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Mongolia

UNDP PROJECT "POVERTY RESEARCH AND
EMPLOYMENT FACILITATION FOR POLICY
DEVELOPMENT" PHASE II



Mongolia

**FOR A BETTER ECONOMIC AND
SOCIAL INTEGRATION OF PERSONS
WITH DISABILITIES IN MONGOLIA:
CURRENT SITUATION AND
PERSPECTIVES**

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The Government of Mongolia has started implementing the second phase of a UNDP-supported project "Poverty Research and Employment Facilitation for Policy Development" Phase II (PREF). The policy context for the project is set by Mongolia's newly approved MDG-based National Development Strategy (NDS 2007-2021) which is aimed at halving the poverty rate by 2015 using economic growth and employment generation as the main strategies to achieve this objective. The implementation of the NDS calls for a much stronger data and information base of poverty reduction policies and a heightened capacity for policy analysis and policy and programme management.

PREF II supports the continued building of the national capacity to use poverty, labour and disability data as well as the human development paradigm for an improved impact of poverty reduction policies and programmes. The project supported poverty mapping (Component 1); streamlining the basic labour statistics system and updating of labour force and time use data (Component 2); production of the National Human Development Report for 2010 and poverty policy studies (Component 3), and the improvement of the policy and programme framework for better economic and social integration of persons with disability (Component 4).

The Government of Mongolia is committed to creating a support system for persons with disability to participate in everyday life in a meaningful manner. Therefore, strengthening existing national policy framework to integrate persons with disabilities into mainstream society is one of the priorities for the Ministry of Social Welfare and Labour of Mongolia (MSWL). Consequently, the Parliament of Mongolia has ratified the UN convention on the Rights of Persons with Disabilities in 2008. MSWL is responsible to ensure rights of the persons with disabilities as ratified in the UN convention. Thus, MSWL proposed support for a review of the existing national policy framework in line with the UN convention on the Rights of Persons with Disabilities and to develop recommendations to strengthen the existing policy framework.

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Title

For a better economic, social and psychosocial integration of Persons with disabilities in Mongolia: Current situation and perspectives

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Abstract

This work will build on UNDP Mongolia /MSWL on-going capacity-building initiatives to promote Capacity building, increasing educational opportunities of persons with disabilities (PWDs) at local and national level.

The work is based on five major sections:

- The first one based on vision, goals and objectives.
- The second section on definitions of disabilities.
- The third section on UN Convention Rights of PWDs and their compliance with Mongolian laws.
- The fourth section compares the main articles of the CRPD with Mongolian law and gives specific recommendations to the ministries.
- The last section concentrates the different approaches tested on a local level for finalization during national conferences and round table discussions and their dissemination using new technologies.

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INTRODUCTION

On December 13th, 2006, the United Nations General Assembly adopted the convention on the rights of persons with disabilities. Today in November 2010, there are over 700 Million persons with disabilities (PWDs) in the world and more than 100 000 in Mongolia. (79 000 registered officially at the end of 2008 according to National Statistical Office corresponding to 3.8 per cent of Mongolian population and probably much more). Half of them live in urban areas.

Mongolia ratified the UN Convention on the right of PWDs on 19 December 2008. In doing so, the government of Mongolia agreed to recognize, ensure and promote the rights of PWDs to enable their full and effective participation in society, including the right to education and the right to work.

This document conceived broadly in terms of access and quality is an opportunity to identify the situation of PWDs in Mongolia today and to rebuild solidarity between valid and non-valid people through a legal, social and psychosocial approach.

The concept of Employment facilitation for PWDs can be understood as shared values, attitudes, and behaviour and respect for fundamental rights and freedoms, understanding, tolerance and solidarity. It originates from the participatory empowerment of the marginalized, and on the sharing and free flow of information, and maintains that disability is not only the absence of visible difference, but requires a positive, dynamic participatory process where dialogue is encouraged and conflicts are solved in a spirit of mutual understanding and cooperation.

Generally speaking, the problematic of Disability is a multifaceted issue and educing it to strict handicap considerations or purely cognitive needs would be a strategic mistake. The magnitude of the problem is such that it reaches a socio-economic, societal and cultural level.

The Mongolian Social Security Law for People with Disabilities (SSLPWD) provides the legal framework for Disabilities in Mongolia. This law was approved by Parliament of Mongolia in December 1995 and amended in November 1998. The implementation of this law is the responsibility of Ministry of Social Welfare and Labour of Mongolia (MWWL). According to this official document, persons with disabilities are those with limited physical or mental disabilities, either genetically inherited or acquired during life, people born with disability caused by illness or accident limiting full ability to work, mute persons or people diagnosed with sight, hearing, body or mental disabilities.

I VISION, GOALS AND OBJECTIVES PROPOSED

I. 1 Vision

The vision proposed in this document is aimed at improving access to employment/health/social opportunities of PWDs and should be viewed as an opportunity for all to develop effective programmes in Mongolia with the following objectives:

- Developing a participatory approach
- Developing additional synergies among the actors involved in the problematic of disability.
- Contributing to the development and dissemination of best practice.
- Strengthening awareness.
- Acting as a catalyst for regional, national and international action in disability.
- Fostering cooperation with all actors and networks.
- Supporting governmental structures with recommendations to help them to function more effectively, in particular in the legal, health, education and social spheres.
- Strengthening the national policy framework to integrate persons with disabilities into mainstream society.

Education and training programme for PWDs proposed is based on existing teaching and training methods combined with new approaches and techniques (Psychological, pedagogical, medical and social approach and use of new technologies).

I. 2 Goals and objectives proposed

The goal of this document is to improve the ability of children, young adults and adults to fulfil their rights as articulated in the “Declaration on the Rights of Disabled Persons” by the General Assembly of the United Nations, 1975 and the “Convention on the Rights of Persons with Disabilities”, 2007. The objectives of this document are to:

- Improve the political and legal framework for the realization of the rights of PWDs in Mongolia.
- Strengthen the campaign to reduce discrimination, marginalisation, and to break the culture of silence as a national emergency.
- Assist civil society and the Government of Mongolia to implement research-based communication to influence positive attitudes to contribute to the protection and respect for the rights of PWDs.
- Create a positive environment to reduce stigmatization, negative attitudes and to realize the rights of the PWDs.
- Integrate disability as Human Rights in curricula.
- Strengthen national capacity in programme monitoring and evaluation.

This document will also propose specific recommendations for strengthening a gender and inclusive policy environment for the economic and social integration of PWDs in Mongolia.

II. 1 Definition of disability

For decades, the medical model of disability was the only model available but it now coexists with a social construction. Other definitions in social sciences are used including the economic model of disability as the inability to participate in work, the charity model or the moral model of disability which refers to the attitude that people are morally responsible for their own disability.

A more comprehensive Human Rights approach has been adopted by many international organizations. On December 2006, the United Nations agreed on the “Convention on the Rights of Persons with Disabilities” (CRPD, 13 December 2006, UN Headquarter) “to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities”. In terms of its content, the CRPD establishes disability not only as a social welfare matter but as a major Human Rights issue and matter of law. As a matter of fact, major elements are gradually introduced in this key document such as anti-discrimination, equal opportunities and active inclusion measures. The rights recognized in the CRPD cover almost all policy fields including employment social, educational and health policy.

II. 2 Definition of PWDs in UN-Convention

Those who have 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.

II. 3 Disability classification at international level (WHO)

The Internal Classification of Functioning, Disability and Health (ICF) produced by the World Health Organization (WHO) makes a clear separation between body functions (physiological or psychological) and body structures.

The ICF lists 9 different domains of functioning which can be affected:

- Learning and applying knowledge
- General tasks and demands
- Communication,
- Basic physical mobility
- Domestic life
- Self-care
- Interpersonal interactions and relationships
- Major life areas
- Community, social and civic life including employment.

III UN-CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES AND COMPLIANCE WITH MONGOLIAN LAWS

The Constitution of Mongolia provides protection of the general rights of the Mongolian population and acknowledges the fundamental principal of equal rights for employment, education and health care for all Mongolians and right for material and financial assistance for PWDs.

UN Convention on the Rights of PWDs with additional protocol was ratified on 13th December 2006 at UN 61st General Assembly. In December 2008, Mongolia joined the convention. The Mongolian Government urged to sign the Convention to provide Mongolia's clear support for principles of this landmark treaty and to improve the country's efforts towards PWDs.

The contribution of this convention underlines a "paradigm shift" in attitudes and approaches. PWDs are not viewed any more as "objects" of charity but considered as human beings, active members of the Mongolian society with rights, capable of claiming those rights and making decisions for their lives based on their free and informed consent.

By joining the Convention, Mongolia undertakes the following obligations:

- The country accepts its legal obligations under the treaty and will adopt implementing legislation.
- Countries that ratify the convention will need to report regularly on their progress to the Committee.
- States are now obliged to introduce measures that promote the Human Rights of PWDs without any discrimination.
- Eliminate laws and practices that discriminate PWDs.
- Consider PWDs when adopting new policies and programs.

Mongolian laws reflect the rights of PWDs according to CRPD recommendations. For most parts of the convention, Mongolian laws can be viewed as either being in phase with the mandates of the Convention or capable to reach those levels either through a better implementation and/or additional actions. In addition to highlighting areas of harmonious thresholds of legal protection, this section also brings policy proposals which would help to reinforce existing laws and regulations.

In 2007, significant amendments were made to seven laws to meet the requirements of the Convention. Further attempts will be made in 2010/2011 with the most important laws to include points concerning employment and social welfare of PWDs.

The following Mongolian laws have articles related to the rights of PWDs in Mongolia:

- Law on Social Welfare (1st December, 2005)
- Law on Social Welfare of Disabled Persons (15th Jan, 2008)
- Law on Social Welfare of Elderly People (15th Jan, 2008)
- Law on Labour (May 1999, last amendment: May 2008)
- Law on Pension, Benefits and Payments from the Social Insurance Fund (May 2008)
- Law on Employment Facilitation (19th April, 2001, last amendment: January 2008)

By October 2010, the following laws are still to be amended:

- Law on Labour
- Law on Social Welfare
- Law on Employment Facilitation

These laws collectively aim to protect Mongolians with disabilities from discrimination.

The following articles identified as currently having the most significant gaps between Mongolian law and policy and the CRPD, we will focus on the following articles:

Article 9- Accessibility. Current under-enforcement of Mongolian laws creates a gap between legal requirements and reality.

Article 19 - Living independently and being included in the community. Current Mongolian law and policy limits the right to live in the community to services that do not cause fundamental alterations.

Article 24 - Education. Current Mongolian laws on Education do not have specific articles on protecting the rights to education for children with disabilities or have paragraphs which seek to develop children's full potential.

Article 27 - Work and Employment. Current Mongolian laws do not provide equality measures, such as vocational training, affirmative action, or job set-asides.

Article 28 - Adequate standard of living and social protection. Current Mongolian law does not recognize economic or social protections as rights.

IV COMPARISON OF THE MAIN ARTICLES OF CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES WITH MONGOLIAN LAWS AND RECOMMENDATIONS TO MINISTRIES

We have concentrated our efforts on issues of importance for the well-living of PWDs in Mongolia such as accessibility, freedom of expression and opinion, access to information, education, health and rehabilitation and, last but not least, work and employment.

IV. 1 Accessibility

IV. 1. 1 Comparison of CRPD and Mongolian Law on Disability Issues

The Mongolian government has developed laws, standards and regulations covering many of the issues addressed in Article 9.

Table 2: Comparison of CRPD and Mongolian Law on Disability Issues

UN-Convention	Mongolian Law	Current Situation
<ul style="list-style-type: none"> - Live independently and participate fully in all aspects of life, - Ensure access to the physical environment, to transportation, to information and communications - Information, communications and other services, - To develop and monitor the implementation of minimum standards and guidelines - Provide training for stakeholders on accessibility issues facing PWDs - To provide in buildings and other facilities open to the public signage in Braille and in easy to read and understand forms; - Provide forms of live assistance and intermediaries, including guides, readers 	<p>Law on Construction, amendments (Art.3) Art 3: Buildings should conform to the requirements for accessibility for PWDs Art 10: Building architecture and design should already include the facilities for PWDs</p> <p>Amendments to the City Development Law: Art 20: Creation of Infrastructure for PWDs 20.1. Follow the norms and regulations of public administrative institutions ensuring accessibility to different social infrastructure 20.2. The licenses of companies which do not follow the regulations will be revoked</p> <p>State standard: instruction to plan roads for pedestrians and PWDs, MNS6056, Space and environment of PWDs in planning of civil construction MNS6055</p>	<p>Case study 1: ADB-City Planning Project</p> <ul style="list-style-type: none"> - Laws and regulations exist - No existing structure for enforcing the law (like representatives of PWDs in construction evaluation committees)

It is generally admitted that the cost of building in these features at the time of construction is minimal. It has been shown that making buildings accessible adds less than one percent to construction costs.

