



Australian Government
Refugee Review Tribunal

Country Advice

Cambodia

Cambodia – KHM37581 – People with disabilities – Children with disabilities – Education
19 October 2010

1. Are children in Cambodia who have a disability, particularly a neural development disorder such as autism, discriminated against and subject to ill-treatment? Please include a brief overview of disability in Cambodia.

Limited information was located on the discrimination faced by children with disabilities, irrespective of the type of disability. Children with disabilities are nevertheless under-represented in schooling and are subject to name-calling associated with their disability; there are also reports of cases of ill-treatment through neglect. While there is a lack of information on the extent of discrimination faced by children it is clear that, as is the case in many countries, people with disabilities in Cambodia face discrimination, stigma and social isolation. The Royal Government of Cambodia has, however, committed to numerous policies, enacted legislation and signed international agreements to protect the rights of people with disabilities.

Overview of Disability in Cambodia

It is estimated that Cambodia has one of the highest rates of disability in the world.¹ While it is difficult to obtain accurate numbers, using what are described as the most reliable figures (taken from the 2004 Cambodian Socio-Economic Survey), it is estimated that 4.7 percent of the population has a disability.² Based on the 2008 population of approximately 14 million people, this means that almost 700,000 people in Cambodia have a disability. Given Cambodia's young population, it is estimated that almost half of these people are under 20 years of age.³ It is often assumed that because of Cambodia's

¹ Connelly, U.B. 2009, 'Disability Rights in Cambodia Disability Rights In Cambodia: Using The Convention On The Rights Of People With Disabilities To Expose Human Rights Violations', *Pacific Rim Law & Policy Journal Association*, Vol. 18 Issue 1, p123 – Accessed 11 October 2010 – Attachment 1; Thomas, Philippa 2005, *Poverty reduction and development in Cambodia: Enabling disabled people to play a role*, April, p. 5 – Attachment 2

² Handicap International 2009, *Briefing Paper: Disability facts in Cambodia*, March, p.1 [http://dac.org.kh/cambodia_disability_resource_center/download/local-doc/HIF_Disability_Facts\[English\].pdf](http://dac.org.kh/cambodia_disability_resource_center/download/local-doc/HIF_Disability_Facts[English].pdf) – Accessed 13 October 2010 – Attachment 3; ILO & Irish Aid 2009, *Inclusion of People with Disabilities in Cambodia*, Factsheet, October, p.1 http://www.ilo.org/wcmsp5/groups/public/---ed_emp/---ifp_skills/documents/publication/wcms_115096.pdf - Accessed 11 October 2010 – Attachment 4

³ ILO & Irish Aid 2009, *Inclusion of People with Disabilities in Cambodia*, Factsheet, October, p. 1 http://www.ilo.org/wcmsp5/groups/public/---ed_emp/---ifp_skills/documents/publication/wcms_115096.pdf - Accessed 11 October 2010 – Attachment 4; VanLeit, B., Channa, S., Rithy, P 2007, 'Children with Disabilities in Rural Cambodia: An Examination of Functional Status and Implications for Service Delivery', *Asia Pacific Disability Rehabilitation Journal*, Vol. 18, No. 2, p.33-4 http://www.aifo.it/english/resources/online/apdrj/apdrj207/cambodia_disabled_children.pdf - Accessed 11 October 2010 – Attachment 5

history most of these disabilities are due to war, conflict and landmines; however, this is not the case. Illness, disease, congenital causes and accidents are the greatest causes of disability in Cambodia and physical disabilities that impair movement, vision, hearing and mental function comprise the most common categories of disability. Learning difficulties are the most common disability in children in Cambodia, although it is possible that many children are incorrectly diagnosed, inflating the numbers.⁴ While no national survey has been conducted on disability or its effects, it is likely that “as is the case worldwide, disabled people are one of the poorest groups”.⁵

