CHALLENGES AND BARRIERS OF POLICIES: MAKE THE RIGHTS REAL, LIFELONG EDUCATION, AND DECENT WORK FOR PERSONS WITH MOBILITY DISABILITIES IN THAILAND

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Abstract

This qualitative research has two primary objectives (1) to delve into the challenges surrounding the provision of education to PMDs within both public and private educational institutions, and (2) to scrutinize the obstacles inherent in the employment of PMDs within governmental agencies and commercial enterprises. Examination of the challenges and barriers policies face to lifelong education and decent work for persons with mobility or physical disabilities (PMDs) aged over 15 in Thailand's public and private sectors were conducted. Utilizing conceptual frameworks such as "Making the Rights Real (MRR)," Lifelong Education (LE), and Decent Work (DW), and linking these to the United Nations Convention on the Rights of Persons with Disabilities (CRPD), the Sustainable Development Goals (SDGs), and Thai law, the study addresses the obstacles limiting PMDs' opportunities. Research methodology was process with 18 key informants from organizations across nine critical categories—through purposive sampling, in-depth interviews, and content analysis—This research clarified and systematized the complex, ongoing impediments that PMDs face, blocking their ability to achieve MRR, LE, and DW. Eighteen individuals identified similar issues, highlighting three of the important are: (a) discrimination; (b) lack of empowerment; and (c) poverty. Therefore, it was identified as the most important supporting factor. This leads to the next seven main challenges and impediments that hinder the formulation and implementation of policies: attitudinal barriers, ineffective law enforcement, budgetary constraints, technological and internet access, physical infrastructure, transportation

challenges, and shortages of qualified personnel to impede full societal integration for PMDs. The study calls for substantial reforms to remove these impediments, advocating for true inclusivity and equal opportunities in education and the workforce for PMDs. By addressing these issues, the research aims to enhance the quality of life for PMDs and ensure their dignified participation in all societal aspects, aligning with both international standards and local practices. The ultimate objective is to achieve equality by 2030, fostering an inclusive environment where PMDs can thrive and contribute to Thailand's educational, occupational, social, and economic inclusion development goals.

Keywords: Policies; Lifelong Education; Decent Work; Human Rights; Persons with Disabilities

Introduction

Background & Problem Statement: PMDs in Thailand face multifaceted challenges that impede their full integration and empowerment within society (Smith, 2019). These challenges encompass physical barriers, such as inaccessible infrastructure, as well as attitudinal biases and discriminatory practices (Jones et al., 2020). As a result, PMDs often encounter significant obstacles in accessing education and employment opportunities, perpetuating cycles of inequality and exclusion (Brown et al., 2018).

Significance of the Study: PMDs in Thailand face several challenges and barriers in accessing lifelong education and securing decent work opportunities. Understanding and addressing these challenges are of paramount importance for promoting inclusivity and enhancing the quality of life for PMDs in Thailand. By elucidating the complexities of their experiences, this study seeks to contribute to broader efforts aimed at fostering a more accessible and equitable society (Johnson, 2021). By advocating for the rights and well-being of PMDs, we can advance social justice and human rights principles within the Thai context (Garcia et al., 2017; Suporntum et al., 2019). These challenges include unfamiliar living and educational environments, lack of response from schools to the needs of these individuals, language barriers, financial constraints, negative attitudes, and limited access to healthcare services. Existing policies and programs in Thailand, such as the Constitution of the Kingdom of Thailand (2017), the Empowerment of Persons with Disabilities Act (2007), and the Education Provision for Persons with Disabilities Act (2008), aims to secure educational, employment, and other benefits for PWDs. However, there is still a need for changes in policies, stakeholders' involvement, and capacity building for staff to ensure the inclusion

and empowerment of persons with disabilities in Thailand (Kenneth et al., 2022; Samrit et al., 2022; Sirinart., 2022; Mostafa, El-Feky, 2023; Sonvanee et al., 2023; Arunee, 2023).

Scope, Limitations, and Organization of the Paper: This study focuses on PMDs in Thailand, recognizing the unique socio-cultural and legal contexts that shape their experiences. While drawing insights from global frameworks such as the CRPD and SDGs, the analysis primarily centers on policies and practices within the Thai context. However, it is essential to acknowledge the limitations inherent in this study, including constraints on data availability and the complexity of capturing the diverse experiences of PMDs. The paper is structured to encompass a comprehensive literature review, detailing the challenges and opportunities for promoting inclusivity for PMDs aged over 15 in Thailand.

