

Chapter 1 Building the Foundation for a Deeper Understanding of Persons with Disabilities

Section 1 Promotion of Public Relations, Awareness and Others

In order to provide for effectiveness in the government's smooth promotion of measures for persons with disabilities, it will be important to obtain the widespread understanding of the public at large while advancing these measures. Public administrative agencies, private-sector enterprises and organizations, the mass media, and other diverse actors concerned will have to collaborate in systematically and effectively promoting wide-ranging public relations and awareness activities.

The Basic Programme for Persons with Disabilities (Fourth) (March 2018 Cabinet Decision) sets the “Promotion of activities related to facilitation of understanding and public relations/awareness-raising” in Part II, “Basic Concepts.” In it, activities towards deepening the public understanding as well as public relations and awareness activities required to understand the principles of the inclusive society and the concepts of what is called the social model shall be promoted so that persons with disabilities and person without disabilities can live together in society while supporting each other.

1. Week for Persons with Disabilities

The Basic Act for Persons with Disabilities (Act No. 84 of 1970) designates the week from December 3 to 9 every year as the Week for Persons with Disabilities. The Week for Persons with Disabilities shall be implemented throughout the country with the aim of realizing the fundamental principle of the said Act, which is to disseminate the principles for an inclusive society where all citizens respect each other's personality and individuality while supporting each other, and deepening interest in and the understanding of citizens about disabilities and persons with disabilities.

As for the events of the Week of Persons with Disabilities in FY2019, the Cabinet Office invited applications from elementary and lower secondary school students across the country for Essays on Experiences with Expanding Your Mind's Connections and Posters for the Week for Persons with Disabilities, and four essays and two posters were selected as the best works. At the award ceremony, held on December 4, the six winners of best essay and poster awards received the Prime Minister's Award. In other related events, an exhibition was held (December 3-9) to publicly display all the Posters for the Week for Persons with Disabilities that had been recommended to the Cabinet Office. Consecutive Seminars on topics of disabilities and persons with disabilities were also held (December 5-6) in collaboration with organizations of persons with disabilities.

2. Public relations, awareness activities

(1) Other significant weeks and months

The public relations and awareness activities to deepen understanding of persons with disabilities involved conducting Employment Support Month for Persons with Disabilities (September 1-30), 67th Mental Health and Welfare Dissemination Campaign (October 21-27), and Human Rights Week (December 4-10). Various awareness activities including awards, lectures and symposiums, and poster creation and distribution events were carried out during the Developmental Disorder Awareness Week (April 2-8), which also included World Autism Awareness Day.

(2) Commendation for the promotion of barrier-free universal design

With a view to effectively and comprehensively promote barrier-free and universal design in both tangible and intangible aspects for all persons including the elderly, persons with disabilities, pregnant women and those with children to live safely and lead comfortable social lives, individuals and organizations that have made distinguished achievements or contributions with regard to such promotions are honored by the Prime Minister

and Minister of State for Special Missions every year. Nine individuals and organizations were honored in FY2019.

3. Comprehensive and integrated promotion of measures contributing to the realization of a universal society

Based on the Act Regarding Comprehensive and Integrated Measures Contributing to the Realization of a Universal Society (Act No. 100 of 2018), in August 2019, the implementation status of governmental measures contributing to the realization of a universal society was summarized and publicized for the first time.

4. Information provision about disability measures

The Commission on Policy for Persons with Disabilities, a deliberative body of the Cabinet Office, actively provides information from the viewpoint of information accessibility in light of the high level of attention among persons with disabilities and other stakeholders. Specifically, the Commission provides on-demand delivery of every meeting from beginning to end for a certain period on the Internet using video files, audio files, sign language and written summaries. Information materials for meetings are also posted on the Cabinet Office website on the day and starting at the same time as the meeting, while minutes are posted for meetings that have ended.

