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**A Stakeholders report prepared by Disabled People
Organizations (DPOs) in Cambodia**

Coordinated by: Cambodian Disabled People's Organization (CDPO)

List of Organizations Participated in Developing this Report

1. Association of the Blind in Cambodia (ABC)
2. Capacity Building of People with Disability in the Community Organization (CABDICO)
3. Cambodian Disabled Independent Living Organization (CDILO)
4. Cambodian Development Mission for Disability (CDMD)
5. International Committee of the Order of Malta for Leprosy Relief (CIOMAL)
6. Cambodia Trust (CT)
7. Deaf Development Program (DDP)
8. Komar Pikar Foundation (KPF)
9. Marist Solidarity Cambodia (MSC)
10. National Centre of Disabled Persons (NCDP)
11. Parents Association for Children with Intellectual Disabilities (PACHID)
12. Battambang Provincial Disabled People's Organization
13. Svay Rieng Provincial of Women with Disability Forum
14. Takeo Provincial Women with Disability Forum
15. Kampong Speu Provincial Disabled People's Organization
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I. Introduction

1. Twenty DPOs and NGOs representing different disabilities participated in the two day workshop organised by Disabled People's International (DPI), Cambodia with the support of DPI and International Disability Alliance (IDA) on 16th and 17th May 2013 at the Cambodian Disabled People's Organisation (CDPO) Phnom Penh. Among the participants six were women. Several issues relating to disability were discussed during the two days. The participants identified five major issues after in-depth discussions that we want to highlight and have elaborated those in this report along with some recommendations.

II. Overview

2. **Cambodia is often cited as a country with a high number of persons with disabilities.** Estimates of the number of persons with disabilities in Cambodia vary significantly from one source to another depending on the definitions used. In 1997, the Asian Development Bank (ADB) reported that 9.8% of Cambodians are persons with disability. **In 2004, the National Institute of Statistic (NIS) found that the percentage of persons with disabilities is 4% of the total population (Cambodia Socio-Economic Survey (CSES), 2004). Surprisingly, in the most recent release of the General Population Census of Cambodia 2008, the estimation of the percentage of the total population to be persons with disabilities was only 1.44% of the total population (NIS-MoP, 2009).**¹

3. According to statistics from the Cambodian government, almost a fifth of the people with disabilities in Cambodia have amputations, mainly due to the land mines. 11% have visual impairments, and 5% are deaf or hard of hearing. One fifth of the people with disabilities in Cambodia are children. The vast majority of disabled Cambodians live in rural areas.²

4. **It is established that persons with disabilities generally belong to the poorest among the poor with very limited access to resources, basic social services, education, vocational training and employment.** In addition, they are often seen as a hopeless, lonely, isolated group without sufficient affection from families, relatives and friends. **People with disabilities are among the most vulnerable groups in Cambodian society.** ADB estimated in 2007 that 28.3 per cent of the population is surviving on less than USD 1.25 a day, and 30.1 per cent is living below the national poverty line.³

5. Cambodian Constitution in Article 74 obliges the State to assist the disabled and the families of combatants who sacrificed their lives for the nation.⁴ Cambodia signed the

¹ Cambodian Disabled People's Organization (2010). "Report on the Preparedness of Disability Action Council's Member Organization Toward Employment of Persons with Disabilities." Phnom Penh: CDPO.

² Sida (2012). "Disability Rights in Cambodia." Phnom Penh: Sida.

³ Ibid.

⁴ Royal Government of Cambodia (1993). "Constitution of the Kingdom of Cambodia." Phnom Penh: RGC.

Convention on the Rights of Persons with Disabilities (CRPD) in 2007 and ratified it in December 2012. In 2009, the Cambodian government adopted “Law on the Protection and the Promotion of the Rights of Persons with Disabilities.” It is a progressive law including non-discrimination in employment and a quota, accessibility, inclusive education, right to vote and so on. **Ratification of the CRPD and adoption of disability rights law are certainly significant milestones for protecting and promoting the rights of persons with disabilities in Cambodia. The challenges, however, lie in the ineffective implementation of these disability rights instruments.**

III. Five Key Concerns

Based on the results of workshop, some of the key concerns of people with disabilities are:

