based Rehabilitation within the section (4.17 current NSDP) for prioritization of commune level needs;

Support the development of a guideline on integration of disability and awareness-raising about rights of persons with disabilities into the actions of the Ministry of Interior and its administrative reform process and related capacity development.

▪ **Issue (D) – ‘Ensuring Social Safety Nets’:**

We note that the **current NSDP addresses the needs of people with disabilities in section 4.83 as amongst those who should be entitled to a pension fund. However, further specification is needed for the update.** The paragraph addressing the needs for inclusion is based on the assumption that all persons with disabilities should be considered for pension schemes. However, **the majority of people with disabilities are able to contribute to and participate in the economy and development, if social safety nets and other measures secure access to economic and social services, including impairment related ones.**

**Recommendation (D) for inclusion of disability in ‘key strategies and actions’, ‘goals and target areas’ for the Social Safety Nets plans:**

Include a paragraph for social safety nets to support re-integration or integration of people with disabilities into the socio-economic processes in Cambodia, favoring support for re-integration in economically productive activities over inclusion in pension schemes;

Promote community-based rehabilitation and mainstreaming disability into existing services (health and economic) over inclusion into pension schemes;

In the Health Equity Funds development and the ID Poor identification process consider a review recognizing the higher daily life expenses for

medical aspects of impairments faced by persons with disabilities and their families (physical, sensory, mental and intellectual impairments), including training on disability for related structures involved in assessing the ID Poor entitlements and awarding Health Equity Funds;

Mainstreaming persons with disabilities and their families as getting equal access to receive Health Equity Funds and other social safety nets.

▪ **Issue (E) – ‘Monitoring and Evaluation’:**

**The lack of visibility of people with disabilities and disability inclusion in the JMIs, is hampering the development of knowledge about poverty reduction and effective action to reduce poverty amongst persons with disabilities.** Without measurement, current actions can not be readjusted in a concerted and empirically informed way. The current lack of data on disability also creates a difficulty in planning poverty reduction strategies.

**Recommendation (E) for inclusion of action to redress the absence of disability inclusion from monitoring throughout the sectors:**

**Identify lessons learned from successful monitoring of mainstreaming women and gender** concerns in Cambodia’s development to guide this change of practice;

**Inclusion of persons with disabilities in monitoring poverty reduction action** and allocation of sufficient disability specific budgets and human resources in each key ministry should be undertaken based on the assumed percentage of people with disabilities in Cambodia, **using the expected new figures from the 2008 Census which included disability for the first time.** For instance the appointment of disability focal points or departments of planning at effective levels in ministries (Health, Education, Labor, Rural Development, Interior, Council of Ministers) could foster the mainstreaming of disability in the monitoring and support the governmental National Disability Coordination Committee;

Review and adjust **the current disability definition, and monitor and collect statistics** in line with the UN Convention and recommendations of UNESCAP, **distinguishing between causes of impairment/ functional limitations and causes of disabling situations/ barriers to participation.**

## **5. Contact Information**

For more information on the issues raised in this paper, please contact:

**Focal Point for the Statement:**

Cambodian Disabled People’s Organization: Mr. Ny Nhar, Mainstreaming Policy Officer, (Tel: 012 715 405) Email: [mpo@cdpo.org](mailto:mpo@cdpo.org)

Disability Action Council: Mr. Vorn Samphors, Deputy Executive Director (Tel: 012 702279) Email: [samphors@dac.org.kh](mailto:samphors@dac.org.kh)

Handicap International French Section: Mr. Ung Sophea, Project Manager (Tel: 011 975 867), Email: [pm-prsp@hicambodia.org](mailto:pm-prsp@hicambodia.org)

**Contributors to the statement:**

CDMD (Mr. Set Veansna) – Gender Box

CDPO (Mr. Eang Chan Dara) & CT (Mr. John Honney) – Legislation Box

DAC (Ms. Meas Mao) - Mine Action & Victim Assistance Box

DAC (Mr. Ung Sambath) - Health Box,

HI F (Ms. Ulrike Last) – editing & compiling of contributions into one statement

KPF (Mr. Kong Vichetra), DAC (Ms. Sarah Jago); Inclusive Education Advisor: Ms. Dr. Maya Kalyanpur – Education Box

