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PERMANENT MISSION OF THAILAND
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The Permanent Mission of Thailand to the United Nations Office and other International Organizations in Geneva presents its compliments to the Office of the High Commissioner for Human Rights, and with reference to the latter's note dated 5 August 2010 requesting relevant information for the preparation of the High Commissioner's study, in pursuant with Human Rights Council Resolution 13/11, to enhance awareness of the role played by international cooperation in support of national efforts for the realization of the purpose and objectives of the Convention on the Rights of Persons with Disabilities (CRPD), has the honour to forward herewith Thailand's status with regard to the CRPD. The Permanent Mission of Thailand hopes that the document attached can provide relevant information in response to the questions contained in the OHCHR's letter referred to earlier.

The Permanent Mission of Thailand would also appreciate it if the information can be made available on the OHCHR website.

The Permanent Mission of Thailand to the United Nations Office and other International Organizations in Geneva avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights the assurances of its highest consideration.



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OHCHR REGISTRY
- 2 NOV 2010
Recipients : CRPD

Thailand

Thailand's status with regard to the Convention on the Rights of Persons with Disabilities (CRPD)

Thailand had been actively involved in the drafting of the Convention on the Rights of Persons with Disabilities (CRPD) since the beginning through its active participation in the CRPD Ad-hoc Drafting Committee. We were among the first countries that signed the Convention on the Rights of Persons with Disabilities (CRPD) on the date that the CRPD was open for signature, which was on 30 March 2007. Various laws and policies related to the equalization of opportunities for persons with disabilities have been put in place in compliance with the CRPD. On 1 April 2008, the Thai Cabinet approved the ratification of the CRPD. The Royal Thai Government regards the CRPD as an effective tool to transform our charity-based society into a right-based society for persons with disabilities. To this end, we are mobilizing resources at all levels to ensure the effective implementation of the World Programme of Action and the Convention and to promote support at the national level. In addition, we are preparing the Country Report and stimulating social awareness of the CRPD to promote and protect human rights and fundamental freedoms for all persons with disabilities.

Human Rights Promotion under the CRPD

The National Office for the Empowerment of Persons with Disabilities, under the Ministry of Social Development and Human Security, has the direct authority and function in dealing with persons with disabilities issues. At present, the Office is developing an integrated 4-year-strategy starting in 2009 to promote human rights of persons with disabilities in Thailand and in the sub-region. The strategy includes:

- 1) fostering social awareness and understanding by translating the CRPD into Thai and Thai Braille and organizing an exhibition on the International Day of Persons with Disabilities (2009);
- 2) implementing the CRPD in central administrative areas (2010);
- 3) implementing the CRPD in provincial administrative areas (2011);
- 4) strengthening and monitoring the efficiency of the multi-sectoral partnership between governmental and non-governmental agencies in implementing the CRPD (2012).

In 2008, Thailand published the Universal Declaration on Human Rights in Thai Braille version and distributed them to schools for visually impaired persons across the country. This was part of our activities in commemorating the 60th Anniversary of the Universal Declaration on Human Rights in order to raise awareness on basic human rights that are inherent in all human beings.

Thailand's progress in the implementation of policies towards Persons with Disabilities

1. Laws and policies on persons with disabilities

The Royal Thai Government has consistently developed disability policies aimed at improving the quality of life of persons with disabilities and enhancing their dignity. According to the 2002 National Statistics Office data, Thailand has 1.9 million persons with disabilities, consisting of about 2.9 % of the entire population (63 million persons).

Between 2007- 2008, Thailand has progressed significantly in enhancing legal standards to ensure the rights of persons with disabilities. Recently, 5 legislations concerning the rights of persons with disabilities have been enforced which include:

- The Thai Constitution B.E. 2550 (2007) contains anti-discrimination provisions and guarantees accessibility to social welfare and services for persons with disabilities;
- The Persons with Disabilities' Quality of Life Promotion Act B.E. 2550 (2007), an amendment to the Rehabilitation of Persons with Disabilities Act B.E 2543 (2000), is a comprehensive rights-based law for persons with disabilities and also contains a strong anti-discrimination section;
- The National Persons with Disabilities' Quality of Life Developmental Plan (Volume III) B.E. 2550 - 2554 (2007-2011) is an integrated approach and guideline for disability development practice for all authorities concerned; and
- The Persons with Disabilities Education Act B.E. 2551 (2008) is intended for persons with disabilities to be able to access education services and other resources at all levels and to improve the Thai educational system to enhance their quality of life and independent living through empowerment.