A. Laws, Policies and Action Plans

6. Although the “Law on the Protection and Promotion of the Rights of Persons with Disabilities” was adopted in 2009 after Cambodia signed the Convention on the Right of Persons with disabilities, certain provisions of the law emphasize the impairment of persons with disabilities⁵ rather than the barriers that hinder their full and effective participation in society on an equal basis with others.⁶

7. Many provisions of CRPD were not integrated into this law. Only some rights have been stated in Cambodian disability law—livelihood, physical and mental rehabilitation, health care and prevention, public accessibility, education, employment and vocational training, incentive, and election.⁷ **The law does not address the right of vulnerable groups such as women and children with disabilities and other important rights including access to justice, freedom from exploitation, violence and abuse, freedom of expression and opinion, and access to information, protection of persons with disabilities during situation of risk and humanitarian emergencies etc. enshrined in the CRPD.**⁸

8. Currently, there is no National Policy on Disaster Management. The National Committee for **Disaster Management (NCDM) and the Ministry of Planning (MOP) established an inter-institutional task force to formulate a “Strategic National Action Plan for Disaster Risk Reduction 2008 – 2015” (SNAP). However, this Strategic Plan**

⁵ See, e.g., “Law on Protection and Promotion on the Rights of Persons with Disabilities” (LPPRPD) art. 4 (defining “persons with disabilities” as “any persons who lack, lose, or damage any physical or mental functions, which result in a disturbance to their daily life . . . such as physical, visual, hearing, intellectual impairments, mental disorders and any other types of disabilities toward the insurmountable end of the scale”).

⁶ See article 1 of the CRPD, which states that “[p]ersons 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”).

⁷ See, e.g., LPPRPD.

⁸ See, e.g., CRPD art. 6, 7, 11, 13, 16, 21.

does not specify how to facilitate or provide assistance for persons with disabilities during natural disaster.⁹

9. The implementation of the 2009 Disability Law is still not full and effective. Many enforcement mechanisms or implementation processes are not outlined in the law. Instead, some provisions state that the details of the implementation of the provisions will be specified in sub-decree, prakas or ministerial orders to be issued later by the competent and relevant ministries. **The law requires the adoption of 5 Sub-decrees and 11 Prakases to be fully implemented. As of May 20, 2013, however, only 4 sub-decrees and 2 Prakases have been issued.**

10. Other national policies such as National Strategic Plan and Commune Investment Plan include disability but do not earmark budget for the implementation. **According to the National Strategic Plan (NSDP) (2009-2013), the Ministry of Social Affairs, Veterans and Youth Rehabilitation (MoSVY) will be responsible for strengthening and expanding welfare and rehabilitation services for disabled people, but it does not provide details on how much of national budget will be allocated for the implementation.**

11. Although disability legislation and policies were adopted, the dissemination of the information regarding the existence of those laws and policies to the law enforcement agencies, civil servants, the general public including persons with disabilities, specifically those living in remote area is still limited. As a result, **many people in the country including persons with disabilities are not aware of the rights of persons with disabilities.**

Recommendations:

12. The Cambodian government should **amend the existing disability law** so as to ensure that in every provision of the law disability issues will be addressed from the human right perspective as enshrined in CRPD to ensure full and effective participation of persons with disabilities in all spheres of life. More provisions relating to other human rights of persons with disabilities as enshrined in CRPD should be added to ensure that CRPD is fully and effectively implemented in the country.

13. **The Strategic National Action Plan for Disaster Risk Reduction 2008 – 2015 developed by the government must include strategy for protecting persons with disabilities** during situation of risks and humanitarian emergencies that take into account the vulnerability and needs of persons with disabilities in the relief efforts.

⁹ See e.g. “Strategic National Action Plan for Disaster Risk Reduction 2008 – 2015” available at [http://www.unisdrapps.net/confluence/display/bib/Strategic+National+Action+Plan+\(SNAP\)+for+Disaster+Risk+Reduction](http://www.unisdrapps.net/confluence/display/bib/Strategic+National+Action+Plan+(SNAP)+for+Disaster+Risk+Reduction). Last access May 21, 2013.

14. The government must ensure that all of its national policies and strategic plans address inclusion of persons with disabilities. Those policies should have an **implementing and monitoring mechanism** that specifically evaluates progress made in relation to disability and provide an adequate budget for the implement.