Research Questions: Research questions composed of: What are the specific barriers faced by PMDs in accessing education and employment in Thailand? How do existing policies contribute to or hinder the inclusion and empowerment of PMDs?

Literature Review

The rights of persons with disabilities (PWDs), particularly those with PMDs, to access LE and DW have been globally recognized through international frameworks such as the CRPD, the SDGs, and the MRR initiative. Despite Thailand's commitment to these frameworks, PMDs in Thailand continue to face considerable challenges and barriers in realizing these rights. This literature review explores the extent of these challenges within the Thai context, drawing on the CRPD, SDGs, and MRR concept (Economic and Social Commission for Asia and the Pacific [UNESCAP], 2022), alongside Thai legislation and its implementation.

International Frameworks: The CRPD and the SDGs provide a comprehensive set of goals and principles aimed at ensuring inclusivity and equality for PWDs. The MRR concept on the other hand, focuses on actualizing these rights through effective policy implementation. These frameworks collectively underscore the importance of inclusive education systems and the right to work on an equal basis with others (UNESCAP, 2022).

Thai Legislation and Policies: Thailand's legislative commitment to disability rights, informed by international norms, is comprehensive, encompassing a range of strategic and protective measures aimed at promoting inclusivity and empowerment. Over the past three decades, Thailand has systematically refined its legal framework and community outreach to ensure equal rights and active participation for persons with disabilities (PWDs), thereby

fostering an inclusive society where their dignity and value are recognized and protected (Cheausuwantavee et al., 2018). This commitment is constitutionally enshrined, with the Constitution of the Kingdom of Thailand guaranteeing these fundamental rights since 2017 (Constitution of the Kingdom of Thailand, 2017). Central to this framework is the Empowerment of Persons with Disabilities Act (2007), revised in 2013, which catalyzes inclusive education and employment across both the public and private sectors, supported by a dedicated fund enhancing life quality for PWDs (Empowerment of Persons with Disabilities Act, 2007; 2013). Further legislative advancements include the Education Provision for Persons with Disabilities Act of 2008, which, alongside the Education Promotion and Development Fund, ensures lifelong free education (Education Provision for Persons with Disabilities Act, 2008; 2013). The Equitable Education Fund, established under the 2018 Act, reinforces this agenda by subsidizing equitable education initiatives (Equitable Education Fund Act, 2018). Additionally, the Promotion of Learning Act of 2023 introduces flexible learning environments tailored to individual needs, making education accessible universally (Promotion of Learning Act, 2023). Collectively, these legal measures and funds exemplify Thailand's proactive and comprehensive approach to empowering PWDs through enhanced educational and employment opportunities.

Challenges and Barriers Policies: Globally, including in Thailand, the inclusion of PMDs in the educational and employment sectors presents significant challenges despite legislative advancements. Discrimination, lack of empowerment, and poverty critically hinder policy formulation and implementation, necessitating robust interventions (World Health Organization [WHO], 2021; United Nations [UN], 2022). A primary barrier is the persistent negative attitudes and misconceptions about PMDs among leaders and policymakers, which obstruct their integration into mainstream societal roles. These biases require vigorous awareness campaigns and sensitivity training to foster an inclusive cultural shift (WHO, 2021; UN, 2022). Additionally, the effectiveness of legal frameworks in protecting PMDs' rights is compromised by weak enforcement mechanisms, highlighting the urgent need for strengthened legal accountability and comprehensive monitoring systems (UN, 2018; Suporntum et al., 2019; International Labour Organization [ILO], 2020). Financial constraints further exacerbate these challenges, limiting access to necessary services and accommodations. Thus, increasing funding and strategically allocating resources are imperative (World Bank, 2021; UN, 2022). Moreover, despite technological progress, PMDs face significant access challenges, underscoring the need for investment in accessible

technology and digital literacy (World Bank, 2021; UN, 2022). Additionally, infrastructural inadequacies and insufficient transportation options severely restrict PMDs' mobility and access to opportunities, necessitating the application of universal design principles and the development of accessible public transportation systems (WHO, 2021; UN, 2022; Litman, 2024). The shortage of professionals trained to support PMDs also presents a substantial barrier, emphasizing the necessity to expand relevant educational and training programs (United Nations Educational, Scientific, and Cultural Organization [UNESCO], 2020; ILO, 2024). A coordinated, multi-stakeholder approach is essential for dismantling these barriers and fostering an equitable environment where PMDs can fully participate in educational and employment domains.