IV. 1. 2 Recommendations to Ministry of Transportation, Construction and City Planning

- Better implementation through mutualisation of expertise (transportation and construction).
- PWDs and special architects/engineers integrated in the decision process in particular in the building construction commission.
- Advocacy on special equipment needed for PWDs in offices, hotels, restaurants, markets, banks, hospitals, schools, public service buildings such as access ramps, toilets, wide doors and specific designated and marked disabled parking spaces the shortest distance from a building entrance. Violation of the law should carry a fine (to be determined).
- Support of international organizations such as the United Nations Center for Human Settlements (UNCHS/HABITAT) is needed to develop technical models for housing to promote independent living of PWDS.
- Common programmes in close cooperation with specialized United Nations agencies (UNICEF, UNDP, UNESCO, and ILO) and NGOs are recommended.

Example:

The government of China is improving environmental accessibility for PWDs through the adoption of the design code of urban roads and buildings for the accessibility of PWDs, and barrier-free design has been introduced in the academic curriculum of the construction design.

IV. 2. Freedom of expression and opinion, access to information

IV. 2. 1 Comparison of CRPD and Mongolian Law on Freedom of Expression and Opinion, Access to Information Issues.

According to Article 21, the Mongolian government provides effective communication to PWDs, including information in accessible formats.

Table 3: Comparison of CRPD and Mongolian Law on Freedom of Expression and Opinion, Access to Information Issues

UN-Convention	Mongolian Law	Current Situation
<ul style="list-style-type: none"> - Right to freedom of expression and opinion, receive and impart information and ideas on an equal basis with others - Providing information intended to PWDs in accessible formats and technologies appropriate to different kinds of disabilities - Accepting and facilitating the use of sign languages, Braille, augmentative and alternative communication, and all other accessible means - Urging private entities that provide services to the general public, including through the Internet, to provide information and services in accessible and usable formats for persons with disabilities; - Encouraging the mass media, including providers of information through the Internet, to make their services accessible to persons with disabilities; - Recognizing and promoting the use of sign languages. 	<p>Mongolian Constitution:</p> <ul style="list-style-type: none"> - "...16\ right to freedom of reliability, expression of opinions, speech, publishing, having peaceful demonstration. Rule of demonstration is regulated by the law." - "17\ have right to search and receive information on issues except confidential ones that are protected by state or its agencies. - "National programme to Support PWDs" and "Sub-programme to Support Participation of Children with Disabilities" was approved by Government resolution 283, 19 Nov, 2006 and is being implemented. 	<ul style="list-style-type: none"> - 13.2% of total broadcasting time of MNB-National TV or daily 2 hours 10 minutes are presented with sign language - Most of PWDs don't understand it because of poor realization of unified sign language system introduced in 2007 (National Association of NGOs for PWDs, 2009) - 40 minutes of broadcasting are offered to associations of PWDs per month (this opportunity is not fully used). - Sign language and Braille is not used in public institutions and in official use. - Good efforts to improve access to information in general but the absence of printed materials in Braille, limits access to information for blind.

IV. 2. 2 Recommendations to Ministry of Social Welfare and Labour

The law should protect the rights of PWDs in all aspects of public life including the right to use streets and all public places, amusements and resorts, public conveyances, places of public accommodation.

- Creation of official web sites dealing with disabilities and Human Rights issues.
- Look at service delivery opportunities through UN agencies and international NGOs.
- Develop special section of Braille books and audio books and materials in public libraries for visually impaired persons.
- Create a list of sign language interpreter's available aimag by aimag.
- Use of traditional media/radio, TV, Newspapers:
 - To break the culture of silence on Disabilities and Human Rights as a national strategy.
 - To build progressive commitment to participatory approaches, influence values and attitudes.
- Use of new technologies: Web sites, Blogs, Chats, Forums, Video on internet :
- Development of internet links with other UN sister agencies, NGOs and associations of PWDs locally and internationally.

IV. 3 Education

IV. 3. 1 Comparison of CRPD and Mongolian Law on Education Issues

Mongolian law has improved significantly from a time when children with disabilities were generally educated in separate specialized institutions. The Education Law in Mongolia (ELM) outlines basic rights for education. The Mongolian Social Security Law for PWDs (MSSLPWD) defines the specific type of support for individual and defines entitlements for education, employment, recreation and social services for PWDs, in particular article 8 of the law covering education and vocational training for PWDs states:

- 1) The state shall support education and vocational training for PWDs in the mainstream system unless the person has a transmittable disease.
- 2) All level of education including vocational training institutions, should not refuse PWDs.
- 3) Preschool age children with disabilities have the right to attend preschool education institutions.
- 4) The State shall support education, college, vocational education and higher education for students with disabilities.

Nevertheless, there are some gaps with what Article 24 sets forth. Current education Law has no definitive provisions facilitating the learning of Braille, the learning of sign language and the promotion of the linguistic identity of the deaf community, or provisions to employ teachers with disabilities. Special laws in all levels of education such as the Law on Education, Law on Pre-school Education, Law on Primary and Secondary Education Law were ratified. But there is no specific law that outlaws students with disabilities from attending regular public schools. As Johnstone (2002) notes, there is a common conception among teachers in Mongolia that students with special needs should be educated in special schools. However, there are few special schools for students with disabilities in Mongolia, and the ones that do exist cater mostly to students with visual and hearing impairments. These schools are located in Ulaanbaatar.

The Mongolian Constitution, ratified in 1992, calls for equal rights for all people in all sectors. “There are no laws or policies that specifically discriminate against PWDs in terms of education, both secondary and higher” (Johnstone, 2002). The Mongolian Social Security Law for People with Disabilities has a great effect on students with disabilities. Article 8, as translated and explained by UNESCAP (2003), outlines education and vocational training for people with disabilities. This law provides for equal access to education (regular and vocational) with the only exception being if the student has a transmittable disease. However, it does not provide for additional funding or services for those students, it merely says, “The State, community, parents, and caregivers should support opportunities for the student’s attendance in school” (UNESCAP, 2003).

Another important law that affects students with disabilities is the State Social Welfare Law of Mongolia (SSWL). This law defines the welfare services that are available for people with disabilities. A few of the provisions include: fuel for heating during the winter for people with disabilities, one-way transport costs for people with disabilities living in remote areas for a yearly check-up, reimbursement of the cost of an orthopaedic device (once in a lifetime), reimbursement for the cost of a wheelchair (for people under 16 years old and once in a lifetime), hearing equipment (free the first time and a 50% discount on the next piece of hearing equipment), reimbursement for the transportation costs home upon graduation for students with disabilities, reimbursement of transport for trips to the provincial centre, and 50% of the cost of visiting the hospital once a year (Zinamider, 2002).

The related literature states that these provisions are insufficient. In his argument Johnstone, in 2002, highlights the need for a special law that pertains only to people with disabilities.

There are no definitive provisions facilitating the learning of Braille, the learning of sign language and the promotion of the linguistic identity of the deaf community, or provisions to employ teachers with disabilities.

Access at kindergarten level and primary level is especially difficult for Children with Disabilities. Lack of infrastructure, lack of professionals, and lack of educational materials contribute to the emergence of future adults without the ad hoc tools to survive in modern Mongolian society.

Another point of consideration is that the current big plan related to the revival of vocational training sector in Mongolia (with the help of international donors and business institutions such like MCA-Millennium Challenge Account or mining companies like Rio Tinto, Ivanhoe Mines...) does not include any plans or quotes aimed at PWDs.

Table 4: Comparison of CRPD and Mongolian Law on Education Issues

In Mongolia, the Basic Education Law and the Law on Higher Education governs the education sector. The Basic Education Law includes basic provisions supporting the education of PWDs, such as: state financial support (Paragraph 36.8.7), provision of opportunities for education (Paragraph 38.1.1), and the right to education of all people under the age of 17 (Paragraph 39.1.3).

UN-Convention	Mongolian Law	Current Situation
Right of PWDs to education: - inclusive education system at all levels and lifelong learning - the development by persons with disabilities of their personality, talents and creativity, - reasonable accommodation of the individual's requirements is provided - effective individualized support measures are provided in - facilitating the learning of Braille, alternative script, augmentative and alternative modes, - facilitating the learning of sign language and the promotion of the linguistic identity of the deaf community; UN Convention on the Rights of Persons with Disabilities: article 24: States Parties shall ensure an inclusive education system at all levels and lifelong learning directed to: -The development by persons with disabilities of their personality, talents and creativity, as well as their mental, physical abilities, to their fullest potential; -Enabling persons with disabilities to participate effectively in a free society.	- Laws on primary, secondary, vocational and tertiary education are ratified. The Basic Education Law includes basic provisions supporting the education of PWDs - Law on Social Security of PWDs encompasses equal rights of PWDs during their studies Article 11.2 containing organizational matter on the training (classrooms and employment places). Article 11.3 states that the nature of training "shall be provided by day, evening, external and distant learning courses, best suited for PWDs" Article 12.4 covering education and vocational training for PWDs Article 23.1 on Social Partnership mentioning that "Social partnership shall involve state, employers, employees, trade unions, vocational associations, enterprises, organization and community organizations. ..."	Case 2: Visit to school No 113 - Lack of special health commission which determines as early as possible the type of disability - Lack of didactic materials for children with disabilities including IT-software programs -Lack of professionals, teachers, social workers, doctors... - Poor enrolment of children with disabilities in schools and kinder gardens Case 3: Rehabilitation Centre in UB - Demand > Supply - No specific preparation at university for teachers and trainers. - Lack of infrastructure -Lack of materials (including educational materials) - Health center and training center are two separate entities. - No collaboration and no synergies between these two entities.

The Law on Higher Education allows free choice of the nature of study - including distance and part-time attendance for students with disabilities. The Law on Vocational Education and Training (LVET) was discussed and approved by the Government in June 2002; in particular, following specific articles Article 12.4, Article 11.2, and Article 23.1 concerning PWDs:

Promoting inclusive education involves alternative approaches and techniques combined with existing traditional teaching methods. The success of promoting inclusive education is essential to meet the EFA goals. A recent document from Mercy Corps (Report of the needs assessment of People with Disabilities in Arkhangai, Uvurkhangai, Dundgobi aimags, Mongolia 2009) underlines that “people with disabilities are trapped in a vicious circle of poverty. Due to a lack of educational opportunities for children with disabilities and negative attitudes about disability, PWDs become uneducated cannot find employment later on”.

IV. 3. 2 Recommendations to Ministry of Education, Culture and Sciences

- 1) Increase the budget allocated to education in general and consequently the budget allocated to education of PWDs.
- 2) Deliver better information at university level for “traditional” teachers concerning disabilities and organize refreshing courses. The goal is to launch professional development programmes to train educational staff (specialists or not). However, the challenge is to enable teachers to return to their classrooms with the ability to integrate values in teaching their assigned subjects.
- 3) Teachers still require training in how to apply new techniques and methods (including educational software in teaching and learning) and how to integrate these resources into their classroom activities and the school structure.
- 4) Approach of psychological, developmental and social impact using different techniques: Question/answer methods, discussion methods, artistic methods, group work, peer work...
- 5) Creation of economic incentives for schools to educate PWDs.
- 6) Support teachers to participate in action research and adapted pedagogy.
- 7) Employ teachers, including teachers with disabilities, who are qualified in sign language and/or Braille.
- 8) Better salaries for teachers/trainers working with PWDs (in particular in remote areas) and/or less working hours.
- 9) Creation of Distance education programmes for PWDs.
- 10) Creation of educational materials in Braille and audio books.
- 11) Interpreter/teachers of sign languages.

- 12) Deaf adults as facilitators for students.
- 13) Written copies for deaf students.
- 14) Provide training for one or two teachers in every school to become a focal point for learning support as mentioned in the UNESCO, Education for All (EFA) global monitoring report 2010).
- 15) Dissemination of good practices and attitudes to other teachers.
- 16) Train itinerant teachers and trainers.
- 17) Creation of guides / booklets for teachers.
- 18) Practical Traineeships for graduates and postgraduates of teaching disciplines relates to PWDs.
- 19) Develop University summer grants for students already graduated in Mongolia in paediatrics, psychology, pedopsychiatry, physiotherapy, nurses for PWDs and study scholarships.
- 20) Compile best practice examples on disability inclusion and special educational needs.
- 21) Develop other fields of competence for PWDs (electronic, computers, e business, call centres...) than the traditional manual labour corresponding to the needs of the actual modern labour market.
- 22) Develop training in warning signs (poor attention/ inappropriate answers, poor speech development, difficulties in following instructions and recommendations, difficulties participating with others...)
- 23) Creation of Psycho Pedagogical Medical and Training Centre (PPMTC) in every province/aimag.

In areas of Disability, children and teachers are coming to terms with what they have experienced and trying to rebuild their lives. Teachers working with children/adults exposed to the reality of the handicap should be trained to understand the effect of trauma on children, how to detect children who should be referred for more specialized help and how to cope with their learning and teaching needs in the classroom. In 1984, Garmezy, Masten and Tellegen operationalized resilience as “manifestations of competence in children despite exposure to stressful events”.

In 1994, Masten defined resilience in this manner: “Resilience in an individual refers to successful adaptation despite risk and adversity”. These children/ adults with disabilities will successfully adapt over time. In order to do this, these children/ adults will need tremendous biological, psychological, and environmental resources. PWDs (children and adults) affected need love, care and support (general support combined with emotional support) not only from their parents, but from educational personnel and others in the community.

