

**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></p> <ul style="list-style-type: none"><li>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.)</li></ul>	<p><b>Regional) Regional Committees and Councils (Regarding Article 36)</b></p> <ul style="list-style-type: none"><li>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.</li></ul>	<p><b>Examination (Regarding Supplementary Provisions Article 2)</b></p> <ul style="list-style-type: none"><li>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.</li><li>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.</li></ul>

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

Physical Disabilities. It was then reinforced with the opportunity of the "International Year of Persons with Disabilities" in 1981. In 1983, based on the proclamation of the "United Nations Decade of Persons with Disabilities" (a result of the "International Year of Persons with Disabilities"), the first long-term plan regarding measures for persons with disabilities was formed in our country. In 1993, the Basic Act on Measures for Persons with Mental or Physical Disabilities was revised into the Basic Act for Persons with Disabilities, demonstrating that measures for persons with disabilities were being promoted comprehensively and in an organized manner. With these developments taking place, a ten-year plan regarding the independence and participation in society of persons with disabilities were organized and, in keeping with the framework of the comprehensive and planned measures based on those plans, this framework has been followed to the present day.

In fiscal 2011 we reached the ninth year of the Basic Program for Persons with Disabilities that runs from fiscal 2003 to fiscal 2012, and also the fourth year of the Five-Year Plan for the Implementation of Priority Measures, implemented under the Former Headquarters in December of 2007 and to be carried out

during the second half of the aforementioned plan (hereafter referred to as the Second Half Five-Year Plan). These two plans list the measures to be taken by different government departments regarding persons with disabilities, measures aimed to realize a society trying to become a "Cohesive Society" in which every citizen respects and supports the personality and individuality of others, regardless of whether or not they have disabilities.

## **(2) Act Reform**

In June of 2004, reform measures Basic Act for Persons with Disabilities went into effect. With its targeted regulations, this revision demonstrated support towards the independence and participation in society of persons with disabilities. Furthermore, as its fundamental ideology, it banned discrimination based on disability and it established the "Week of Persons with Disabilities" (from December 3rd to the 9th).

It also set up the "Central Council for the Promoting of Measures for Persons with Disabilities" in the Cabinet Office, to both deal with the implementation of the aforementioned Basic Program and mandate the formation of a Disability Program by metropolitan and prefectural administrations, as well as by municipal administrations. Appointed by the Prime Minister, the members of this Council are scholars or people engaging in careers related to persons with disabilities and their welfare. In accordance with revisions to the Persons with Disabilities Act in fiscal year 2011, the same council came to be in charge of the, "Persons with Disabilities National Policy Committee."

In light of revisions to the act, systematic reforms have been carried out in different fields, thus constructing a systematic disabilities policy for modern Japan.

## **(3) In the field of livelihood support**

The Services and Supports for Persons with Disabilities Act was put into effect in 2006; progressing towards a plan to promote local mobility and the reinforcement of employment support with the goal of building a society where one can live peaceably in one's region even if one has disabilities. Regarding the welfare services provided in accordance with different types of disabilities, a stable system was reformed through the reinforcement of the financial responsibility of the State and a reconsideration of the financial burden of recipients.

Meanwhile, in light of the ideas put forth by the Reform Committee, on June 29<sup>th</sup>, 2010, the Cabinet declared the New General Direction for Persons with Disabilities Systems Reforms Promotion. At which point, in regards to the field of the health welfare of persons with disabilities, the, “Persons with Disabilities Independence Support Act” was abolished in order to create a system with no loop-holes in support services. The, “Persons with Disabilities Overall Welfare Act (short name)” was adopted in order to cover the previously mentioned support loop-hole issues, and to better meet the needs of individuals in need of the support system in the varying regions of the nation.

Regarding the contents of the new act, there were two years of debate at the, “General Welfare Department Meeting,” in which vast numbers of persons with disabilities took part. Finally, in August of 2011, the department came out with the, “Persons with Disabilities General Welfare Act Proposal.”

Afterwards, at the Democratic Party Ministry of Health and Welfare Peoples with Disabilities WT (Working Team) in July of the same year, deliberations were held on the formerly mentioned reform proposals.

On March 12<sup>th</sup> of 2012, at Headquarters, the, “Persons with Disabilities Act” was reformed to become the Persons with Disabilities Daily Life-Style and Societal Participation General Support Act (Persons with Disabilities General Support Act). Also, laws concerning the realization of a cohesive society for persons with disabilities in various regions throughout the nation through the establishment of health welfare policy reform were decided on. The formerly mentioned laws were declared by headquarters the following day on the 13<sup>th</sup> and also at the National Diet. See Diagram 5 for an outline of this.