5. Multimedia DAISY version of the Annual Report on Government Measures for Persons with Disabilities

Starting in FY2016, the Annual Report on Government Measures for Persons with Disabilities is being prepared in the multimedia DAISY format. This is the format for an information system that has been used in recent years as an international standard specification for digital recording books for visually impaired persons or those who have difficulties in reading the printed media. The report in this format is being published.

6. Measures in education and public welfare

(1) Measures concerning education: Promoting joint activities and learning

For infants, pupils, and students with disabilities as well as infants, pupils, and students without disabilities and members of the local community to engage in shared activities is significant in terms of fostering sociability and abundant human qualities in all infants, pupils, and students. Furthermore, this provides crucial opportunities for members of the community to deepen their correct understanding and awareness of children with disabilities. Therefore, while the National Curriculum Standards for Kindergartens, Elementary Schools, Lower and Upper Secondary Schools and Special Needs Education Schools provide for opportunities for joint activities and learning, the board of education leads the efforts to promote further understanding of persons with disabilities by providing opportunities for joint activities and learning at schools through subjects, sports, culture, and art activities. Based on the Universal Design 2020 Action Plan (approved at the meeting of the Ministerial Council on Universal Design 2020 on February 20, 2017), proposals of measures on joint activities and learning were organized in February 2018 while Joint Activities and Learning Guide was revised in March 2019.

(2) Public relations and awareness for community residents

With deepening the understanding of persons with disabilities considered as one of the essential learning tasks at classes and courses of social education facilities, learning activities for the youth, general adults and the elderly are being implemented.

In order to promote a proper understanding of persons with mental disabilities, the Mental Health Welfare

Center or the Health Center works on knowledge dissemination and awareness activities for the residents.

7. Promotion of volunteer activities

(1) Volunteer education at schools

Based on the National Curriculum Standards, instruction related to compassion or mutual support or enhancement of volunteer activities are implemented in Morality, Periods for Integrated Studies, and in Tokkatsu (Student-Led Activities) and other events.

At upper secondary schools, the out-of-school learning such as volunteer activities are recognized for up to 36 academic credits when the principal admits them as educationally valuable.

(2) Promotion of volunteer activities (community welfare, etc.)

Japan Volunteer and Citizen Activity Promotion Center of the Japan National Council of Social Welfare conducts public relations and awareness activities and provides information and training on volunteer activities and others.

To develop human resources to solve challenges toward the building an inclusive society at the regional level, the Cabinet Office implemented the Human Resource Development Project for Regional Problem Solution, “Community Core Leaders Development Program”. In the program related to persons with disabilities, nine youths were dispatched from Japan to Italy, and nine young leaders from Italy, the Netherlands and Finland were invited to Japan in FY2019.

8. Promotion of the understanding of persons with disabilities for those such as public service personnel

It is vital that public service personnel and others understand what the disability is as well as persons with disabilities to ensure safe and secure life for persons with disabilities in their communities.

The police provide training programs including practical training at facilities for persons with disabilities and lectures by academic experts to police officers to deepen understanding of the characteristics of persons with disabilities and communication in consideration of their disabilities, starting at the initial training stages of their appointment.

For personnel working at correctional institutions including prisons, various types of training are being provided in the Training Institute for Correctional Personnel and branch institutes. Lectures are given on human rights and psychiatry to learn about how to deal with persons with disabilities, and on-site practice is provided to learn about nursing care at social welfare facilities.

Lectures are being provided as part of the various training programs for the Regional Parole Board or Probation Office personnel to deepen their knowledge on human rights issues, including understanding persons with disabilities and the characteristics of their disabilities. As part of this effort, on-site visits are also provided to facilities and other establishments that house persons with mental disabilities and others.

The human rights bodies of the Ministry of Justice provide a workshop on human rights for national government officials and a training for human rights awareness trainers for local government officials who engage in the administration of promoting human rights. In addition, lecturers are dispatched to Prosecutors Office staffs, correctional facility staffs, immigration officials, judges, and Family Court Investigating Officers for training and other activities.

