

# **Action on Disability Rights And Development - Nepal**

ADRAD-Nepal

अपाङ्गता अधिकार र बिकासका लागि कृयाशिल-नेपाल (एड्राड-नेपाल)

## **Annual Progress Report (2016/17)**

(आ.ब. २०७३/७४ को वार्षिक प्रगती प्रतिवेदन)

**Presented in**

**Eighth Annual General Assembly**

(३ आस्वीन, २०७४)

(19 September, 2017)

**Promoting Disability Inclusive Development**

**Presented by**

**Birendra Raj Pokharel, President**

Dear Members,

It is the immense pleasure to share the positive result that Nepalese Disability movement achieved in 2073/74 through ADRAD's advocacy initiatives under collaboration of various partners.

The remarkable achievements for the period of the reporting year are;

- ❖ Amendment of Disabled Protection and Welfare Act 1982 in the line with Convention on the Rights of Persons With Disabilities (CRPD) and newly named "Integrated Act for the protection of rights of persons with disabilities."
- ❖ Adoption of "Inclusive Education Policy 2017".
- ❖ "winning "ABC International Excellence Award 2016" in London Book Fair (12 April, 2016), Olympia conference center, London ([http://www.accessiblebooksconsortium.org/news/en/2016/news\\_0003.html](http://www.accessiblebooksconsortium.org/news/en/2016/news_0003.html))

- ❖ Awarded globally in Zero Project Conference in Vienna on 10 February, 2016 for its ELECTS campaign (<http://zeroproject.org/conference-2016/>)
- ❖ Execution of disability friendly provisions in the constitution based on the recommendation made by ADRAD in collaboration with its District level networks.
- ❖ The collaboration with post-earthquake Reconstruction Commission to ensure Transitional Justice in post-earthquake reform through advancing accessible reconstruction, Public Accountability through accessibility auditing and follow-up for ensuring accessible public places by the direct engagement of Self-Help Group of Persons With Disabilities in 14 most affected districts including Kathmandu valley.
- ❖ Implementation of ADRAD's strategy for developing Accessible Information and Communication Technology through DAISY and Epub method in partnership collaboration with ABC, WIPO and DAISY Consortium.
- ❖ Accommodation of disability related provisions in the Disasters Risk Reduction plan under Ministry of Local Development.
- ❖ Coordination with National and regional level coordination working groups of disability comprising the representatives of DPOs and Government,
- ❖ the internalisation of CRPD since Nepal became state party of the CRPD and its Optional Protocol,
- ❖ Drafting the National Policy and Plan of Action on Disability (NPPAD) by Ministry of Women, Children and Social welfare and consultation with representatives of ADRAD.
- ❖ Utilization of local resources in DDC and VDC levels for development and empowerment of PWDs.

Since ADRAD has been working as a strategic player within Nepal's disability field as a Human Rights and development based organization working to advance the rights, dignity and lives of Persons With Disabilities in Nepal, the mapping of the activities and need assessment has been carried out from the bottom-up approach and has accomplished the desired activities from its collaborating DPOs through the cooperation of various partners. ADRAD has always been serious about the values of partnership, transparency and accountability thus regularly working with public private partnership with the Government for sharing the activities, result, financial support and new possibilities under ongoing Government policy and program. The ADRAD has been regularly organising Annual General Assembly since its establishment in 2008 in presence of its general members, Consequently the Seventh Annual general assembly has been conducted on 23 Shrawan, 2072.

I gracefully welcome to you all in this august gathering and express humble request to provide valuable feedback to make ADRAD more effective, functioning, democratic, transparent, inclusive and empowered development based Disabled Peoples' Organisations in Nepal.

#### Agendas of sixth Annual General Assembly

The main Agendas of this general assembly are:

- To approve the annual report and financial report of the fiscal year 2073/74 and adopt the action plan and budget for 2074/75.
- Appointment of auditor for the account for the fiscal year, 2074/75.
- To analyze the existing challenges and identify where the focus is required in achieving the Goals of ADRAD.
- To identify scope, set results and activities and define implementation methodologies for the joint cooperation for the optimum output of the project under ABC and WIPO.

