The situation of persons with disabilities in Cambodia

Estimates of the number of persons with disabilities in Cambodia vary significantly, depending on the definitions used. A Census of the National Institute of Statistics in 2004 showed a prevalence rate of 4.7 per cent, while figures from the 2008 Census reached a prevalence of 8.1 per cent of the country’s population. The World Health Organisation (WHO) and World Bank’s World Report on Disability (2011) estimates that 15 per cent of the world’s population have a disability, of whom 2.2 per cent have very significant difficulties functioning. Extrapolating this figure to Cambodia would mean there are over 2 million people with disability and over 320,000 of whom have very significant difficulties functioning.

As a post-conflict country, Cambodia has a number of risk factors which can lead to high prevalence of psychosocial impairments and prevalence of post-traumatic stress disorder is substantially higher than global averages. Little appears to be being done to address this challenge with just 0.2 per cent have very significant difficulties functioning. Extrapolating this figure to Cambodia would mean there are over 2 million people with disability and over 320,000 of whom have very significant difficulties functioning.

The lack of access to appropriate and affordable health, rehabilitation and disability services has a significant impact on the well-being and participation of people with disability in Cambodia. Persons with disabilities are significantly poorer than non-disabled persons. The 2004 Cambodia Socio-Economic Survey (CSES) found that rural persons with disabilities who are heads of households earn one-third the GDP per capita (average income level). It also showed that persons with disabilities are twice as likely to be landless.

Although adults with disability are often marginalised and vulnerable, children with disability are even more so. Issues preventing children with disabilities attending school include social discrimination, lack of transport, assistive devices, physical barriers, teachers’ lack of skills in appropriate teaching methodologies and the need for children to help with housework. A UNICEF study showed that as many as 10.1 per cent of children have disabilities, with cognitive and speech impairments the most common. Children with intellectual disability and their families face significant stigma and discrimination, with very few organisations providing services and support.

Persons who are deaf or have a hearing impairment are particularly marginalised. The word ‘deaf’ translates into Khmer to mean ‘cannot speak’, indicating a lack of understanding of the concept of deafness (loss of hearing). Many people who are deaf are often misdiagnosed as having an intellectual disability. It is established there are over 50,000 people who are deaf in Cambodia and 500,000 with hearing impairment, however just 1,800 people who are deaf have been taught sign language.

Women with disability face the triple burden of discrimination. Recent research found that when compared to their peers without disability, women with disability:

- Experienced significantly higher rates of emotional, physical and sexual violence by household members (other than partners) compared to women without disability;
- Were considered less valuable and more burdensome within the household;
- Were 2.5 times more likely to require permission from a partner to seek healthcare; and,
- Experience higher rates of psychological distress (as a result of partner violence) and are less able to disclose family violence or seek appropriate support (often because communities/NGOs do not seek to include them in prevention/support programs).
The government has shown great commitment towards improving the situation of persons with disabilities by adopting legislation and policies and by ratifying the UN Convention on the Rights of Persons with Disabilities in 2012. The first steps towards support of people with disability in Cambodia came as a result of the legacy of landmines and other Unexploded Ordnance (UXO) and the Asia and the Pacific (UNESCAP) decade for persons with disability ‘Full Participation and Equality of Disabled Persons in the Asian and Pacific Region’; (1993 – 2002). The Prime Minister Hun Sen, who has a visual impairment himself, has also spoken out about discrimination against people with disabilities. This positive attitude has helped policy development, although implementation still lags behind.

To support the Cambodian government in its efforts, the Australian Government and the United Nations Development Program (UNDP), the World Health Organisation (WHO) and the United Nations Children’s Fund (UNICEF) have entered into an agreement on a joint development programme “Disability Rights Initiative Cambodia” (DRIC). It is a 5-year program (2014-2018) funded by Department of Foreign Affairs and Trade (DFAT) of Australian government with a projected budget of AUD$13.1 million.

**Legal and policy frameworks**

The government of Cambodia has taken a number of legislative and policy steps that indicate commitment to advancing the rights of persons with disabilities. In terms of **international instruments**, these steps include:


- Cambodia has signed most of the UN Human Rights documents, including the *Anti-Personnel Mine Ban Treaty* (also known as the Ottawa Convention) in 1999, the *UN Convention on the Rights of the Child* and the *Convention on the Elimination of All Forms of Discrimination against Women* – both of which make reference to protecting the rights of persons with disabilities to fair treatment, appropriate care and full participation in society.

- Signing the *Proclamation on the Full Participation and Equality of People with Disabilities in the Asia Pacific Region* and the *Biwako Millennium Framework for Action Towards an Inclusive, Barrier Free and Rights Based Society for Persons with Disability*.

In terms of **national laws and policies**, the following laws, cabinet resolutions, regulations and policies pertaining to persons with disabilities are the most important.