NCDP (Mr. Ean Nil) – Employment Box, and other key disability organizations, such as Social Service Cambodia, Veterans International Cambodia, among others

## Suggested Complementary Boxes

### **Keys issues for Inclusion of Disability in Education**

#### **Achievements**

Ministry of Education, Youth and Sports (MoEYS) took measures for enhancing inclusive education for children with disabilities: Newly built schools incorporate ramps into their design; schools now record children with disabilities in the Student Enrolment Register and this data will be incorporated into the Education Management Information System from 2009. Policy on Education for Children with Disabilities was adopted in March 2008 and Master plan for the Implementation of the Policy developed and awaits approval.

Two training manuals for in-services teacher training on inclusive education have been developed by the Teacher Training Department and Special Education Office in 2009.

#### **Recommendations to be included in the part on Education in the updated NSDP**

Implement the Policy on Education for Children with Disabilities and the Master Plan for its implementation in all education sector activities following good practice for the benefit of 80% of children and youth with disabilities by 2013;

Ensure that all new school building have accessibility features including ramps and accessible toilets as per universal design standards;

Ensure that identified students receive appropriate assistive devices for learning;

Clarify and endorse rights of persons with disabilities to become teachers by 2009;

Disseminate the new Inclusive Education teacher training manual and train all new teachers in relevant impairment related techniques such as Braille and sign language, responses to persons with intellectual impairments by 2013;

Provide and train teachers to use simple guidelines to identify children with disabilities, to enhance the enrollment statistics for students with disabilities;

The Education Strategic Plan should include specific targets/ indicators related to education for children with disabilities by 2013;

MoEYS to raise the profile of Special Education Office, responsible for inclusive education to work across the MoEYS, not only inside the Department for Primary Education by 2013;

To endorse prioritization of inclusion of disability in national Campaigns in the Education sector, such as the enrollment campaign and other by 2013.

## **Keys issues for Inclusion of Disability in Governance / Legislation**

### **Achievements**

The RGC signed the UN Convention on the Rights of Persons with Disability and the Optional Protocol (UN CRPD) in October 2007.

In May 2009 the RGC adopted the *Law on The Protection and Promotion of the Rights of People with Disabilities* ('the PPRPD')

The Domestic Education Law, inclusive of children with disabilities, was passed in 2007.

The Ministry of Social Affairs, Veterans & Youth Rehabilitation (MoSVY) agreed to ensure non-discrimination of people with disabilities in the recruitment of civil servants by reviewing application of Common Statute of Civil Servants Chap. II Article 11; 5.

### **Recommendations**

The RGC having taken the initiative with the UN CRPD is now encouraged to work towards the full ratification.

The RGC is encouraged to increase efforts for the implementation of the Education Law and the Law on the protection and the promotion of the Rights of People with disabilities.

In view of the impending international disability laws that are to become part of the Cambodian legal system, the RGC is encouraged to:

- o Undertake a review of the compatibility of the UN CRPD with the PPRPD and all other domestic laws removing any discriminatory practices identified and;
- o Facilitate the dissemination of information under UN CRPD and PPRPD to the general population and relevant governmental and international stakeholders through specific campaigns.

## **Key issues for Inclusion of Disability in Health and Rehabilitation**

### **Achievements**

A joint agreement between MoSVY and five NGOs currently managing the provincial rehabilitation centers (PRCs) has been signed in 2008, confirming the official takeover of PRCs by MoSVY in 2011.

Medical and physical rehabilitation themes have just been introduced to every provincial hospital through the tour training program organized by Ministry of Health (MoH), Department of Preventive Medicine.