- The endorsement of the project under partnership collaboration with OSF concerning Transitional Justice in post-earthquake reform through advancing accessible reconstruction, Public Accountability through accessibility auditing and follow-up for ensuring accessible public places by the direct engagement of Self-Help Group of Persons With Disabilities in 14 most affected districts including Kathmandu valley.
- Legal defense for ensuring political participation of persons with disabilities.

### **General overview of ADRAD:**

Action on Disability Rights and Development is a non political, Non-Governmental, non-profit making human rights based networking organization of persons with disabilities in Nepal functional since 2008. The public awareness through broadcasting of radio program and telecasting the Program through National television convened by this organisation has supported the ratification of UNCRPD. The implementation of International and National legislation concerning Human Rights of Persons With Disabilities have been promoted by this organization so that the rights holders enjoy rights and participate in development process.

The ADRAD works To ensure positive changes in lives of Persons With Disabilities by enjoyment of rights in the mainstream society through awareness building, sensitization, capacity building, information dissemination, networking and accessible environment.

The accessible multimedia representation has been prime area of its action. The DAISY DTB are being produced in collaboration with Nepal Association of the Blind and Kaski Association of the Blind where the coordination with Department of Education has been established for the adoption of DAISY environment for the textbooks of secondary levels.

The primary works of ADRAD is to ensure the principles and strategies underlined in the Universal Declaration of Human Rights including Convention on the Rights of Persons With Disabilities and other internationally recognized instruments that protect the rights of PWDs. This organization is fighting for the rights and dignity of people with disabilities through advocacy, awareness/sensitization, capacity building and networking and collaboration. The newly adopted strategic plan (2015-2019) has been executed and the Organisational Assessment has been done, based on the findings, the new strategy plan has to be reviewed inn next 3 years (2018).

For the fulfillment of its objectives, ADRAD has been working with various National and International partners for strengthening disability movement in rights based perspectives in different projects. In this connection, each project has been contributing positively in different areas of disability. ADRAD has provided its successful management to implement these projects by the effective mobilization of central secretariat, regional network and district chapters, project staff, board members and volunteer with the competency that has been acquired through various National and International training and by their long personal experiences. Beside that the timely monitoring, impact evaluation by target groups and timely reporting are the key factors that ADRAD is always keen in and has prioritized such initiatives while managing the project.

### **Collaboration overview:**

#### **1. Ministry of Women Children and Social Welfare**

This partnership has focus on supporting the implementation of the regular grant from government annual budget to DPOs by proper activities. At the recent days, more than 100 DPOs are utilizing the government grant through Ministry of Women Children and Social Welfare including CBR conducting organizations.

The following activities were carried out within the reporting period under this partnership;

1. Research and Study: Impact study of the Government's Community Based Rehabilitation (CBR) Program.
2. Capacity Building:

Sensitization to Local Authorities, Political parties, NGOs etc in 14 earthquake most affected district about the Accessible Guideline,

Mapping of the PDNA and PDRF from disability perspectives and handed over the recommendation to the Government

Promotion of Accessible ICT for the empowerment of persons with visual disabilities.

## **2. ABC, WIPO and DAISY Consortium:**

Name of the project: Capacity Building Project for Accessible Publishing

Under the campaign of Enhancing Learning Capabilities of Students implemented by ADRAD submitted the event reports of the Accessible publishing and this final and comprehensive report that include the participants of loaning of 250 ANDROID Devices (150 Tablets and 100 Samsung Galaxy phone, On 7 Pro).

**Number/format/language of books produced:** There are 140 books have been produced in total. 125 out of 140 are produced in DAISY format and 15 are in EPUB format. 67 books are produced in English language and remaining 73 are in Nepali language. As per education level, there are 91 books are for school level students, 12 books are for higher secondary level student and 37 books are for university level student. Process of book producing started from December 2014 and completed on mid of May. 15 GB books (in ZIP) are uploaded in TIGAR server.