There has been considerable government recognition of the importance of disability issues in Cambodia with the Royal Government of Cambodia having “adopted and implemented a number of laws, Cabinet resolutions, regulations and policies pertaining to people with disabilities”. The ILO and Irish Aid factsheet *Inclusion of People with Disabilities in Cambodia*, details 11 such measures, including the Cambodian constitution, which requires that “the State shall assist the disabled and the families of combatants who sacrificed their lives for the nation” and the long awaited *Law of the Protection and the Promotion of the Rights of Persons with Disabilities (2009)*.⁶ Cambodia is also a signatory to all major international human rights agreements, including the Convention on the Rights of Persons with Disabilities, having signed the Convention and its Optional Protocol on 1 October 2007, although it is yet to ratify the Convention.⁷ There are also six Cambodian ministries with responsibilities for providing services to people with disabilities and the Government established the multi-stakeholder Disability Action Council in 1997 to coordinate all disability-related programs and organisations.⁸

Despite the priority afforded to disability issues illustrated by the abovementioned government commitments and policies, the US Department of State report on Human Rights in Cambodia in 2009 notes that the government offered little assistance to persons

⁴ Gartrell, A. 2010 “‘A frog in a well’: the exclusion of disabled people from work in Cambodia”, *Disability & Society*, 25:3, p.291 – Accessed 11 October 2010 – Attachment 6; Connelly, U.B. 2009, ‘Disability Rights in Cambodia Disability Rights In Cambodia: Using The Convention On The Rights Of People With Disabilities To Expose Human Rights Violations’, *Pacific Rim Law & Policy Journal Association*, Vol. 18 Issue 1, p139 – Accessed 11 October 2010 – Attachment 1; Thomas, Philippa 2005, *Poverty reduction and development in Cambodia: Enabling disabled people to play a role*, April, p.6 & 31 - Attachment 2

⁵ Gartrell, A. 2010 “‘A frog in a well’: the exclusion of disabled people from work in Cambodia”, *Disability & Society*, 25:3, p.289 – Accessed 11 October 2010 – Attachment 6; Handicap International 2009, *Briefing Paper: Disability facts in Cambodia*, March, p.4 [http://dac.org.kh/cambodia_disability_resource_center/download/local-doc/HIF_Disability_Facts\[English\].pdf](http://dac.org.kh/cambodia_disability_resource_center/download/local-doc/HIF_Disability_Facts[English].pdf) – Accessed 13 October 2010 – Attachment 3

⁶ ILO & Irish Aid 2009, *Inclusion of People with Disabilities in Cambodia*, Factsheet, October, p.1-2 http://www.ilo.org/wcmsp5/groups/public/---ed_emp/---ifp_skills/documents/publication/wcms_115096.pdf - Accessed 11 October 2010 – Attachment 4; Zook, D.C. 2010, ‘Disability and democracy in Cambodia: an integrative approach to community building and civic engagement’, *Disability & Society*, 25:2, p157 – Accessed 11 October 2010 – Attachment 7; Cambodian Disabled People’s Organisation (CDPO) 2009, ‘The Immediate Press Conference Report 29 May 2009’, *Congratulation to the Adopted Disability Law*, 29 May 2009, Phnom Penh Hotel, p.1 http://cdpo.org/download/law/Press_Conference_Report_29_May_2009.doc - Accessed 14 October 2010 – Attachment 8; Royal Government of Cambodia 2009, *Law on the Protection and the Promotion of the Rights of Persons with Disabilities*, July, http://www.dac.org.kh/resource-center/download/Cambodia_Disability_Law_English.pdf - Accessed 14 October 2010 – Attachment 9

⁷ Franciscans International & Marist Foundation for International Solidarity 2009, *Rights of children with disabilities in the educational system of Cambodia*, April, p.2 – Attachment 10

⁸ ILO & Irish Aid 2009, *Inclusion of People with Disabilities in Cambodia*, Factsheet, October, p. 2 http://www.ilo.org/wcmsp5/groups/public/---ed_emp/---ifp_skills/documents/publication/wcms_115096.pdf - Accessed 11 October 2010 – Attachment 4; Zook, D.C. 2010, ‘Disability and democracy in Cambodia: an integrative approach to community building and civic engagement’, *Disability & Society*, 25:2, p155 – Accessed 11 October 2010 – Attachment 7

with disabilities. The report does, however, state that “[p]rograms administered by various NGOs brought about substantial improvements in the treatment and rehabilitation of persons with disabilities”, although they faced considerable societal discrimination. In the same year the ILO and Irish Aid identified over 30 national and international NGOs working in Cambodia for people with disabilities.⁹

