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The situation of persons with disabilities

There are no reliable, up-to-date, nationwide statistics on disability in Bangladesh. Existing data are based on projections, for example using the WHO/World Bank average prevalence rates for developing countries, or on sample surveys. The Bangladesh Bureau of Statistics (BBS) has published a Household Income & Expenditure Survey (HIES) in 2010, which found a disability prevalence rate of 9.07%. But the 2011 National Census found only 1.7%. Earlier in 2005, NFOWD and Handicap International jointly found a prevalence rate of 5.6%. The Department of Social Services (DSS) is currently (2014) performing a nationwide door-to-door survey. Riddled with a plethora of shortfalls, this is coming up with a rate of about 2%. A 2011 World Bank case study on disabilities in Bangladesh estimated that 16.2% of working age people had some kind of disability. This represents more than 24 million individuals. Using an expanded measure of disability, the prevalence rate amongst adults was seen to be as high as 19.6%. The study also found a noteworthy gender imbalance in disability. Of all persons with disabilities, 69 out of every 100 were female. The prevalence of disability was higher in rural areas (17.3%) than in urban areas (13%). Persons with disabilities, on average, had completed only 2 years of schooling and were more likely than those without disabilities to be unemployed and to experience multiple dimensions of poverty (Mitra et al 2011). The confusion is most likely a result of different interpretations and definitions of disability.

A 2008 survey with women with disabilities in Bangladesh found that 50% had never married, 72% lived with their parents or a sibling and 40% reported sometimes being mistreated by their families. The vast majority were unaware of any government or NGO services for persons with disabilities, and 80% said they were unaware of any law or policy pertaining to disability in the country (Hussain 2008).

Information on children with disabilities in Bangladesh is inadequate. In 2009, the Disability Rights Watch Group estimated that there were around 1.6 million children with disabilities in the primary school age cohort, of whom only 4% had access to education. The Child Sight Foundation reports that about 2% of children live with severe disabilities in Bangladesh.

The sheer number of people with disabilities in Bangladesh is high enough to merit special attention (Hussain 2008). The clear need for more reliable, comprehensive and detailed disability data has been identified as a priority by organisations of people with disabilities (DPOs) and by the government. A broad national survey on disabilities has been underway since 2011. At the time of writing, the results were not yet available.

Legal and policy frameworks

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

- Signing and ratifying (in 2007) the *United Nations Convention on the Rights of Persons with Disabilities* (CRPD), as well as its Optional Protocol (in 2008). The CRPD is the first international, legally binding treaty aimed at protecting the human rights of persons with disabilities. The Optional Protocol allows persons with disabilities whose rights have been violated to bring complaints to the Committee on the Rights of People with Disabilities. Read the Convention at www.un.org/disabilities/convention/conventionfull.shtml.
- Signing the *Proclamation on the Full Participation and Equality of People with Disabilities in the Asia Pacific Region* and the *Biwako Millennium Framework for Action Towards an Inclusive, Barrier Free and Rights Based Society for*

Persons with Disability. Signatories pledge their commitment to developing effective policy and programmes at national, sub-regional and regional levels aimed at systematically improving the conditions of persons with disabilities and harnessing their full development potential.

- Signing and ratifying other treaties that advance the rights of people, including those with disabilities, for example the UN *Convention on the Rights of the Child* and the *Convention on the Elimination of All Forms of Discrimination against Women* – both of which make reference to protecting the rights of persons with disabilities to fair treatment, appropriate care and full participation in society.
- Ratifying the *Dhaka Declaration on Autism and Neurodevelopment Disabilities*, which recognises the need for concerted and coordinated actions, both regionally and globally, to promote accessibility to quality mental health services.

In terms of **national laws and policies**, the following have the most direct bearing on the rights of persons with disabilities:

- The 1972 *Constitution of the People's Republic of Bangladesh* guarantees the basic human rights of every citizen of the country and prohibits any form of discrimination between social groups, including persons with disabilities. Article 15(d) secures the right to social security for persons with disabilities.
- Bangladesh passed the *Rights & Protection of Persons with Disabilities Act* in 2013. It approaches disability from a human rights perspective and provides for inclusive education, the reservation of seats on all forms of public transport, accessibility provisions for all public places, equal opportunities in employment and the protection of inherited property rights. The law requires persons with disabilities to register for identity cards to track their enrolment in educational institutions and access to jobs.
- Also in 2013, the *Neuro-Development Disability Protection Trust Act* was passed by Parliament, providing for the care, security and rehabilitation of persons with autism.