Number of training sessions carried out with the names of those organizations trained and the dates and subject matter of the sessions, including the city where the trainings took place

ADRAD conducted the training on accessible publishing November 2016 in the training hall of NAWB, Kathmandu where 15 public and private publishers were trained. The training concentrated to instructing commercial publishers (5 different publishers, 5 from Nepal National books distributors and publishers) and 5 representatives from the Department of Education, curriculum development center (15 persons in total), the training was based in the production of textbooks in the EPUB3 accessible format and in the use of mainstream publishing tools "InDesign".

There was 3 days training was conducted in two phase during October and November 2016 to instructing representatives from organizations serving the physically and visually impaired (50 persons in total), in DAISY production, using publishing tools such as OBI, TOBI and save as Microsoft Word.

There were two training received by our organization ADRAD from WIPO. One training was provided to Tilottama Gyawali by Michael Jung and facilitated by Ketki Bhatia. Another training was provided to Birendra Raj pokharel by Michael Jung. In training sessions these topics are covered : Introduction about TIGAR, how to search and filter available resources, check for downloadable books, add to wish list for single or multiple books, request to order, order status (pending, ready to download) and downloaded history

### **Number of accessible reading devices purchased and information on the loaning criteria**

There are 100 ANDROID device (Samsung Glaxy On 7 Pro mobile) purchased as reading devices and distributed to the End-users under equitable loaning criteria.

Number of trainings for students on the use of accessible devices, including the number of beneficiaries and the name of the city where the trainings took place

The Announcement for the loaning of ANDROID device was carried-out April, 2017 during the closing session of the training for Accessible Publication. There were 203 applications received from the students with visual disabilities. The shortlisting of 120 candidates was made. The orientation session about the ANDROID device and loaning process was carried out during April-June, 2017.

Additional 50 Android Devices (Samsung) have been planned to provide to 50 students from geographically remote districts.

**Beneficiaries:**

The orientation sessions for the end-users of the Accessible publication (DAISY and EPUB books) referred in seven places

The selection of these places was done based on the concentration of the Blind and Visual Impaired students particularly the schools, university and the Disabled Peoples' Organisations.

Among the end-users, 100 students have been trained about the use of ANDROID playback device (Tablet). There are 23 most useful applications installed in each of the tablets and the orientation session covered the demonstration of these useful and accessible apps.

**Details of other beneficiaries of the project:**

- Government departments: 5 officers
- Publishers (commercial and governmental): 5 technical persons
- NGOs: 25 persons working in publication
- Schools: teachers 11

**Capacity building of ADRAD:**

There are 13 persons empowered and enhanced capacity of producing DAISY and EPUB platform for accessible publishing. The project has been very effective in developing technical capability of producing accessible books by applying EPUB platform (ADOVE in design).

The principle trainer Mr. Prashant Ranjan Varbma highlighted that the books on the open market are an exciting development when they are produced accessibly. These e-publishing technologies can enable persons with print disabilities to read content at the same time and convenience and at no higher cost as their sighted peers which are the fundamental rights of persons with visual and print disabilities.

The representative of the private publisher Mr. Prashant Danuwar, the office secretary of Nepal National Association of Book Seller and Publishers expressed commitments of providing access to their books to print and visual impaired persons by supporting and assisting the ADRAD.

The Chairperson of ADRAD explained the overview of existing situation of accessible publication, the availability of accessible resources to students and their fundamental rights to have the accessible books. He emphasized that the ongoing constitutional drafting process in Nepal which is going to transform the state mechanism inclusive of all vulnerable communities including Persons with Disabilities, that can be materialized only by providing educational rights based on article 24 of UNCRPD. The accessible books are prerequisite for inclusive development which is mentioned in article 9 of the convention. He continued that in Nepal, the government has adopted various means for educating Children With Disabilities from special schools, resource centers and inclusive classes in regular schools but the remarkable outcomes has not been realized because of lack of policy for collaboration with non-Government sectors working for the education of children With Disabilities and providing accessible books to them. He urged Nepal Government to ratify the Marrakesh

Treaty so that it is mandatory for the Government to facilitate access to published works for persons who are Blind, Visually Impaired, or otherwise Print Disabilities.