Japan Legal Support Center (the JLSC, Houterasu) encourages efforts made by all of its district offices by providing training to staff from all over the country, in which headquarters staff who have obtained qualifications as service care-fitters share their knowledge on how to support persons with disabilities and how to provide careful and appropriate services for the users with an understanding of their situations, and other knowledge.

Section 2 Promotion of Elimination of Disability Discrimination

1. History of the Act for Eliminating Discrimination against Persons with Disabilities

The Convention on the Rights of Persons with Disabilities (hereinafter referred to as “CRPD”) that stipulates the measures toward realizing the rights of persons with disabilities to ensure that persons with disabilities are entitled to human rights and fundamental freedoms and to promote the respect for the dignity of persons with disabilities themselves was adopted at the 61st General Assembly of the United Nations in December 2006 and became effective in May 2008 after the draft meeting was participated by the organizations for persons with disabilities based on the slogan among persons with disabilities “Nothing About Us Without Us.” Japan signed it in September 2007, prepared domestic legislation and obtained the approval of the National Diet, then deposited the instrument of ratification at the United Nations in January 2014. It was enforced from February of the same year.

The CRPD stipulates appropriate measures toward the prohibition of any types of discrimination on disabilities. In Japan, the prohibition of discrimination was stipulated in the Basic Act for Persons with Disabilities (Act No. 84 of 1970) in 2011 while it was revised as its basic principal involving the idea of CRPD.

Based on opinions from the organizations for persons with disabilities, this stipulation was embodied in the Act for Eliminating Discrimination against Persons with Disabilities (Act No. 65 of 2013, hereinafter referred to as the “Act for Eliminating Discrimination”) and enforced in April, 2016.

2. Summary of the Act for Eliminating Discrimination

(1) Definition of persons with disabilities

In the Act for Eliminating Discrimination, persons with disabilities refers to persons with physical disabilities, persons with intellectual disabilities, persons with mental disabilities (including developmental disorders) and other persons with disabilities affecting the functions of the body or mind as stipulated by Article 2 of the said Act and who are in a state of facing substantial limitations in their continuous daily or social life because of a disability or social barrier (items, institutions, practices, ideas, and other things in society that stand as obstacles against persons with disabilities engaging in daily or social life). The eligible persons with disabilities are not limited to holders of disability certificates. It should be noted that higher brain dysfunction is included in mental disability.

(2) Eligible companies and domains

Companies are the subject of the Act for Eliminating Discrimination, in addition to administrative organs, etc. Companies means a person engaging in commercial affairs or other business; unpaid businesses, including self-employed workers and volunteers, nonprofit business, such as social welfare corporations and corporations engaging in specified non-profit activities, are treated as companies when they are willing to conduct acts in the same series on a continual basis.

All domains related to independence and social participation of persons with disabilities are in the scope, such as education, medical care, welfare, public transportation, and employment, provided that concrete measures for eliminating discrimination in the employment field shall be covered by provisions related to the Act on Employment Promotion etc. of Persons with Disabilities (Act No.123 of 1960).

(3) Prohibition of unfair discriminatory treatment

Unfair discriminatory treatment is an action to infringe rights and interests of persons with disabilities by refusing to offer goods and services or opportunities, limiting places and time and giving conditions which are not given to those persons without disabilities on the grounds of disability without any good reasons, and such

an action by either administrative organs, etc. or companies is forbidden.

A good reason is a case in which refusing to offer goods and services or opportunities on the grounds of disability can be justified as an act with a good purpose from an objective viewpoint and considered as unavoidable for the said purpose.