Suggested components of a training program (to be developed in every province/ aimag):

- Psychosocial support for children and teachers.
- Psychological, developmental, and social impact of crisis of children using different techniques (question/answer methods, discussion method, artistic method, group work and peer work).
- Dialogue among PWDs.
- Dialogue among families.
- Dialogue with experts: Psychologists, socio-pedagogical staff and medical personnel.
- Histories of resilience (success).

The personal curriculum of children exposed to disability needs enrichment with skills based values that promote understanding of the causes of disabilities, mediation and citizenship. This approach is best realized by introducing methods, attitudes and values by specially trained teachers, doctors, nurse, and social workers.

- Develop trainings of teaching strategies such like repetition of sentences, voice loud and clear, encouragements and psychological support for designated focal points.
- The Ministry of Education should provide resource teachers to assist pupils and students with special needs. Some countries like France, Germany, and England have already experienced this kind of support and have good results. These teachers are not affected specially for one specific school but may cover different schools.
- Financial cooperation with MSWL and MoH is needed to facilitate :
 - Practical Traineeships for graduates and postgraduates of teaching disciplines in particular disciplines relates to PWDs.
 - University summer course grants for students already graduated in Mongolia in pediatrics, psychology, psychiatry, pedopsychiatry, nurses for PWDs, physiotherapy...
 - Study scholarships for already graduated students.
 - Bilateral exchange of academics at Doctoral or post Doctorate level to carry out joint research project on disability, on employment for PWDs.

Examples:

- In Afghanistan, workshops on inclusive education have been held for headmasters/principals in 29 pilot schools (UNESCO, Kabul, 2010)
- In Armenia, an assessment center was established for the early identification and referral of children with special needs as follow-up to the recommendations from UNICEF inclusive education Evaluation Report (2002). The model of inclusive education is currently established in 49 schools in 11 provinces.

- Bangladesh, Pakistan and Lao PDR are developing national frameworks on Equivalency Programmes (EPs) to provide alternative non formal approaches to improve access to basic education.
- In Kenya and Tanzania, specific actions highlight how schools can link to community-based rehabilitation programs, by training itinerant teachers and trainers, Children (Susan Peters, 2004 paper, inclusive education).

IV. 4. Health and Rehabilitation

IV. 4. 1 Comparison of CRPD and Mongolian Law on Health and Rehabilitation Issues

Mongolian citizens rely primarily on state health insurance and medical services, financed by the State Health Insurance Fund (SHIF). Unfortunately, the fund does not pay 100% for the health services and certain parts of services are paid by PWDs themselves. In Mongolia, more than 70% of PWDs live below poverty line (National Association of NGOs for PWDs, 2009). The existing mosaic of healthcare related disability law does not serve PWDs well. The backdrop to this criticism is that many of the services need for independence and labour force participation – personal assistance and assistive technology being the most obvious – are not regarded as “medical” services and the health insurance does not pay for such services. The problem is due to the fact that the health insurance fund often places severe limitations on coverage for disabling conditions (like paying only for 10 days of rehabilitation instead of 21 or more as required). Even health insurance does not pay the full amount of rehabilitation costs: it covers only 50%. The health insurance fund imposes annual or lifetime caps on permitted reimbursement for specific conditions (even if these caps are way below what is actually required).

The trend toward acute, as opposed to chronic care, and typical requirement that covered treatments be “medically necessary,” which usually excludes durable medical equipment and assistive technologies, are the shortcomings of the present health care issues related to PWDs.

The social welfare and social security payments encourage PWDs to work. For example, unemployed PWDs gets 53,800 Togrogs social welfare payment as disability support monthly whereby the PWDs who have worked for more than five years get 105,000 Togrogs from the social security fund. If a disabled person works, he gets the payment from the social security fund plus the wage for his work with a minimum wage of 150,000 Togrogs (Meeting with Z. Boldsaihan, Director of the Occupational and Training Enterprise for Blind people, Ulaanbaatar, October 2010).

Table 5: Comparison of CRPD and Mongolian Law on Health and Rehabilitation Issues

UN-Convention	Mongolian Law	Current Situation
<ul style="list-style-type: none"> - Access to health services gender-sensitive, including health-related rehabilitation. - Early identification and intervention - Provide health services to people’s in their own communities, - Require health professionals to provide care of the same quality to PWDs as to others - Start rehabilitation at the earliest stage as possible - Support participation and conclusion into the society - Training for professionals and staff working in habilitation and rehabilitation services 	<p>Constitution of Mongolia, Art 16:</p> <ul style="list-style-type: none"> - Every citizen of Mongolia is entitled to get health care services. Rules and regulations on free services are listed in ratified official documents <p>- Law on Health Services</p> <p>Article 28: right to get free health services</p> <p>Article 12: Part of medicine cost is provided by the state</p>	<p>Case study 4: Rehabilitation center for PWDs, Undur Dov, Tov aimag</p> <ul style="list-style-type: none"> - Lack of professionals, physiotherapists and rehabilitation workers -Lack of material and equipment - Health insurance covering only 30% of the rehabilitation costs <p>Case study 5: School No113 and Rehabilitation Centre</p> <ul style="list-style-type: none"> - Early identification of disablement is not properly done -Lack of infrastructure -Lack of material and equipment -Lack of economic and human resources -Lack of ad hoc teaching techniques <p>Case study 6: Focus group meetings with NGOs</p> <ul style="list-style-type: none"> - Doctors specialized in mental disability are not available (focus group meeting with NGO leaders)

IV. 4. 2 Recommendations to Ministry of Health

- 1) Early prevention of handicap during prenatal and neonatal period (blood tests, obstetric scanning, amniocentesis...).
- 2) Obligatory medical checkups at school during the first year of the obligatory schooling system (between 5 and 6) in order to:
 - Detect an eventual handicap
 - Measure its degree (if applicable)
 - Reduce/ adapt the incidence of the disability on the learning process.
- 3) Develop national campaigns to improve the well-being of children and reduce the risk of accidents.
- 4) TV campaigns to inform women on the risk during pregnancy in particular from:
 - Illegal drugs: heroin, cocaine, marijuana, amphetamines...
 - Legal substances: tobacco, alcohol and inappropriate medication.
 - During the first three months of pregnancy most of the body organs, functions and systems of the fetus are already formed. Some drugs may have teratogenic effects with serious and irreversible malformations.
- 5) Development of early diagnosis tools systematically needed for all pregnant women in particular for women over 35.
- 6) Free access to medical (and social) services all around the Mongolian territory for PWDs EVEN away of their place of residence.
- 7) Take effective and concrete measures to develop Psycho Pedagogical Medical and Training Centres (PPMTC) to create favourable conditions (aptitudes and attitudes) for PWDs corresponding to the professional needs of the modern labour market combining professionals from the health sector and education/ training centre sectors.
- 8) Develop pediatry, psychology, pedopsychiatry, physiotherapy, nurses for PWDs, audiology and ergonomy at University and at Hospital levels.
- 9) Compile best practice examples on health and rehabilitation disability techniques.

Example:

Chile has an inclusive approach to early Childhood education which involves training for nursery school staff.

IV. 5 Work and Employment

IV. 5. 1 Comparison of CRPD and Mongolian Laws on Employment Issues

The universal Declaration of Human Rights adopted by the United Nations on 10 December 1948 states “everyone has the right to work and to protection against unemployment”.

The Convention on the Rights for PWDs adopted by the United Nations on 13 December 2006 states that PWDs have right to work on an equal basis with others.

Article 9 of MSSLPWD is dedicated to employment of PWDs and states that:

- The State shall give support to employ PWDs.
- The State shall support the businesses and services run by PWDs.
- The State shall facilitate and support organizations, governmental and private enterprises employing PWDs.
- Enterprises must provide suitable work place for PWDs.

The stakeholders in disability issues (government officials, NGO leaders) have stated that the definition of disability through the Social Welfare Law and the definition of the level of disability through the Clinical and Labour Certification Committee (CLCC) cause obstacles for increasing the employment of PWDs. The representatives of NGOs confirm that the way this commission defines the level of disability is wrong: One person can be disabled and still have a capability and willingness to work. According to the Commission, the disabled person is simultaneously the one who “lost” his capability to work: the level of disability (50%, 70%, and 100%) is simultaneously equal to the person’s ability to work (50%, 70%, and 100%); these elements do not reflect the reality of the situation. Therefore, the two definitions: “physical or mental disability” and “ability to work” should be clearly differentiated in order to avoid future problems related to the employment of PWDs.

The biggest gap in coverage between the Mongolian Law and CRPD is – which, from an antidiscrimination perspective is quite strong- and the CRPD involves job training and rehabilitation. The main thing to be done is to allow the disabled to retain public assistance while transitioning to employment (the public assistance should stay for at least 6 months, as experienced in other countries). Consequently, while the Employment Facilitation Law forbids employment discrimination, the means by which Mongolian PWDs can obtain and keep gainful employment have not been provided. This is evidenced empirically by the fact that Mongolians PWDs continue to experience disproportionately high rates of unemployment. The problem is heightened in the most socially marginalized among PWDs, for example those facing double discrimination (e.g., women and elderly PWDs), and the intellectually and psychosocially PWDs.

Table 6: Comparison of CRPD and Mongolian Laws on Employment Issues

UN-Convention	Mongolian Laws	Current Situation
<ul style="list-style-type: none"> - Right to work, on an equal basis than valid workers; - Prohibit discrimination (conditions of recruitment, hiring and employment, continuance of employment, career advancement, safe and healthy working conditions); - Protect the rights of PWDs (equal opportunities and equal remuneration for work of equal value) - Ability to exercise their labor and trade union rights on an equal basis with others; - Effective access to general technical and vocational guidance programs, placement services and vocational and continuing training - Promote employment opportunities and career advancement for PWDs in the labour market - Assistance in finding, obtaining, maintaining and returning to employment; - Promote opportunities for self-employment, entrepreneurship, the development of cooperatives and starting one's own business; - Employ PWDs in the public sector; - Ensure that reasonable accommodation is provided to PWDs in the workplace; 	<p>Labour Law:</p> <ul style="list-style-type: none"> - Constitution of Mongolia on Right to Work, to be provided good working conditions, to get appropriate salary for the work done - Law on Labour, Article 111.1-111.7 - Amendments to Labor Law to promote employers who employ PWDs (additional 3 paragraphs) - Employment Facilitation Law, Article 12.1-12.3: financial support for training centers for PWDs, Preparation of PWDs to work, choosing the right employer for PWDs - Law on Income Tax: exemption from income tax in case of employing visually disabled persons. 	<ul style="list-style-type: none"> - Good laws and regulations, but poor level of implementation - Work on the best practices from other countries how they improve their own laws and regulations to comply with UN convention Definition of Disability and Employment - Evaluation of Commission of Hospital and Labor Inspection Disability is not equal to Loss of Employment Ability Case Study 7: Industry of Labour & Training of Blind - 6 working hours instead of 8 hours/day - Lack of infrastructure adapted to the specificity of the handicap - Lack of equipment and materials adapted to the handicap - Work place for PWDs has up until now been understood as “physical work” -Need for new job opportunities in line with the modern market - The survey on work conditions of PWDs showed 57% of PWDs do not consider the work conditions appropriate to their conditions - 2633 entities can provide work for 8954 PWDs. Survey should be made on the employment of PWDs and execution of Labour Law. Case study 8 : Industry of Labour & Training of Blind, Focus group meeting with NGOs - Lack of adapted infrastructure -Lack of specialists from the health sector - Lack of training opportunities in phase with the actual labour market Urgent rehabilitation of the “factory” is needed.

IV. 5. 2 Recommendations to Ministry of Justice and Home affairs

- Supply better information to employers concerning Disability in general and better information on specific laws concerning employment of PWDs in Mongolia.
- Reinforce measures and resolutions against employers who don't accept the integration of PWDs in their premises according to article 111 of the Law on Social Welfare for PWDs "if an employer has 25 or more employees at least 4 percent of such employees must include PWDs". A violation of the law should carry a fine, if the violation is reiterated the fine will be increased (amount to be determined), a third violation of the law should put an end to the professional activity.
- On the other hand, financial support should be provided for employers to adapt their premises to the needs of PWDs.
- Before making an offer of employment, an employer may not ask any job applicant about the potential existence, nature or severity of disability.

Example:

- The US Equal Employment Opportunity commission defines that "any individual who believes that his (her) employment rights have been violated may file a charge of discrimination. In addition, an individual or organization may file a charge on behalf of another person in order to protect the aggrieved person's identity." In the same document, the title II of the Genetic Information Nondiscrimination Act of 2008 "prohibits discrimination against applicants, employees and former employees on the basis of genetic information".
- In the United States of America and Canada, labour unions have been working with government and employers to facilitate the employment and the integration of PWDs through a programme called Project With Industry (PWI), in parallel, by matching labour union resources with government funding, job placement programmes and operating training programmes have been developed.

IV. 6 Recommendations on Implementation of Laws and Monitoring

During our mission in Ulaanbaatar, we found out that the enforcement mechanisms of existing laws and regulations protecting rights of PWDs have to be improved. In doing so, the Mongolian disability legal and policy scheme will come closer to the broad protection envisioned by the CRPD. It is also important to note that if Mongolia was among the first States Parties to ratify the CRPD, it should be also paying special attention on the implementation of the existing rules.