- The Law on the Protection and the Promotion of the Rights of People with Disabilities of 2009 outlines the ambitions of the government and provides a legal framework for the functioning of the Disability Action Council (DAC) and for the National Acton Plan.

- A National Plan of Action for Persons with Disabilities, including landmine/ERW Survivors (NPA) was also finalised in 2009. To support coordination and implementation of the NPA, a National Disability Coordination Committee (NDCC) was established, comprising largely the same membership as the DAC.

- A number of Decrees were adopted in 2010-2013 for example: Sub-Decrees on the establishment and functioning of Disability Action Council (DAC), Sub-Decree on Organisation and Functioning of the Persons with Disabilities Foundation, Sub-
Decree on Employment Quota System for persons with disabilities; Sub-Decree on disability pension for poor persons with disabilities and the inter-ministerial Prakas (MoSVY and MoH) on the Classification of Disability.

- National Education Law (2008) aims at promoting lifelong education as a means of contributing to personal development and society as a whole. In addition, it recognises the fundamental human rights of students with disabilities on an equal basis with other students.

Implementing agencies
Compared with other countries in the region, Cambodia has a relatively complex governmental structure focused on people with disability. This includes two inter-Ministerial, multi-stakeholder coordination bodies (the DAC and NDCC), three government institution; the DAC Secretariat, the Department of Welfare of Persons and the Persons with Disabilities Foundation - all linked to the Ministry of Social Affairs Veterans and Youth Rehabilitation (MoSVY). In addition there are numerous overlapping committees, sub-committees and working groups. As most of these bodies do not meet regularly, their effectiveness is questionable. Also, the overlap of functions between different institutions results in unclear accountabilities.

The Ministry of Social Affairs, Veterans and Youth Rehabilitation (MoSVY) has the overall responsibility for: ‘Strengthen and Expand Welfare and Rehabilitation Services for People with Disabilities’ – as outlined in its Work Platform 2008-2013. This includes implementation of international conventions, national laws and policies, promoting Braille and sign-language and their use, enhancing efforts to provide economic empowerment, employment, social security, skills training, community-based rehabilitation (CBR)/organising self-help groups, and expanding sports and arts movements for persons with disabilities. The Work Platform does not specify which institution should lead.

The Department of Welfare of Persons with Disabilities has an overall responsibility for; 1) Promoting, monitoring, inspecting and enforcing policies, laws etc. on disability (including preparing cases for court and instituting fines for non-compliance); 2) Being a ‘law consultant’ to people with disability and public and private sector institutions; and 3) arbitrating conflict regarding the Disability Law. It has six sub-entities:

- Statistics and Communication Office;
- Rehabilitation Affairs Office;
- Vocation Training, Job and Conflict Resolution for People with Disability Office;
- Technical Office for Coordinating Disability, Braille and Sign Language;
- Women and Girls with Disabilities, Art and Sport of People with Disability Office; and,
- Disability Rights Administration.

The Disability Action Council (DAC) was established in 1997 as the national coordination and advisory mechanism on disability issues. Its mandate has since been developed and clarified in the Law on the Protection and the Promotion of the Rights of Persons with Disabilities (2009) and in subsequent decrees. The Disability Action Council (DAC) provides a forum to bring together all stakeholders in the sector. The governing board comprises representatives from the leading government ministries, DPOs, NGOs, donors and the business community. DAC is responsible for providing technical advice on disability and rehabilitation, assisting Ministries and other institutions to development policies and plans related to disability and rehabilitation, promoting implementation of those policies, monitoring/evaluating those policies and communicating with relevant national/international communities for the purpose of information exchange and mobilising resources. A permanent DAC secretariat is established within the Ministry of Social Affairs. The major challenges of DAC are:

- Lack of a functioning monitoring mechanism to track activities;
- Limited data on disability and service provision;
- Limited financial, human and technical resources; and,
- Limited coordination and collaboration between stakeholders.
The Persons with Disabilities Foundation is a public administration institution that is responsible for: 1) Funding programs and institutions which assist persons with disability; 2) enhancing the welfare of people with disability, in particular those who are poor and who do not receive services/supports elsewhere, and 3) to provide loans and credits for reasonable accommodation. The Sub-Decree further elaborates the roles and responsibilities of the Fund as follows:

- Provide and manage rehabilitation services and centres;
- Fund implementation of programs providing services for people with disability including in health, rehabilitation and education etc.;
- Promote improved the welfare of and integrate people with disability into the community;
- Collect fines from institutions that do not comply with the Disability Law;

The National Disability Coordination Committee (NDCC) was established in 2009 to support coordination, implementation and monitoring of the National Plan of Action for Persons with Disabilities, including Landmine/Explosive Remnants of War (ERW) Survivors (NPA). The committee comprises of largely the same membership as the DAC and has similar advisory and coordinating functions. The NDCC has also worked with the National Strategic Development Plan (NSDP) processes to promote inclusion of disability aspects and indicators.

