Introduction to the Department of State Report on Disability Human Rights

The U.S. Department of State Report on Human Rights in 2014 is based on research performed by the State Department, specifically the Bureau of Democracy, Human Rights and Labor. The reports focus on the role of government in establishing policies to protect the human rights of all citizens.

USICD has consolidates the references on disability from each country report into one comprehensive document. Each country summary within the document is organized into four possible subheadings:

1. **Constitution and Laws**: If and how a country’s constitution or laws cover disability rights.
2. **Persons with Disabilities**: Material drawn from the report’s section on “Persons with Disabilities.”
3. **Other Relevant References**: Disability highlighted elsewhere in a country’s report (e.g. within the section on children, women, or prison and detention center conditions, etc.).
4. **The Convention on the Rights of Persons with Disabilities**: The status of a country’s signature and ratification of the CRPD (Note: ratification dates are in a date/month/year format).

The following condensed reports are intended to be a resource only and do not necessarily reflect an endorsement of the quality of content or perspective contained within the reports. All content is pulled directly from the State Department reports with the exception of the CRPD status, which was added by USICD staff.
Contents

Africa
Angola.................................................................7
Benin.........................................................................8
Botswana...............................................................10
Burkina Faso..........................................................10
Burundi.....................................................................12
Cabo Verde.............................................................13
Cameroon..............................................................14
Central African Republic............................................16
Chad.......................................................................17
Comoros..............................................................17
Congo, Democratic Republic of the (D.R.C)......................18
Congo, Republic of the..............................................20
Cote d’Ivoire...........................................................21
Djibouti.....................................................................22
Equatorial Guinea.....................................................23
Eritrea.......................................................................24
Ethiopia.....................................................................24
Gabon.......................................................................26
Gambia, The............................................................27
Guinea-Bissau..........................................................30
Kenya.......................................................................31
Lesotho.....................................................................35
Liberia......................................................................37
Madagascar............................................................38
Malawi......................................................................40
Mali..........................................................................41
Mauritania..............................................................42
Mauritius.................................................................44
Mozambique............................................................45
Namibia.....................................................................47
Niger........................................................................48
Nigeria.....................................................................50
Rwanda.....................................................................52
Sao Tome and Principe...............................................53
Senegal.....................................................................54
Seychelles...............................................................55
Sierra Leone............................................................56
Somalia.....................................................................58
South Africa...........................................................59
South Sudan………………………………………………………………………………….62
Sudan…………………………………………………………………………………………63
Swaziland……………………………………………………………………………………64
Tanzania…………………………………………………………………………………….66
Togo………………………………………………………………………………………….68
Uganda……………………………………………………………………………………….69
Zambia………………………………………………………………………………………71
Zimbabwe………………………………………………………………………………….73

Asia and the Pacific
Australia………………………………………………………………………………………76
Brunei………………………………………………………………………………………77
Burma………………………………………………………………………………………78
Cambodia……………………………………………………………………………………79
China………………………………………………………………………………………80
Fiji………………………………………………………………………………………….85
Indonesia……………………………………………………………………………………86
Japan…………………………………………………………………………………………88
Kiribati……………………………………………………………………………………..89
Korea, North…………………………………………………………………………………90
Korea, South………………………………………………………………………………91
Laos…………………………………………………………………………………………95
Malaysia……………………………………………………………………………………97
Marshall Islands……………………………………………………………………………98
Micronesia, Federated States of………………………………………………………99
Mongolia……………………………………………………………………………………100
Nauru………………………………………………………………………………………104
New Zealand………………………………………………………………………………104
Palau………………………………………………………………………………………105
Papua New Guinea………………………………………………………………………106
Philippines……………………………………………………………………………………107
Samoa……………………………………………………………………………………..109
Singapore……………………………………………………………………………………110
Solomon Islands………………………………………………………………………….111
Taiwan………………………………………………………………………………………112
Thailand……………………………………………………………………………………114
Timor-Leste………………………………………………………………………………..116
Tonga………………………………………………………………………………………117
Tuvalu………………………………………………………………………………………118
Vanuatu……………………………………………………………………………………119
Vietnam……………………………………………………………………………………120
Europe and Eurasia