The implementation scheme set forth in Articles 33-40 of CRPD envisions that State Parties shall designate one or more focal points within government for matters relating to the implementation of the Convention (Article 33), as well as submits reports on treaty compliance (Article 35). These bodies do not currently

exist in Mongolia (there is no specific agency dealing with issues of PWDs), but it is worthwhile to evaluate which agencies within the current structure have disability-related responsibilities.

Example:

In order to make the enforcement of laws and regulations more effective and as a means to identify for research and action to further implement international norms and standards, Boalt Hall School of Law of the University of California at Berkeley, in close cooperation with the World Institute on Disability, organized an international experts (in Law and disability policy) meeting on international norms and standards relating to disability (Berkeley, 8-12 December 1998).

Creation of Institutional Framework for Implementation of Laws and Regulations (Agency for Rights of PWDs)

A specialized agency for protecting the rights of PWDs should be created to implement the enforcement of disability law and policy. In order to execute their duties and responsibilities on legal enforcement and monitoring, the Agency should consist of following Departments:

Equal Employment Opportunity Department

Disability Rights Section (former Civil Rights Department at the Ministry of Legal and Inland Affairs). The Department's responsibilities should

include claims in case of breaking the laws and litigations:

- Litigation against public employers.
- Certification of state and local building codes for equivalency with the requirements of the Standards for Accessible Design.

Example:

In Argentina, in cooperation with governmental and non-governmental communities, special committees have been created to improve the coordination of disability issues.

♦ The Housing and Civil Enforcement Department

This department should oversee the Infrastructure Standards for PWDs, advice and initiate legal complaints and measures (if necessary) when construction companies or other stakeholders do not follow the laws, regulations and standards.

♦ Department of Transportation

The Department of Transportation is responsible for promulgating rules and regulations pursuant to the transportation provisions and standards for PWDs. The Department also should facilitate the implementation of law articles on rights of

PWDS in areas related to transportation, including public transportation, traffic management, and intercity/inter-aimag transportation.

♦ **Department of Education**

The department of Education should be responsible for promulgating rules and regulations in areas related to the operation of elementary and secondary education systems, institutions of higher education and vocational education (other than schools of medicine, dentistry, nursing, and other health-related schools), and libraries.

♦ **Department of Health and Human Services**

The department of Health and Human Services is required to facilitate the implementation of laws and regulations related to the provision of health care and social services, including schools of medicine, dentistry, nursing, and other health-related schools, the operation of health care and social service providers and institutions, including "grass-roots" and community services organizations, preschool and daycare programs.

Adaptation of “Mongolian Disability Act”- the Law for Enforcing Laws Designed to Protect PWDs

One important recommendation to enforce the laws and regulations protecting the rights of PWDs is to adapt a “Law to Enforce the Laws “(this is the case for example in USA and Germany). This Law may be called “Mongolian Disability Act”.

The Agency may file lawsuits in court to enforce the Mongolian Disability Act and may obtain court orders including compensatory damages and back pay to remedy discrimination. The agency may also obtain civil penalties for the first violation and even higher penalties for any subsequent violation.

♦ **Grant Offering/Tax Incentives to Construction Companies**

Offer grants to housing providers/construction companies to make housing more accessible. Often, housing providers want to provide equal access for PWDs, but don't have enough funds to make their properties accessible. Therefore, the government of Mongolia should support initiatives of construction companies through amendments in the Construction Law.

♦ **Access and accessibility to Public Transportation**

Create laws and regulations that instruct the Mongolian Transportation Authority to require city bus companies to comply with the Disability Laws. Companies who don't respect these laws shouldn't be allowed to operate in the city as well as intercity highways.

The following recommendations are made to enforce the realization of existing laws and regulations:

- Amendments to existing laws and regulations to be in phase with the Convention.
- Need for in-depth analysis of existing legal and regulatory framework on PWDs.
- Training, capacity building, awareness raising, good practices collection from other countries.
- Need for implementation of Convention principles in the organization of private and public sector.
- Need to include PWDs in all stages of implementation.

V COMMUNICATION, PUBLICATION OF RESULTS

In Mongolia, the media can play a more proactive role as key players in changing attitudes in delivering messages concerning Human Rights and Disability.

In addition, new technologies provide low-cost means of rapid communication. All members involved in PWDs issues in Mongolia at local, regional and national level should be encouraged to bring their contribution to the web master established at MSWL and to contribute to open discussions on the various issues of Disabilities and Human Rights.

Blogs and Web on Disability issues

Global sharing approach at: Cross-local, regional, national meetings designated to share lessons learned in each aimag (province) with regard to ways to enhance safety and reduce conflict. Development of internet links with other UN agencies and NGOs locally and internationally is also needed.

Two levels of communication are proposed, the first one concerning Disability/Human Rights in general to promote better understanding on disabilities/Human Rights issues and a better integration of PWDs in every aspect of social, political, economic, cultural life to change the public perception of PWDs. The celebration of the international Day of Tolerance on 16 November, the celebration of the international Day of Persons with Disabilities on 3 December as established by the International Year for Disabled Persons (1981), the celebration of the Human Rights day on 10 December are three good opportunities to develop national campaigns on Tolerance, Disability and Human Rights. The second level of communication concerning progress accomplished in Mongolia aimag by aimag to inform PWDs, using different supports such like booklets, blogs, and internet websites. This second level of communication will be more specific to practical advice, and based on a “In Mongolia, who is doing what for PWDs and where?” and a “How to do” approach.

CONCLUSION

Mongolia has made remarkable economic progress during the last two decades but People with Disabilities are still marginalized in Mongolian society and perceived as persons with limited aptitudes and attitudes. In Mongolia, some people still believe that disability is a “punishment” for individual or his (her) family for something did in the past.

Human Rights, health and social protection, unemployment, poverty, accessibility are the most common words used by People with Disabilities themselves to define their situation.

In Mongolia, the Millennium Development Goals cannot be achieved properly without the full and effective inclusion of Persons with Disabilities. The global environment (social and public) remains largely inaccessible to persons with disabilities even if good resolutions have been taken by Ministry of Social Welfare and Labour (MSWL). Positive effects starting from Ulaanbaatar where most of the projects are initiated have to be extended to the rest of the territory, but the poor level of implementation combined with a heavy bureaucracy remains two serious obstacles to the situation of People with Disabilities. Addressing these problems will require a sustained and coordinated effort involving all key actors of the Mongolian society.

Mongolia needs to develop its own specific model. Some techniques and methods used in different countries may have a good impact (or not) on the situation of People with Disabilities in Mongolia. Comparing effects and results in different contexts (economic, social) are always risky. Nevertheless, we have no doubt that the situation of People with Disabilities will improve soon. The Mongolian Government and the civil society are capable to address and resolve this urgent challenge during the next few years.

In order to do so, the creation of an Office dealing specifically with People with Disabilities issues seems an interesting tool to mutualize existing expertise, human and economic resources (and efforts...) from Ministry of Social Welfare and Labour, Ministry of Education Culture and Sciences and Ministry of Health.

It is hoped that this document will serve as a practical reference to reach this goal.

ANNEXES

ANNEX I : LIST OF ACRONYMS

ANNEX II : KEY OFFICIAL DOCUMENTS

II. 1 GENERAL HUMAN RIGHTS INSTRUMENTS

II. 2 INTERNATIONAL INSTRUMENTS ON THE RIGHTS OF DISABLED PERSONS

II. 3 INTERNATIONAL INSTRUMENTS ON THE RIGHTS OF DISABLED PERSONS IN EDUCATION

II. 4 KEY OFFICIAL DOCUMENTS ON THE RIGHTS OF DISABLED PERSONS IN THE CONSTITUTION OF MONGOLIA

II.5 ADDITIONAL REFERENCES

ANNEX III : STATISTICS ON PWDS – NSO 2009

PEOPLE WITH DISABILITIES IN MONGOLIA BY AIMAG

(NSO 2008, 2009)

PEOPLE WITH DISABILITIES NSO 2009

PEOPLE WITH DISABILITIES BY CATEGORIES

- ◆ NUMBER OF PWDS AGED 0-16, NSO 2009
- ◆ ACQUIRED PWDS AGED 0-16, NSO 2009
- ◆ NUMBER OF PWDS (WORKING AGE), NSO 2009
- ◆ ACQUIRED PWDS (WORKING AGE), NSO 2009
- ◆ NUMBER OF PWDS (ABOVE WORKING AGE), NSO 2009
- ◆ ACQUIRED PWDS (ABOVE WORKING AGE), NSO 2009
- ◆ NUMBER OF PWDS (BLIND), NSO 2009
- ◆ ACQUIRED PWDS (BLIND), NSO 2009
- ◆ NUMBER OF PWDS (AGED 0-16), NSO 2009
- ◆ ACQUIRED PWDS (AGED 0-16), NSO 2009
- ◆ NUMBER OF PWDS (SPEAKING OR HEARING DISABILITIES), NSO 2009
- ◆ ACQUIRED PWDS (SPEAKING OR HEARING DISABILITIES), NSO 2009
- ◆ NUMBER OF PWDS AGED 0-16 WITH SPEAKING OR HEARING PB, NSO 2009
- ◆ ACQUIRED PWDS AGED 0-16, NSO 2009
- ◆ NUMBER OF PWDS WITH LIMB HANDICAP, NSO 2009
- ◆ ACQUIRED PWDS WITH LIMB HANDICAP, NSO 2009
- ◆ NUMBER OF PWDS AGED 0-16 WITH LIMB HANDICAP, NSO 2009
- ◆ ACQUIRED PWDS AGED 0-16 WITH LIMB HANDICAP, NSO 2009

- ◆ NUMBER OF PWDS WITH MENTAL ILLNESS, NSO 2009
- ◆ ACQUIRED PWDS WITH MENTAL ILLNESS, NSO 2009
- ◆ ACQUIRED PWDS WITH MENTAL ILLNESS, NSO 2009
- ◆ NUMBER OF PWDS AGED 0-16 WITH MENTAL ILLNESS, NSO 2009
- ◆ ACQUIRED PWDS AGED 0-16 WITH MENTAL ILLNESS, NSO 2009
- ◆ NUMBER OF PWDS WITH PSYCHOPATHY, NSO 2009
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- ◆ ACQUIRED PWDS AGED 0-16 WITH PSYCHOPATHY, NSO 2009
- ◆ NUMBER OF PWDS WITH PLURALISTIC CONDITION, NSO 2009
- ◆ ACQUIRED PWDS WITH PLURALISTIC CONDITION, NSO 2009
- ◆ NUMBER OF PWDS AGED 0-16 WITH PLURALISTIC CONDITION, NSO 2009
- ◆ ACQUIRED PWDS AGED 0-16 WITH PLURALISTIC CONDITION, NSO 2009
- ◆ NUMBER OF PWDS WITH OTHER DISABILITIES, NSO 2009
- ◆ ACQUIRED PWDS WITH OTHER DISABILITIES, NSO 2009

ANNEX I

List of acronyms

CLCC	Clinical and Labour Certification Committee
CRPD	Convention on the Rights of Persons with Disabilities
EFA	Education for All
ELM	Education Law in Mongolia
EP	Equivalency Programme
ICF	Internal Classification of Functioning, Disability and Health
ILO	International Labour Office
LSMS	Living Standards Measurement Survey
MCA	Millennium Challenge Account
MDGs	Millennium Development Goals
MECS	Ministry of Education Culture and Sciences of Mongolia
MH	Ministry of Health of Mongolia
MSWL	Ministry of Social Welfare and Labour of Mongolia
NDS	National Development Strategy
NGO	Non-Governmental Organization

NSO	National Statistical Office
PPMTC	Psycho Pedagogical Medical and Training Center
PM	Prime Minister
PREF	Poverty Research and Employment Facilitation for Policy Development
PWD	Persons with Disabilities
PWI	Project with Industry
SHIF	State Health Insurance Fund
SRW	Selection Review Committee
SSLPWD	Social Security Law for People with Disabilities
UNCDP	United Nations Convention on Disabled People
UNDP	United Nations Development Programme
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNESCAP	United Nations Economic and Social Commission for Asia and Pacific
WHO	World Health Organization

ANNEX II

Key official documents

II.1 General Human Rights Instruments

- Charter of the United Nations (26 June 1945) entry into force: 24 October 1945
- Universal Declaration of Human Rights, adopted by General Assembly resolution 217A (III) of 10 December 1948
- UN Convention on the Rights of the Child, Adopted by the General Assembly resolution A/44/25 of 20 November 1989, entry into force 2 September 1990

II.2 International instruments on the Rights of Disabled Persons

- The Declaration on the Rights of Disabled Person, Declaration of the General Assembly of the United Nations, 9 December 1975.
- The UN Convention on the Rights of Persons with Disabilities, 2007
- The Millennium Development Goals (MDGs) and Disability, General Assembly resolutions

- A/RES/64/131 Realizing the Millennium Development Goals for Persons with Disabilities
- A/RES/63/150 Realizing the Millennium Development Goals for Persons with Disabilities through the implementation of the World Programme of Action concerning Disabled Persons and the Convention on the Rights of Persons with Disabilities
- A/RES/62/127 Implementation of the World Programme of Action concerning Disabled Persons: realizing the Millennium Development Goals for Persons with Disabilities
- A/RES/60/131 Implementation of the World Programme of Action concerning Disabled Persons: realizing the Millennium Development Goals for Persons with Disabilities
- A/RES/58/132 Implementation of the World Programme of Action concerning Disabled Persons: towards a society for all in the twenty-first century
- UN enable (1993). Standard rules on equalization of opportunities for Persons with Disabilities.