Overview of Global PWDs Statistics: The global statistics on persons with disabilities (PWDs) reveal significant challenges in education and employment. Worldwide, 16% of the population has disabilities, with 51% of children not attending school and only 19.6% employment for adults (WHO, 2023; UNESCO Institute for Statistics, 2023; National Center for Education Statistics, 2022; UN, 2022; ILO, 2023). In the Asia-Pacific region, over 51% of children with disabilities are out of school, and unemployment exceeds 75% (UNESCAP, 2023). In Thailand, 4.19 million people (6% of the population) have disabilities; 28.9% of children aged 5-17 are out of school, and the employment rate for PWDs is just 8% (National Statistical Office, 2022; Cheausuwantavee et al., 2021). These figures underscore the urgent need for improved policies to support PWDs globally.

Concluding Insights: While Thailand has pledged to protect the rights of PMDs, a substantial disparity between policy and its execution continues to pose a significant obstacle for PMDs. To bridge this gap, a comprehensive strategy that includes policy revision, enhanced awareness, and the establishment of supportive mechanisms is essential. It is imperative to ensure the effective enforcement of current policies, coupled with ongoing monitoring and adjustments, to make the right real of PMDs in Thailand.

Research Methodology

This qualitative study investigates the challenges faced by PMDs in Thailand, structured in two phases to ensure depth and breadth.

Phase 1: Conceptual Frameworks Development begins with a comprehensive review of literature relevant to PMDs's challenges in Thailand, aiming to build a robust theoretical foundation for the empirical investigation.

Phase 2: Conducting Structured In-Depth Interviews is at the heart of this investigation. It comprises structured, in-depth interviews with varied stakeholders directly involved with or affected by the challenges of PMDs, capturing detailed narratives to evaluate policy impacts and participant experiences.

The Participant Selection strategy utilizes Homogeneous Sampling of 18 entities across nine key categories to capture a comprehensive view of challenges for PMDs. This includes PMDs advocacy leaders, education representatives, both sectors' employers, lifelong education experts, pivotal policymakers in education and labor, and PMDs empowerment, offering deep insights into systemic and societal hurdles.

Data Collection Instruments were involved structuring interviews, crafted with predefined questions for targeted discussions and comprehensive data gathering. This approach, approved by Huachiew Chalermprakiet University's Research Ethics Committee, ensures ethical standards and research objectives are met.

Data Collection Process was conducted and interviewed from July 2022 to January 2023. Data was collected by audio-recorded with participant consent, allowing for accurate capture and analysis.

Data Analysis ~~Procedure~~ involves meticulous transcription, iterative listening, and document review to highlight themes, clarify ambiguities, and synthesize findings into a narrative that unveils the complex realities faced by PMDs in accessing education and employment, against Thailand's societal and policy landscape.

Research Findings

This study delves into the challenges and barriers PMDs face in accessing their rights to education and employment. Based on in-depth interviews with 18 agencies in nine categories, including advocacy or support organizations, educational institutions, government agencies, legal experts, and policymakers, research has revealed the depth of challenges and barriers that stand in the way of "Make the Right Real". Eighteen individuals identified similar issues, highlighting three of the important are: (a) discrimination; (b) lack of empowerment; and (c) poverty. Therefore, it was identified as the most important supporting factor. This leads to the following seven main challenges and impediments that hinder the formulation and implementation of policy:

1. Delve into the challenges surrounding the provision of education to PMDs within both public and private educational institutions.

The findings revealed numerous challenges in the provision of education to PMDs within both public and private educational institutions. Discrimination and lack of empowerment due to poverty were identified as major contributing factors, leading to the following significant challenges:

Attitudinal barriers: Stigma and prejudice are rampant among educational administrators, teachers, and policymakers, severely restricting PMDs' access to inclusive education.

Ineffective law enforcement: Existing laws and regulations lacked effective enforcement mechanisms, failing to ensure the implementation of inclusive education policies.

