

institutions alike must link together to form a general support system for persons with disabilities.

### **(10) Incidental Deliberations**

In the completion of the legislative reforms, at both levels of the National Diet, provisions had to be made in an array of areas. As such, incidental deliberations about this followed.

### **3. Convention on the Rights of Persons with Disabilities and related matters**

One of the important factors of the above mentioned considerations about the reform of domestic systems on persons with disabilities is the adoption of the Convention on the Rights of Persons with Disabilities (CRPD) in the United Nations.

The Resolution at the 56th General Assembly of the United Nations decided to establish an Ad Hoc Committee to consider proposals for a comprehensive and integral international convention to promote and protect the rights and dignity of persons with disabilities. After holding eight sessions, the 61st General Assembly adopted the CRPD in December 2006.

The CRPD was opened for signing on 30th March 2007 and entered into force in May 2008. Japan signed this Convention in September 2007 and has since been working toward the conclusion of the Convention as soon as possible.

### **4. Policy Assessments**

Assessments of persons with disabilities as discussed previously, the headquarters was placed in the National Cabinet. Under its administration, a committee on reforms centering around persons with disabilities. As well, system reforms and deliberations have been carried out with maximum efforts. As such deliberations, the, "First Deliberation Hearings" and the, "Second Deliberation Hearings" have taken place. Proposals have been made in light of the policies up until now regarding persons with disabilities.

### Chart 3: Basic Act for Disabled Persons Partial Revision Legislation [Summary]

## Basic Act for Disabled Persons Partial Revision Legislation [Summary]

07/29/2011 Completed  
08/05/2011 Promulgated

### General Rules and Related Topics

(Promulgation Date and Legislation Enforcement)

#### 1) Revision of Objective Regulations (Regarding Article 1)

• As a guiding principle, all people shall be treated fairly as individuals regardless of whether they do or do not have disabilities. No one shall be singled out for being a person with disabilities. All people's individual characters shall be respected in the realization of a cohesive society.

#### 2) Revision of the Definition of Person with Disabilities (Regarding Article 2)

• The Definition shall include: Physical disabilities, mental disabilities, psychological disabilities (including developmental disabilities), also to include other persons with mental and physical functional disabilities. In particular, the definition indicates those with disabilities that as a result have barriers to social participation (such barriers including systems, customary practices, ideas, etc.) continuously to the point that it affects their daily lives and limits their abilities to participate in society.

#### 3) Cohesive Societies (Regarding Article 3)

1) Accordingly, in order to realize this society, all persons with disabilities should be treated equally to others without disabilities. Furthermore, must retain their fundamental human rights and be respected as individuals. As such, whatever life style suits them should be honored as their rights. The following items categorize the way in which this shall be accomplished.

• All persons with disabilities should have the right to opportunities to participate in activities in all fields.

• All persons with disabilities should have the right to choose with whom they live and not be restricted to live with anyone in society.

• All persons with disabilities should have the right to choose the language by which they communicate-including sign language and other forms of communication. Also, their choices regarding the ways in which they obtain information should be expanded upon.

#### 4) Prohibition of Discrimination (Regarding Article 4)

• It is prohibited to use the disability of a person as a reason to restrict them from any rights and or benefits.

• As part of the effort to rid society of entry barriers, according to the needs of persons with disabilities at any one time, whenever it is possible, their needs should be met as part of these efforts.

The nation will gather, prepare and publicize whatever necessary information there may be in order to prohibit discrimination.

#### 5) International Coordination (Regarding Article 5)

• 1) Accordingly, in order to realize this society, efforts must be coordinated internationally.

#### 6) Understanding from the People (Regarding Article 7)/ The Duty of the People (Regarding Article 8)

• It is necessary to enact policy to raise understanding on the part of the nation as well as local public organizations in regards to the fundamental principles stipulated by items 3) through 5).

• Efforts must be put forth to see that the people, in accordance with the fundamental principles as a guide, make contributions to the realization of the society specified in item 1).

#### 7) General Policy (Regarding Article 10)

• Policy and services must be enforced with respect to the character differences, sex, conditions of disabilities and life style varieties of the person with disabilities in question.

• The opinions of persons with disabilities and that of others who may be concerned, should be respected.

### General Related Policy

(Day of Promulgation and Execution of Policy)

#### 1) Medical Care and Nursing Care (Regarding Article 14)

• It is essential to have policy that provides medical care, nursing and health care support for persons with disabilities with keeping in mind the differences in character, various conditions of the disabilities, and life style variations of the person with disabilities in question.

• As well as fully respecting the human rights of the person with disabilities, it is essential to administer policy that sees that medical care and nursing care is provided at nearby locations to the person with disabilities.

#### 2) Education (Regarding Article 16)

• It is important to ensure policy that in accordance with the age and ability level of the person with disabilities, they are able to receive education. Also, it is important to ensure the enactment of policy that they may be educated along with students without disabilities and furthermore, that the proper service and policy reforms are enacted.

• The primary care takers of the pupil with disabilities must be provided with pertinent information. It is essential that this is respected to the fullest degree possible.

#### 3) Rehabilitation [New Installations] (Regarding Article 17)

• Necessary policy ensuring nearby rehabilitation and related support

• The promotion of the spread of research and development as well as, training and developing professional specialists with the proper knowledge and skills; furthermore, advancements of environmental preparations.