The Government representative from Curriculum Development Center, Mr. Gunaraj Pokharel, and the Under Secretary clarified the perspectives of the Ministry of Education that the responsibility of the Government is to provide books to each child in compatible format. Whereas the accessible books are the fundamental rights of the children with print and visual disabilities. He also expressed on behalf of Curriculum Development Center that the further production of the Government books will be designed in the standard form that can be converted into E-pub format. His deliberation with very encouraging to DPOs and the ADRAD in supporting its mission of providing accessible books to each student.

Since the objectives of the seminar and closing ceremony was to sensitize the members of parliament about the importance of accessible publishing and the ratification of Marrakesh Treaty and its positive aspects in accessing books in accessible format and the copy rights exemption.

#### **Gender considerations:**

- ADRAD has assigned 15 part-time staffs where 6 are women who are engaged in recording, editing, book keeping and management.
- There are 30 Girls/ women with visual disabilities who received the ANDROID Device as playback tools.
- Among the end-users of accessible books produced under the project, there are 102 Girls/ Women out of 307 beneficiaries of the orientation sessions. It is estimated that, among 1500 end users of the accessible books produced under the project, 30% of them will be Girls/ Women with visual Disabilities.

Report of the closing ceremony of the International Accessible Publishing training:

There was gracious presence of the chairperson of the development committee of parliament, Honorable Rabindra Adhikari as the chief guest of the closing session of the Training seminar on Accessible publishing. There were 41 participants including representatives of various Government agencies and the organisations serving persons with disabilities and the chief guest focused on the necessity of legislation with copy rights exemption after ratification of Marrakesh Treaty and enactment of necessary domestic act for the best implementation of the Treaty. ADRAD has taken this type of commitments and deliberation of the legislatives is very important aspects of the sustainability.

The chief guest also recalled the existing formal practice to ratify the convention, roles of parliamentarians and civil society for the ratification and implementation of the convention. He mentioned about his role for ratifying the CRPD in past. Likewise expressed commitments of supporting and advocating with other parliamentarians to ratify the Marrakesh Treaty by Nepal in the coming days. It was remarkable deliberation of Chief Guest that, once the treaty is ratified, the constitution drafting process from disability perspective will be more specific including the provisions of copy rights exemption for the persons with print and visual disabilities as mentioned in the Marrakesh Treaty. He finally called upon all disability community to join hands for drafting the rights based constitution and work together for ensuring accessible publishing. ADRAD believes that the sustainability can be ensured by regular follow-up with the policy makers who are positive in Accessible publishing.

#### **Risk analysis**

There was devastating Earthquake of 7.9 rector magnitude occurred on 25 April noon in Nepal, the capital city Kathmandu and surrounding districts were most affected. There is big

human casualty around 10,000 and 18,000 persons injured. The office of ADRAD was also badly affected, the staffs were traumatized and panic. The fare is various massive aftershocks, the most massive aftershocks occurred on 12 May thus the Government announced the schools and colleges closed until May 31. In this instant, it was very difficult to accomplish the deliverables within the agreed time frame. ADRAD decided to assign the technical persons presiding outside Kathmandu Valley and closely monitored the production of final phase of the books. Ultimately all the books produced and orientation to the End-users completed with tight schedule with full commitments and dedication of ADRAD staffs.

The further challenge might be the delay reconstruction of schools and colleges, where big numbers of students with visual disabilities study in and orientation to the end-users about accessible books might be more challenging.

The priority for producing accessible books within Government system might be overlooked because the priority is the re-integration and re-construction and less priority for accessible publishing.

### **3. OSF/ ASD**

ADRAD is privileged to work in partnership collaboration with FOSI and ASD in the project concerning Transitional Justice in post-earthquake reform through advancing accessible reconstruction, Public Accountability through accessibility auditing and follow-up for ensuring accessible public places by the direct engagement of Self-Help Group of Persons With Disabilities in 14 most affected districts including Kathmandu valley.

#### **Objectives of the Project:**

The broader objective of the project is to ensure that all people are able to independently gain access in the public buildings that enable them to enjoy the service and benefits. The built environment includes areas such as public parks, pedestrian pathways, shopping centers, schools, hospitals, government buildings, and workplaces and so on.

The specific objectives are to ensure at least 50 public places are made accessible for persons with disabilities during the post-earthquake reconstruction plan. The project follow the implementation of accessible standard and establishing inter-governmental coordination for following the Physical Accessibility and communication Guideline while designing, planning and construction of public buildings in project sites.