Budgetary constraints: Limited funding for inclusive education and necessary accommodations significantly hinders these programs' operational viability.

Technological and Internet Access Challenges: Poor access to assistive technologies and the internet, along with inadequate media representation, continue to exclude PMDs from equal educational opportunities.

Barriers to Physical Infrastructure: Inaccessibility of educational facilities and related infrastructure, such as unsuitable buildings and facilities, impedes PMDs' educational participation.

Transportation challenges: Inaccessible transportation and public infrastructure, including poorly maintained sidewalks and non-accommodative public transit systems, restrict PMDs' educational access.

Shortages of qualified personnel: There is a lack of educators trained in adaptive teaching methods or familiar with accessibility needs, which limits PMDs' academic success.

2 . Scrutinize the obstacles inherent in the employment of PMDs within governmental agencies and commercial enterprises.

Parallel challenges exist in the employment sector, where PMDs face formidable barriers in government and private workplaces:

Attitudinal barriers: Persistent negative biases towards PMDs among employers and officials obstruct their employment opportunities.

Ineffective law enforcement: Existing laws and regulations are poorly enforced in government agencies, hindering employment policy implementation, whereas enforcement is more effective within private business agencies.

Budgetary constraints: Insufficient financial resources allocated for reasonable workplace accommodations curtail the employment of PMDs.

Technological and Internet Access Challenges: The limited availability of assistive technologies and internet access, along with insufficient media representation, have continued to promote exclusion and obstruct equal employment opportunities.

Barriers in buildings and facilities: Physical barriers within buildings and the lack of accessible workplace environments substantially limit employment opportunities. For instance, when a company's primary operations are situated on a non-elevator-equipped second floor, it effectively prevents wheelchair users from accessing their place of work, thereby excluding them from the workforce.

Physical barriers and transportation challenges: Limited access to necessary technologies and the internet perpetuates PMDs' exclusion from the workforce.

Shortages of qualified personnel: The scarcity of workplace professionals trained to support PMDs complicates their integration and success in employment settings.

Conclusion: This analysis elucidates the extensive, systemic barriers that undermine PMDs' rights to education and employment. These challenges are rooted deeply in issues of discrimination, empowerment deficiencies, and poverty. Addressing these barriers is crucial for dismantling the obstacles to policy implementation and achieving substantial progress in the rights of PMDs.

Discussion

The findings of this investigation underscore the formidable barriers that obstruct PMDs from fully accessing their rights to lifelong education and decent work. These barriers pose a substantial threat to achieving the SDGs by 2030, critically undermining the initiative to "Make the Right Real." Eighteen individuals identified similar issues, highlighting three principal impediments: discrimination, lack of empowerment, and poverty. Consequently, the study delineates seven key challenges that thwart the development and implementation of efficacious policies:

Attitudinal barriers: Prevalent negative attitudes and misconceptions about PMDs among leaders and policymakers across various sectors significantly hinder their educational and employment opportunities. These pervasive biases necessitate robust awareness campaigns and sensitivity training to foster an inclusive cultural shift (WHO, 2021; UN, 2022).

Ineffective law enforcement: Current legal frameworks in education and employment are plagued by inadequate enforcement mechanisms, which impede the realization of PMDs' rights. Enhancing legal accountability and establishing comprehensive monitoring systems are imperative for the effective application of these laws. (UN, 2018; Suporntum et al., 2019; ILO, 2020).

Budgetary constraints: Financial limitations severely restrict the availability of essential services and accommodations for PMDs. Increased funding and strategic resource allocation are crucial to overcome these financial barriers and support necessary programs for education and employment (World Bank, 2021; UN, 2022).

Technological and Internet Access Challenges: Despite rapid technological advancements, PMDs often face significant challenges in accessing these resources, which are critical for education and employment. Investment in accessible technology and digital literacy programs is essential to eliminate these disparities (World Bank, 2021; UN, 2022).

Barriers to Physical Infrastructure: Many educational and workplace facilities fail to meet accessibility standards, which restricts PMDs' participation in educational and professional activities. Applying universal design principles to infrastructure development is vital for creating accessible environments (WHO, 2021; UN, 2022).

Transportation challenges: Inadequate transportation options significantly limit PMDs' ability to engage in educational and employment opportunities. Developing accessible public transportation systems is necessary to enhance the mobility and independence of PMDs (UN, 2022; Litman, 2024).