Discrimination and Ill-treatment of Children with Disabilities

Much of the literature on children with disabilities in Cambodia focuses on education and to a lesser extent the availability of support services, with few sources explicitly addressing broader issues of discrimination. A UK Department for International Development funded study of disability vis-à-vis poverty and development was one of the few sources located that addressed the discrimination experienced by Cambodian children with disabilities. In this study, Thomas notes that even though the higher number of disabled people causes “a higher than usual exposure of disabled people to non-disabled people, teasing and name-calling is common”; she goes on to state:

Family members and the wider community routinely call disabled children names related to their disability rather than the names given to them by their parents. Anecdotal evidence suggests that some children who are born with severe disabilities are never even given a proper name, and are referred to only by their disability name. Severely disabled children, although given basic care, are often hidden away, given less food and are sometimes encountered by fieldworkers living without clothes, unwashed and even tied up.¹⁰

As in many countries, disabled people in Cambodia experience direct discrimination, stigma and varying degrees of social isolation. Several sources identify the Buddhist notion of karma as a catalyst for this discrimination with people believing that “the cause of disability is a person’s previous actions, and...[assuming] that only past sins could lead to a current state of disability”.¹¹ In her abovementioned 2005 study, however, Thomas suggests the role of Buddhism in such social stigma is exaggerated.¹²

Of all of the groups with disabilities in Cambodia, an article published in the journal *Disability and Society* notes that people with intellectual disabilities tend to suffer from an invisibility greater than that experienced by people with physical disabilities, which results in “a life experience of comparably higher levels of neglect, discrimination and marginalization”. The article further states that there are a number of international and

⁹ US Department of State 2010, *2009 Country Reports on Human Rights Practices – Cambodia*, 11 March 2010 - Attachment 11; ILO & Irish Aid 2009, *Inclusion of People with Disabilities in Cambodia*, Factsheet, October, p.2-3 http://www.ilo.org/wcmsp5/groups/public/---ed_emp/---ifp_skills/documents/publication/wcms_115096.pdf - Accessed 11 October 2010 – Attachment 4

¹⁰ Thomas, Philippa 2005, *Poverty reduction and development in Cambodia: Enabling disabled people to play a role*, April, p.7 - Attachment 2

¹¹ Connelly, U.B. 2009, ‘Disability Rights in Cambodia Disability Rights In Cambodia: Using The Convention On The Rights Of People With Disabilities To Expose Human Rights Violations’, *Pacific Rim Law & Policy Journal Association*, Vol. 18 Issue 1, p126-7 – Accessed 11 October 2010 – Attachment 1; Thomas, Philippa 2005, *Poverty reduction and development in Cambodia: Enabling disabled people to play a role*, April, p.7 - Attachment 2; see also Gartrell, A. 2010 “‘A frog in a well’: the exclusion of disabled people from work in Cambodia”, *Disability & Society*, 25:3, p.294 – Accessed 11 October 2010 – Attachment 6; Smith, S.E. 2010, ‘Cambodia: Landmines, Disability, and Social Stigma’, *Feminists with a Disability for a way forward* website, 9 February <http://disabledfeminists.com/2010/02/09/cambodia-landmines-disability-and-social-stigma/> - Accessed 13 October 2010 – Attachment 12

¹² Thomas, Philippa 2005, *Poverty reduction and development in Cambodia: Enabling disabled people to play a role*, April, p.21 - Attachment 2

national organisations working to address the needs of persons with intellectual and cognitive disabilities in Cambodia, some of which are located in Phnom Penh.¹³

Education and Services for Children with Disabilities

The Government recognises the needs for children with disabilities in its 2007 *Education Law of the Kingdom of Cambodia* and its 2008 *Policy on Education for Children with Disabilities*, which is being implemented throughout the country to ensure the right of all children with disabilities to an education equal to that of non-disabled children. The Government has also identified Inclusive Education (IE) as a key strategy for achieving education for all, and in 2007 the Ministry of Education, Youth and Sport (MoEYS) established a Special Education Office. Notwithstanding these measures, capacity of state institutions remains limited.¹⁴ In addition to providing for the education of disabled children through IE at mainstream schools, educational institutions for children with disabilities do exist; however, references to only specialised schools for the deaf and blind were located in the sources.¹⁵ In 2006-07, MoEYS reported that children with disabilities comprise about three percent of children enrolled, although children with moderate and severe disabilities are excluded from this figure because they are not able to attend mainstream schools.¹⁶ With regard to the proportion of disabled children who attend school, a Handicap International Belgium survey in 2006 of 500 households with a disabled child in the rural provinces of Siem Reap and Takeo found that around 55 percent of children with disabilities attend school; no national survey has been conducted.¹⁷

