

**Submission for the third meeting of the Subcommittee on Good Governance, Rule of Law and Human Rights under the European Union–Philippines Partnership and Cooperation Agreement: Statement on the Situation of Persons with Disabilities in the Philippines**

20 October 2023

This statement has been prepared by the European Disability Forum (EDF) ahead of the **third meeting of the Subcommittee on Good Governance, Rule of Law and Human Rights under the European Union–Philippines Partnership and Cooperation Agreement** that will take place on 26 October 2023 in Brussels, Belgium.

The [European Disability Forum \(EDF\)](#) is the regional forum of persons with disabilities in Europe advocating for the implementation of the Convention on the Rights of Persons with Disabilities (CRPD). EDF also actively promotes the inclusion of individuals with disabilities and Organizations of Persons with Disabilities (OPDs) in all European Union-related (EU) international cooperation initiatives. This entails ensuring fair access to activities managed by the EU's diplomatic service and actively participating in Policy Dialogues on Human Rights, particularly concerning the rights of individuals with disabilities worldwide.

**Background**

According to the World Health Organization (WHO), approximately [16 percent](#) of the global population, or 1.3 billion people, have disabilities. Europe is home to over 100 million individuals with disabilities, while Southeast Asia has an estimated 95 million. Significant progress has been achieved in promoting the equity and dignity of individuals with disabilities over the years. This progress is exemplified by the collective ratification of the CRPD by the EU, its Member States, and the Philippines.

The CRPD reaffirms that all individuals with disabilities should enjoy their human rights and fundamental freedoms, including the right to participate in all aspects of community life, be it civil, political, economic, social, or cultural. In 2022, States in the Southeast Asia region reaffirmed their commitment to the CRPD once again by adopting the new [Jakarta Declaration on the Asian and Pacific Decade of Persons with Disabilities 2023–2032](#).

Despite the CRPD and stated commitments on disability rights, persons with disabilities continue to face various barriers and obstacles while trying to access their rights. According to the UN [the main barriers](#) impacting the livelihoods of persons with disabilities today include the discrimination and stigma on the grounds of disability; lack of accessibility to physical and virtual environments; lack of access to assistive technology, essential services and rehabilitation.

Further, far too often, persons with disabilities and the organizations representing them find themselves excluded from critical discussions and decisions directly impacting their lives. Even though disability rights are inherently human rights, OPDs are sometimes sidelined by governments and other Civil Society Organizations working towards equality and inclusion.

So far, disability-related concerns do not seem to be a top priority of the current Philippine government and few OPDs in the Philippines have received new meeting notices from their National Council on Disability Affairs (NCDA) since the country's new President and Vice-President took office following the general election in May 2022. NCDA is the national government agency mandated to formulate policies and coordinate the activities of all agencies, whether public or private, concerning disability issues and concerns. According to disability rights advocates in the Philippines, NCDA was more engaged on disability issues during prior administrations.

In addition to a lack of meaningful engagement on disability-related issues from the current leadership in the Philippines, there are distressing human rights abuses and violations against individuals with disabilities in the country. These include the inhumane practice of shackling children with disabilities, the forced sterilization of girls and women with disabilities, the neglect of individuals with disabilities in rural areas, and insufficient resources for students with disabilities.

### **Shackling of Children with Psychosocial Disabilities**

In October 2020 Human Rights published a report, [Living in Chains: Shackling of People with Psychosocial Disabilities Worldwide](#), documenting the practice of shackling both children and adults with psychosocial disabilities (mental health conditions), in 60 countries around the world, including in the Philippines. This is especially the case in remote regions of the [Philippines](#). This distressing situation is primarily attributed to poverty and the absence of accessible services. The EU and Philippines must work on eliminating the practice of shackling children with psychosocial disabilities. The EU must support the Philippine government and local organizations mental health services for children with psychosocial disabilities, with support to families and community living.

