**The submission as a contribution to the OHCHR thematic study on participation in sport under article 30 of the Convention on the Rights of Persons with Disabilities**

This written submission has been produced by the Mongolian Disability Rights Forum (MDRF). The Forum was established in September 2019 with the purpose to have a united voice to advocate for the rights of persons with disabilities and reflect disability related issues in the state policies and programs on the bases of human rights approach. Currently 69 DPOs have joined to the Forum as a member. Member DPOs, particularly run sports activity made a contribution to this submission.

1 August 2020 Ulaanbaatar Mongolia

Information as a respond to the given questions under the study,

***One. Recreation and leisure***

**1(a).** Does your country have laws, policies, plans, strategies or guidelines and departments at any level of government relating to the inclusion of persons with disabilities in mainstream (not disability-specific) recreational and leisure physical activity?

Answer:

The law on the rights of persons with disabilities was adopted in 2016 and an article 34of the law “Support cultural and art activities of persons with disabilities” contains the following points.

34.1.State supports persons with disabilities to participate in cultural, art and public events takeplace in the country.

34.2. Business entities and organizations support persons with disabilities to participate in cultural and art events and develop their talents and skills.

**Article 35. Accessibility of art and cultural productions**

35.1. Art and cultural productions shall be accessible to persons with disabilities.

35.2. State administrative authority in charge of culture shall take responsibilities to author and print literature, scientific books, newspapers, magazines and journals in accessible formats for persons with disabilities using modern techniques and technologies and make museums, libraries, cultural and art productions accessible for them.

But implementation of these clauses are not sufficient.

There is a policy approved by the Minister of Education, Culture, Sciences and Sports, on the development of the physical activities and sports. The policy aims to expand activities of physical cultures and sports as public campaign, improve its scientific grounds, make it an inseparable part of population’s work and life as well as be a support to lengthen life expectancy of Mongolians. The Policy reflects certain measures to make sports means of living healthy and improving working ability of the people and skills of athletes in all levels of the national selected team, develop sport training to make athletes to be competitive in Olympic, continental and world levels, develop physical training and sport activities and services based on sport sciences, sports medical science as well as others. Implementation section stated that people with disabilities should be involved in the activities. There is no specific information on the procedures or guidelines for people with disabilities or people with intellectual disabilities. Therefore, persons with disabilities cannot get a benefit by this policy.

Other than the above mentioned law and policy, there is no policies laws, plans, strategies or guidelines relating to the inclusion of persons with disabilities in mainstream (not disability-specific) recreational and leisure physical activity. Even there is no any program in regard to disability specific recreational and leisure physical activity.

Also, there is no any departments at any level of government which considers on the inclusion of persons with disabilities in mainstream (not-disability-specific) recreational and leisure physical activity.

Therefore, lack of disability-inclusive policies and laws to ensure persons with disabilities participation in recreational and leisure physical activities on an equal bases with others, in Mongolia there is no an accessible and disability friendly recreational and leisure physical places, venue, facilities including private settings Private gymnasiums, summer camps, swimming pools, public and private tourism platforms: tourism facilities, public settings in urban areas: Urban sports trails, cycling trails, public physical training, yoga, recreational sports, playgrounds for children, recreational facilities for older persons, nature trails: hiking trails, nature centres, toilets, viewing platforms, count with accessibility and services.

**1(b).** What are the challenges to implementing the above? Are you aware of good practice related to the above?

Answer:

It is indicated that the followings are the main challenges to implement the above.

- Lack of disability sensitive and inclusive policies to ensure that persons with disabilities participation in recreational and leisure physical activities on an equal bases with others;

- Lack of sensitivity among decision makers about human rights approach to disability issues, the rights of persons with disabilities to participate on an equal basses with others in recreational, leisure and physical activities and how to ensure the implementation of this rights including physical accessibility, information and communication accessibility, reasonable accommodation, support service provision, affordability, procurement, data collection etc…

- Lack of political will to allocate budget to disability related issues and activity including recreational, leisure and physical activity due to the reason of limited resource;

- Lack of department at any level of government which considers on the inclusion of persons with disabilities in mainstream (not-disability-specific) recreational and leisure physical activity

- Lack of empowerment of persons with disabilities in regard to their rights and how to claim in case of violation of their rights;

Special Olympics in Mongolia (NGO) indicates that The Government Agencies and implementation division have limited understanding of the different disabilities. Most of the time, disabilities are framed into physical disabilities. Unfortunately, intellectual disabilities are often overlooked and community stigma is severe. As a result, parents tend to hide children at home. Youth with intellectual disabilities spend entire adult lifetime locked behind the doors.

***Two. Education***

**2(a).** Does your country have laws, policies, plans, strategies or guidelines on physical education in public and private schools, including in special education, informal education and extra-curricular activities, relating to the inclusion of persons with disabilities, particularly children and young people, to avoid their exclusion or exemption from physical education and facilitating contact with disability-specific sports? What are the objectives of these instruments?

