May 29th, 2022

**Parallel Report on CRPD ──focus on Article 24──**

Information Room for Inclusive Education（Japan）

 We, Information Room for Inclusive Education, offer information focused on implementing Article 24 of the Convention on the Rights of Person with Disabilities. Our members comprise people with disabilities, his/her parents, and researchers.

 Japan ratified CRPD in 2014 but the governments are distorting the principles of CRPD. A prominent example is that the governments regard special schools and classes as a part of inclusive education system, and they interpret Reasonable Accommodation as "mercy", not as a modification for ensuring the rights of persons with disabilities. They are disrespecting disabled people and don't fulfill obligations imposed by the CRPD.

 Therefore, we inform the genuine principles of CRPD, the obligations imposed on State Parties, and the educational circumstances and problems through our website since 2020[[1]](#footnote-1). We also published the Japanese translation of Plain Version on General Comment No.4 of the CRPD in a well-known Japanese magazine[[2]](#footnote-2).

 We are concerned following issues.

## I. Reinforcement of segregated education systems

**A. Explanation**

 Japan has been facing a declining birth rate. Nevertheless, students in special classes and special schools have increased noticeably since the late 1990's. Table 1 shows the transitional change of these numbers from 1998 to 2020. The number of special schools increased from 983 in 1998 to 1,149 in 2020. In the same way, The number of students in special schools increased from 87,445 to 144,823. The number of special classes increased from 23,902 to 69,947. The number of students in special classes increased from 67,974 to 302,473. It means that CWD (children with disabilities) who went to mainstream schools or classes in 1998, now go to special and segregated ones.

**Table1. Transitional change in special schools and classes**

|  |  |  |
| --- | --- | --- |
|  | 1998 | 2020 |
|  the number of special schools | 983 | 1,149 |
| the number of students in special schools | 87,445 | 144,823 |
| the number of special classes | 23,902 | 69,947 |
| the number of students in special classes | 67,974 | 302,473 |

 Surprisingly, the Standards for Establishment of Special Schools was enacted in April 2022. This policy means the governments show strong intention to keep a separate education system. Moreover, 27/April/2022, the ministry of education, culture, sports, science and technology issued notification that states that students in the special classes must not spend their time in regular classes more than half of their school time. It is regressive from realization of inclusive education. Why does Japan do so in the eighth anniversary of ratifying CRPD and the year of UN monitoring? We are utterly unacceptable.

**B. We require recommends of the committee to realize inclusive education system in line with the intention of CRPD**

The committee recommends that the State Party must

* abolish special schools and classes,
* allocate budgets for separate education system to Reasonable Accommodation in line with the intention of CRPD,
* realize a quality Inclusive Education in regular classes.
* withdraw the notification on 27/April/2022

## II. Lack of understanding Reasonable Accommodation and its Budget

**A. Explanation**

 Although the Act for Eliminating Discrimination Against People with Disabilities states that the provision of Reasonable Accommodation is obligatory for educational authorities, they and even teachers occasionally reject their obligation due to lack of understanding. The following example is just the tip of the iceberg.

Educational authorities often reject or neglect

* to provide barrier-free measures: they don't install an elevator, even students using wheelchairs are in school,
* to hire medical staff, although a student who needs medical care is in school,
* to allow children with dyslexia, dysgraphia, and sensory impairment to use computer devices or something to need,
* to evaluate students with disabilities properly therefore they cannot go to high schools, universities, or colleges, for example
	+ a student using a wheelchair had a low grade in PE class
	+ a student with intellectual disabilities couldn't get reasonable accommodation in examination.

**B. We require recommends of the committee to promote understanding reasonable accommodation and budget it in line with the intention of CRPD**

The committee recommends that the State Party must

* promote training on the CRPD for teachers and educational authorities provided by people with disabilities,
* budget for provision of Reasonable Accommodation completely,
* legislate "the Act for Realization of Inclusive Education" with a penalty,
* adopt a penalty to the Act for Eliminating Discrimination Against People with Disabilities (2013),
* prohibit enforcement any burden on parents for example burden on a parent of CWD working as an assistant in school with no payments.

## III. Enclosing CWD in segregated education from early childhood

**A. Explanation**

 It is internationally said that early intervention is effective for inclusive education. Meanwhile, in Japan, medical, childcare, and educational workers interpret and operate early intervention based on the medical model of disability. Therefore, the number of children who are in special schools or classes has risen. Early intervention is used for segregation. It is a completely different interpretation from the viewpoint of the CRPD. For example, authorities urge guardians to send their children to segregated facilities for CWD if they have disabilities. Guardians send their CWD to segregated schools without being informed that their own children can go to mainstream schools. Because of that, CWD cannot live inclusive their childhood. It shows that there is no inclusive child-rearing support system for parents with CWD[[3]](#footnote-3).

**B. We require recommends of the committee to implement measures of the early intervention in line with the intention of CRPD**

The committee recommends that the State Party must

* obligate to realize inclusive childcare in pre-schools and nurseries,
* promote training on the CRPD to the medical practitioner by people with disabilities,
* realize of family supports for an inclusive society.

## IV. Burden on parents whose children with disabilities go to regular schools

**A. Explanation**

 Parents who have CWD need to negotiate with the school and the school board to let their children in regular schools. Even if the child enrolls regular school, the school and the school board often require the parents' support instead of provision of reasonable accommodation. For example, parents have to negotiate with schools and school boards to realize accessibility: installation of elevators, budget for assignment school assistants, use assistive devices in classes and so on. Parents are often required attendance and sometime extra expenses. If the parents can bear them, CWD may go to regular schools. If they cannot, the path to inclusive education will be closed.

**B. We require recommends of the committee to establish inclusive child-rearing support systems in line with the intention of CRPD**

The committee recommends that the State Party must

* improve consulting systems for parents with CWD to realize that the children live inclusive lives[[4]](#footnote-4) after they are diagnosed disabilities,
* setup systems to provide medical care, welfare, and education without any separation or exclusion,
* provide training to medical, welfare, educational workers by people with disabilities to realize above all.
1. https://www.crpd-in-japan.com [↑](#footnote-ref-1)
2. "Quarterly Fukushi Rodo", no.171, Gendaishokan, 2021.

 http://www.gendaishokan.co.jp/goods/ISBN978-4-7684-2371-4.htm [↑](#footnote-ref-2)
3. This circumstance evokes antipathy against and denial of people with disabilities. It seems that they decide on abortion when they find disabilities in their children at prenatal diagnosis. According to the report（2020）on residential institutions for children with disabilities, published by the Ministry of Health, Labor and Welfare, there were approximately 8,700 children in residential institutions. Approximate admission reasons are related to parents, including abuse and neglect of care. [↑](#footnote-ref-3)
4. Situation that children with and without disabilities lives together every time [↑](#footnote-ref-4)