### **The Forced Sterilization of Girls and Women with Disabilities**

The UN has [recognized the forced sterilization of persons with disabilities as torture](#); nevertheless, legal systems in many countries allow judges, healthcare professionals, family members and guardians to consent to sterilization procedures on behalf of people with disabilities. Forced sterilization of girls and women with disabilities remains in several EU Member States and the Philippines. At least [13 EU Member States](#) still allow some forms of forced sterilization in their legislation. They authorize either a guardian, a legal representative, an administrator or a doctor to consent to the sterilization of a person with disabilities on their behalf.

Although limited data exists, [studies](#) have found that forced sterilization and contraceptive use of girls and women with disabilities, especially those with intellectual and psychosocial disabilities, also occurs in the Philippines. A study of health providers revealed that families request for tubal ligation of young women with cognitive disability for pregnancy prevention without their consent.

### **Ignoring Persons with Disabilities in Rural Areas**

The prevalence of persons with disabilities is higher in rural areas. Persons with disabilities in rural areas often encounter even greater exclusion than their urban counterparts. They have lower educational attendance, reduced employment opportunities, limited access to skilled healthcare and accessible transportation. Moreover, rural development initiatives often overlook the rights of persons with disabilities. Too often individuals with disabilities are viewed as recipients of charity, medical care, and social assistance, rather than as empowered individuals capable of exercising their rights, making autonomous decisions, and contributing actively to society and the economy. However, persons with disabilities in rural areas are often excluded from conversations related to the already limited conversations surrounding persons with disabilities. Both the disability community and society need to do better to ensure persons with disabilities in rural areas of the Philippines are not overlooked or left behind.

It is imperative that every global conversation involving human rights, spanning from Southeast Asia to Europe, includes both OPDs and individuals with disabilities living in urban and rural areas alike. Governments and organizations alike must diligently strive to create universally inclusive and accessible environments for persons with disabilities, as failure to do so will result in their exclusion from these crucial dialogues and leave them behind in the march toward progress.

### **Limited Support to Students with Disabilities**

Braille textbooks play a pivotal role in the education of students with low vision and those who are blind, as Braille allows students to acquire necessary spelling and formatting skills on par with their peers. Regrettably, the current administration in the Philippines has shown limited commitment to safeguarding access to Braille services. Concerns arise as new staff members at the Philippine Printing House for the Blind (PPHB), tasked with producing Braille textbooks in the country, lack the necessary programs or activities to effectively fulfill their role as Braille proofreaders.

Notably, the current Secretary of Education, who also holds the office of Vice President in the Philippines, has yet to engage in addressing the critical matter of ensuring that students with low vision and students who are blind receive the essential accommodations required for their academic success.

### **Advancing Disability Rights in the Philippines**

To advance disability rights in the Philippines, the EU and the Philippines should prioritize the following actions, including recommendations for assistive communication technology and increased engagement in rural areas:

- **Legislation:** Enact legislation specifically banning the practices of shackling and forced sterilization.
- **Awareness and Education:** Implement initiatives to raise awareness about disability issues and promote the rights of students with disabilities.
- **Accessibility:** Promote universal accessibility in infrastructure, transportation, and information and communication technologies to ensure they are inclusive of everyone.

Emphasize the development and distribution of assistive communication technology (ACT) to support individuals with disabilities.

- **Employment Opportunities:** Develop policies and programs that enable individuals with disabilities to access equal employment opportunities and workplace accommodations.
- **Healthcare Access:** Ensure that individuals with disabilities have access to quality healthcare services, including rehabilitation and support.
- **Advocacy and Participation:** Encourage the active participation and representation of individuals with disabilities and OPDs in decision-making processes and policy development. Facilitate their engagement in rural areas through community-based organizations.
- **Data Collection:** Collect and analyze data on disability to inform policy and program development, paying special attention to rural regions.
- **International Cooperation:** Collaborate with international organizations, including the United Nations and its agencies, to strengthen disability rights on a global scale.
- **Monitoring and Evaluation:** Implement mechanisms for monitoring and evaluating progress in the advancement of disability rights and ensure accountability, with a specific focus on the impact in rural areas.

By jointly pursuing these initiatives, EU Member States and the Philippines can work together to create an inclusive and equitable environment that upholds the rights and dignity of persons with disabilities in EU Member States and the Philippines.

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