<table>
<thead>
<tr>
<th>Country</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Albania</td>
<td>122</td>
</tr>
<tr>
<td>Andorra</td>
<td>123</td>
</tr>
<tr>
<td>Armenia</td>
<td>124</td>
</tr>
<tr>
<td>Austria</td>
<td>126</td>
</tr>
<tr>
<td>Azerbaijan</td>
<td>129</td>
</tr>
<tr>
<td>Belarus</td>
<td>130</td>
</tr>
<tr>
<td>Belgium</td>
<td>132</td>
</tr>
<tr>
<td>Bosnia and Herzegovina</td>
<td>133</td>
</tr>
<tr>
<td>Bulgaria</td>
<td>134</td>
</tr>
<tr>
<td>Croatia</td>
<td>137</td>
</tr>
<tr>
<td>Cyprus</td>
<td>138</td>
</tr>
<tr>
<td>Czech Republic</td>
<td>141</td>
</tr>
<tr>
<td>Denmark</td>
<td>143</td>
</tr>
<tr>
<td>Estonia</td>
<td>144</td>
</tr>
<tr>
<td>Finland</td>
<td>145</td>
</tr>
<tr>
<td>France</td>
<td>146</td>
</tr>
<tr>
<td>Georgia</td>
<td>148</td>
</tr>
<tr>
<td>Germany</td>
<td>151</td>
</tr>
<tr>
<td>Greece</td>
<td>152</td>
</tr>
<tr>
<td>Hungary</td>
<td>154</td>
</tr>
<tr>
<td>Iceland</td>
<td>157</td>
</tr>
<tr>
<td>Ireland</td>
<td>159</td>
</tr>
<tr>
<td>Italy</td>
<td>160</td>
</tr>
<tr>
<td>Kosovo</td>
<td>161</td>
</tr>
<tr>
<td>Latvia</td>
<td>163</td>
</tr>
<tr>
<td>Liechtenstein</td>
<td>165</td>
</tr>
<tr>
<td>Lithuania</td>
<td>166</td>
</tr>
<tr>
<td>Luxembourg</td>
<td>167</td>
</tr>
<tr>
<td>Macedonia</td>
<td>168</td>
</tr>
<tr>
<td>Malta</td>
<td>170</td>
</tr>
<tr>
<td>Moldova</td>
<td>171</td>
</tr>
<tr>
<td>Monaco</td>
<td>175</td>
</tr>
<tr>
<td>Montenegro</td>
<td>176</td>
</tr>
<tr>
<td>Netherlands</td>
<td>180</td>
</tr>
<tr>
<td>Norway</td>
<td>182</td>
</tr>
<tr>
<td>Poland</td>
<td>182</td>
</tr>
<tr>
<td>Portugal</td>
<td>184</td>
</tr>
<tr>
<td>Romania</td>
<td>185</td>
</tr>
<tr>
<td>Russia</td>
<td>187</td>
</tr>
<tr>
<td>San Marino</td>
<td>190</td>
</tr>
<tr>
<td>Serbia</td>
<td>190</td>
</tr>
<tr>
<td>Slovakia</td>
<td>192</td>
</tr>
<tr>
<td>Spain</td>
<td>194</td>
</tr>
</tbody>
</table>
Sweden.................................................................................................................................................. 195
Switzerland............................................................................................................................................... 196
Turkey...................................................................................................................................................... 197
Ukraine.................................................................................................................................................... 200
United Kingdom.................................................................................................................................... 202

Near East (Northern Africa and Middle East)
Algeria...................................................................................................................................................... 204
Bahrain..................................................................................................................................................... 205
Egypt.......................................................................................................................................................... 207
Iran............................................................................................................................................................. 208
Iraq............................................................................................................................................................. 209
Israel and the Palestinian Territories........................................................................................................ 211
Jordan...................................................................................................................................................... 214
Kuwait....................................................................................................................................................... 217
Lebanon.................................................................................................................................................... 219
Libya.......................................................................................................................................................... 220
Morocco.................................................................................................................................................... 221
Oman.......................................................................................................................................................... 222
Qatar........................................................................................................................................................... 223
Saudi Arabia............................................................................................................................................. 224
Syria............................................................................................................................................................ 226
Tunisia.......................................................................................................................................................... 227
United Arab Emirates............................................................................................................................... 228
Yemen........................................................................................................................................................ 230

South and Central Asia
Afghanistan ............................................................................................................................................... 233
Bangladesh ............................................................................................................................................. 235
Bhutan ..................................................................................................................................................... 236
India ........................................................................................................................................................... 237
Kazakhstan ............................................................................................................................................. 240
Kyrgyz Republic .................................................................................................................................. 242
Maldives .................................................................................................................................................. 244
Nepal ......................................................................................................................................................... 246
Pakistan ................................................................................................................................................... 247
Sri Lanka .................................................................................................................................................. 249
Tajikistan ............................................................................................................................................... 250
Turkmenistan ..................................................................................................................................... 251
Uzbekistan ........................................................................................................................................... 253

