

**Commonwealth Disabled People’s Forum**

**c/o World of Inclusion**

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**CDPF Brief Information on Implementation of UNCRPD Questionnaire.**

Will all DPOs supporting the Relaunch of the Commonwealth Disabled People’s Forum and/or their delegates please ensure this form is completed and emailed back by 3rd June 2019. Delegates in their introduction of 3 minutes will be asked to summarise on 13th June General Assembly. Return to [rlrieser@gmail.com](mailto:rlrieser@gmail.com) by 3rd June 2019

1.Name of your DPO Damai Disabled Person Association Malaysia,

a national based DPO, and one of the active partners in Harapan OKU and BEAT coalition.

Harapan OKU is a cross-disability, cross-sectoral coalition of civil society entities at national and local levels, and individuals, working together for stronger legislations and policies to protect and uphold the rights of persons with disabilities in Malaysia.

BEAT (Barrier-free Environment and Accessible Transport), is a cross disability coalition with representation from DPOs (national and state), CSOs, disabled individuals, family members, carers and supportive friends, working collectively to promote a barrier-free environment and accessible transport for all, including people with disabilities.

2. Name of your country.

Malaysia

3. Has your country ratified the UNCRPD and when?

Yes, Malaysia signed the Convention on 8 April 2008 and ratified it on 19 July 2010

4. What has your country done to Implement the UNCRPD?

As a State Party, Malaysia is bound to undertake its commitments and obligations under the Convention and also obligated to introduce measures that promote the human rights of persons with disabilities without discrimination.

In November 2012, Malaysia together with other member states of UN Escap has adopted the Ministerial Declaration on :

- the Asian & Pacific Decade of Disabled Persons, 2013-2022; and

- the Incheon Strategy to Make the Right Real for PWDs in Asia and the Pacific.

These serve as part of government's strategy to move forward towards building a stronger policy framework to mainstream persons with disabilities and to ensure their effective participation in the society.

PWDs Act 2008 came into force on 7 July 2008.

-The Act provides for the registration, rehabilitation, development and well being of PWDs, the establishment of the National Council for PWDs, and for matters connected therewith

- The Act is aimed to ensure that the rights, interests and wellbeing of PWDs in the country are protected

Drafted after taking into consideration provisions stated under the United Nation Convention on the Rights of Persons with Disabilities

The National Council for PWDs was established on 14 August 2008 and chaired by the Ministry of Women, Family and Community Development.

Among the Council's functions (Section 9, the PWDs Act 2008) are :-

- to monitor the implementation of the national policy and national plan of action relating to pwds;

- to make recommendations to the Government on all aspects of PWDs (eg support, care, protection, rehabilition, development and well being of pwds).

National Plan of Action for PWDs 2016-2022 was initiated, focusing on 10 strategic cores, in line with the Incheon Strategy development goals.

However, implementation has been slow and fragmented. The Act lacks enforcement power and redress mechanism. Neither does it have provision for punitive measures in the case of any violation of the rights of pwds. As a result, the Act only serves to promote and not protect the rights of pwds in Malaysia.

National Council for PWDs has to play a more effective role as a coordinating body for multi sectoral collaboration effort involving all relevant Ministries, departments and related agencies at national and local levels, in urban and rural areas.

5. How much is your DP0 involved in implementation with the Government of your country?

Actively involved thru regular meetings/dialogues, consultative sessions, sharing of talks at seminars, awareness programmes, conduct DET, occassionaly joined in protests/rallys to highlight certain issues.

Sits in as a member of the National Council.

Thru BEAT, we coordinated ourselves among the national DPOs and organised ourselves in one voice, to demand for public transport and built environment, to be made accessible for all people including pwds. We worked closely with the Government in ensuring that all mass rapid transit systems are of internationally accepted standards and all new buses purchased must be accessible type of buses. We also demanded that the feeder buses which serve as the "first and last mile" connectivity to and from stations be equipped with access features.

AirAsia, Malaysia's budget airline once refused to carry a passenger on wheelchair without an accompanied person although their tagline is "Now Everyone Can Fly". Thru BEAT we protested and hit headlines. We got AirAsia big boss to see us within days! Our issues were resolved and now we can fly in AirAsia! At the same time, AirAsia engaged BEAT to provide Disability Equality Training (DET) and Disability Related Services Training (DRST), in its effort to serve us better. This was the first time DET was introduced in Malaysia with the support of our resource person, Dr Kenji Kuno, Senior Advisor (Social Welfare) and Japan International Cooperation Agency, JICA. BEAT also helped AirAsia expand the DET and DRST to Thailand and Indonesia. Today, AirAsia is serving hundreds of passengers on wheelchairs everyday!!