II.3 International instruments on the Rights of Disabled Persons in Education

- UN convention against discrimination in education (1960)
- The World Declaration on Education For All (EFA, 1990)
- The Salamanca Statement and framework for Action on Special Needs Education (1994)
- UNESCO (2001) Open File on Inclusive Education: Support materials for Managers and Administrator
- UNESCO (2005). Guidelines for inclusion: ensuring access to education for all <http://www2.unesdoc.unesco.org/images/0014/001402/140224e.pdf>
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- UNESCO Bangkok. Barriers to inclusive education.
- World Bank (2004). Inclusive Education: an EFA Strategy for All Children
- World Declaration on Education for All (Jomtien, Thailand, 1990): Article 3: Basic education should be provided to all children, youth and adults
- UN Standard Rules on Equalization of Opportunities for Persons with Disabilities (1993): Rule 6: States should recognize the principle of equal primary, secondary and tertiary educational opportunities for children, youth and adults with disabilities, in integrated settings.
- Millennium Development Goals, 2000(set for achievement by 2015): Goal 2: Achieve universal primary education.

II.4 Key official documents on the rights of Disabled Persons in the Constitution of Mongolia

- The Constitution of Mongolia, Article 16-4 “the citizens of Mongolia are guaranteed to enjoy the right to free choice of employment, favourable conditions of work, remuneration, rest and private enterprise”
- Article 26.1 of the Law of social Welfare support the right to work by “providing belief, conviction and work practice, organized employment and get source of income and thus help pull out of poverty and mediate with projects and programs to be implemented in this area”
- Article No 8 of the Law on Social Welfare for PWDs regulates employment of PWDs.
- Article No 111 of the Law on labour mandates stipulates “if an employer has 25 or more employees at least 4 percent of such employees must include PWDs or dwarfs, unless it is justified to exclude such persons because of the nature of the employer’s business. If a business entity or organization does not employ PWDs or dwarfs as required by article 111.1, it shall pay a monthly payment to the State with respect to each such employee they should have employed. Payments shall be deposited in the State Treasury and set aside for expenditure exclusively for social benefits and protection of the rights of PWDs and dwarfs”.
- Article no 71.5 of the Law on labour mandates has provision on reducing work hours of PWDs
- Law on Social Security (1st December, 2005)

- Law on Social Security of Disabled Persons (15th Jan.2008)
- Law on Social Security of Elderly People (15th Jan.2008)
- Law on Labor (May 1999, last amendment: May 2008)
- Law on Pension, Benefits and Payments from the Social Insurance Fund
- Law on Employment Facilitation (19th April, 2001, last amendment: January 2008)

II.5 Additional References

- National Association of NGOs for PWDs “Execution of Rights of PWDs in Mongolia”, 2009. Research Paper
- D.Zinamider, Research Papers of National Coalition of NGOs of the Rights of the Child, 2004
- Johnstone “Risk assessment in offenders with intellectual disability: the evidence base”. Journal of Intellectual Disability, 2002
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- UNESCAP, Asian and Pacific Decade of Disabled Persons 2003, United Nations. Workshop on improving Disability Measures for Policy use (23-26 September 2003) Bangkok, Thailand

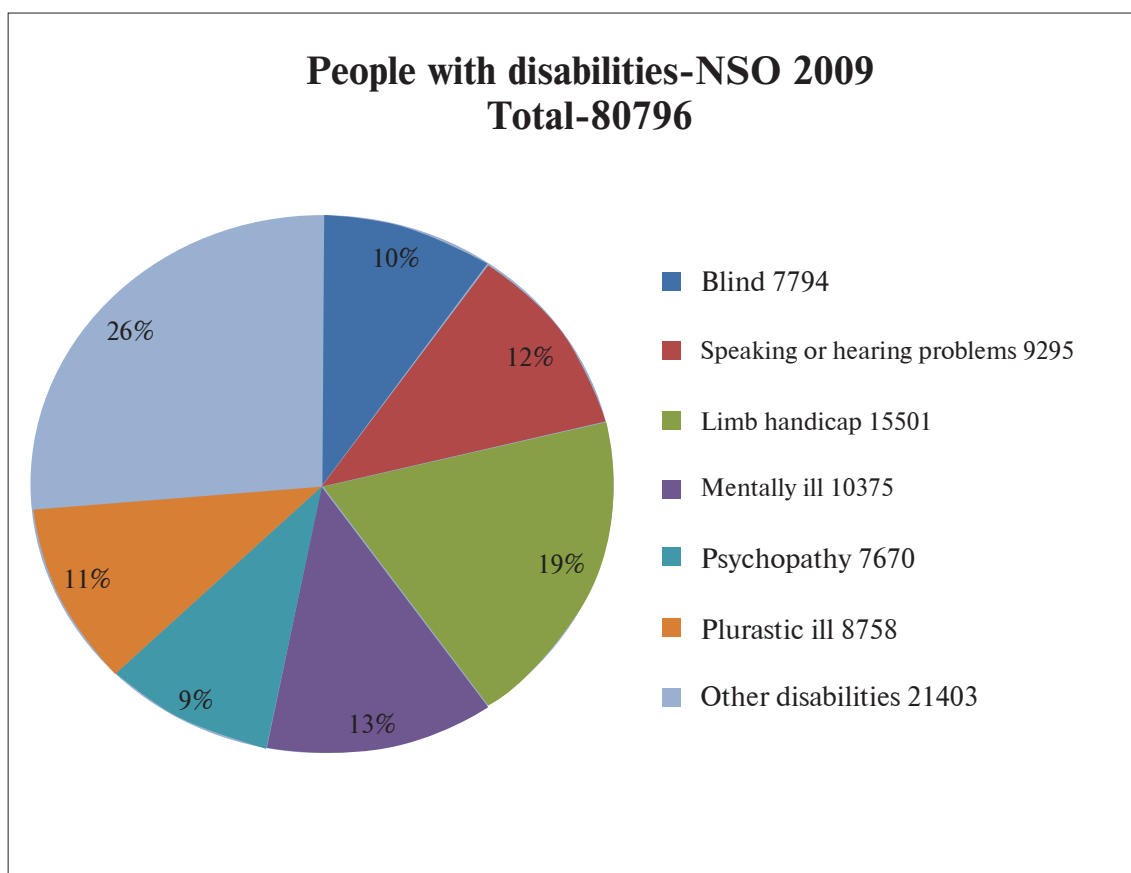
ANNEX III

Statistics on PWDs – NSO 2009

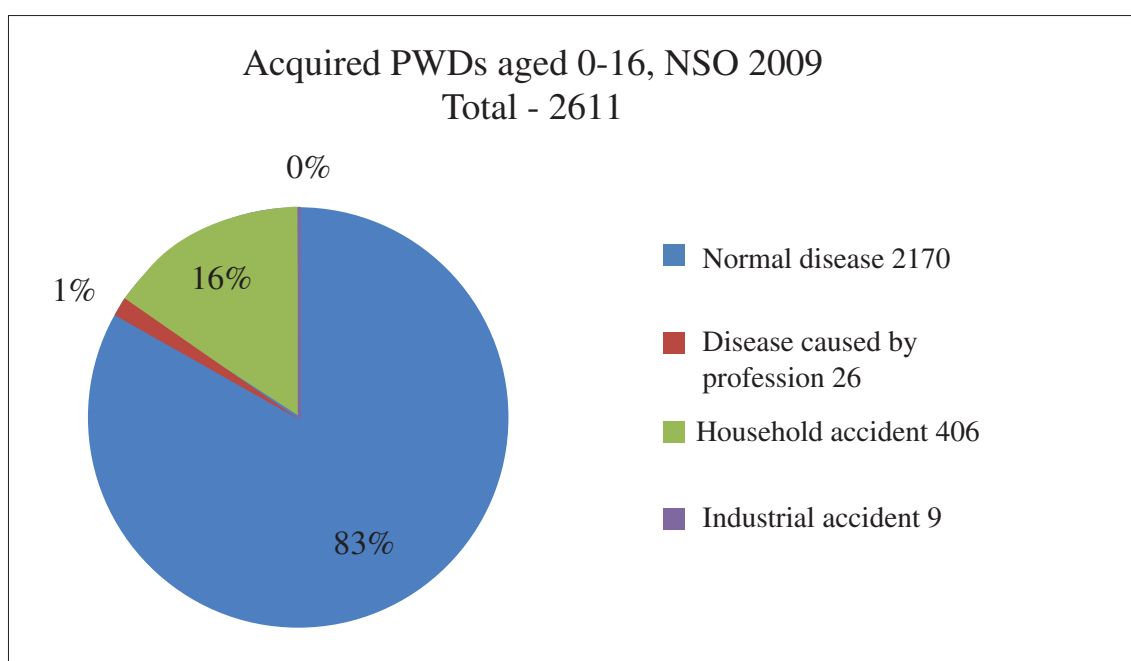
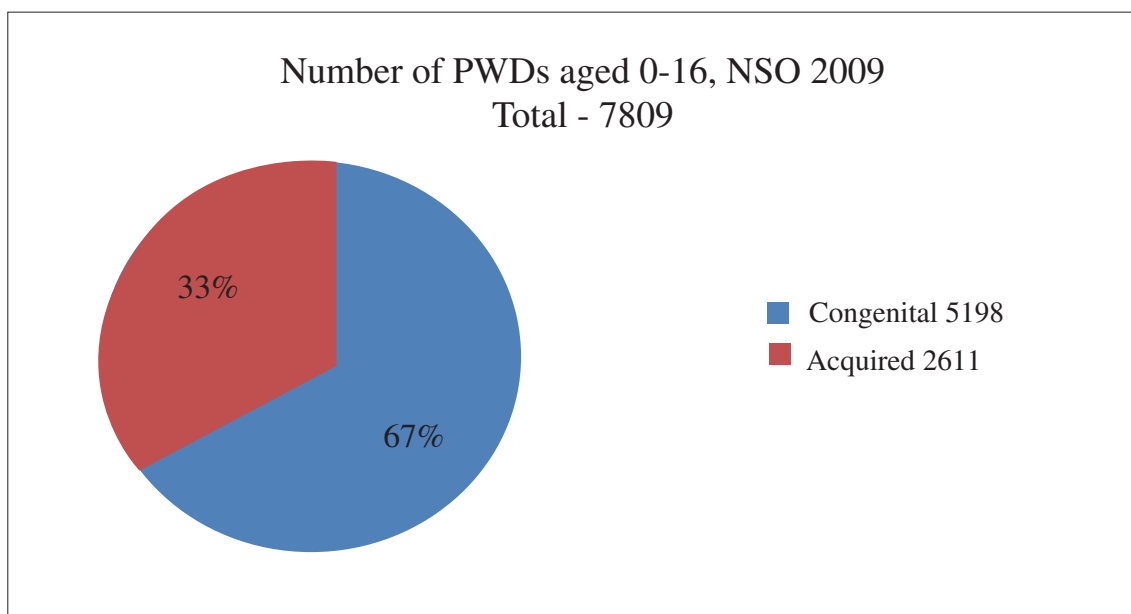
People with Disabilities in Mongolia by aimag and in Ulaanbaatar, National Statistic Office of Mongolia, 2008-2009