Western Hemisphere
Antigua and Barbuda............................................................................................................................... 255
<table>
<thead>
<tr>
<th>Country</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Argentina</td>
<td>255</td>
</tr>
<tr>
<td>Bahamas, The</td>
<td>256</td>
</tr>
<tr>
<td>Barbados</td>
<td>258</td>
</tr>
<tr>
<td>Belize</td>
<td>259</td>
</tr>
<tr>
<td>Bolivia</td>
<td>260</td>
</tr>
<tr>
<td>Brazil</td>
<td>261</td>
</tr>
<tr>
<td>Canada</td>
<td>262</td>
</tr>
<tr>
<td>Chile</td>
<td>264</td>
</tr>
<tr>
<td>Colombia</td>
<td>265</td>
</tr>
<tr>
<td>Costa Rica</td>
<td>267</td>
</tr>
<tr>
<td>Cuba</td>
<td>269</td>
</tr>
<tr>
<td>Dominica</td>
<td>269</td>
</tr>
<tr>
<td>Dominican Republic</td>
<td>270</td>
</tr>
<tr>
<td>Ecuador</td>
<td>272</td>
</tr>
<tr>
<td>El Salvador</td>
<td>273</td>
</tr>
<tr>
<td>Grenada</td>
<td>275</td>
</tr>
<tr>
<td>Guatemala</td>
<td>276</td>
</tr>
<tr>
<td>Guyana</td>
<td>277</td>
</tr>
<tr>
<td>Haiti</td>
<td>278</td>
</tr>
<tr>
<td>Honduras</td>
<td>279</td>
</tr>
<tr>
<td>Jamaica</td>
<td>281</td>
</tr>
<tr>
<td>Mexico</td>
<td>282</td>
</tr>
<tr>
<td>Nicaragua</td>
<td>284</td>
</tr>
<tr>
<td>Panama</td>
<td>286</td>
</tr>
<tr>
<td>Paraguay</td>
<td>288</td>
</tr>
<tr>
<td>Peru</td>
<td>288</td>
</tr>
<tr>
<td>St. Kitts and Nevis</td>
<td>292</td>
</tr>
<tr>
<td>St. Lucia</td>
<td>293</td>
</tr>
<tr>
<td>St. Vincent and the Grenadines</td>
<td>294</td>
</tr>
<tr>
<td>Suriname</td>
<td>295</td>
</tr>
<tr>
<td>Trinidad and Tobago</td>
<td>296</td>
</tr>
<tr>
<td>Uruguay</td>
<td>297</td>
</tr>
<tr>
<td>Venezuela</td>
<td>298</td>
</tr>
</tbody>
</table>
Africa

Angola

Constitution and Laws
The constitution and law prohibit discrimination based on race, gender, religion, disability, language, or social status; however, the government did not effectively enforce these prohibitions. The constitution does not specifically address sexual orientation or gender identity. Violence and discrimination against women, child abuse, child prostitution, trafficking in persons, and discrimination against persons with disabilities were problems.

Persons with Disabilities
The law prohibits discrimination against persons with disabilities, including persons with physical, sensory, intellectual, and mental disabilities, in employment (see also section 7.d.), education, and access to health care or other state services, but the government did not effectively enforce these prohibitions. Article 83 of the constitution grants persons with disabilities full rights without restrictions and calls on the government to adopt national policies to prevent, treat, rehabilitate, and integrate persons with disabilities to support their families, to remove obstacles to their mobility, to educate society about disability, and to encourage special learning and training opportunities for the disabled. It does not specifically mention the rights of persons with disabilities with regard to transportation, including air travel.

Persons with disabilities included more than 80,000 landmine and other ERW victims. The NGO Handicap International estimated that, in total, up to 500,000 persons had disabilities. Only 30 percent of such persons were able to take advantage of state-provided services such as physical rehabilitation, schooling, training, or counseling. According to a 2012 survey by the Ministry of Assistance and Social Reintegration, the country had approximately 90,000 persons with disabilities.