Given their inability to attend mainstream schools, it is likely that children with moderate to severe disabilities are less likely to attend school than other disabled children and gender may also play a role. The Franciscans International and Marist Foundation for International Solidarity April 2009 submission to the Human Rights Council theorises that, given that able-bodied girls are less likely to go to school than their male counterparts, it is likely that disabled girls face greater obstacles to schooling. A number of factors contribute to the under-representation of disabled children in schooling, with the Handicap International Belgium small-scale survey identifying:

problems with transportation, teachers not knowing how to teach children with disabilities, difficulties with accessibility, lack of special equipment, expenses

¹³ Zook, D.C. 2010, 'Disability and democracy in Cambodia: an integrative approach to community building and civic engagement', *Disability & Society*, 25:2, p154 – Accessed 11 October 2010 – Attachment 7

¹⁴ Franciscans International & Marist Foundation for International Solidarity 2009, *Rights of children with disabilities in the educational system of Cambodia*, April, p.2 - Attachment 10; Thomas, Philippa 2005, *Poverty reduction and development in Cambodia: Enabling disabled people to play a role*, April, p. 46-7 - Attachment 2

¹⁵ Handicap International 2009, *Briefing Paper: Disability facts in Cambodia*, March, p.7 [http://dac.org.kh/cambodia_disability_resource_center/download/local-doc/HIF_Disability_Facts\[English\].pdf](http://dac.org.kh/cambodia_disability_resource_center/download/local-doc/HIF_Disability_Facts[English].pdf) – Accessed 13 October 2010 – Attachment 3; Zook, D.C. 2010, 'Disability and democracy in Cambodia: an integrative approach to community building and civic engagement', *Disability & Society*, 25:2, p. 158 – Accessed 11 October 2010 – Attachment 7

¹⁶ Handicap International 2009, *Briefing Paper: Disability facts in Cambodia*, March, p.5 [http://dac.org.kh/cambodia_disability_resource_center/download/local-doc/HIF_Disability_Facts\[English\].pdf](http://dac.org.kh/cambodia_disability_resource_center/download/local-doc/HIF_Disability_Facts[English].pdf) – Accessed 13 October 2010 – Attachment 3; International & Marist Foundation for International Solidarity 2009, *Rights of children with disabilities in the educational system of Cambodia*, April, p.4 - Attachment 10

¹⁷ VanLeit, B., Channa, S., Rithy, P 2007, 'Children with Disabilities in Rural Cambodia: An Examination of Functional Status and Implications for Service Delivery', *Asia Pacific Disability Rehabilitation Journal*, Vol. 18, No. 2, p.40 http://www.aifo.it/english/resources/online/apdrj/apdrj207/cambodia_disabled_children.pdf - Accessed 11 October 2010 – Attachment 5

associated with school, sickness, pain, a need for the child to help with work around the house, and discrimination.¹⁸

Although there are a number of organisations providing services for people with disabilities in Cambodia, families with intellectually disabled children are described as often having little understanding of the nature of the disability and not having anywhere to turn for support other than family or the village community¹⁹; whether the same difficulties are experienced by families in the capital is not clear from the sources. The Handicap International Belgium survey found that in the surveyed families, many did not seek any type of services if their child had a congenital condition and they assumed that there was nothing that could be done.²⁰ This suggests that the family's knowledge about the nature of their child's disability is a significant factor in determining access to support services.

Based on the above, the situation for children with disabilities in Cambodia can be characterised as somewhat mixed, "some needed services are available, many are not...[s]ome children are going to school, many are not".²¹ The type of disability, the proximity to support services, economic factors and understanding of the nature of the disability appear to be important considerations affecting outcomes for children with disabilities in Cambodia.