#### **(4) Concerning persons with developmental disabilities**

Concerning persons with developmental disabilities—for whom it had been formerly difficult to provide appropriate support within the three-pronged framework of physical disabilities, intellectual disabilities and mental disorder—the Act for Supporting Persons with Developmental Disabilities was established in 2004 with the purpose of arranging a structure capable of providing unified support across the fields of employment, education, welfare, medical treatment and healthcare, as well as clarifying the definition of these types of disabilities.

#### **(5) Protection for Persons with Disabilities Who Undergo Abuse**

Policy has been progressing in this area in order to provide care for persons with disabilities who have experienced abuse and support their care-givers and furthermore to prevent such abuse of persons with disabilities. As such, the, “Protection for Persons with Disabilities Who Undergo Abuse, and Support for Persons with Disabilities Care-Givers Act (Protection for Persons with Disabilities Who Undergo Abuse Act)” was established. Accordingly, a proposal by the lower house of the National Diet’s Health, Welfare and Labor Committee

was submitted to the National Diet in June of 2006 and put into effect in October of 2012. For an outline of this, see Chart 6.

#### **(6) In the field of Life Environment**

In the field of Life Environment, the "Ministers' Conference Regarding 'Barrier-Free'" was created in March of 2000 by an oral decision of the Cabinet in order to promote a comprehensive and efficient movement towards a globally "barrier-free" society that includes both infrastructural and human resources. Later, in June of 2004 members of the Government united and established through this conference the Barrier-Free Promotion Outline, a policy for moving society towards being "barrier-free" through both infrastructural and human resources. Then, in June of 2006 the Act for Promoting Barrier-free Transport and Facilities for the Elderly and Persons with Disabilities (the New Barrier-free Act) was established, going into effect in December of the same year. Due to this act, concerned persons participated in both the formulation of the basic plan and the planning of the overall promotion of the "barrier-free" changes, involving routes and facilities used in the daily lives of persons with disabilities, including not only public transportation, roads and buildings but also public gardens and parking lots. In March of 2008, based on the permeation of "universal design," a

design accessible to everyone in such a way that no new barriers arise in facilities and products, the "Ministers' Conference Regarding 'Barrier-Free'" amended the Barrier-free Promotion Outline and established the Barrier-free Universal Design Promotion Outline, which made it clear that they are promoting both "barrier-free" and "universal design." The "Ministers' Conference Regarding "Barrier-Free" was reorganized in March by a partial oral amendment of the Cabinet for the same purpose, becoming the "Ministers' Conference Regarding, "Barrier-free Universal Design".

### **(7) In the field of Education and Nurture**

In the field of Education and Nurture, the School Education Act and other acts were amended in June 2006 so as to respond to the individual educational needs of each child with disabilities in a flexible manner and to support and guide them in an appropriate way. The amendments, which came into force in April 2007, include the transition of the system of schools for the blind, for the deaf, and for children with intellectual disability, physical disability, and health impairment to schools for special needs education.

In December 2006, the Basic Act on Education was completely amended and went into effect. The revised act includes a new clause in the article of "Equal Opportunities of Education" that requests both central and local governments to provide necessary support to children with disabilities so that they are fully educated in a manner appropriate to their disabilities. Furthermore, in order to realize the concept of this amended act, the Basic Plan for the Promotion of Education was decided by the Cabinet. This plan shows the educational vision to be pursued over the next decade.

### **(8) In the field of employment, needs regarding work**

In the field of employment, needs regarding work for persons with disabilities have increased concomitantly with these peoples' augmented participation in society; it thus became necessary to plan for independence at work, as work opportunities for persons with disabilities are increasing. Consequently, in December of 2008 the Act partially amending the Persons with Disabilities Employment Promotion Act were passed and went into effect sequentially starting in April of 2009. The content of these laws includes, among other things, a revision of the system of employment quotas corresponding to short-time work, further promoting the employment of persons with disabilities in small-and

medium-sized businesses.

### **(9) International Efforts**

The Biwako Plus Five program was adopted by the United Nations Economic and Social Commission for Asia and the Pacific (ESCAP) as an action guideline for the Second-Half Five-Year Program related to the "Biwako Millennium Framework" (BMF), the action plan of the "Asian and Pacific Decade of Disabled Persons " (2003-2012).

In fiscal year 2011, the ESCAP organized the meetings taking into account the end of the "Asian and Pacific Decade of Disabled Persons" (2003-2012), where the representatives of the Member States discussed the activities beyond 2012 in the Asian and Pacific region. The High-Level Intergovernmental Meeting is planned to be held to discuss the action plan for the next decade in Incheon, South Korea in October and November 2012.

### **(10) Headquarters and Reform Committee**

As previously mentioned, in December of 2009, under the administration of Headquarters, "The Reform Committee" was established," centering on persons with disabilities. It opened in January of 2010. At which, on two occasions opinions were shared, which eventually lead to reforms on the Persons with Disabilities Act. The General Welfare Department also contributed to these talks. The end of 2009 to 2011 was a revolutionary period for the policy to come in relation to persons with disabilities.