

Human Rights & Inclusion Policy Memo



SUBJECT: Enhancing Disability Inclusion in the ASEAN Community

TO: US-ASEAN Policy Makers, Influencers, and Stakeholders

FROM: Human Rights and Inclusion Working Group, US ASEAN Futures Symposium

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Executive Summary

The pursuit of dignity, economic freedom, and independence is a universal human right. Yet, persons with disabilities within the United States and ASEAN Member States (AMS) face significant obstacles to accessing these rights due to various complex factors, including non-inclusive infrastructure, lack of employment opportunities, workplace discrimination, and a lack of resources. The U.S. is directly responsible for persons with disabilities in areas where the government spread Unexploded Ordnances (UXOs) and Agent Orange in Vietnam, Cambodia, and Laos. The U.S.-ASEAN Comprehensive Strategic Partnership, based on shared values, offers an opportunity to expand upon current pathways for support for persons with disabilities in the region and achieve the SDGs. The U.S. and ASEAN's commitment to inclusive economic growth and high-quality infrastructure must include provisions that protect the rights of persons with disabilities to ensure a prosperous and secure partnership for all.

This policy memo provides recommendations for US-ASEAN partnership in the following thematic areas: **1) Inclusive Infrastructure**, **2) Economic Inclusion**, and **3) Sustainable Funding**. These recommendations align with current international agreements and structures ensuring the protection of disenfranchised groups.

Problem Statement

Almost 50 years after the end of the Vietnam War, UXOs and Agent Orange continue to impact the health and well-being of the people directly affected by the war as well as their descendants. In Vietnam, an estimated [4.8 million](#) people were exposed to Agent Orange, with at least one million exhibiting birth defects and disabilities. In Cambodia, there are over [40,000 amputees](#), making it the country with the highest ratio of landmine amputees. Laos, the most heavily bombed country in history, recorded at least [20,000](#) Laotians who have been killed or injured by UXOs since the end of the Vietnam War. Presently, [95 million Southeast Asians](#), or approximately [14% of the population](#), live with a disability. In spite of this considerable share of the population having a disability, AMS with existing disability workforce quotas in the private and public sectors require that disabled individuals account for only [1-3% of employees](#). In addition, all AMS lack cohesion on [anti-discrimination and accessibility laws](#) for persons with disabilities, hindering those individuals' ability to find work.

In addition, AMS lack the infrastructure to [accommodate](#) persons with disabilities, such as transportation. In Thailand alone, 1.5 million persons with disabilities must commute to work and are largely excluded from the public transportation infrastructure. Subsequently, persons with disabilities are more [vulnerable](#) to the effects of natural disasters due to improper disability infrastructure.

Background

As the U.S. and ASEAN strive to build more inclusive and equitable societies, it is imperative to address the rights and needs of persons with disabilities. Promoting inclusivity and ensuring equal opportunities for persons with disabilities is essential for the socio-economic development and stability of AMS. Both the U.S. and the ASEAN have made significant strides in recognizing the rights of persons with disabilities. In 1990, the U.S. enacted the [Americans with Disabilities Act \(ADA\)](#); In ASEAN, [all 10 Member States](#) have ratified the United Nations Convention on the Rights of Persons with Disabilities (CRPD) since it came into force in 2008. However, a substantial gap remains between policy rhetoric and practical implementation, particularly concerning infrastructure, assistance programs, and employment opportunities.

As of March 2023, [1.3 billion people, or 16%](#) of the world's population, experience some form of disability, and this prevalence is even higher in developing countries. Improving human rights and inclusion policies for persons with disabilities is not just a national imperative but a global one. In fact, the United Nations Sustainable Development Goals (SDGs) integrate disability inclusion into goals related to quality education, decent work and economic growth, reduced inequalities, accessibility of human settlements, as well as data collection and monitoring of the SDGs. As the world confronts the shared challenges of aging populations and the impacts of climate change, ensuring inclusivity for those living with disabilities is integral to achieving the SDGs

Policy Recommendations

The loss of life and livelihood as well as the long-term health detriments due to the UXO and Agent Orange necessitate that the U.S. acknowledge the legacies of war and pay reparations to ASEAN. U.S. war reparations shall serve as the financing mechanism for disability-inclusive development in ASEAN toward the realization of progressive human rights and the obligations to fulfill the UN CRPD, UN SDGs, and the ASEAN Enabling Masterplan on Mainstreaming the Rights of Persons with Disabilities. The funding shall be utilized for the following recommendations on inclusive infrastructure, economic inclusion, and sustainable funding:

Inclusive Infrastructure

- Improve infrastructure and overall urban and regional planning through but not limited to accessible transportation, public buildings, and information technology to enhance the mobility and participation of persons with disabilities.
- Invest in digital infrastructure particularly in research and development on assistive technology, creating opportunities for persons with disabilities to access education, employment, and civic engagement.
- Develop data collection infrastructure, recognizing that information and data play a key role in informing the development of infrastructure projects, policies, and initiatives surrounding persons with disabilities. Collecting disaggregated baseline data is critical to determine actual challenges faced by persons with disabilities.
- Institutionalize the US-ASEAN partnership in developing and providing early integration of Disability Inclusive (DI) design.

Economic Inclusion

- Provide vocational training to promote economic independence among persons with disabilities.
- Require the public and private sectors to institutionalize non-discrimination policies in recruitment, employment, professional development, promotion, and termination of employees with disabilities.
- Ensure access to grievance mechanisms and access to justice for cases of discrimination, including on disability.
- Provide access to finance including capital and credit for persons with disabilities who intend to engage in enterprise, especially in micro, small, and medium enterprises (MSMEs).
- Prioritize collaboration with disability-inclusive companies in U.S. assistance grants, especially in regard to international development.

Sustainable Funding

- Prioritize the collection of accurate and up-to-date data on disability prevalence and needs, enabling evidence-based policymaking, targeted interventions, and financing.
- Attach higher employment quotas for persons with disabilities in economic and aid agreements with the U.S.
- Funnel additional funding for the ASEAN Disability Forum and Organization of Persons with Disabilities (DPOs) in the AMS.
- Mandate at least 10% of the budget allocation of USAID-funded projects for disability inclusion.
- Require U.S. companies and subgrantees in the region to regularly publish reports on disability inclusion in the workplace and in operations.