There is also the Cambodian Mine Action and Victim Assistance Authority (CMAA), which is responsible for mine clearance, mine risk education, survivor assistance, and related mine action activities.

In 2008 the Ministry of Education, Youth and Sports (MOEYS) presented the Policy on Education for Children with Disabilities. A master plan for the implementation was launched in 2009 to ensure the right of all children with disabilities to an education equal with other children. The Cambodian education sector program is supported by a range of donors, including UNICEF, World Bank and Sida. It is reported by many donors to be one of the best examples of an inclusive education program. It can be viewed on YouTube and on various donor sites.

The Ministry has started to maintain statistics on children with disabilities through the Education Management Information System that monitors the progress.

Despite the good efforts, a survey by Cambodia Disabled People's Organisation (CDPO) and published 2009 in their ‘Report on Current Situation of Education for Children with Disabilities’, showed that some of the information gaps are larger than the Ministry is aware of. There is a need for more effective channels of communication between the Ministry officials and the schools, and the officials’ appreciation of the issues experienced by the children themselves. The survey also revealed a lack of appropriate resources for both children and teachers. Overall, schools seem to be inadequately equipped to handle the needs of children with disabilities.

In 2014 a “Disability Rights Initiative Cambodia” (DRIC) was launched by UN agencies and the AusAID to support the government efforts. It is a 5-year programme that aims to build capacity of duty bearers and rights holders. It is a broad initiative aiming to significantly enhance an enabling environment for persons with disabilities in Cambodia. The programme consists of the following four components:

Component 1 - Supporting Government implementation of the Convention on the Rights of Persons with Disabilities: UNDP will support the Disability Action Council (DAC) to effectively coordinate implementation of the National Disability Strategic Plan (NDSP).

Component 2 - Supporting Disabled People’s Organisations to raise the voice and protect the rights of people with disability: UNDP will support and strengthen the capacity of the Cambodian Disabled People’s Organisation (CDPO) to develop its capacity and functioning.

Component 3 - Supporting rehabilitation systems strengthening: WHO support capacity building of key rehabilitation sector stakeholders, in particular MoSVY and Persons with Disabilities Foundation.
Component 4 - Inclusive governance and inclusive community development: UNICEF support capacity development for subnational government including Provincial Governors, provincial, district and commune decision-makers to implement disability inclusive development.

Accountability measures
The following accountability measures are available to hold the government to account to its commitments:

**Disability Action Council (DAC)** has both a coordinating and a monitoring role. The council has 22 government representatives, 5 representatives from disabled people’s organisations (DPOs), and one NGO representative (disability service provider). Its monitoring tools are still weak and because of its composition it is not able to independently comment on government performance.

**The Cambodian human rights committee** (functional in its present form from 2014) - The committee receives complaints and reports on UN conventions. In its recent report on the convent on civil and political rights the rights of children with disabilities to education and the rights of disabled people to vote was touched upon. It is also responsible to respond to the UPR recommendations.

Main civil society actors
Cambodia has a relatively large civil society community focused on people with disability. This is largely result of the landmine legacy, which led to the influx and high levels of support of International NGOs (INGO) in the 1990’s.

The major disability organisation is the **Cambodian Disabled People’s Organisation (CDPO)**, established in 1994. It is a cross disability organisation with around 10,000 members. CDPO has subnational DPO members in all 23 provinces with a member structure as follows:
- CDPO – Phnom Penh office
- Provincial DPOs and Women with Disabilities Forums
- District Federations, formed by several Self-Help Groups (SHG)
- Village-level SHG

CDPO has three areas of focus: advocacy and rights monitoring (which includes research), communication and awareness raising and DPO development. Over recent years, CDPO has been working to increase capacity for informed advocacy based on research and analysis. CDPO has been undergoing an extensive period of restructuring. It is still not considered to be an “umbrella” organisation - as other national DPOs are not members. Most of its members organise only persons with mobility impairments.

The **Association of the Blind in Cambodia (ABC)** is for the most part, the only other national DPO. Established in 2000, it is a member of the World Blind Union. It mainly engages in service provision to the blind community.

There is no DPO for people who are deaf or hearing impaired. NGOs like the Maryknoll Deaf Development Program and Krousar Thmey have been working to support establishment of such a DPO for many years. One of the key constraints is that there are just 15 Cambodian adults who are deaf and know sign language and can read and write. The two main organisations working with people who are deaf and hearing impaired (Krousar Thmey and the Maryknoll Deaf Development Program) have recently agreed to work together to develop a common Khmer Sign Language, which will also assist in the development of DPO for people who are deaf/hearing impaired. (As a school and with no Khmer Sign Language, Krousar Thmey used American Sign Language).