2. Involvement of non-governmental organizations of persons with disabilities

Thailand has a long experience with non-governmental organizations (NGOs) of persons with disabilities. Since 1983, these organizations have formed themselves into 7 specialized organizations with both centralized and provincial administration. The 7 specialized organizations consist of: 1) the Council of Disabled People of Thailand (CDPT), 2) the Thailand Association of the Blind, 3) the National Association of the Deaf in Thailand, 4) the Association of the Physically Handicapped of Thailand, 5) the Association of Parents for Thai Persons with Autism, 6) the Thailand Association of the Disabled, and the Association for the Mentally Retarded of Thailand. The CDPT is a cross-disability advocator whose activities focus on developing careers and networking with provincial bodies to protect the rights of persons with disabilities at the regional, provincial, district, and community level.

There has been a marked involvement of NGOs, including organizations of people with disabilities in the development of legislation. The CDPT members were invited to serve on the National Committee on Rehabilitation for Disabled Persons in the formulation of ministerial rules and regulations which has been instrumental in maintaining continuous advocacy for the formulation, strengthening and eventual adoption of that legislation over a period of about 10 years, which coincided with the United Nations Decade of Disabled Persons.

These organizations have not only been academically and financially supported and empowered by the public sector, but were offered the opportunity to participate in the disability-related policy making process. As stipulated in the Persons with Disabilities' Quality of Life Promotion Act B.E. 2550 (2007), registered non-governmental organizations and foundations for persons with disabilities are entitled to receive financial support from the "Rehabilitation of Disabled Persons Fund". Some members of these non-governmental organizations are board members of the national and provincial level committees whose role is to promote the rights of persons with disabilities and to mainstream the perspectives of persons with disabilities in related national policies and legislation. The Royal Thai Government involves persons with disabilities on an equal basis with other persons in legislation making process. Senator Monthian Buntan, who was born with visual impairment, is currently a member on the Advisory Committee on Disability to the Prime Minister of Thailand and a member on the Committee on Educational Reform for Persons with Disabilities in Thailand.

3. Gender gap and disabilities

Gender equality has always been a priority on the Thai Government's agenda. The Constitution of the Kingdom of Thailand B.E. 2550 (2007) states in section 30 that all persons are equal before the law and shall enjoy equal protection under the law. Men and women shall enjoy equal rights. Unjust discrimination against a person on the grounds of differences in origin, race, language, sex, age, disability, physical or health conditions, personal status, economic or social standing, religious belief, education or political views, shall not be permitted.

The Royal Thai Government is concerned with the difficult conditions faced by women with disabilities who may be subject to multiple forms of discrimination. Therefore, the Government encourages women with disabilities to participate on an equal basis to men with education, employment and other social activities to be able to exercise their individual autonomy and independence. Women with disabilities are encouraged to sit as board members in committees and subcommittees at the national and provincial levels and even become committee leaders or change agents in some non-governmental organizations. Currently, there are 3-4 organizations formed by women with disabilities in Thailand.

The National Office for the Empowerment of Persons with Disabilities, under the Ministry of Social Development and Human Security, has collected **gender-specific data of persons with disabilities** by registration method in order to analyze economic status in relation to gender of persons with disabilities so that the Office can further assess the needs of women with disabilities on an equal basis with male counterparts. As of March 2009, there are 750,389 (58.6%) male and 439,697 (41.4%) female persons with disabilities who have registered with the Ministry for financial aid and interest-free loans.

4. Education and training for persons with disabilities

The Constitution of the Kingdom of Thailand B.E 2550 (2007) states that "a person shall enjoy an equal right to receive education for the duration of not less than 12 years, which shall be provided by the State, and be of the requisite quality standard, and without charge. The indigent, the disabled, persons of infirmity or persons suffering from a specific state of difficulty shall be accorded the right under paragraph one, and be entitled to such support from the State so as to enable them to receive education comparable to that received by other persons." As for education for persons with disabilities, the National Education Act B.E. 2542 (1999) and its amendment B.E 2545 (2002)¹ and the Persons with Disabilities Education Act B.E. 2551 (2008), which mention the right of disabled persons to education, including cost free education, ability to choose schools and educational institutions that suit their capacities, as well as funds for special technologies and scholarships, are used as the fundamental guidelines for plans and policies with regard to education for persons with disabilities.