15. The government should **closely consult with and actively involve persons with disabilities, including children with disabilities, through their representative organizations** in developing laws, policies, Sub-decrees and Prakases concerning the rights of persons with disabilities.

16. The government must **strengthen the dissemination of information** relating to the existing laws and policies concerning the rights of persons with disabilities through media such as television, radio, newspaper, brochure, education and training at the community level. The government should also ensure that those laws and policies are available in accessible format for persons with disabilities in the form of Braille, large print, easy to read, and audio formats.

B. Accessibility

17. Article 21 of the Cambodian disability law requires all public places be made accessible for persons with disabilities. **Article 22 states that “the organization for public accessibilities or the means of transportation for persons with disabilities shall be determined by an inter-ministerial Prakas by the Ministers in charge of Social Affairs and other concerned ministries/institutions.”** However, as of May 2013, such Prakas has not been issued.

18. **People with disabilities experience difficulties in accessing public service as most government offices and public buildings do not have ramps, accessible entrance, toilets and people who use wheelchairs are often carried up the stairs in order to access them. Most employers do not provide reasonable accommodation for employees with disabilities in the workplace.**

19. **The Ministry of Transportation does not have a policy or guidelines for accessible public transportation or for making streets accessible through the installation of curb cuts.** Most streets do not have sidewalks. All public or private buses and taxis do not have the physical space needed to load or carry wheelchairs. The bus and traffic lights are not equipped with auditory signal. Therefore, people who use wheelchairs and those who have visual impairment have difficulties travelling alone. They often need assistance.

20. **Access to information for persons with disabilities in Cambodia is still limited resulting in exclusion of persons with sensory disabilities.** The use of Braille, sign language, and easy-to-read materials such as simplified text and pictures for those with intellectual and learning impairment is generally limited to education in specialized schools. The national library does not provide audio, large print or electronic versions of their

materials. There has not been a national standardized of sign language in Cambodia. Although there are more than ten television channels operating in Cambodia, only two provide sign language during news broadcasting. Other education and entertainment programs on televisions do not provide sign language or closed captions.

Recommendations:

21. The government should **accelerate the development of Prakas including sufficient monitoring mechanisms concerning the accessibility standard for public building and transportation**. The guidelines should take into consideration the universal design principles to ensure accessibility for all people.

22. The government must **allocate a national budget for setting up a resource centre for sign language and Braille**. The centre must increase the availability of reading and education materials in accessible formats for all persons with disabilities including intellectual and sensory disabilities. The government should also require state and private media to provide sign language and closed caption in their program and seek technical assistance to this end.

C. Education

23. **Article 30 of Cambodian Disability Law obligates private educational establishment to provide special discounts for school fees, study books and stationary for students with disabilities or military veterans with disabilities. The discount has to be determined by an inter-ministerial Prakas by the Ministers in charge of Social Affairs and Education. As of May 2013, such Prakas has not been issued.**

24. **In 2008, the Ministry of Education Youth and Sports (MoEYS) adopted a “Policy on Education for Children with Disabilities” but this policy focuses only on children with physical disabilities. It excludes children with intellectual and psycho-social disabilities.** The roles and responsibilities of relevant stakeholders in implementing the policy are not clearly specified. Moreover, the policy does not mention a clear monitoring and evaluation mechanism and the budget allocated to implement this policy.

25. Although the inclusive education-training module has been developed and approved by the MoEYS, few teachers have so far been trained on how to assist children with disabilities.¹⁰ The result of a survey on **“current situation of education for children with disabilities” conducted by CDPO with support from Handicap International in 2010 shows that only a small percentage of MoEYS employees surveyed for the research have received training or have resources for teaching children with disabilities.** There is a

¹⁰ UNICEF, “Education”. Phnom Penh, Cambodia.

need for teachers who are trained to teach all children with disabilities including children with intellectual or physical disabilities.¹¹

26. At present, there is little support available for children with disabilities in mainstream public schools. **Special schools for children with hearing and visual impairments do exist in Cambodia. The inclusion of children with visual, hearing, and other disabilities like intellectual disability and Autism in the mainstream schools has not been generally recognized. Special schools are not part of the public schools system under the management of the MoEYS. The non-governmental schools only have the capacity to provide education services to a small population of children with disabilities in Cambodia.**¹²