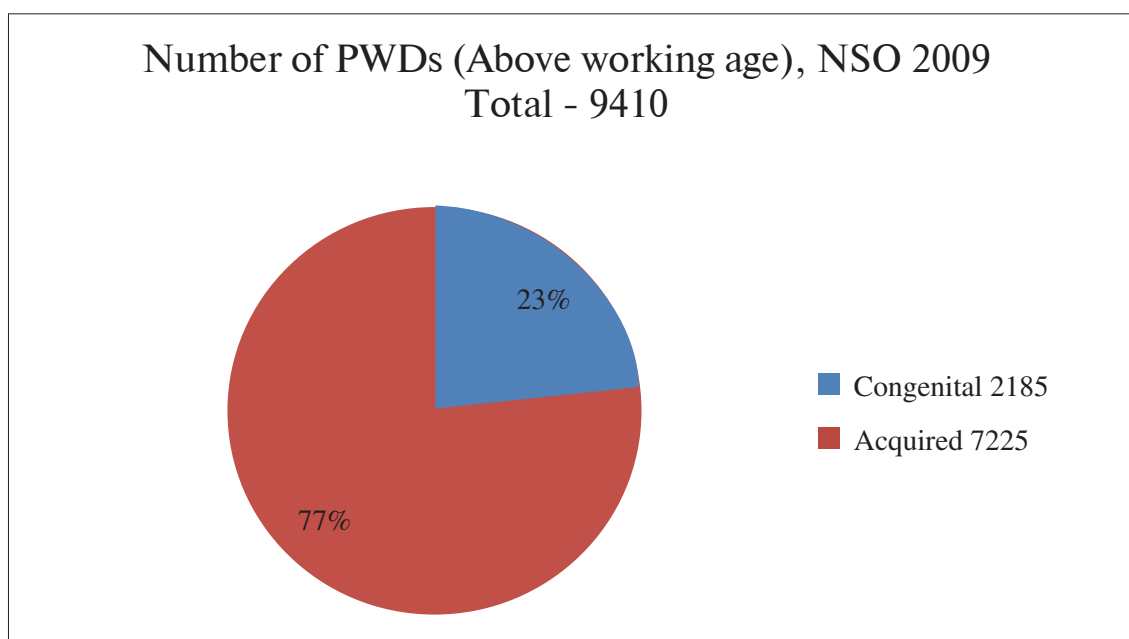
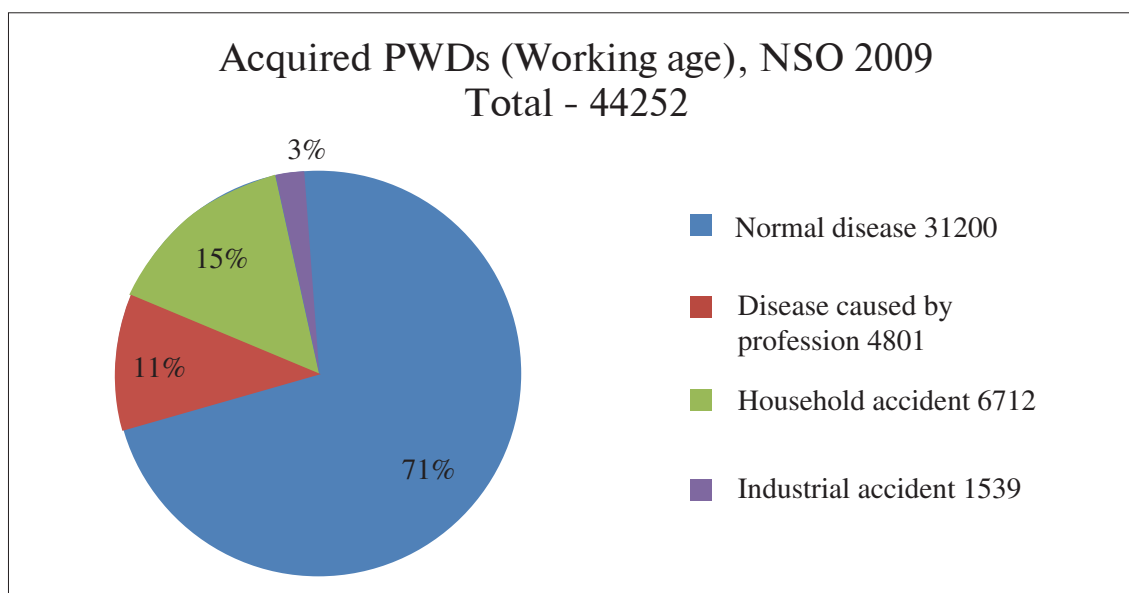
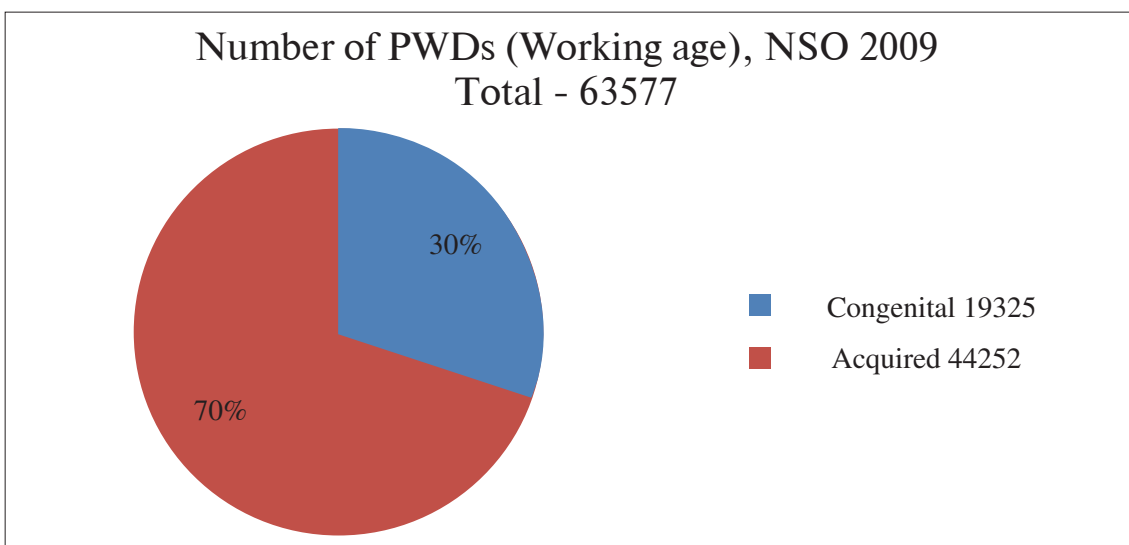
	Year	2008	2009
No	Total	76369	80796
1	Arkhangai	3391	3373
2	Bayan-Olgii	3796	4396
3	Bayankhongor	3161	3039
4	Bulgan	2258	2273
5	Govi-Altai	1628	1582
6	Dornogovi	1595	1823
7	Dornod	3578	3492
8	Dundgovi	2012	1879
9	Zavkhan	3323	3477
10	Ovorkhangai	3604	4027
11	Omnogovi	1000	1117
12	Sukhbaatar	1993	2220
13	Selenge	3710	3837
14	Tov	2778	2694
15	Uvs	2608	2732
16	Khovd	2667	2882
17	Khovsgol	4321	4510
18	Khentii	2801	3228
19	Darkhan-Uul	2537	2569
20	Ulaanbaatar	21062	22776
21	Orkhon	2139	2420
22	Govisumber	407	450

TOTAL NUMBER OF PWDS, 2009

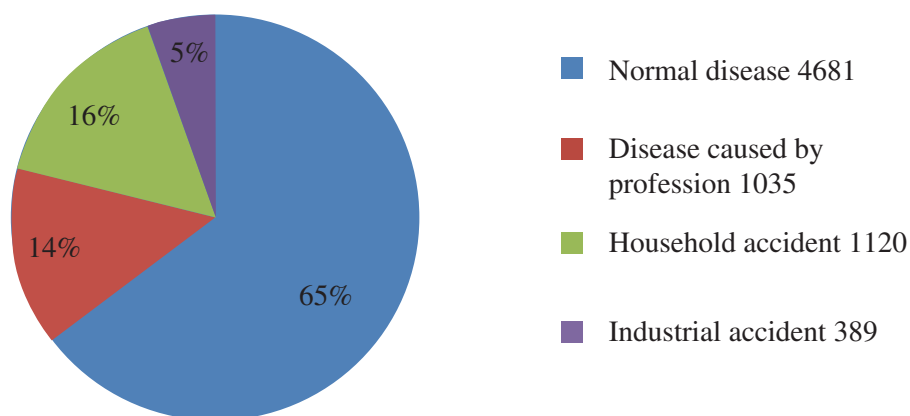


PEOPLE WITH DISABILITIES BY CATEGORIES

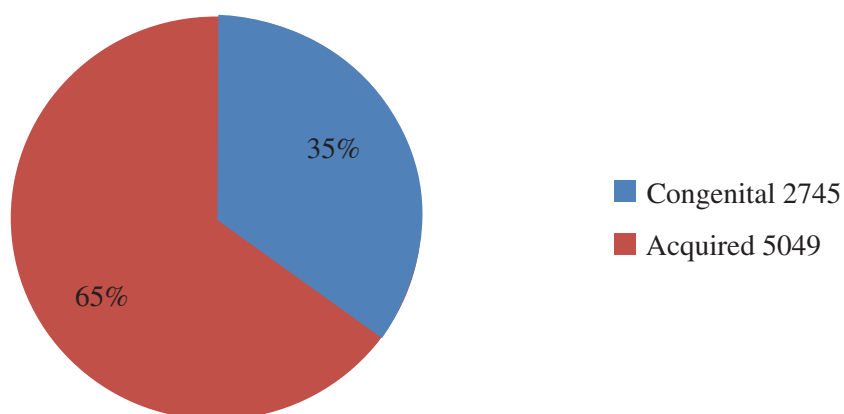




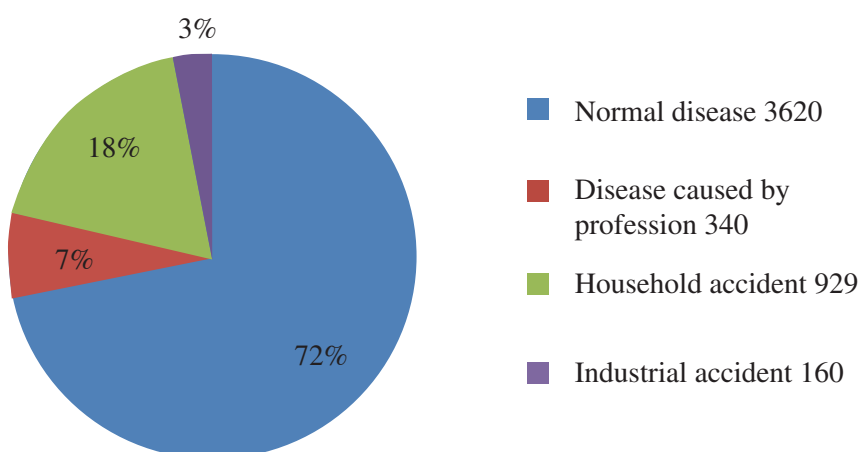
Acquired PWDs (Above working age), NSO 2009
Total - 7225



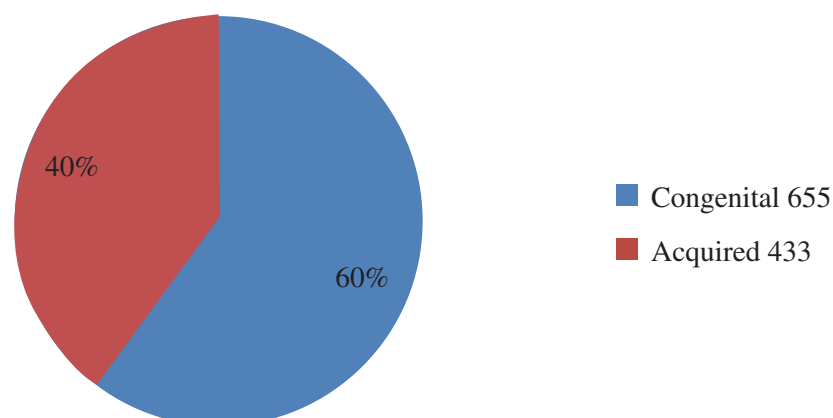
Number of PWDs (Blind), NSO 2009
Total - 7794



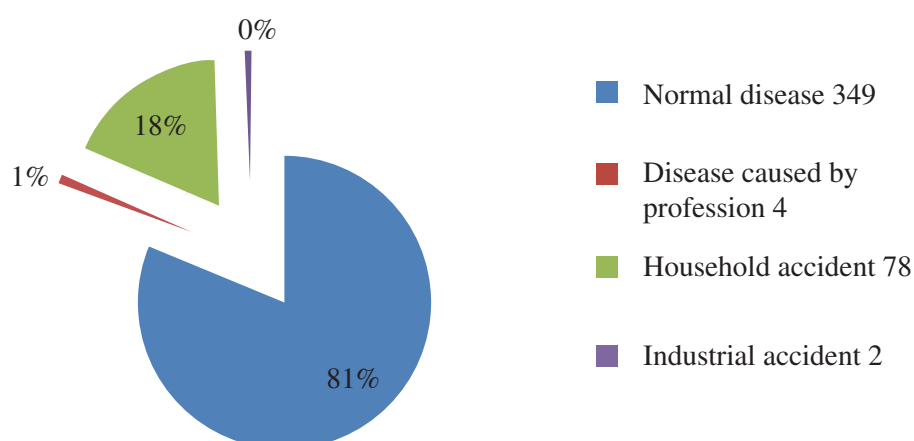
Acquired PWDs (Blind), NSO 2009
Total - 5049



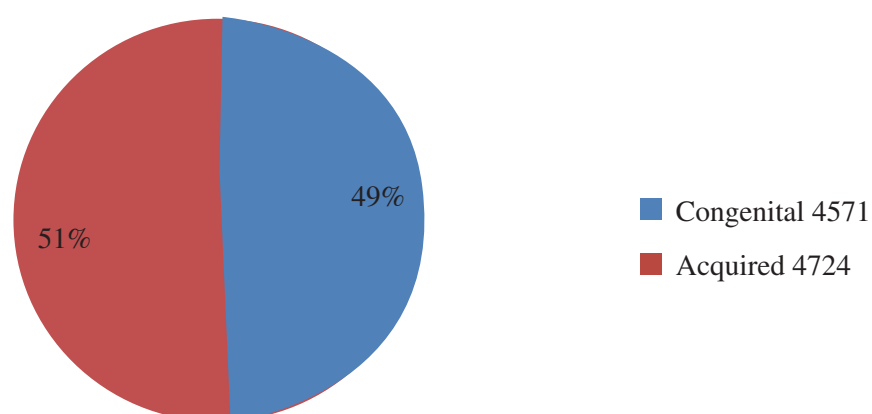
Number of PWDs aged 0-16 (Blind), NSO 2009
Total - 1088