Shortages of qualified personnel: There is a critical need for professionals trained to address the specific needs of PMDs. Expanding education and training programs for such professionals will facilitate better support for PMDs and enhance their integration into educational and employment settings (UNESCO, 2020; ILO, 2024).

Addressing these challenges comprehensively is essential, not only for the empowerment of PMDs but also for the inclusive progress of society as a whole. By removing these barriers and fostering an environment that upholds the dignity and rights of all individuals, significant strides can be made towards achieving the SDGs by 2030 and ensuring that PMDs can contribute fully to societal development.

Moreover, the grove has been changing all that time. Jaturong (2024) found that global disruption has a lot of influences on the economy, society, and individual life, especially for PWDs, on health-related serious illnesses including mental illness and loss of

memory, serious accidental injury, or the birth of a child with a disability, all of which can affect themselves or family members. According to the World Economic Forum's Global Risks Report 2023, the world's top current risks are energy, food, inflation, and the overall cost of living crisis. Over the next two years, the cost-of-living crisis will remain the number one threat, followed by natural disasters and trade and technology wars. Those events certainly influence the way of life of PWDs. Jaturong (2024) proposes what should be done in the future to improve the lives of PWDs, including that empowering PWDs is a matter that involves teaching them their rights and privileges, teaching them about the law, and generally giving relevant information concerning aspects of their well-being. Jaturong (2024) emphasizes that PWDs are human beings, like people in general. We need to have disabled awareness that "doesn't leave them behind." And this is where we should go from now on.

Conclusions and New Knowledge

This research meticulously elucidates the systematic and continuous multidimensional challenges and barriers that obstruct the actualization of rights concerning lifelong education and decent work for PMDs. Eighteen individuals identified similar issues, highlighting three of the important are: (a) discrimination; (b) lack of empowerment; and (c) poverty. Therefore, it was identified as the most important supporting factor. This leads to the next seven main challenges and impediments that hinder the formulation and implementation of policies: (1) attitudinal barriers; (2) ineffective law enforcement; (3) budgetary constraints; (4) technological and internet access challenges; (5) barriers in buildings and facilities; (6) infrastructural barriers and transportation challenges; and (7) shortages of qualified personnel to impede full societal integration for PMDs. The study calls for substantial reforms to remove these impediments, advocating for true inclusivity and equal opportunities in education and the workforce for PMDs. By addressing these issues, the research aims to enhance the quality of life for PMDs and ensure their dignified participation in all societal aspects, aligning with both international standards and local practices. The ultimate objective is to achieve equality by 2030, fostering an inclusive environment where PMDs can thrive and contribute to Thailand's educational, occupational, social, and economic inclusion development goals. (How related to SDGs? /State Rights with relevant SDGs)

Recommendations (State relevant Rights)

Addressing Challenges and Barriers Policies: Make the Right Real, Lifelong Education, and Decent Work for Persons with Mobility and Physical Disabilities in Thailand to foster a society free from discrimination and overcome existing obstacles, researchers propose crucial and necessary policy strategies, prioritizing ease of implementation and urgency, while considering budget and time constraints, in four key areas.

(1) Start a thorough awareness campaign to encourage others to recognize the potential and abilities of PMDs. The aim is to eliminate discrimination by eradicating stigma, stereotypes, and negative perceptions towards PMDs.

(2) Launch a broad awareness campaign to educate individuals with disabilities and their families about their rights and responsibilities. Develop training programs to empower them to effectively advocate for these rights. For assistance and to safeguard these rights, contact the 1479 Helpline, addressing the challenges faced by PMDs.

(3) Launch a broad awareness campaign regarding the rights and responsibilities related to educational and employment funds for persons with disabilities, starting with the three aforementioned funds. This initiative aims to alleviate poverty and ensure access to lifelong education and decent work opportunities.

(4) Start a campaign to provide one computer or tablet with internet access to each PMDs or each family with a PMDs member. This will facilitate access to technology and information communication, enabling them to benefit from the recommendations.

If these recommendations are announced and implemented, they have the potential to elevate Thailand to the pinnacle of global excellence, endorsed by UNESCAP's "Make the Right Real" initiative, ensuring equal opportunities, and promoting meaningful inclusion for individuals with disabilities in societal progress indefinitely.

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