(4) Providing reasonable accommodation

Providing reasonable accommodation means that when persons with disabilities or those who support their communication, such as their families and helpers, express the intent to seek consideration, they will be given reasonable accommodation to implement the elimination of social barriers as necessary, and to the extent that the burden associated is not excessive. Whether or not there is an undue burden has to be judged comprehensively and objectively according to specific circumstances and conditions of each case in the administrative agencies and companies, considering elements such as degree of influence on administrative and business affairs (whether or not the purpose, substance, or functionality of official work or business is impaired), degree of feasibility (physical and technical constraints, human and institutional constraints), degree of cost and burden, scale of administrative and business affairs, and fiscal and financial conditions. Reasonable accommodation is not mandated uniformly; it imposes obligations on those such as administrative organ, etc. while it is considered an obligation to make an effort for companies.

(5) Environmental improvement

The Act for Eliminating Discrimination stipulates that the ex ante measures that are provided mainly for unspecified persons with disabilities should be implemented as an environmental improvement for providing reasonable accommodation appropriately to individual persons with disabilities in each case. Those actions are barrier-free measures at public institutions or public transport, service or human assistance for intention manifestation and communication, improved information accessibility that allows persons with disabilities to obtain, use and deliver information smoothly (It is not only tangibles such as infrastructure but also intangibles such as staff training.).

(6) Basic Policy/Handling Directions and Handling Guidelines

Based on the Act for Eliminating Discrimination, after discussion at Commission on Policy for Persons with Disabilities, Basic Policy for Eliminating Discrimination against Persons with Disabilities was drawn up in February 2015.

Along this basic policy, administrative organs, etc. are supposed to set handling directions which are necessary for staff to act properly on the prohibition of unfair discriminatory treatment and provision of reasonable accommodation. All prefectures and government ordinance-designated cities have already drawn it up while local authorities have duties to strive to draw it up.

Along the basic policy, each competent minister who has jurisdiction over business of companies sets handling guidelines on the prohibition of unfair discriminatory treatment and provision of reasonable accommodation including essential matters for companies to act properly such as improvement of consulting system, training and awareness, and cases of reasonable accommodation in each business field.

3. Efforts toward implementation of the Act for Eliminating Discrimination

Discrimination on the basis of disability may be considered to exist in large part because of insufficient knowledge and understanding regarding disabilities in the individual members of the public, attributable to a bias in their consciousness. In order to realize an inclusive society in which there is no distinction made among any members of the public because of the existence of disabilities, or otherwise, it is crucial that the measures

and the underlying approach of the Act for Eliminating Discrimination permeate society at large.

(1) Reasonable accommodation cases

The Cabinet Office collects specific examples of reasonable accommodation or environment improvement based on the Act for Eliminating Discrimination from the ministries concerned, local public entities, and organizations for persons with disabilities. These are organized by type of disability and discrimination scenario and the data is published as Reasonable Accommodation Cases.

(2) Promoting the development of Regional Support Councils for Eliminating Discrimination against Persons with Disabilities

The Act for Eliminating Discrimination stipulates that the organizations of the national government and local public entities shall be able to organize Regional Support Councils for Eliminating Discrimination against Persons with Disabilities. Based on this provision, local organizations concerned build networks that seek to solve cases according to the particular roles of those organizations, and that seek to prevent the occurrence of similar cases, by sharing and discussing information related to cases of consultation and other relevant matters. All prefectures and government ordinance-designated cities have already developed it while only about 60 percent of general cities and about a half of towns and villages have developed it. Since a limited number of councils have been hold, trainings of personnel who can advise properly on the development and activation of Regional Support Councils were conducted in 2 blocks (Kanto-Shinetsu and Kinki) in FY2019.

(3) Administrative measures by the competent minister and others

Companies are expected to make independent efforts to eliminate discrimination against persons with disabilities according to the Handling Guidelines formulated by the competent ministers. However, when specialized treatment is considered necessary, such as when proper implementation is not secured, the companies engage in repeated illegal treatment, or voluntary improvement cannot be expected, the competent ministers or the chief of local public entities shall take administrative measures against the business operator. (No administrative measures, including the provision of advice, instructions, or recommendation by the competent ministers have been confirmed in FY2019.)