- The first *National Policy for the Disabled* was adopted in 1995, with the aim of mainstreaming disability into the country's development agenda. It gives guidelines for prevention, identification, rehabilitation, education, research and accessibility, among other things. It was followed by a Disability Welfare Act in 2001 and a National Action Plan in 2006, involving 17 different ministries. Since the adoption of the new Disabilities Act in 2013, the policy has been revitalised and coupled with new institutional arrangements and action plans.
- The *National Child Policy* of 2011 recognises the equal rights of all children, including those with disabilities. It provides for the dignified treatment of children with disabilities, their inclusion and participation in all aspects of society, including education. It also states that special education should be provided to children with disabilities who are unable to attend mainstream schools.
- The *National Building Code* of 2008 defines accessibility requirements for persons with disabilities. Further specifications are contained in the Disabilities Act of 2103, including sanctions in the event of non-compliance.
- The *Information and Technology Policy* of 2010 and the *Women Development Advancement Policy* of 2011 specifically refer to improving access and opportunities for persons with disabilities.
- Bangladesh has a complex *Social Safety Net*, which includes cash allowances for "financially insolvent" persons with disabilities and injured freedom fighters, stipends for students with disabilities, grants for special schools and the subsidisation of Service and Assistance Centres for persons with disabilities (see the next page for more information).

Implementing agencies

The *Rights of Persons with Disabilities Act* of 2013 calls for a 27-member National Coordination Committee to be mandated with coordinating the activities of all governmental and non-governmental role-players in order to fulfil the objectives of the law. In terms of government

agencies, the responsibility for advancing the rights of persons with disabilities in Bangladesh is vested in the Ministry of Social Welfare. Within the ministry, there is a National Foundation for the Development of Disabled Persons (Jatiyo Protibondhi Unnyan Foundation or JPUF). The activities of the foundation include:

- Raising awareness about the rights of persons with disabilities;
- Providing and co-ordinating diagnostic, rehabilitative, therapeutic and education services to persons with disabilities and their families;
- Running a number of facilities, including schools for children with special needs, an autism resource centre, handicraft training centre and a hostel for jobseekers with disabilities; and
- Disbursing grants and loans to persons with disabilities, to disability-related projects and programmes of NGOs and to self-help organisations of persons with disabilities.

Service and Assistance Centres for persons with disabilities have been established in all 64 districts of Bangladesh, providing free access to professional staff including doctors, physiotherapists, clinical speech and language therapists. The centres promote early identification of disabilities, while also providing a variety of rehabilitation and education services. According to Bangladesh's 2012 report to the Committee on the Rights of the Child, around one million people including children with disabilities had by then received services through these centres.

Rehabilitation services for persons with disabilities are therefore channelled primarily through the centres and not through the general health care system. Besides the JPUF, the other main state institutions mandated with disability policy and programme implementation are the Ministry of Primary and Mass Education, and the Ministry of Education (which oversees secondary and tertiary education). A Gender and Inclusive Education Action Plan is being implemented to improve access to and participation in school activities for girls with disabilities. The construction of all new schools includes ramps and toilet facilities that are accessible to children with physical disabilities. However, efforts to advance inclusive education in

government schools have been inadequate and more progress towards inclusivity has been in the vast non-formal education sector, notably in those schools run by the NGO BRAC (Disability Rights Watch Group 2009).

While state institutions have increased their efforts to advance disability rights, NGOs continue to play a critical role in providing services to people with disabilities in Bangladesh.

Accountability measures

Following the ratification of the CRPD and its Optional Protocol, the Government of Bangladesh created a formal mechanism to monitor the progress. 46 Disability Focal Points (FPs) were created, in as many ministries & departments in 2008. A National Monitoring Committee was also launched, chaired by the Secretary of the Ministry of Social Welfare (MOSW). Besides the FPs, the Chairperson of the National Human Rights Commission, and a few other recognised Human Rights promoters were included in this committee. The *National Forum of Organisations Working with the Disabled (NFOWD)* president was the only representative in this committee from the disability sector. The committee almost regularly convenes on a quarterly basis. The CRPD has been translated into Bangla. There is an official version, a popular version, and a child-friendly version of the CRPD in Bangla. The official version is also available in accessible formats.

At a broad level, the National Human Rights Commission of Bangladesh has the mandate to monitor the protection and advancement of human rights in the country. However, there are reservations about the impartiality and capacity of the commission amongst some civil society actors. Following the government's ratification of the CRPD, the National Forum of Organisations Working with the Disabled (NFOWD), which is the apex federating body of NGOs working in the disability development sector in Bangladesh, decided in 2009 to form a Disability Rights Watch Group comprised of leading civil society experts and disability advocates. Since 2009, there has also been a Parliamentarians' Caucus on Disability. The 2013 *Rights & Protection of Persons with Disabilities Act*, which was drafted largely by NFOWD with input from the Parliamentarians' Caucus, makes provision for the creation of committees (with compulsory

representation from DPOs) at national, district and upazila levels to protect the rights of persons with disabilities. It remains to be seen how much capacity and authority these committees will have to monitor implementation of disability policies or hold implementing agencies to account.