#### 4) Vocational Consultation etc. (Regarding Article 18)

• Policy that works to ensure various employment opportunities, as well as ensuring vocational consultations that care to the needs of the particular disabilities of the person with disabilities and furthermore, occupational training.

#### 5) Employment Promotion (Regarding Article 19)

• Policy that promotes the prioritization of the employment of persons with disabilities in the government, local public organizations and other operations.

• The employers will ensure the appropriate employment opportunities as well as, manage the employment with the various characteristics of each disability of the person with disability being employed.

#### 6) Safe Guarding Residents (Regarding Article 20)

• In order to ensure steady maintenance of life styles at the local societal level, policy that safe guards the advancement of residential provisions is necessary.

#### 7) Public Facilities Undergoing Barrier Free Changes (Regarding Article 21)

• Promotions of plans that ensure the necessary structural preparations of public transportation facilities (automobile, marine vessel, airport and other such transportation facilities) and other public facilities, so that they may be easily accessible.

#### 8) Removal of Barriers to Access to Information (Regarding Article 22)

• Necessary policy that ensures that persons with disabilities may smoothly be able to access and use information, express their wills and have communication with others. Furthermore, policy that ensures intermediate persons to help them communicate and the training of such intermediate persons.

• Necessary policy that ensures safety in the case of a natural disaster and that information in accordance, is quickly and accurately communicated.

#### 9) Consultation (Regarding Article 23)

• Providing care to the wills and decisions as well as for consultation services of the families and associated parties of persons with disabilities.

• In order that persons with disabilities, their families and concerning parties are able to receive various specific and general consultation services, and to ensure a proper consultation service system, and support to aid in the abilities of persons with disabilities and their families to have mutually supportive relationships is essential.

#### 10) Various Cultural Conditions and Preparations (Regarding Article 25)

• Policy that ensures the ability to smoothly participate in cultural, art, sports and recreational activities is necessary

#### 11) Preventing Disasters and Crime [New Installations] (Regarding Article 26)

• In order to ensure that in maintaining general life styles, safety is preserved, it is necessary to enact policy that ensures the prevention of disasters and crime-with respect to the various conditions of the disabilities of the person, their life styles, characteristics and their sex.

**12) Protecting the Consumer Persons with Disabilities [New Installations] (Regarding Article 27)**  
 \*It is essential to provide policy that protects and promotes the rights of persons with disabilities as consumers, by providing the appropriate information necessary.

**13) consideration for Voting [New Installations] (Regarding Article 28)**  
 \*In order that voting participation may occur smoothly, it is necessary to enact policy that ensures good voting facilities maintenance and preparation.

**14) Judicial Proceedings Care [New Installations] (Regarding Article 29)**  
 \*In the case that the person with disabilities may become the suspect in a criminal action and or civil case proceeding, in order that they are able to smoothly exercise their rights, it is essential to ensure care for the methods by which they communicate-with respect to their various disabilities. Policy that ensures this and the training of related professionals is necessary.

**15) International Cooperation [New Installations] (Regarding Article 30)**  
 \*Policy ensuring informational exchange with foreign governments, international institutions and related organizations is essential.

Persons with Disabilities Policy Committee	(Enactment within one year of Policy Drafting)	Supplementary Provisions
<p><b>National) The National Persons with Disabilities Committee (Regarding Articles 32-35)</b>            * The Central Persons with Disabilities Policy Promotions Committee was reorganized and reestablished as the, "National Persons with Disabilities Committee" in the National Cabinet (The Prime Minister selected various persons with disabilities, people involved in persons with disabilities societal participation independence operations and experienced students on the matter.)  <b>Regional) Regional Committees and Councils (Regarding Article 36)</b>            *The Regional Persons with Disabilities Policy Promotions Committee was reorganized; at which, observations of the affairs of administration of said committee are to be added.</p>		<p><b>Examination (Regarding Supplementary Provisions Article 2)</b>            *In the event that three years were to pass after the enactment of the policies, a study of the policy enforcement shall be added. As such, so shall the necessary provisions be added depending on the study results.            *In light of the actual administration of persons with disabilities policies, examinations of the maintenance of regional health, medical care, and welfare services, along with the connections between them and other support systems for persons with disabilities shall be added. As such, so shall the necessary provisions be added depending on the study results.</p>

In light of these hearings, systematic reform decisions have been carried out by the Cabinet, as well as proposals on policy reforms, and the reforms to the Persons with Disabilities Act were all submitted before the National Diet in April of 2011. All of which was approved by the National Diet as previously stated.

Due to efforts on the part of the office, regarding effective persons with disabilities policy affairs, recruitment of, "Writing Contest Posters"-which was then changed to –"Advertisement Posters" was directed at elementary and middle school students. Also, information was publicized regarding the National Social Welfare Committee Magazine. Due to these efforts and others, the highest number of people applied to participate in recent years.

In order to realize a cohesive society, the event, "Person with Disabilities Gathering," was changed to be called, "Persons with Disabilities Forum 2011." Due to related publicity leaflets and advice by volunteer specialists, the leaflets were made to be very easily comprehensible. Due to such efforts, the number of people who came to attend the event saw a 30% from previous years.

## 5 Details of the Measures Regarding Persons with Disabilities

### (1) The overall promotion of our country's measures for persons with disabilities

The overall promotion of our country's measures for persons with disabilities began in 1970 with the Basic Act on Measures for Persons with Mental or