Section 3 Initiatives for the Tokyo Olympics and Paralympics

1. Toward the inclusive society taking opportunity of the Olympics and Paralympics

The Basic Policy for Promoting Measures related to Preparations for and Management of the Olympic and Paralympic Games in Tokyo in 2020 was decided by the Cabinet in November 2015. This policy considers the Olympic and Paralympic Games Tokyo 2020 to be an opportunity to promote the barrier-free mind where everyone respects and supports each other's individuality and personality regardless of whether or not anyone has disabilities. This was coupled with plans to advance urban development in terms of universal design in Tokyo with a view to nationwide deployment. Accordingly, Universal Design 2020 Action Plan was decided upon in February 2017 with the aim of increasing opportunities for persons with disabilities and realizing an inclusive society.

2. Summary of the Universal Design 2020 Action Plan

(1) Basic Concept

- Tokyo Paralympic Games, where athletes with disabilities demonstrate overwhelming competence, is an excellent opportunity to change the public mindset toward the inclusive society.
- It is important to understand that disabilities are created by both personal physical and mental functional

disabilities and social barriers. Under the social model of disability, therefore, it is the responsibility of society to remove the social barriers for persons with disabilities, and all people in society need to understand this and reflect it in awareness of themselves.

- We must not lose this opportunity to ensure the implementation of barrier-free mind efforts in ways that involve the general public. We will also pursue the realization of community development based on Universal Design that will measure up to other such initiatives around the world.

(2) Specific efforts

A Barrier-free mind

The barrier-free mind refers to a state of mind in which all people, with their various physical and mental characteristics and differing mindsets, engage in communication with each other and support each other to deepen their mutual understanding. It requires individuals to take specific actions on a continuing basis, and the following three points present vital elements that are to be implemented as measures throughout society at large.

- To understand the social model of disability, which declares society's responsibility for removing the social barriers for persons with disabilities.

- To thoroughly ensure not to discriminate (unfair discriminatory treatment and not providing reasonable accommodation) against persons with disabilities (and their families)

- To foster the abilities to communicate with a variety of people who have conditions different from one's own and to develop the sensibility or empathy to imagine the difficulties and pain that everyone undergoes.

B Universal design in community development

Community development deals with vast areas and versatile measures, and the measures involved are also various. Therefore, the Action Plan was focused on these two viewpoints to organize a wide range of measures: emphasis on barrier-free implementation for the Tokyo Games; promotion of high standards of Universal Design in each region across the country.

3. Efforts to accelerate the universal design

The ministries concerned are promoting various measures to realize an inclusive society based on the Universal Design 2020 Action Plan. In this context, the 3rd meeting of the Ministerial Council on Universal Design 2020 held in December 2018 confirmed that steps will be taken to develop further measures and various efforts toward realizing an inclusive society as legacy will be accelerated.

As a framework of reflecting viewpoints of persons with disabilities, Universal Design 2020 Evaluation Meeting whose more than half of members are persons with disabilities or their support groups, was set and held. Based on the opinions from members of the evaluation meeting, the following improvement measures are taken.

(1) Legacy of Inclusive Society Host Town

- To make the effort of Inclusive Society Host Town which promotes universal design in community development and barrier-free minds through the interaction with Paralympic athletes, a legacy of the Olympic and Paralympic Games Tokyo 2020 (hereinafter referred to as “Tokyo 2020 Games”), the amendment of the Act on Promotion of Smooth Transportation, etc. of Elderly Persons, Disabled Persons, etc. (Act No.91 of 2006, hereinafter referred to as “Barrier-free Law”) was presented to 2020 ordinary Diet session and passed into law in May of that year.

(2) Promotion of barrier-free at hotels and restaurants

- To support barrier-free renovation by subsidies to create an environment where persons with disabilities

and Paralympians who visit during Tokyo 2020 Games enjoy themselves at accommodation and restaurants.