At the international level, in spite of being one of the first countries to ratify the convention, Bangladesh has not yet submitted a report to the UN Committee on the CRPD. In 2010, a report was drafted for submission, but it was not sent. The process has been initiated again, and it is reported that the report will be sent by the end of December 2014. To monitor the continued work of the Committee and access its observations on the implementation of the CRPD in Bangladesh, visit <http://www.ohchr.org/en/hrbodies/crpd/pages/crpdindex.aspx>.

Despite all the legal provisions and institutional arrangements in place, the attainment of the rights of persons with disabilities remains a major concern.

Main civil society actors

There are an estimated 30, 000 NGOs active in Bangladesh, and amongst these around 300 that focus on disability rights to a greater or lesser extent (Handicap International).

The largest umbrella body is the **National Forum of Organisations Working with the Disabled** which is made up of both DPOs and other service providing organisations. NFOWD is well established and works to realise the rights of all people with disabilities through awareness raising, advocacy and networking to establish an influential base in society. Bangladesh also has a network of self-help organisation of persons with disabilities at the local level (often referred to as Disabled Peoples' Organisations to Development). As far as DPOs at the national level are concerned, some of the role-players include:

- **Bangladesh Protibandhi Kallyan Somity** (BPKS), a national cross-disabilities organisation working for people with disability and run by people with disabilities. BPKS aims to establish a society where all individuals including people with disabilities enjoy their human rights. It promotes the active participation of persons with disabilities in every step of achieving this goal.

- The **National Grassroots Disability Organisation**, which works to build the capacity of DPOs to advocate for the full implementation of the CRPD.
- The **National Fellowship for the Advancement of the Visually Handicapped**, which runs various programmes involving persons with visual disabilities.
- **Bangladesh National Federation of the Deaf**, which advances the rights of deaf and hearing impaired persons.
- The **National Council of Disabled Women**, which aims to create national awareness of the rights of women with disabilities through advocacy, legal action and supporting grassroots organisations of women with disabilities.

Several international organisations play a role in the disability movement in Bangladesh, including ActionAid, Save the Children, World Bank, CBM International, Handicap International, Sight Savers International, Helen Keller, World Vision, UNICEF and WHO. Other organisations playing a key role in awareness-raising, advocacy and service provision include (but are not limited to):

- The **Centre for Disability in Development**, which works to support and empower persons with disabilities to participate fully in all aspects of society, while simultaneously educating the community on how to be more inclusive.
- **ADD International** in Bangladesh, which works through a network of DPOs in 25 districts, providing skills training to persons with disabilities, funding and promoting accessible water and sanitation facilities, as well as lobbying banks to provide credit and employers to provide job opportunities to persons with disabilities.
- **BRAC**, which specifically targets the inclusion of children with special needs in the pre-primary and primary education services they provide through non-formal schools in Bangladesh.

What Sweden can do: 8 questions to discuss

- Could Sweden do more to systematically include disability rights as an explicit part of its support to regional accountability mechanisms, efforts to establish independent human rights institutions, election monitoring and watchdog organisations? Monitoring tools can be downloaded [here](#).
 - Could Sweden do more to strengthen the capacity of DPOs to raise awareness around disability rights and to monitor the implementation of legal and policy commitments? E.g. extending targeted calls for proposals to DPOs and inviting DPOs to participate in civil society capacity development programmes.
 - Could Sweden be more proactive in ensuring that women with disabilities are included in programmes focussing on SRHR - in particular in gender-based violence and women's empowerment initiatives? E.g. by supporting deliberate, explicit measures and efforts to include women and men with various disabilities in the supported programmes and by promoting disaggregated monitoring indicators. Women with disabilities are heavily overrepresented in GBV.
 - Could Sweden be more proactive in ensuring that programmes related to labour market, entrepreneurship and private sector inclusive of persons with various disabilities? Examples of tools can be found [here](#).
 - Could the embassy do more to bring existing knowledge and research on inclusion of persons with disabilities into resilience programmes? Examples of tools can be found [here](#).
 - Could Sweden do more to promote a disability perspective in joint donor planning meetings, taking into consideration that article 32 of the CRPD requires donors to do so and that other Nordic donors are also interested in this? What support and additional information would the regional office need to take such initiative? Inclusion Made Easy - a quick programme guide to disability in development [here](#)
 - Could Sweden consider inviting persons with disabilities and their organisations to participate in their human rights networks and social and cultural events? This could open doors for the disability organisations and their issues.
 - Could Sweden do more to stay informed on the situation and rights of persons with disabilities in Bangladesh and to keep updated of the Swedish position on these rights? E.g. appointing a designated person for this.
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The human rights of persons with disabilities are a Swedish government priority. As a service to staff, briefs have been prepared to provide basic information about the situation of this (often forgotten) group and inspire discussions on what Sweden could do to better include disability rights in diplomacy and programming.