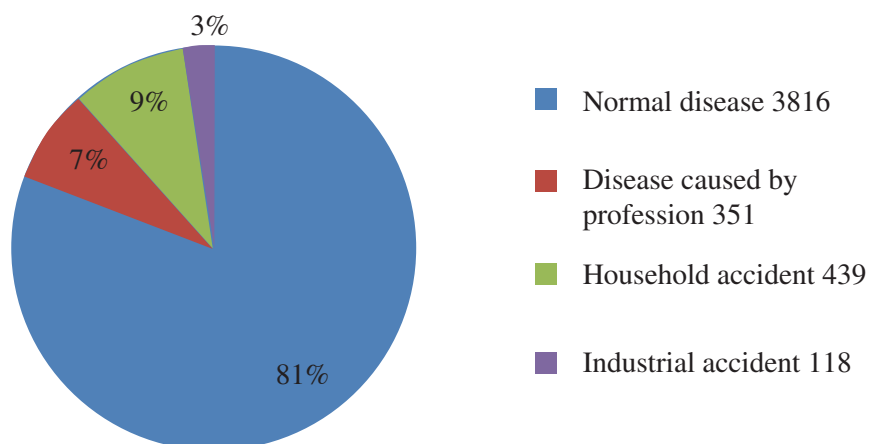
Acquired PWDs aged 0-16 (Blind), NSO 2009
Total - 433



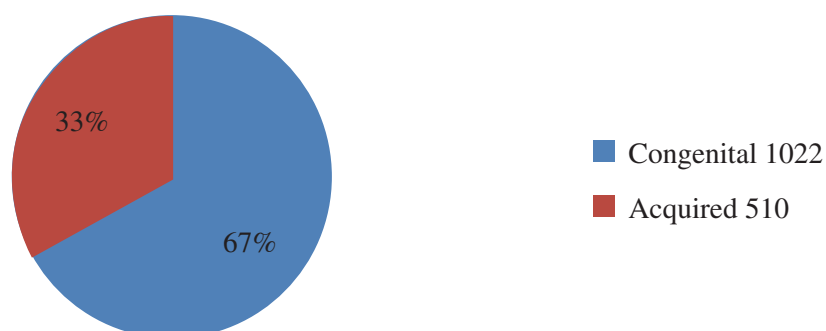
Number of PWDs (with speaking or hearing problems), NSO 2009
Total - 9295



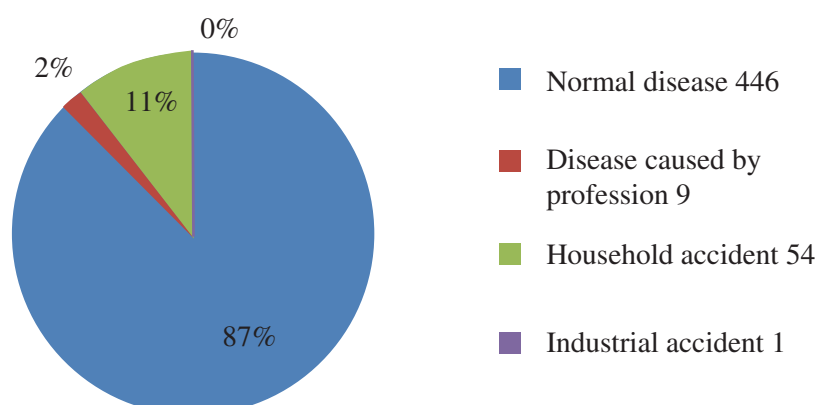
Acquired PWDs (with speaking and hearing problems), NSO 2009 Total - 4724



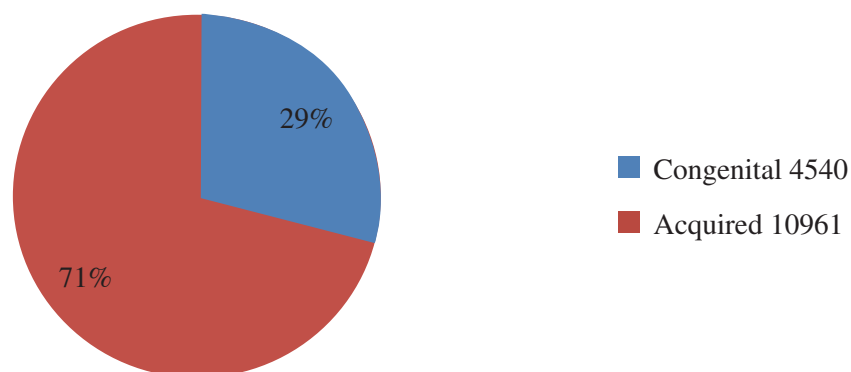
Number of PWDs aged 0-16 (with speaking and hearing problems), NSO 2009 Total - 1532



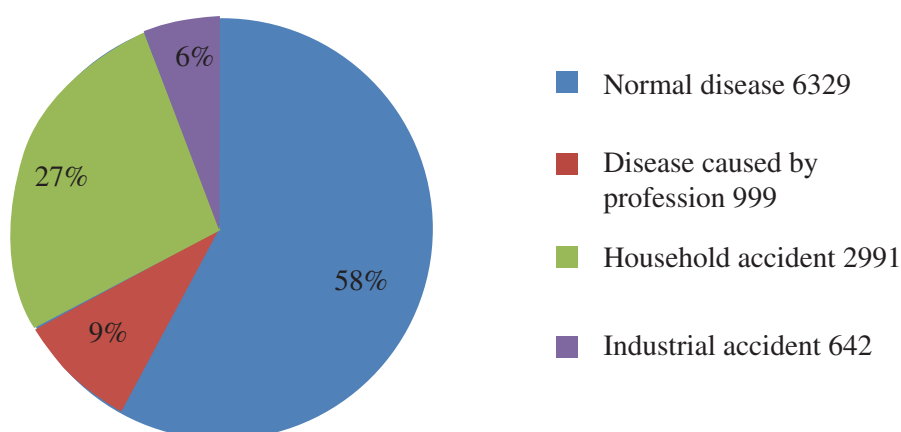
Acquired PWDs aged 0-16 (with speaking and hearing problems), NSO 2009 Total - 510



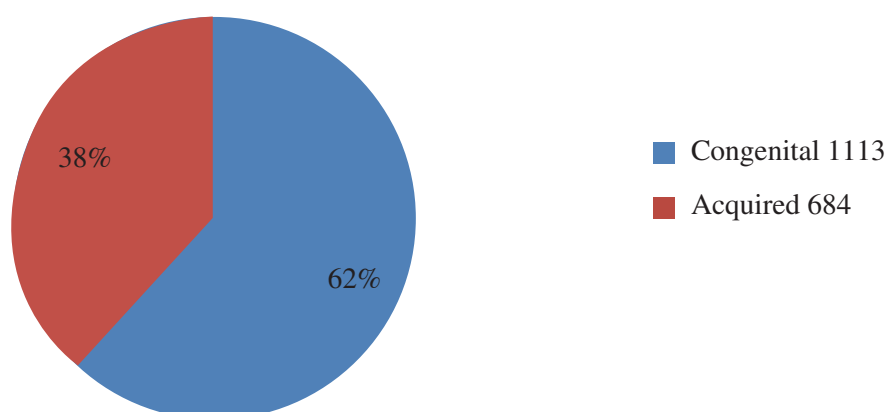
Number of PWDs (with limb handicap), NSO 2009
Total - 15501



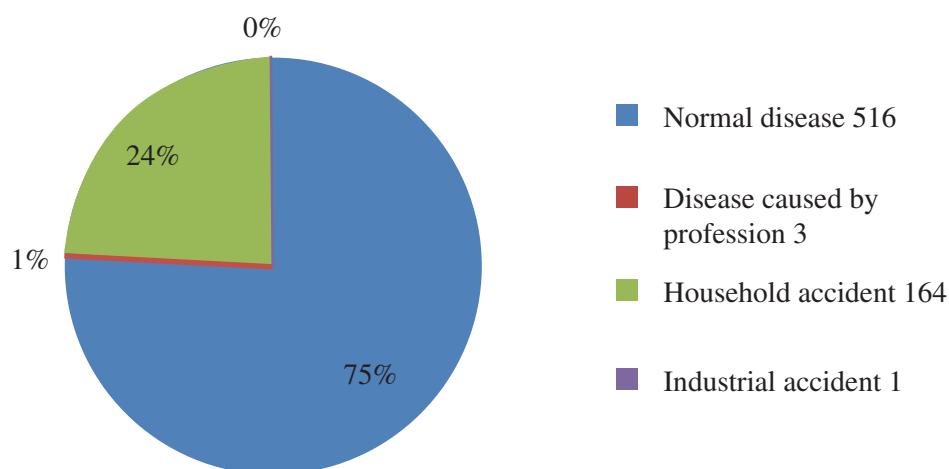
Acquired PWDs (with limb handicap), NSO 2009
Total - 10961



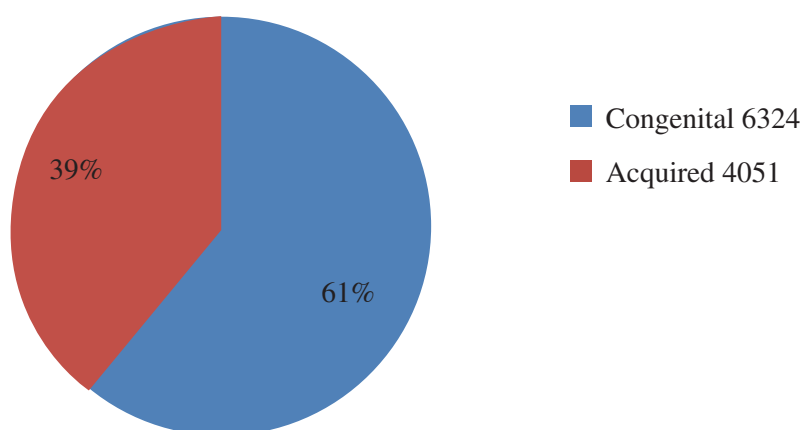
Number of PWDs aged 0-16 (with limb handicap), NSO 2009
Total - 1797



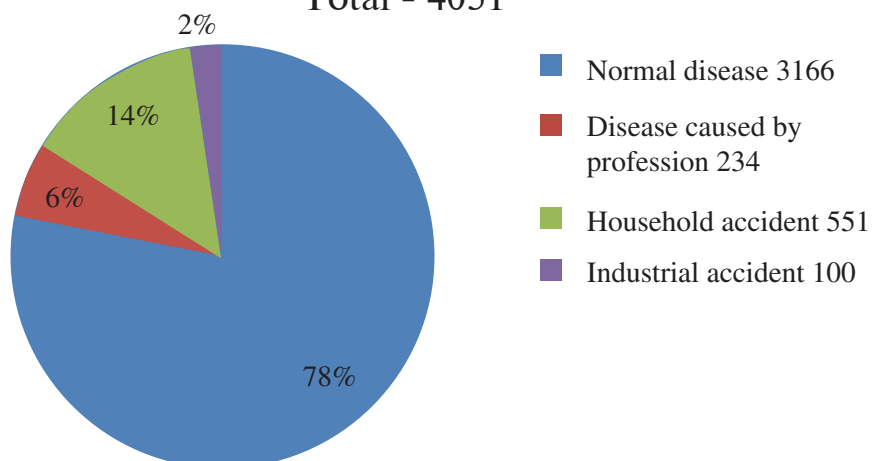
Acquired PWDs aged 0-16 (with limb handicap), NSO 2009
Total - 684



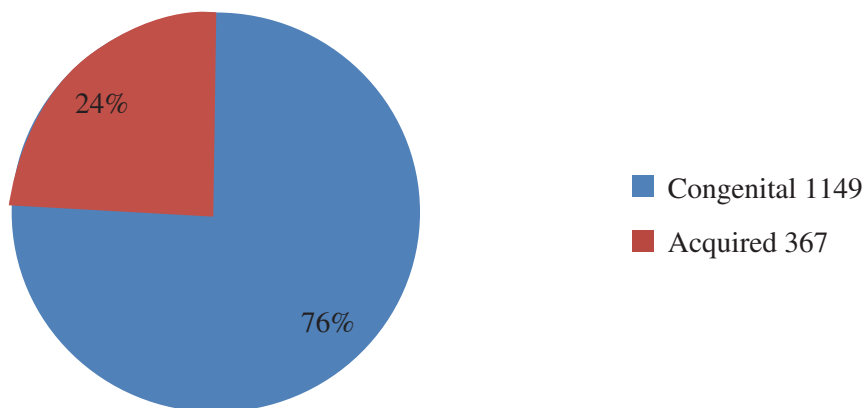
Number of PWDs (with mental illness), NSO 2009
Total - 10375