The project support for the fulfillment of Government's commitments to promote full and effective participation of persons with disabilities in development process, by mapping the post-reconstruction plan and accessible physical and communication guideline for people with disabilities 2069.

#### **Coverage area:**

Since the Government has identified 14 most affected districts by the Earthquake 2015 in Nepal. There are various public buildings in the District headquarters. The disability prevalence has been increased due to the collapse of the building and the walls in most of the affected area. The spinal cord injury and the amputation are the major disability prevalence based on the hospital record. These people should have accessible building for their convenient mobility in the private building as well.

Viewing these circumstances, the project cover Kathmandu Valley (Kathmandu, Lalitpur and Bhaktapur districts) as focused area where as the adjoin district Nuwakot will be particularly monitored to verify the project output. Ultimately, the project covers all 14 earthquake affected districts where focal persons will be mobilized to assist the implementation of the policy and accessibility guideline while constructing the public buildings during the post-earthquake reconstruction phase.

#### **Activities under partnership of OSF:**

The project intended to ensure accessibility standards during post-earthquake reconstruction. By the commencement of the project, ADRAD recruited project staffs and formed a Project Support Unit under the organisation led by the Chairperson. The following are the activities convened until June 30, 2016.

- 1) The formation of "Joint Monitoring and Coordination Committee" (JMCC) under ministry of Women, Children and Social Welfare in order to facilitate for strengthening inter-ministerial coordination for the implementation of Government policies and programs concerning persons with disabilities, The JMCC is 30 members joint monitoring and coordination committee comprising relevant ministries, National and leading DPOs and entities related to post-earthquake reform. The regular meeting of the committee convened three times in quarterly basis that helped reviewing the disability related programs of different ministries and further planned for monitoring the implementation in the district levels.
- 2) Two days Capacity building training for 14 focal persons from most affected districts conducted during 24-25 March, 2016 in Kathmandu. The Focal persons were pre-assigned in 14 Districts in consultation of local DPOs in the corresponding districts.
- 3) Mobilisation of the focal persons: The district focal persons are mobilized to monitor the Accessible standards in the public building and push for ensuring service to persons with disabilities.
- 4) Regular Advocacy meeting with concerned Authorities for ensuring disability inclusion in PDRF organised 3 times (February, March and May) in Kathmandu that sensitize the authorities about disability inclusive approach.
- 5) Mapping of the provisions of the draft bill on rights of persons with disabilities was reviewed and recommended for the modification of the provisions which were in contrast to CRPD principles. The PDRF and other disasters related legislation were also mapped from the perspectives of disability inclusion carried out by the engagement of legal practitioners forming a taskforce.

#### **4. Abilis Foundation: (January to June, 2016)**

The belief of both Abilis Foundation and ADRAD in a society based on solidarity – a society that ensures to all the right to freedom, social security and participation of Persons With Disabilities. Though this is not the direct partnership, ADRAD has supported the work of Abilis Foundation as Abilis has assigned the chairperson of ADRAD as local expert for Nepal.

The overall objective of the Abilis Grant Making Mechanism is to strengthen organisations of disabled people in Nepal and should be in line with the UN Convention of the Rights of Persons with Disabilities.

By the engagement of Grantee organisations, some of the results ensured are as follows:

Nepal has submitted the state report to the CRPD committee and the dialogues for the establishment of implementation mechanism initiated,

- Inter-ministerial Parliamentarian Disability Friendly Caucus initiated and functional.
- Increased mobilization of self help group of PWDs in village and their access in local resources gradually.
- Increased the number of districts which has allocated budget for PWDs across the country.
- Increased cooperation of media to aware people on disability issues.
- Increased number of PWDs and their parents on receiving counseling and referral services.
- Good and smooth coordination in districts and from regional to disseminate diverse disability related information to PWDs, DPOs and other stakeholders.
- Good coordination from DPOs for the implementation of central program and activities in region.
- Increased mobilization of local resource by self help group in village level.