- The National Government made it compulsory to include more than 1 % of barrier-free room when building hotels or Japanese inns above a certain size from September 2019.

- Tokyo Metropolitan Government made it compulsory to introduce a certain level of barrier-free access into general rooms from September 2019. Guidance level was made a recommended criterion.

(3) Improvement on the user convenience of the discount for persons with disabilities

- To introduce the identification method using a smartphone that replace the disability certificate by some public transport operators, regarding discounts for persons with disabilities in the public transportation, based on the fact that it was clarified in March 2019 that identity verification is possible by electronic methods other than presenting the disability certificate.

- To develop and introduce the technical standard of electric identification using my number card on the identification besides the presentation of disability certificate in 2020.

- To gradually include persons with mental disabilities as the beneficiaries of the disability discount on plane fares by each airline company. The public transport operators have also been requested to introduce discount system which they have not yet complied with.

(4) Development and improvement of barrier-free maps

<Development and improvement of barrier-free map at train stations>

- To revise the Guideline for barrier-free maintenance on passenger facilities and cars of public transport system (hereinafter referred to as “Barrier-free Maintenance Guideline”) and clarify the standard values for steps and gaps between platform and car entrance to ensure the safety for both the users of wheelchair and trains.

- To choose the main stations and platforms of the Tokyo Metropolitan area with access to the Game stadiums and promote improvement for users to make it easier to get on and off independently.

- To map the information on railway stations that are easy to get on and off independently in central Tokyo and publish on the Internet-based barrier-free route guidance for public transportation (Raku-Raku Odekake Net).

- To improve the reading system for the visually disabled and translation in foreign languages on the Raku-Raku Odekake Net.

<Providing information on the website considering the visually and aurally disabled>

- To revise Barrier-free Maintenance Guideline to ensure web accessibility to the visually and aurally disabled by the public transport operators

<System development of telecommunications relay service>

- To implement telecommunications relay service which enables phone communication using sign language and letters, the stakeholder committee was set up and the report was published in December 2019.

- Based on the said report, Bills on facilitations of use of telecommunication by the aurally disabled were presented to the 2020 regular Diet session and passed into law in June of that year.

(5) Expansion and improvement of barrier-free minds

- To call for enhancing of barrier-free minds in education, and conducts Paralympics education in order to promote momentum in the new course of study which will be implemented in elementary schools from FY2020 and lower secondary schools from FY2021.

- "Education Personnel License Act Enforcement Regulations" (Ministry of Education Ordinance No. 26, 1954) was revised, and in the new teacher training course after April 2019, "Understanding of infants, children

and students who need special support," it was mandatory to take at least one credit of the subject.

- To share and utilize the outcome of the progressive measures at Tokyo University and Kyoto University so that students with disabilities can study smoothly and to extend to other universities.

- To consider strengthening support including job assistance even from the viewpoint of “Realization of an inclusive society” so that students with disabilities can be active in the society after graduation.

(6) Improvement on the Universal Design Taxi

- To improve the car model which occupies the Universal Design Taxi market and reduce boarding and alighting time to about three to four minutes. Renovation almost completed for those cars already in the market.

- To do renovation of the load capacity of the slope from 200 kg to 300 kg while the wheelchair is getting on the above car model.

- To mandate to take the hospitality improvement training with the actual cars as a condition of receiving the subsidy for Universal Design Taxi bodywork.

- To honor drivers for his great hospitality at a District Transport Bureau.

- To promote the permanent installation of slope at stands of the major facilities and realize the prompt incoming and outgoing.

- To implement demonstration experiments within FY2019 for establishing the allocation system of Universal Design Taxi and welfare vehicles. To enable the smooth vehicle allocation based on needs, arrangement with stakeholders shall be done to compile a database of wheelchair information and access the said data.

- To accelerate the spread of Universal Design Taxi and make it ratio at 25% in Tokyo 23 wards by 2020 summer.