KLIA2, Malaysia's new budget airport which was then under construction, was to be built without aerobridges. Thru BEAT, we had series of protests and demanded that the newly constructed airport be equipped with aerobridges for the comfort, safety and ease of movement of all passengers especially passengers with disabilities. Again, we hit headlines! We got Minister of Transport and the Cabinet intervention! The rest is history! Today, we are proud to say that because we spoke up, we got the decision reversed and our new budget airport KLIA2 is now equipped with aerobridges!!

In 2018, Harapan OKU coalition, did an Open Letter, addressed to the Prime Minister of Malaysia and Minister of Women, Family and Community Development, supported by 300 signatories including 120 DPOs nationwide. The Open Letter called for :

a) New and strong legal protection against disability discrimination

b) Establishing an independent commission with full enforcement powers, to uphold the rights of persons with disabilities in Malaysia,

c) Ratifying the Optional Protocol to the CRPD and withdraw of the previous Government's reservations to Articles 15 and 18 of the CRPD.

d) Amending Article 8(2) of the Federal Constitution to prohibit discrimination on ground of disability

We are expecting a series of meetings and dialogues to be held with the Ministry top officials from time to time. We will continue to pressure until we see results.

6. Has your DPO been involved in producing a shadow report to go to UNCRPD Committee and How?

No.

7. What progress has been made on implementing Inclusive Education?

Malaysia Education Blueprint 2013-2025, divided into 3 phases. Phase 1(2013-2015) focussed on strengthening foundations with a target of 30% of special needs students to enrol in inclusive education programmes. Phase 2(2016-2020) - scalling up initiatives, aimed at strengthening teachers training programmes and to further improve the provision of support and opportunities for students with special needs, working in partnerships with NGOs, international organisations as well as public & private sector. Phase 3 (2021-2025)- evaluating and consolidating initiatives, aimed at every child with special needs has access to a high quality education that is tailored to his or her particular needs, every teacher is equipped with basic knowledge of special education; with target of 75% of students with special needs enrolled in inclusive programmes.

We now have a "zero reject" policy where no child shall be rejected and denied school because of his/her disability. However, implementation is yet to be seen as there are many issues that need to be resolved and addressed.

8. What progress has been made on social protection for PWD?

The government is moving towards productive welfare approach. Under productive group, skills training and income generating opportunities are provided to promote self reliance. Non productive group is provided with welfare assistance or financial aids, shelter, health care and subsidized services under certain criterias and eligibilities.

Welfare Assistance includes :-

Aid for Asistive Devices ( actual cost)

Disabled worker allowance of rm 400 per month for those who earn rm 1200 and below.

Special aid to the disabled who are unable to work of RM250

9. What progress has been made in implementing employment opportunities for PWD?

To encourage and increase the participation of pwds in employment, policy on 1% job opportunity in the public sector is reserved for qualified pwds.

Job Coach services provides assistance to both persons with disabilities and employers, Help pwds get suitable jobs according to their eligibility, abilities, skills and knowledge.

Job Matching and Placement System for Pwds (SPOku) allow job matching of the right candidates with the right job.

Self employment offers pwds the flexibility n freedom to work at own pace.

Government also give tax incentives to private sectors who want to employ pwds.

10. What progress has been made on challenging negative attitudes and stigma to PWDs

The perception is slowly changing. More and more pwds are coming out and move around within the communities. However, much more need to be done to change the negative perception of pwds and to see pwds as human rights issue.

11. What progress has been made in achieving gender equality

or PWD ?

Not much focus on gender equality for women and girls with disabilities in Malaysia.

Much more effort is needed to pursue gender equality of women and girls with disabilities in all areas of life, especially those in rural areas.

12. What capacity building does your DPO need? Identify areas

Political Rights Consciousness

Gender Sensitisation

Rights Based Leadership Skills

Writing Project Papers

Self Awareness and Self Empowerment

Computer Enhancement skills

13. If you are the National Umbrella DPO how do you operate democratically with other DPOs?

Freedom to speak, work in full consultations, decision on consensus,

14. If you are an impairment specific, particular focus or regional DPO how do you work with Umbrella DPO?

Adhere to the Constitution of the Umbrella Body and always refer to the spirit and principles of the UNCRPD

15. If there is no national; umbrella DPO. How could one be built?

There are umbrella DPOs in Malaysia- Malaysian Confederation of Disabled (MCD) and Malaysian Council for Rehabilitation (MCR)

16. How does your DPO get funded?

Mainly from public support

17. What training capacity does your DPO have?

Disability Equality Training (DET)

Advocacy

18. What regular training do you provide for PWD?

Disability Equality Training

19. How does your DPO involve young DWP?

Encouraging them to be involved and to participate in the activities held.

20. Does your DPO have any experience working in a humanitarian disaster?

No Experience