27. **Only a very small number of children with disabilities have access to Braille or Sign Language education services.** Few schools were viewed by students as being “child friendly”. Many students with disabilities cannot attend public schools because only a few schools have ramps, accessible toilets, and handrails.¹³

28. Vocational training options for persons with disabilities, especially for the blind and those with intellectual disabilities such as autism are limited. **While all the vocational training centers are situated in Phnom Penh and other cities but the majority of disabled people in Cambodia live in the rural area. Because of poor infrastructure and limited and expensive transportation service, many people with disabilities, especially women with disabilities in rural areas do not have access to this training opportunity.**

Recommendations:

29. The government should **accelerate the development of Prakas concerning the discount in education for students with disabilities and ensure that quality education and lifelong learning are available for all persons with disabilities.**

30. The government should **amend policy on education for children with disabilities to include provisions for all students with disabilities including those with intellectual and sensory impairments. A department should be set up to monitor the implementation of the policy.** Provisions relating to operations and budget allocation of this institution should be added to the policy.

31. The government should take measure to ensure that **teachers are provided with training on inclusive education, sign language, and how to facilitate the education of students with all types of disabilities.** All learning materials should be available in formats that are accessible for students with visual, hearing, intellectual impairment and learning

¹¹ Cambodian Disabled People’s Organization (2010). *“Report on Current Situation of Education for Children with Disabilities.”* Phnom Penh: CDPO.

¹² Ibid.

¹³ Ibid.

difficulties. The government should ensure that resources are devoted to develop its sign language education and interpretation and ensure the availability of these to deaf and deafblind persons.

32. Through the audit of all schools, the Ministry of Education should work closely with its provincial network to ensure that **facilities such as ramps are put in place where schools are not accessible and to establish a timeline with goals and indicators for increasing accessibility of all schools.**

D. Political Participation

33. The purpose of the CRPD is to protect all rights of all persons with disabilities including those with mental and intellectual impairments. “Discrimination on the basis of disability” as defined in article 2 means any distinction, exclusion or restriction on the basis of disability which has the purpose or effect of impairing or nullifying the recognition, enjoyment or exercise, on an equal basis with others, of all human rights and fundamental freedoms. Article 29 of the convention protects the rights to political participation of persons with disabilities. Moreover, Human Rights Council resolution A/HRC/RES/19/11 prohibits any exclusion or restriction on the basis of disability in the right to participation in political and public life. Article 44 of Cambodian Disability Law ensures the equal rights for all persons with disabilities to vote or be a candidate for election. Moreover, Article 45 prohibits discrimination and stigmatization against persons with disabilities that run for election. However, **Article 34 and 50 of the Amended Law on Election of Members of the National Assembly (LEMNA) of 2007 prohibits “insane persons or persons under guardianship, who are certified as such by a competent institution” to stand as candidate in the election of the National Assembly and to register.**¹⁴ Similarly, the **Amended Law on Elections of Commune Councils of 2006 prohibits persons that are certified by a competent institution as being insane or under a guardianship to register or vote in the Commune Councils Election.**¹⁵ The restriction based on disability stipulated in these election laws place persons with intellectual or psycho-social disabilities at a high risk of being excluded from these political processes.

34. **Voter registration is generally held at commune council offices or other places in the community such as schools, pagodas, or houses. These places are most often inaccessible** sometimes even located on the second floor and these buildings without ramps.¹⁶

¹⁴ Royal Government of Cambodia. (2007). *“Amended Law on Elections of Member the National Assembly (LEMNA).”* Phnom Penh: RGC.

¹⁵ Royal Government of Cambodia. (2006). *“Amended Law on Elections of Commune Councils.”* Phnom Penh: RGC.

¹⁶ General Election Network for Disability Access (AGENDA) (2013). *“Election Access for Persons with Disabilities in Cambodia.”* Phnom Penh: AGENDA.

35. Currently, the voter lists do not have a section recording the disability of voters. It is the same for candidate list of political parties. As a result, there is no statistics available regarding the number of voters and candidates with disabilities.