Answer:

The law on the rights of persons with disabilities, adopted in 2016, contains chapter 4 with articles (14-16) on the right to education and it promotes inclusive education system at all levels of education. As stated in the law, children with disabilities is entitled to access an inclusive, quality education on an equal base with others in the communities in which they live. The law recognizes the concept of reasonable accommodation and according to the chapter, all educational organization including primary and secondary schools have an obligation to provide reasonable accommodation of individual’s requirement to student with disabilities and take measures to create an accessible learning environment for student with disabilities. For instance, 14.3.2. of the law states that state administrative authority in charge of education shall bear duties of including children and youth with disabilities, regardless of their sex, residential place and socio-economic factors, at all education system; develop and implement educational program meet to the needs and requirements of those children and youth and equip regular school’s classrooms with necessary adaptations;

As the follow-up the law, the Procedure on inclusive education was adopted by education minister in 2019 and it provides clear instructions to all level of educational organization on how to include student with disabilities in mainstream schools and provide reasonable accommodation. Unfortunately, implementation of these law and procedure are not sufficient. On the grass root level, children with disabilities who are in mainstream schools cannot provided a reasonable accommodation. And most of children with disability who are in mainstream schools are not able to receive quality education including physical education.

So it can be indicated that other than the law on the rights of persons with disabilities and the procedure on inclusive education, there is no the above mentioned laws, policies, programs and guidelines. There are some children with disability such as child with wheelchair who are studying in mainstream schools and those children are mostly exempted from physical education. There is no specific physical education curriculam for them and no facilitation in contacting with disability-specific sports.

In Mongolia, there is only one special school for the blind children, located in Ulaanbaatar, and the school does not have physical education curriculum developed based on the needs of visually impaired children. For instance, in the physical education curriculum there is no blind related specific sports. DPOs including Mongolian National Federation of the Blind and association of goalball have recommended to the Ministry of Education to revise the physical education curriculum and include a topic on how to play with goalball since 2017. Unfortunately, up to now there is no change in the physical education program at the special education for the blind children.

Mongolian National Association of the Hearing Impaired reports that physical education lesson of the special school for hearing impaired, located in Ulaanbaatar, with more than 300 children, is not taken according to the syllabus. Physical education teachers most of time do not teach physical sports, just give any balls to children to play during that class

Students with intellectual disabilities: There are five schools for students with severe physical or mental disabilities, all located in Ulaanbaatar. Officially, students with special needs are supposed to be integrated in regular schools. However, there is no national program or policy to systematically integrate students with special needs in schools, and as a result their integration depends on the goodwill of the individual school. The more common form of schooling for children that have special needs is home schooling by parents and, if private financial resources are available, private tutoring by teachers. (indicated by the Association of Special Olympics)

**2(b)(i).** Are teachers and professors of physical education trained to include students with disabilities in either mainstream or disability-specific physical education?

Answer:

teachers and professors of physical education are not trained to include students with disabilities in either mainstream or disability-specific physical education. There are universities to prepare physical teachers for 4 years but in the curriculum there is no topic on how to include children with disabilities in general physical education and disability specific sports. Therefore, most physical education teachers are lack of knowledge of different disability type, disability particular sports and how to include them in mainstream physical education.

**2(b) (ii).** Do persons with disabilities who want to be teachers and professors of physical education have access to equal certification to exercise the profession?

Answer:

Yes. Access for certification is equal to people with physical disabilities. But there is lack of government policy to support person with disabilities tuition fee, public transportation and ensuring the employment after graduation. Also, for the students from the rural provinces lack of housing in urban area is increasing vulnerable families to more debts.

**2(c).** What are the challenges to implementing the above? Are you aware of any good practices related to the above?

Answer:

It is indicated that the followings are the main challenges to implement the above.

- Lack of disability sensitive and inclusive policies to ensure that student with disabilities who are in mainstream are included in physical education on an equal basis with others and to avoid their exclusion or exemption from that education and facilitating contact with disability-specific sports;

- Lack of sensitivity among decision makers about human rights approach to different type of persons with disability issues,

- Lack of teacher training in how to include students with disabilities in either mainstream or disability-specific physical education;

- Lack of awareness among parents with child with disability in regard to rights of their child and how to claim in case of violation of their rights;

- Limited cooperation between the government and DPOs run sport related activity in regard to promote physical education among children with disabilities both in mainstream and special education

***Three. Sports***

**3(a).** Does your country have national, regional and local sports departments addressing and promoting competitive sports that cover both mainstream and disability-specific sports, either integrated or separated?

Answer:

In Mongolia there is no any sports departments at the national and local levels addressing and promoting competitive sports that cover both mainstream and disability-specific sports.