Persons with disabilities in Thailand can access education at all levels ranging from early intervention and 12 year fundamental education to college level. Currently, there are 22,722 public and private schools open to children with disabilities and 72 college institutions providing a bachelor to Ph.D. degree for students with disabilities with services related to equipment, assistive devices, sign language interpreters and tutoring. Special vocational education is also provided by 9 public vocational training institutes and also by several private sector institutes. Six hundred persons with disabilities have been trained annually. As a result, the rate of persons with disabilities in Thailand who can access education and training is high at 67.82%, and the number continues to increase annually. This figure represents the success of the Royal Thai Government in ensuring the right to education of persons with disabilities. Moreover, mechanisms and networks of health care centers, school and special education centers at the provincial and community levels have also been established to promote the rights to access welfare and educational services of persons with disabilities throughout the country.

In August 2009, the Office of the Higher Education Commission under the Ministry of Education issued the Regulation on the Promotion of Education for Persons with Disabilities. The regulation has been issued to ensure that all persons with disabilities will be able to receive compulsory education and higher up to university level free of charge. The Ministry will coordinate with both public and private universities to work out the requirements for enrolling persons with disabilities starting from the 2010 academic year. In accordance with such regulation, tuition fees and other education-related expenses will be sponsored by the Royal Thai Government.

In 2009, there are around 5,000 schools in Thailand that are spearheading the campaign to develop programs whereby disabled students can study alongside regular students. There are currently around 99,470 disabled students on this program. There are currently 276,129 students with disabilities in Thailand. While most of them (272,506 students) are in special school for students with disabilities, 1,670 students are also enrolled in vocational schools, while another 1,953 are in higher education institutions such as universities.

5. Employment for persons with disabilities

From the National Statistics Office 2002 Survey, 71.5 % of persons with disabilities over 15 were unemployed and 28.5% were employed. Among the employed persons, 47.5% were self-employed, 29% were in household businesses, and 19.4% were private sector employees. The data also showed that more men with disabilities have jobs than women, numbering 62.7% and 37.5% respectively. To address the issue of the unemployment rate of persons with disabilities, the Royal Thai Government has set up measures and mechanisms to enhance job opportunities for persons with disabilities as follows:

¹ It states that "persons with physical, mental, intellectual, emotional, social, communication, and learning deficiencies; those with physical disabilities; or those who are unable to support themselves; or those who are destitute or disadvantaged; shall have the rights and opportunities to receive basic education specially provided."

5.1 The Rehabilitation of Disabled Persons Act B.E. 2534 (1991) stipulates that both public and private organizations are mandated to hire persons with disabilities to any position in a ratio of 1 disabled person to every 200 regular employees. If employers prefer not to employ disabled persons to work by the set ratio, the employers can donate to the Rehabilitation of Disabled Persons Fund. **On 22 June 2010, the Government approved the draft Ministerial Regulation which increases the proportion of disabled persons from 200:1 to 100:1 and requires the annual contribution to the Fund to be an amount equal to the minimum wage a disabled worker would have been paid. It is expected that the Ministerial Regulation will enter into force within 90 or 180 days after the announcement in the Royal Gazette.**

5.2 Persons with disabilities can obtain loans from the Fund in order to assist in self-employment or to support their self-help groups/organizations. Statistical data revealed that 400 persons with disabilities have been employed each year. Outstanding firms employing persons with disabilities are awarded annually by the Prime Minister on the International Day of Persons with Disabilities. In addition, tax exemptions will be granted, as incentive, to private companies which hire more than 60 % of persons with disabilities.

5.3 The Persons with Disabilities' Quality of Life Promotion Act B.E. 2550 (2007) facilitates on-the-job training and home-based job and provides space for persons with disabilities to do business. As such, **the Community Learning Centers (CLC)** were set up to provide income generating skills training for person with disabilities, such as basic computer training, raising catfish, cotton weaving and batik cloth painting. There are currently over 8,000 CLCs supported by the Office of Non-Formal Education and Informal Education across Thailand.

5.4 Persons with disabilities are encouraged to form self-employment groups to do business in the community. The groups are also expected to provide group training and assistance to product development. Currently, 99 groups in 47 provinces have been formed. The Royal Thai Government also provides entrepreneurship loans from **the Rehabilitation of Disabled Persons Fund** as an investment fund with 5 years repayment term with no interest rate. Between 1995- 2006, about 50,000 disabled persons have been lent more than 1,000 million baht (30 million dollars) to set up their businesses. One outstanding example is the establishment of PWD Outsource Management run by a private disabled individual. The company aims to introduce management approaches and technologies that enable the persons with disabilities to work efficiently. PWD was regarded as Thailand's first job placement firm for the disabled which is being supported by the National Office for Empowerment of Persons with Disabilities under the Social Development and Human Security Ministry. The Office offers venues for training and meetings as well as public relations activities for PWD. With such initiative, persons with disabilities can also work at home by providing outsourcing services through ICT technology. It helps create employment opportunities for persons with disabilities and enable them to earn sufficient income for their living.