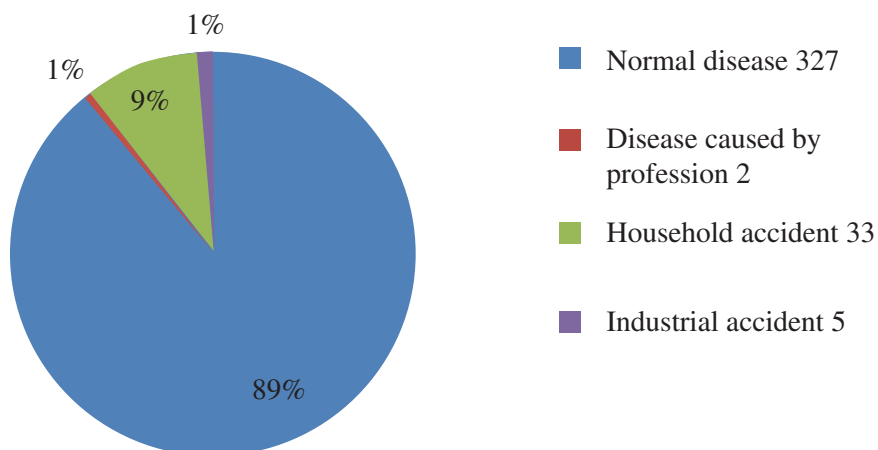
Acquired PWDs (with mental illness), NSO 2009
Total - 4051



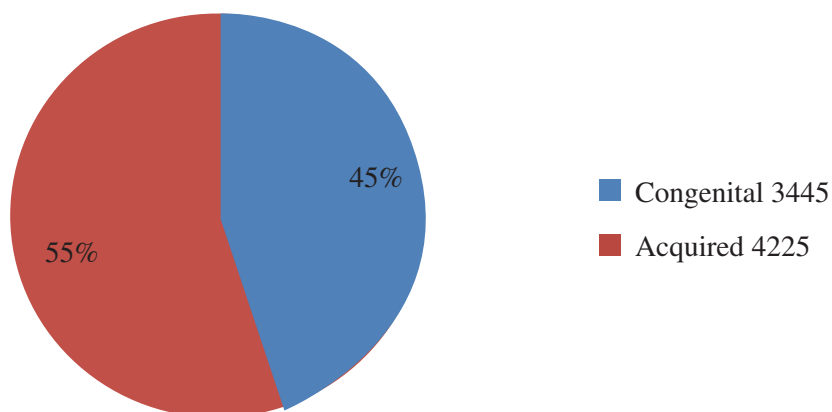
Number of PWDs aged 0-16 (with mental illness),
NSO 2009 Total - 1516



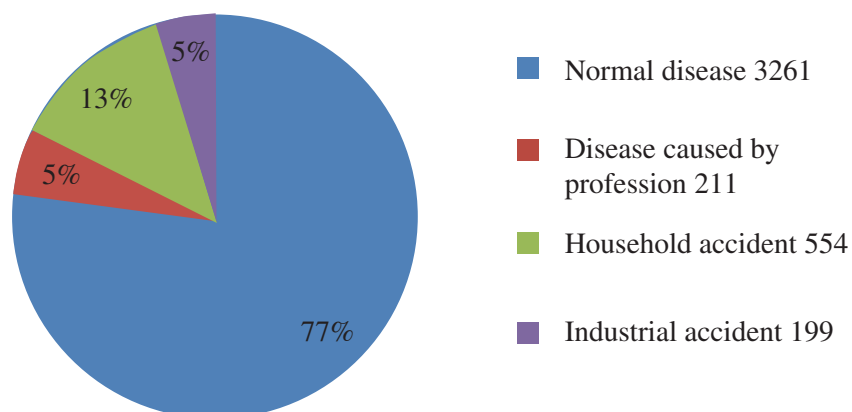
Acquired PWDs aged 0-16 (with mental illness),
NSO 2009 Total - 367



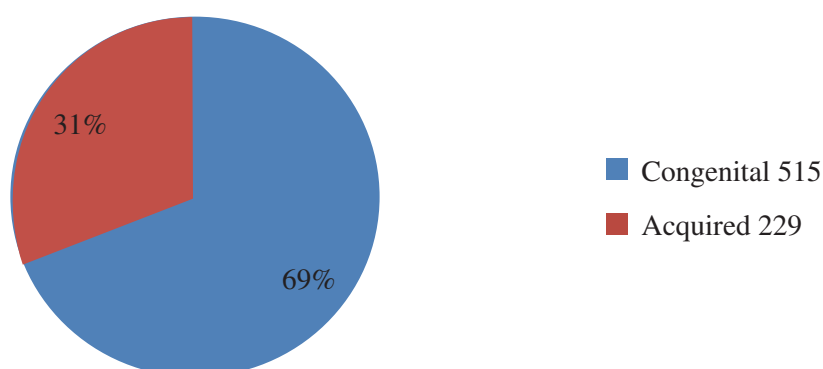
Number of PWDs (with psychopathy), NSO 2009
Total - 7670



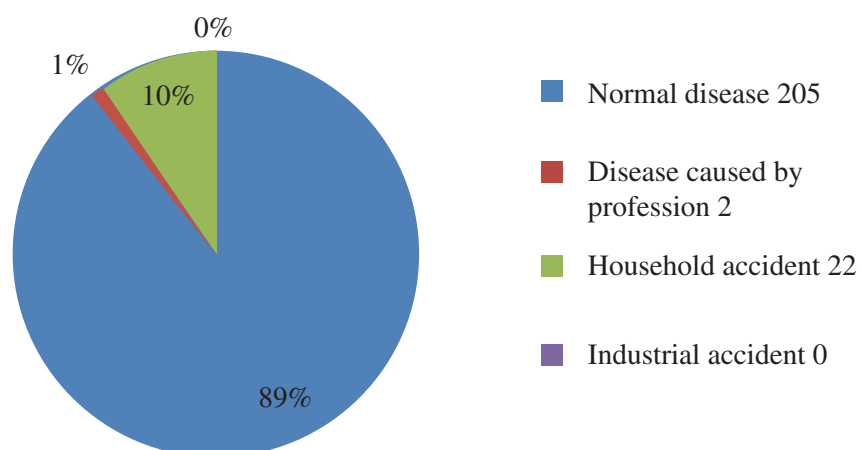
Acquired PWDs (with psychopathy), NSO 2009
Total - 4225



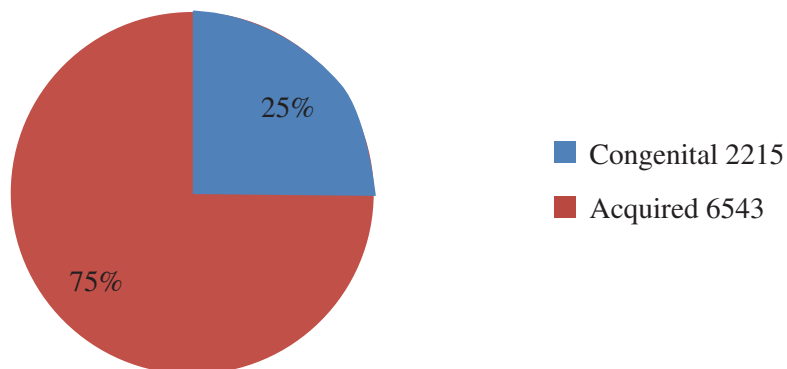
Number of PWDs aged 0-16 (with psychopathy),
NSO 2009 Total - 744



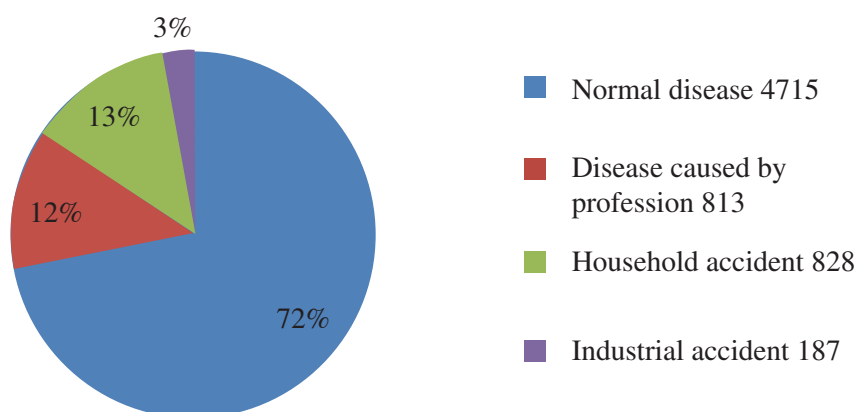
Acquired PWDs aged 0-16 (with psychopathy),
NSO 2009 Total - 229



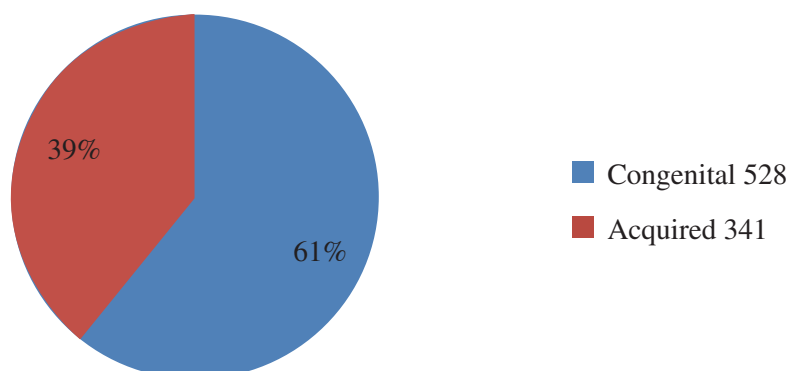
Number of PWDs (with pluralistic condition),
NSO 2009 Total - 8758



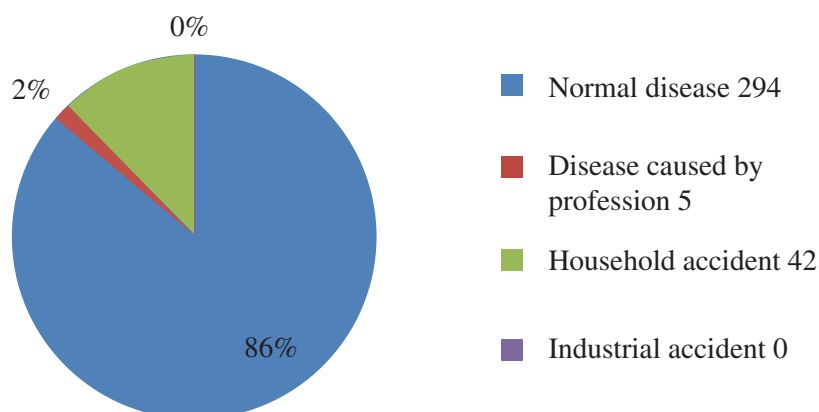
Acquired PWDs aged 0-16 (with pluralistic condition),
NSO 2009 Total - 6543



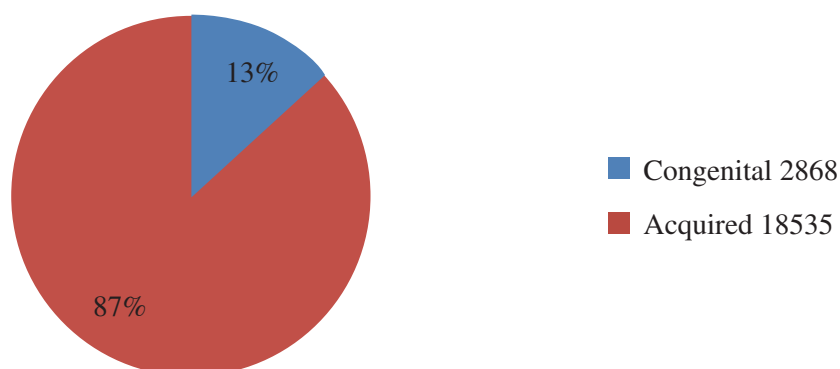
Number of PWDs aged 0-16 (with pluralistic condition),
NSO 2009 Total - 869



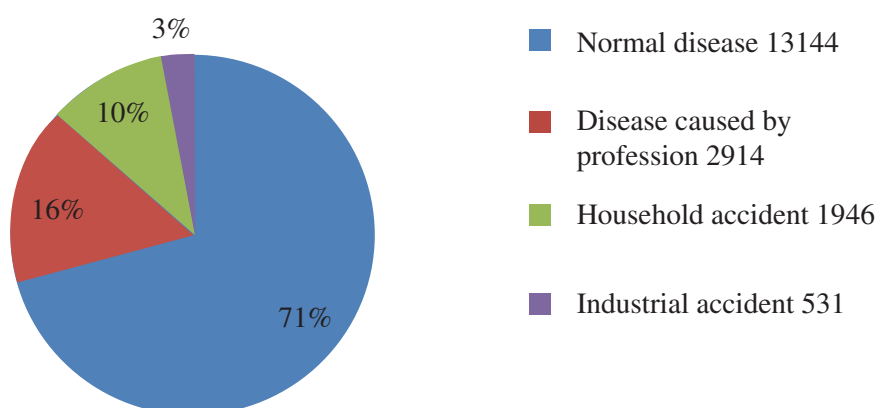
Acquired PWDs aged 0-16 (with pluralistic condition),
NSO 2009 Total - 341



Number PWDs (with other disabilities), NSO 2009
Total - 21403



Acquired PWDs aged 0-16 (with other disabilities),
NSO 2009 Total - 18535



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