Some local departments in cooperation with sporting associations of persons with disabilities, organizes competition in disability-specific sports mostly in goalball, judo, athletics, archery, seating-volleyball. But depending on the goodwill and attitude of heads and specialist of that particular department, this type of sporting competition is not regularly organized

The Parliament election held in June 2020 and after the election the government has made some changes in its structure and according to that change the national physical sports department which was part of the ministry of education, has moved under the leadership of the prime-minister. the national physical and sports department have a division in charge of paraolympics athletes. Currently national Paralympics teams has formed in 6 Types of sports such as archery, athletics, judo, shooting, winter skiing, powerlifting. Each team has an average of 4-5 athletes. The national Paralympic athletes work under contract with the national physical and sport department and they receive the same support and benefit including salary, training fee etc as the Olympic athletes.

**3(b).** Do disability-specific competitions have a similar structure to mainstream competitions, either integrated or separated, to organize local, regional, national, continental and international competition?

Answer:

Yes, disability-specific competitions have the similar structure to mainstream competition.

The association of special Olympics provide the following answer for this:

“Different structure is applied. The sports agency does accept Special Olympics structure to mainstream competition. However, people with severe or profound intellectual disabilities do not have access to sport events and activities”.

**3(c).** What are the challenges that persons with disabilities face to access training centers prepared for high-performance sports at local, regional and national levels?

Answer:

Athletes with disability including intellectual disabilities have limited or no access to training centres due to the following challenges:

- Lack of trained coaches and trainers;

- Lack of physical accessibility of sport club; training center; -

- Lack of government support for athletes;

- Weak economic situation and lack of resources;

- lack of awareness of persons with disability among decision makers;

- Public stigma;

- Lack of accessibility in public transportation;

- Lack of information of clubs

- Lack of disability inclusive policies in regard to physical education and sport;

**3(d).** Are there laws, policies and mechanisms in place to ensure fair distribution of public grants, awards and other financial support to ensure that sportspersons with disabilities have equal opportunities to succeed in competitive sports?

Answer:

In Mongolia there is the government procedure that ensures fair distribution of public grants, awards and other financial support to ensure that the national Paralympic team athletes have equal opportunities to succeed in competitive sports. Therefore, the national Paralympic team athletes receive the same benefit and support as Olympic athletes.

If athletes with disabilities are not part of the national Paralympic team, it is hard for them to get financial support from the government. Depending on the goodwill of heads of local sport department, sporting disability organization only get some financial support from the local government to organize competition disability special sport. Other than this athlete with disabilities do not receive any support.

**3(e).** Please provide information on the organizational structures of disability-specific sports, including examples and good practices. Kindly consider the following aspects when replying:

* Are they separate structures, or are they integrated into mainstream federations and clubs?
* Are they decentralized covering the whole territory or they only operate in capital city/area?
* Are they sports-discipline specific, or they integrate multiple disciplines?
* Do they receive equal funding opportunities compared to mainstream sports?
* Are joint activities between sportspersons in disability-specific sports and mainstream sports encouraged or carried out to facilitate exchange among sportspersons within similar disciplines?
* Are persons with disabilities considered in sports beyond their role as sportspersons, including as referees, coaches, spectators, workers, volunteers in the sports industry, board members, among others?

Answer:

In Mongolia there are number of DPOs, associations and clubs run sports activity for persons with disabilities. For instance, there are the National Paralympic committee, association of Para athletics, association for goalball, association for Para judo, special Olympic in Mongolia, Deaflympics committee, Mongolian Para archery association etc…

- they are separate structures. They not integrated into mainstream federations and clubs.

- Most of them run operation in capital city and urban areas. When they organize national competitions, they cooperate with local sport department and DPOs such as Mongolian National Federation of the Blind (MNFB) and other DPOs run operation in nationwide.

- Mostly, they cannot receive equal funding opportunities compared to mainstream sport. For instance, the MNFB organized the national sport festival for the blind in 2019. About 180 visually impaired persons attended and compete in 7 type of sports such as judo, goalball, athletics, showdown, chess, checker, hand-wrestling. Although the federation requested, the government did not provide any financial support.

As reported by the Special Olympic in Mongolia, most of the cases public grants and awards are granted to people near the information, people who are close relationship with the respective officers. In 2018, the grant tender was first time publicised on the daily newspaper and public website and Special Olympics were able to apply for Sport Development Fund, one of the Government Grant available for increasing sports participation of people with intellectual disabilities”.

The government most of time does not allocate funding to promote new type of sport among persons with disabilities.

- Joint activities between sportspersons in disability-specific sports and mainstream sports are open and encouraged. Some para sporting associations such as Para shooting, Para archery have cooperation with mainstream sport association with the same operation. this type of joint activity mostly is not organized in some sport such as seating volleyball, goalball etc.

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- Most of time, persons with disabilities considered in sports beyond their role as sportspersons, including as referees, coaches, spectators, workers.