There is a Parents Association of Children with Intellectual Disability (PACHID) in Phnom Penh and several groups supported by NGOs like Komar Pikar Foundation. There are no DPOs/SHG’s comprising only people with intellectual and psychosocial disability.

Women are generally invisible in the disability movement, especially as leaders, and there is no specific women DPO.
Apart from DPOs, there are several NGOs and INGOs that provide services to and/or advocate on behalf of persons with disabilities. There is also an NGO Forum, which is the focal point for all CSOs, which has been supportive in terms of promoting disability aspects and indicators in the NSDP process.

A challenge facing the disability-focused civil society sector is lack of clarity regarding the differing roles and responsibilities of DPOs and NGOs. For many years, it was NGOs (often INGOs) that defined the priority agenda for civil society efforts on disability and provided support for DPOs to participate.

INGOs which play an important role in the disability sector are e.g. World Vision, Handicap International and Veterans International. The UK based Action on Disability and Development (ADD International) has organised self-help groups in many districts. Other active donors in the area of disability are USAID, EU, AusAID, DFID, CIDA, UNICEF, UN Development Programme.

What Sweden could do: 7 questions to discuss
Coherent with the new results strategy for Cambodia, focusing on democracy, human rights, gender equality and economic empowerment, Sweden could discuss the following:

- Could Sweden do more to keep up-dated with the developments within the area of disability rights and make more deliberate efforts to work inclusive? Examples of resources and tools are
  - Disability and the post-conflict agenda here
  - Involvement of Persons with Disabilities in Conflict Resolution and Peace Building Efforts here
  - Inclusion Made Easy - a quick programme guide to disability in development here
- Could Sweden do more to include disability organisations in capacity building programmes/funding modalities for civil society/human rights organisations? In social and professional events and networks?
- Could Sweden do more to promote inclusion of disability rights monitoring and reporting in the support to human rights institutions and organisations? Especially in relation to follow up on the results of the new legislation and action plans for persons with disabilities and the reporting to the Committee on the rights of persons with disabilities (due in 2015). Monitoring tools can be downloaded here.
- Could Sweden do more to ensure that supported education and skills development programmes are accessible and inclusive of girls and boys with various disabilities, including mental health and linking it to community based inclusive development programmes? Could Sweden do more to promote quality and retention of children and youth with various disabilities in education and skills training programmes at all levels? Resources and tools can be found here.
- Could Sweden do more to seek strategic alliances and synergies with other donors and international organisations that have disability as a key interest? Especially the on going joint UN/AusAID programme, but also CIDA, Japan and the World Bank?
- Could Sweden do more to include women with disabilities in women networks, economic empowerment and in SRHR/GBV initiatives?
- Could Sweden do more to ensure accessibility for persons with various disabilities to economic empowerment programmes such as micro-credits, loans, vocational-skills training, agricultural and rural livelihood programmes and literacy programs - particularly for women and youth with disabilities? Resources and tools can be found here.
References
Action on Disability and Development (ADD International): http://www.add.org.uk
Cambodia Disabled People’s Organisation (CDPO): http://www.cdpo.org/
Cambodia Development Mission for Disability (CDMD: http://www.cdmdcambodia.org/
Cambodian Mine Action and Victim Assistance Authority: http://www.cmaa.gov.kh/
Cambodia Trust: http://www.cambodiatrust.org.uk/
Cambodian Volunteers for Community Development: http://www.cvcd.org.kh/
Capacity Building of Disabled People in the Community Organization: http://cabdico.org/
Deaf Development Program of Maryknoll: http://www.parish-without-borders.net/ddp/index.html
Handicap International http://www.handicap-international.org.uk/where_we_work/asia/cambodia
Landmine Development Service National Centre of Disabled Persons: http://www.ncdpcam.org/
Pour des Souris des Enfants (PSE): http://pse.asso.fr/
Transcultural Psychosocial Organisation: http://www.tpocambodia.org/
Veterans International: http://www.ic-vic.org/
World Vision Cambodia: http://www.wvi.org/cambodia
YODIFEE Cambodia: http://www.yodifee.org/

Disability Rights Initiative Cambodia (DRIC) programme document

Inclusion of People with Disabilities in Cambodia, UN International Labour Organisation 2009

UPR report from the Cambodian disability organisations:

Sida's tools on disability: Disability as a human rights issue – conducting dialogue,

Dfid’s study on the inclusion of persons with disabilities in the PRS (2005) Poverty reduction and development in Cambodia: Enabling disabled ...

The human rights of persons with disabilities are a Swedish government priority. As a service to staff, briefs have been prepared to provide basic information about the situation of this (often forgotten) group and inspire discussions on what Sweden could do to better include disability rights in diplomacy and programming.