**Parallel Report on the Convention on the Rights of Persons with Disabilities**

**──focus on Article 24──**

Information Room for Inclusive Education（Japan）

Submitted to the Committee on the Rights of Persons with Disabilities on May 30, 2022

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## Preface

 We, Information Room for Inclusive Education, offer people in Japan information focused on implementing Article 24 of the Convention on the Rights of Persons with Disabilities (CRPD). Our members comprise people with disabilities, parents who have children with disabilities, and researchers.

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

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

 We are concerned following issues and requiring recommendations of the committee.

## 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 1990s. 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. In short, children with disabilities could go to mainstream schools or classes more easily in 1998 than 2020. Criteria for segregation are getting more rigid.

**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 |

 The Standards for Establishment of Special Schools was enacted in April 2022. Surprisingly, the governments show a strong intention to keep a segregated education system. Moreover, the Ministry of Education, Culture, Sports, Science, and Technology issued a notification on April 27th, 2022. The document states that students in special classes should 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 year of ratifying CRPD and the year of UN monitoring? We are utterly unacceptable.

**B. We Require Recommendations of the Committee to Realize an 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 the segregated education system to reasonable accommodation in line with the intention of CRPD,
* realize a quality inclusive education in regular classes.
* withdraw the notification on April 27th, 2022.

## II. Lack of Understanding and Budgeting for Reasonable Accommodation

**A. Explanation**

 The Act for Eliminating Discrimination against People with Disabilities states that the provision of reasonable accommodation is obligatory for educational authorities. But they and even teachers occasionally reject their obligation due to a lack of understanding. The following example is just tips of the iceberg.

Educational authorities often reject or neglect

* to provide barrier-free measures: they don't install elevators, although there are students using wheelchairs in schools,
* to hire medical staff, although there is a student who needs medical care 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 classes
	+ a student with intellectual disabilities couldn't get reasonable accommodation in the examination.

**B. We Require Recommendations of the Committee to Promote Understanding of Reasonable Accommodation and Budget It in line with the Intention of CRPD**

The committee recommends that the State Party must

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

## III. Enclosing Children with Disabilities 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 in special schools or classes has risen. Early intervention is used for segregation in Japan. It is a completely different interpretation from the viewpoint of CRPD. For example, authorities urge parents to send their children to segregated nurseries for children with disabilities if they have disabilities. Parents send their children with disabilities to segregated schools without being informed that their children have a right to and are able to go to mainstream schools. Because of that, children with disabilities cannot live inclusive childhood[[3]](#footnote-3). It shows there are no inclusive child-rearing support system for parents with children with disabilities[[4]](#footnote-4).

**B. We Require Recommendations 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 CRPD to the medical practitioner by people with disabilities,
* realize family supports for inclusive society.

## IV. Burden on Parents whose Children with Disabilities Go to Regular Schools

**A. Explanation**

 Parents who have children with disabilities have to negotiate with schools and school boards to let their children go to regular schools. Even if the child enrolls in regular school, instead of providing reasonable accommodation, the school and the school board often require that the parents support their children at school. Parents also have to negotiate with schools and school boards to realize accessibility: installation of elevators, assignment school assistants, use of assistive devices in classes, etc. Furthermore, a case that parents are required extra expenses has been reported. children with disabilities may be able to go to regular schools if their parents can bear those requirements. If they cannot, the path to inclusive education will be closed.

**B. We Require Recommendations 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 children with disabilities to realize that the children live inclusive childhood after being diagnosed with disabilities,
* setup systems to provide medical care, welfare, and education without any separation or exclusion,
* provide training to medical, welfare, and educational workers by people with disabilities to realize above all.

## Contact Information

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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. Situation that children with and without disabilities lives together every time [↑](#footnote-ref-3)
4. 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-4)