### **Recommendations**

The MoH should undertake an assessment of the barriers faced by people with disabilities when trying to access health services and set up a policy framework which ensures that people with disabilities have equal access to health services, and consideration in the Health Equity Funds;

The RGC should assign a focal point within the involved ministries to establish mechanisms for coordination of health and physical rehabilitation;

Effectively enforce the Memorandum of Understanding (MoU) signed for the rehabilitation sector, comprehensive actions for successful sustainability (HR, financial, other) should be implemented by MoSVY within a given timeframe and adequate resources provided within the national budget to do so;

Implement physical accessibility to all health structures as per the new law;

All public and private health educational establishments should have integrated disability into their study curriculum by 2013;

Implement Health Strategic Plan II (2008- 2013) of MOH, amendment should be made to have persons with disabilities included in specific data collection and strategies, re-dressing the lack of the HSP II not clearly mentioning persons with disabilities as a target group.

## **Keys Issues for Inclusion of Disability in Employment**

### **Achievements**

The Social Security Fund has been established by the MoSVY as well as the Veteran Association, opened officially on June 21, 2007.

The Ministry of Foreign Affairs and International Communications had initially announced to recruit people with disabilities as new staff in March 2008.

The MoSVY adopted a circular on improving the quality standards on vocational training for persons with disability in 2008.

### **Recommendations**

The Labor Law should clearly specify about inclusion of persons with disabilities in its chapters to promote and protect them at the workplace;

Remove any discrimination against persons with disabilities in the employment sector as stipulated in chapter 7 of the new disability legislation;

The Ministry of Labor to ensure inclusion of persons with disabilities into vocational and technical training and training networks as stipulated in current NSDP;

MOL and MOSVY to take action to develop a sub decree on the development of a quota system as stipulated in the disability law chapter 7;

Awards should be given by the government to governmental and private structures who have recruited persons with disabilities;

Other ministries and government authorities are encouraged to follow the example of the Ministry of Foreign Affairs and promote the recruitment of persons with disabilities and adopt policies to challenge discrimination within the workplace and recruitment process;

The RGC should increase the budget for vocational training, and clarify sufficient funds allocated to inclusion of people with disabilities;

The RGC should encourage physical accessibility of all public buildings for persons with disabilities;

MoLVT and MoSVY should cooperate for promoting the employment of persons with disabilities through the new disability law (PPRPD).

## **Keys Issues for Inclusion of Disability in Gender**

### **Key Achievements**

The policy on gender has already been developed by the Ministry of Women's Affairs (MoWA) on April 2008 and this issue has been mainstreamed in other policies and legal instruments.

Some forums were developed for women with disabilities (WWD) at commune level.

### **Recommendations**

The RGC should integrate women with disabilities into MoWA, the gender mainstreaming strategy and Neary Rattanak II, allocate a specific budget and establish a department in charge;

MoWA should develop a grant for NGOs on awareness raising on and advocacy for the rights of women with disabilities;

The RGC should reinforce existing law and other legal documents, to include women with disabilities especially in those addressing gender based violence, a key risk for women with disabilities.

**Keys Issues for Inclusion of Disability in Mine Action and Victim Assistance**  
**Achievements**

A draft **National Plan of Action for Persons with Disabilities including Landmine/Explosive Remnant of War (ERW) Survivors 2009** was developed in 2008- 2009.

The number of landmine/ERW survivors decreased due to continued clearance and mine risk education by the 8 de-mining agencies.

Prevention and assistance have been improved by: developing a Draft Pre-hospital and Hospital Trauma Care Policy, implementing First Aid Program by MoH in some provinces, Cambodian Red Cross and NGOs, implementing Community-Based Rehabilitation (CBR) program in 19 provinces.

**Recommendations**

The MoH should adopt the draft Pre-hospital and Hospital Trauma Policy;  
Government should encourage MoH to extend its Program of First Aid and CBR nation wide (including the participation of people with disabilities);

The RGC should adopt and implement the **National Plan of Action for Persons with Disabilities including Landmine/ERW Survivors in 2009**;

The RGC should improve the quality of emergency and medical care systems in 24 referral hospitals and establish Spinal Cord Injury service in all 11 PRCs;

The RGC should use equity funds more widely and include persons with disabilities as priority groups;

The RGC should improve the capacity building for concerned government officers at all levels in all relevant ministries in delivering good quality services with reference to all persons with disabilities;

The RGC should encourage Mine Action operators to expand their services to reduce the risks of impairments.