6. Access to public transport and other facilities

In addressing this challenge, various pieces of legislation in the country are also in the process of being reviewed. Those that still contain elements of discrimination will be pushed forward for amendment. For instance, the Building Control Act B.E. 2522 (1979) was amended to prescribe guidelines for building to be constructed to be equipped with assistive devices for the elderly and persons with disabilities. The National Persons with Disabilities' Quality of Life Developmental Plan (Volume III) (2007-2011) also contains strategies to promote environment accessibility and facilities. Campaigns and public relations exercises e.g. training, seminars, and media broadcasts have also been implemented to raise public awareness and provide conceptual understanding of accessible facilities for persons with disabilities.

Furthermore, the National Office for the Empowerment of Persons with Disabilities has officially launched the Accessible Building for Persons with Disabilities Project aimed to encourage governmental organizations and private sectors to provide accessible and reasonable accommodation for persons with disabilities by holding a contest for the most friendly building for them this year (2009). The winner will receive a reward of 1,000,000 baht (USD 33,000). So far, 109 agencies from public and private sectors have registered to participate in the contest.

Many public facilities have been developed to accommodate the need of people with disabilities. Recent developments include, for example, the first disabled-friendly sidewalk that was built along a main road of the city of Bangkok. In 2008 the Bangkok Metropolitan Administration planned to improve sidewalks and slopes for wheelchairs on four other main roads in business areas to ensure safer transport of people with disabilities. The National Museum of Bangkok in collaboration with the Thailand Association of the Blind also plans to develop a "touch tour" program in the museum by providing a special corner where the blind can "see" the artifacts on display by touching them. This will help the blind to better understand the subject during their field trip education.

7. Access to information and communications

The recent Persons with Disabilities' Quality of Life Promotion Act B.E. 2550 (2007) underlines the rights of persons with disabilities to ICT accessibility. Thailand's National Electronics and Computer Technology Center (NECTEC) has been developing ICT accessibility including information and communication technology and assistive devices for all types of disabilities. Such devices include audio travel tools for the blind, portable communication tools for the deaf, computer multimedia dictionary, education media and other related devices which have been distributed to persons with disabilities throughout the country.

8. Poverty alleviation through social security and sustainable livelihood programmes

The Persons with Disabilities' Quality of Life Promotion Act B.E. 2550 (2007) stipulates that the State must provide welfare allowance for disabilities. Accordingly, the Government has issued the regulation which requires that every registered person with a disability is entitled to a "Disabilities Allowance" of 500 Baht per month. In 2009, 262,669 persons with disabilities were provided with such allowance. The Government expects to increase the number of the beneficiaries to 440,000 persons in 2010. Moreover, those persons who are over 60 years old are also entitled to an "Old age Allowance" of 500 Baht per month, in addition to the Disabilities Allowance.

Independent Living Centers were set up in three provinces, namely Nakhon Pratom, Chonburi and Nonthaburi as a pilot project to assist persons with disabilities to live independently. The project proved that persons with disabilities who join the project are more independent and happy with their lives, and try to become more involved in community activities. The Ministry of Social Development and Human Security, which is responsible for this project, is planning to introduce Centers to more provinces especially those in more remote areas.

Community-Based Rehabilitation Programmes were also promoted. The programmes run by social volunteers aim to change the attitude of people in the community towards persons with disabilities and try to involve their family members in training so that they can better care for disabled persons in their family. Presently, there are 322,467 persons with disabilities in 50 provinces involved in the community-based rehabilitation programmes. One progressive rehabilitation programme is the assistance to landmine victims. As Thailand is a party to the Mine Ban Convention, the Royal Thai Government is providing medical assistance, prosthesis, physical rehabilitation and encouraging social and economic reintegration of the victims. The Sub-Committee on assistance to landmine victims comprising various government agencies has been established.

Thailand also takes serious concern for the safety of persons with disabilities in time of national disaster. Recently, the Thai authorities have managed the **first tsunami evacuation drill for persons with disabilities** in the event of unexpected natural disaster. The programme has been run by the provincial office of disaster prevention and mitigation in Phuket in the South of Thailand. Physically-challenged people, from the visually impaired to those with listening disabilities, took part in the drill which aimed at coaching disabled people to evacuate to higher ground with the help of fully-abled persons. This program also helps raise the sense of community belonging among local people to help each other especially those with disabilities in the time of need.