The national council for persons with disabilities is responsible for verifying that all such persons are protected from discrimination and have access to the same rights and privileges as nondisabled citizens. Persons with disabilities, however, found it difficult to access public or private facilities, and it was difficult for such persons to find employment or participate in the education system (see also section 7.d.). Women with disabilities were reported to be vulnerable to sexual abuse and abandonment when pregnant. The anti-trafficking law specifically punishes sexual abuse of vulnerable populations, including persons with disabilities. The Ministry of Assistance and Social Reintegration sought to address problems facing persons with disabilities, including veterans with disabilities, and several government entities supported programs to assist individuals disabled by landmine incidents. During the 2012 election, the government provided voting assistance to persons with disabilities. Persons with disabilities
were allowed to select someone of their own choosing to accompany them to the voting booth to fill out the ballot and were allowed to move ahead of others waiting in line to vote.

**Employment:**
The labor law prohibits discrimination in employment and occupation based on race, gender, disability, language, and HIV-positive status or other communicable diseases, or social status, and the government, in general, effectively enforced the law.

Despite the law, persons with disabilities found it difficult to gain access to public or private facilities, and it was difficult for such persons to participate in the education system and thus find employment.

**Convention on the Rights of Persons with Disabilities**
Angola ratified the CRPD and the Optional Protocol on 19/05/2014.

**Benin**

**Constitution and Laws**
The constitution and laws prohibit discrimination based on race, gender, disability, language, and social status, but societal discrimination against women continued. Persons with disabilities were disadvantaged. The government took some measures to address these problems but fell short of providing a comprehensive response.

**Persons with Disabilities**
The law does not explicitly prohibit discrimination against persons with physical, sensory, intellectual, or mental disabilities in education, access to health care, or provision of other state services; however, the law provides that the government care for persons with disabilities. There were no legal requirements for the construction or alteration of buildings to permit access for such persons. Legislation is general in nature and addresses equality, equity, and nondiscrimination among all citizens. Several laws, however, including the labor code, the social security code, the persons and family code, and the 2011 law establishing general rules for elections contain specific references to persons with disabilities. The country also has a National Policy for the Protection and Integration of Persons with Disabilities. Children with mental, visual, and physical disabilities, however, continued to suffer social exclusion and had no access to the conventional educational system.

The government operated few institutions to assist persons with disabilities. The Office for the Rehabilitation and the Insertion of Persons with Disabilities under the jurisdiction of the Ministry of Family coordinated assistance to persons with disabilities through the Aid Fund for the Rehabilitation and Insertion of Persons with Disabilities (Fonds Ariph).

**Employment:**
The constitution and labor code prohibit discrimination on the basis of race, ethnicity, national
 origin, gender, marital status, religion, political affiliation, socioeconomic status, and disability. The laws, however, do not explicitly prohibit discrimination based on pregnancy, sexual orientation, gender identity, and HIV-positive status. The government, in general, effectively enforced these laws and regulations. Women experienced extensive discrimination because of societal attitudes and resistance to behavioral change (see section 6).

The labor code includes provisions to protect the rights of workers with disabilities, which were enforced with limited effectiveness.

In 2011 a blind woman filed an appeal with the Constitutional Court to complain of the Ministry of Labor and Civil Service’s rejection of her application to take a competitive exam to recruit young magistrates. The ministry claimed it was not equipped to offer the exam in Braille. The Constitutional Court stated in 2012 the decision of the ministry discriminated against the woman. Rulings by the Constitutional Court, however, were not binding.

The Office of Labor under the Ministry of Labor and Civil Service and the Ministry of Family are responsible for protecting the rights of persons with disabilities.

On August 8, the president of an Association for the Well-Being of Persons with Disabilities issued an open letter to President Yayi to denounce all forms of discrimination and exclusion suffered by persons with disabilities in the areas of education and employment. The president of the association also asked President Yayi to issue a decree requiring recruitment of 500 persons with disabilities in the public administration in the spirit of equal opportunity for employment.

The Office of Labor under the Ministry of Labor and Civil Service and the Ministry of Family are responsible for protecting the rights of persons with disabilities.

Despite widespread NGO campaigns, the traditional practices of killing deformed babies, breech babies, babies whose mothers died in childbirth, and one of two newborn twins (because they were considered sorcerers) continued in the north.

**Convention on the Rights of Persons with Disabilities**
Benin signed the CRPD and the Optional Protocol on 8/02/2008. Benin ratified the CRPD and the Optional Protocol on 5/07/2012.

**Botswana**

**Constitution and Laws**
The constitution and law prohibit governmental discrimination based on ethnicity, race, nationality, creed, sex, or social status, and the government generally respected these provisions. In addition, as long as a government job applicant is able to perform the duties of the position, he or she may not be discriminated against due to disability or language. The law does not prohibit discrimination by private persons or entities, however, and there was societal
discrimination against women; persons with disabilities; minority ethnic groups, particularly the San; LGBT persons; and persons with HIV/AIDS.