36. **Polling stations are usually not physically accessible for persons with disabilities.** In particular, those using wheelchairs and persons with visual disabilities experience the greatest difficulties in accessing polling stations.¹⁷ Of the polling sites observed by Action Disability Development in 2003 General Election, 58% were accessible for wheelchair users. Approximately 37% had steps that prevented people with disabilities from reaching the polling site, and only 7.5% had an entrance ramp.¹⁸ Moreover, most of voting booths and ballot boxes are not accessible to wheelchair users.

37. The Braille ballot templates for persons with visual impairments are available at the polling station since the 2008 General Election. However, election officials are not taught how to use those templates. **Many persons with visual impairment are not aware of the availability of Braille ballot templates due to the lack of information dissemination and voter education.**¹⁹

38. Most of video spots relating to elections that are broadcast on television channels do not provide sign language or subtitle. Political parties do not provide sign language interpretation of their manifesto speeches during the campaign. As a result, **many deaf people do not have access to election information.**

Recommendations:

39. The government should **amend its Election Laws that discriminate against persons with intellectual and psycho-social disabilities** so as to comply with the CRPD, Human Rights Council Resolution A/HRC/RES/19/11, and the Cambodian Disability Law.

40. The government and the National Election Committee should ensure that **all voter registration offices, polling stations, information regarding party manifestos and their speeches are accessible to all persons with disabilities.**

41. The **voter list should have a section to record disability of voters** so as to collect data of voters with disabilities. However, the data collection should be made on a voluntary basis taking into consideration the right to privacy of voters with disabilities. The statistics will make facilitation of voters with disabilities easier.

42. The **National Election Committee (NEC) should provide trainings to election officers** on how to use Braille ballot template. **Information about availability of these**

¹⁷ Ibid.

¹⁸ International Disability Rights Monitor (2005). "Regional Report of Asia".

¹⁹ General Election Network for Disability Access (AGENDA) (2013). "Election Access for Persons with Disabilities in Cambodia." Phnom Penh, AGENDA.

templates should be disseminated widely across the country. The NEC should also ensure that persons with disabilities, including those with visual impairment can serve on the committee on the same basis as other persons.

E. Access to Public Health and Rehabilitation Services

43. **In 2008, the Ministry of Health adopted a “Health Strategic Plan 2008-2015”. Although it is a comprehensive document, there is no provision detailing health care for persons with disabilities.**²⁰

44. According to Sub-decree on pension policy for poor persons with disabilities in the community, persons with severe disabilities and those who have Poor ID card are eligible for free healthcare and rehabilitation services as well as support for transportation. However, **the Poor ID cards have not been issued to persons with disabilities who are eligible for this pension scheme.**

45. There is a lack of health infrastructure and human resource resulting in poor quality of health services throughout the country. **Most of health centers are located in the city and provincial towns. People with disabilities need to travel long distances to receive treatment, which typically entails additional transportation costs making it very difficult for disabled people living in the rural areas to benefit from them.** Even though health centers are available, most of them are not accessible for wheelchair users.

46. Most healthcare providers such as doctors and nurses are inadequately trained on how to communicate, treat, and better serve patients with disabilities. As a result **many persons with disabilities are denied access to healthcare services, especially deaf patients because of untrained medical staff.**

47. **Healthcare for persons with psycho-social disabilities remains problematic.** There is limited number of professional healthcare providers. As of 2010, Cambodia had approximately thirty-five trained psychiatrists and forty-five trained psychiatric nurses for a population of close to fifteen million. While 297 primary care physicians and 270 primary care nurses have also taken basic courses in mental health care, it is estimated that only a small percentage of them actually provide “some degree” of mental health care. **The public mental health system does not allocate any positions for psychologists or social workers, which largely reflects its strong biomedical approach to mental health.**²¹

Recommendations:

48. The government should **adopt policy concerning healthcare for persons with disabilities.** It should allocate national budget for the implementation of the policy.

²⁰ Ministry of Health (2008). *“Health Strategic Plan 2008-2015”*.

²¹ Leitner Center for International Law and Justice. *“Mental Health and Human Rights in Cambodia”*.

49. The government should **build more healthcare centers in remote area and encourage professional and doctors to work in those areas through the provision of incentives.**

50. The government should take measure to ensure that **healthcare providers including doctors and nurses are provided with training on how to communicate and better serve patients with disabilities.**

51. The government should take measures to ensure **that Poor ID cards are issued to eligible persons with disabilities.**