The National Health Security Office has recently announced its plans under the **"White Canes" project** to provide training for more than 68,000 blind people nationwide to help them to live independently. The course which lasts for 120 hours will teach skills to facilitate as much as

independence as possible, or to teach a level of functionality that requires the minimum of assistance for the blind.

The Regulation on the Sign Language Service has entered into force in July 2009. Accordingly, deaf people can ask for the service 24 hours a day at the Provincial Offices of Social Development and Human Security for medical and health services, job applications, lodging complaints or others services stipulated in the Regulation.

9. Thailand's role on a regional level

The Royal Thai Government is also playing a leading role in enhancing cooperation within the region to uplift the quality of life of persons with disabilities as well as ensuring their rights.

1. The Asia-Pacific Development Center on Disability (APCD), established under the joint collaboration of the Ministry of Social Development and Human Security of Thailand and the Japan International Cooperation Agency, is carrying out collaboration programs with countries in the region, particularly neighboring countries of Thailand, by providing training programs such as capacity building of NGOs of people with disabilities, community-based rehabilitation and accessibility to information and communication technologies in order to promote the empowerment of people with disabilities and a barrier-free society in the region.

Indeed, the APCD has been at the centre of Thailand's efforts to strengthen regional cooperation. From 18 - 20 February 2009, the APCD in collaboration with the WHO, and UNESCAP, hosted the 1st Asia-Pacific Conference on "Community-based Inclusive Development: Persons with disabilities and their families" in Bangkok. Sub-themes of the workshops at the Conference included:

- Community-based rehabilitation as a grass-root strategy to promote inclusive development;
- Empowerment of persons with disabilities;
- Stakeholders' roles for promotion of Community-based Rehabilitation; and
- Implementation of the United Nations Convention on the Rights of Persons with Disabilities, the Biwako Millennium Framework for Action, and Millennium Development Goals (MDGs) through Community-based Rehabilitation.

The workshops has not only provided an opportunity to bring together over 600 stakeholders from the Asia-Pacific and European regions but also promoted meaningful discussions and exchange of best practices and experiences related to community-based rehabilitation for persons with disabilities in the region. Based on the success of this event, Thailand plans to organize another regional activity on the implementation of the CRPD among Mekong sub-regional countries within this year.

2. The Royal Thai Government is the main sponsor of the Resolution on "Regional Implementation of the Biwako Millennium Framework for Action and Biwako Plus Five towards an Inclusive, Barrier-free and Rights-based Society for Persons with Disabilities in Asia and Pacific" which was adopted by consensus at the 64th Session of the UN Economic and Social Commission for Asia and the Pacific (ESCAP) on 30 April 2008. The Resolution calls upon member states in the region to mainstream the perspective of persons with disabilities in development initiatives, including in efforts to achieve the MDGs and to work more in conjunction with ESCAP in promoting capacity building to implement the Biwako Framework.

3. Thailand's National Electronics and Computer Technology Center (NECTEC) and the Singapore Therapeutic, Assistive and Rehabilitative Technologies (START) Centre will co-organize the 2nd International Convention on Rehabilitation Engineering and Assistive Technology between 13-15 May 2008 in Bangkok. The Convention aims to showcase the latest technologies in assistive device for persons with disabilities.

4. Sport for the development of persons with disabilities is also actively promoted in Thailand. On 20-26 January 2008, the Royal Thai Government hosted the 4th ASEAN PARA Games in Nakhon Ratchasima Province and the Pattaya International Wheelchair Sports co-organized by Pattaya City and the Redemptorist Foundation for People with Disabilities took place between 20-25 August 2008.

5. The Ministry of Social Development and Human Security of Thailand, the World Health Organization and ESCAP co-hosted the 1st Community-based Rehabilitation (CBR) Asia-Pacific Congress between 9-11 December 2008 in Bangkok. The Congress aimed at exchanging best practices and experiences amongst various sectors such as the public and private sectors as well as civil society organizations in enhancing the quality of life of persons with disabilities at the local community level.

6. The Ministry of Social Development and Human Security organized the International Workshop on the Implementation of the CRPD on 22 February 2010. The Workshop aimed to raise awareness on the CRPD among countries in the Mekong sub-region, create sub-regional networks on the promotion and protection of the rights of persons with disabilities, and develop a training course for lecturers on the awareness of the rights of disabled persons (Training of Trainers : Persons with Disabilities Rights Sensitization).