Attachments

1. Connelly, U.B. 2009, 'Disability Rights in Cambodia Disability Rights In Cambodia: Using The Convention On The Rights Of People With Disabilities To Expose Human Rights Violations', *Pacific Rim Law & Policy Journal Association*, Vol. 18 Issue 1, p. 123-153 – Accessed 11 October 2010.
2. Thomas, Philippa 2005, *Poverty reduction and development in Cambodia: Enabling disabled people to play a role*, April. (CISLIB 19120)
3. Handicap International 2009, *Briefing Paper: Disability facts in Cambodia*, March [http://dac.org.kh/cambodia_disability_resource_center/download/local-doc/HIF_Disability_Facts\[English\].pdf](http://dac.org.kh/cambodia_disability_resource_center/download/local-doc/HIF_Disability_Facts[English].pdf) – Accessed 13 October 2010.
4. ILO & Irish Aid 2009, *Inclusion of People with Disabilities in Cambodia*, Factsheet, October, http://www.ilo.org/wcmsp5/groups/public/---ed_emp/---ifp_skills/documents/publication/wcms_115096.pdf - Accessed 11 October 2010.

¹⁸ VanLeit, B., Channa, S., Rithy, P 2007, 'Children with Disabilities in Rural Cambodia: An Examination of Functional Status and Implications for Service Delivery', *Asia Pacific Disability Rehabilitation Journal*, Vol. 18, No. 2, p.41 http://www.aifo.it/english/resources/online/apdrj/apdrj207/cambodia_disabled_children.pdf - Accessed 11 October 2010 – Attachment 5

¹⁹ Franciscans International & Marist Foundation for International Solidarity 2009, *Rights of children with disabilities in the educational system of Cambodia*, April, p.4 - Attachment 10

²⁰ VanLeit, B., Channa, S., Rithy, P 2007, 'Children with Disabilities in Rural Cambodia: An Examination of Functional Status and Implications for Service Delivery', *Asia Pacific Disability Rehabilitation Journal*, Vol. 18, No. 2, p.44 http://www.aifo.it/english/resources/online/apdrj/apdrj207/cambodia_disabled_children.pdf - Accessed 11 October 2010 – Attachment 5

²¹ VanLeit, B., Channa, S., Rithy, P 2007, 'Children with Disabilities in Rural Cambodia: An Examination of Functional Status and Implications for Service Delivery', *Asia Pacific Disability Rehabilitation Journal*, Vol. 18, No. 2, p.46 http://www.aifo.it/english/resources/online/apdrj/apdrj207/cambodia_disabled_children.pdf - Accessed 11 October 2010 – Attachment 5

5. VanLeit, B., Channa, S., Rithy, P 2007, 'Children with Disabilities in Rural Cambodia: An Examination of Functional Status and Implications for Service Delivery', *Asia Pacific Disability Rehabilitation Journal*, Vol. 18, No. 2
http://www.aifo.it/english/resources/online/apdrj/apdrj207/cambodia_disabled_children.pdf - Accessed 11 October 2010.
6. Gartrell, A. 2010 "A frog in a well": the exclusion of disabled people from work in Cambodia', *Disability & Society*, 25:3, 289-301 – Accessed 11 October 2010.
7. Zook, D.C. 2010, 'Disability and democracy in Cambodia: an integrative approach to community building and civic engagement', *Disability & Society*, 25:2, 149-61 – Accessed 11 October 2010.
8. Cambodian Disabled People's Organisation (CDPO) 2009, 'The Immediate Press Conference Report 29 May 2009', *Congratulation to the Adopted Disability Law*, 29 May 2009, Phnom Penh Hotel
http://cdpo.org/download/law/Press_Conference_Report_29_May_2009.doc - Accessed 14 October 2010.
9. Royal Government of Cambodia 2009, *Law on the Protection and the Promotion of the Rights of Persons with Disabilities*, July, http://www.dac.org.kh/resource-center/download/Cambodia_Disability_Law_English.pdf - Accessed 14 October 2010.
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11. US Department of State 2010, *2009 Country Reports on Human Rights Practices – Cambodia*, 11 March 2010.
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