#### **4. Nepal National Books Publishers and Distributors (NNBPD)**

ADRAD has been working with partnership of **NNBPD** since 2014 and the partnership has been extended under accessible publication providing teaching learning materials to the students with visual and print disabilities.

This partnership focus on the activities about the copy rights and exemption for persons with disabilities for producing accessible books.

#### **Copyright Act (2002) covered the copyrights exemption in Nepal:**

The Copyright Act, 2059 (2002 has comprehensively mentioned the copyright authorities of producers and publishers however this act doesn't mention anything concerning accessible digital materials and its copyright provisions. Nevertheless the article in its chapter -4 mention about the Circumstances where the copyrighted materials can be used without authorization.

In article 16, reproduction allowed for personal purpose has been covered. In its sub-article 1, it is mentioned that notwithstanding anything contained in Clause (a) of Section 7, no authorization shall be required from the author or the copyright owner to reproduce some portions of any published work for personal use.

The article also mention that Reproduction allowed for teaching and learning, notwithstanding anything contained in Clause (a) of Section 7, the following acts may be done for teaching and learning activities without authorization of the author or the copyright owner in a manner not to be prejudicial to the economic right of such author or owner: To reproduce a small portion of any published work by way of citation, writing or audio-visual aid, To reproduce, broadcast and exhibit some portions of the work for purposes of educational activities to be performed in the classroom.

(2) All copies reproduced pursuant to Sub-section (1) have to indicate the source and the author's name.

The act also mention about the Reproduction by library and archives. It mention that Notwithstanding anything contained in Clause (a) of Section 7, in cases where a public library or archives, which makes available the work stored in it at the request of a person doing research or study without deriving economic profits directly or indirectly, loses any work with it or such work is destroyed or is old or is incapable of being obtained, it may

reproduce one copy of such a work without authorization of the author or the copyright owner of such work.

**Future direction:**

**Status of current technology related to accessible books for main languages of the country**

- ✓ Following are the information about availability of technology required for accessible book production in Nepal. These information are collected by interviewing of a trusted source.
- ✓ Optical character recognition : Available for Nepali language
- ✓ Text to speech engine : Available for Nepali language
- ✓ Braille translation software : Available for Nepali language

Now if we come to the availability of assistive technology in the hands of end users, it is almost nil. Students do not have assistive technology to read accessible digital books. For example: None of the students have daisy players. Negligible number of students has mobile phones with screen reading software that enables a mobile phone to be used as a tool for reading books.

**ADRAD will continue the ELECT scheme:**

ELECT is the enhancing learning Capabilities of students with print and visual disabilities initiated by Action on Disability Rights And Development (ADRAD) that establish and promote the use of latest Information and Communication Technology accessible for all implementing DAISY and Epub platforms ensuring enhanced learning outcomes.

The users of ELECTS TABLET scheme the persons with print and visual disabilities, applying the latest technology support in the area of education and learning. Taking into account the International Knowledge being accumulated since the adoption of DAISY environment in Nepal in August 2005, ADRAD decided to collaborate National and internationally to address the real needs of the Students with print and visual disabilities, providing them an opportunity of accessible books and reading devices accessible to them and convenient for Independent Living. In the first phase of its core mission under ELECTS, ADRAD is going to provide accessible books through DAISY and Epub platform and providing ANDROID reading device through Tablet scheme for 100 students with print and visual disabilities.

Therefore the possibility of use of this initiative will require to undergo for an application process where bonafide students be invited to apply for the ELECTS provision.

The Tablets Scheme will be aimed at meeting the following objectives:

1. Ensure to reach out the most in need end users, economically deprived and enthusiastic in use of technology,
2. Offer a better technology support enhancing learning capabilities to meet the real needs of the students.
3. Equal opportunity to persons with print and visual disabilities.
4. ADRAD will participate in the WBU/ ICEVI world Conference in August, 2016 to be organised in Florida, USA where the chairperson Mr. Birendra Raj Pokharel will present a paper about the Elects Scheme.
5. ADRAD will extend partnership collaboration with various National and International Organisations for the achievement of SDG from the perspectives of mainstreaming persons with disabilities in development process.

Thank you

Dr. Birendra Raj Pokharel,  
Chairperson,3 Ashwin, 2074