**Persons with Disabilities**
The law prohibits discrimination against persons with physical and mental disabilities in education, employment, access to health care, or the provision of other state services. The law does not prohibit discrimination by private persons or entities. The law does not specifically prohibit discrimination against persons with sensory or intellectual disabilities. The government has a policy that provides for integrating the needs of persons with disabilities into all aspects of government policymaking. The government mandates access to public buildings or transportation for persons with disabilities, but civil society sources reported access for persons with disabilities was limited. The law does not specifically include air travel with other modes of transportation, but, in general, persons with disabilities were provided access to air transportation. Although new government buildings were being constructed to provide access for persons with disabilities, older government office buildings remained largely inaccessible. Most new privately owned buildings provided access for persons with disabilities. Discrimination against persons with disabilities occurred, and employment opportunities remained limited. Children with disabilities attended school, and there were no reported patterns of abuse in educational and mental health facilities. The government did not restrict persons with disabilities from voting or participating in civil affairs and made some accommodations during elections to allow for persons with disabilities to vote.

There was a department of disability coordination in the Office of the President to assist persons with disabilities. The Department of Labor in the Ministry of Labor and Home Affairs is responsible for protecting the rights of persons with disabilities in the labor force and investigating claims of discrimination. Individuals may also bring cases directly to the Industrial Court. The government funded NGOs that provided rehabilitation services and supported small-scale projects for workers with disabilities.

**Employment:**
With respect to employment or occupation, labor laws prohibit discrimination regarding race, gender, disability, language, sexual orientation and/or gender identity, HIV-positive status, or social status. The government effectively enforced these regulations.

**Convention on the Rights of Persons with Disabilities**
Botswana has not signed or ratified the CRPD.

**Burkina Faso**

**Constitution and Laws**
The constitution and law prohibit discrimination based on race, gender, disability, language, or social status, but the government did not effectively enforce these prohibitions. Discrimination against women and persons with disabilities remained problems.
Persons with Disabilities
The law prohibits discrimination against persons with physical or mental disabilities in employment, education, access to health care, or the provision of other state services, but the government did not effectively enforce these provisions. According the most recent general census of population and housing, the portion of the population with disabilities in the country was estimated to be 1.2 percent. In 2012 the council of ministers adopted further decrees to protect the rights of persons with disabilities, including in transportation. The government enacted legislation to provide persons with disabilities less costly or free healthcare and access to education and employment. The law also includes building codes to provide for access to governmental buildings. Not all of these measures were effectively implemented.

Although some children with disabilities attended primary and secondary school as well as institutions of higher learning, 66 percent of persons with disabilities had no education, and only 16.5 percent completed primary level education, according to the Burkina Faso Federation for the Promotion of People with Disabilities.

Persons with disabilities continued to encounter discrimination and reported difficulty finding employment, including in government service. Exacerbating these problems was the common perception that persons with disabilities should be under the care of their families and not in the labor force.

A 2012 decree created the Multi-Sectoral National Council for the Promotion and Protection of People with Disabilities, which included 90 members from different ministries, NGOs, and civil society organizations. State-owned television provided newscasts in sign language for persons with hearing disabilities.

Programs to aid persons with disabilities were limited, but NGOs and the National Committee for the Reintegration of Persons with Disabilities conducted awareness campaigns and implemented integration programs. High commissioners, teachers, and NGOs worked together to inform citizens about the rights of persons with disabilities, specifically the rights of children with disabilities. A number of NGOs provided vocational training and equipment to persons with disabilities.

During the year the government made the necessary arrangements to allow visually impaired candidates to take part in the public administration recruitment exams by providing the tests in braille. Additionally, special counters were opened at enrollment sites to allow persons with disabilities to register more easily for public service admission tests.

Employment:
The law and regulations prohibits discrimination regarding race, sex, gender, disability, language, sexual orientation, and/or gender identity, HIV-positive status or other communicable diseases, or social status. The former government did not effectively enforce those laws and regulations. Discrimination occurred based on the above categories with respect to employment and occupation.
Discrimination in employment and occupation occurred with respect to persons with disabilities and persons with HIV/AIDS (see section 6).

**Prison and Detention Center:**
There were no appropriate facilities or installations for prisoners or detainees with disabilities, who relied on other inmates for assistance.

**Children:**
The law prohibits female infanticide and provides for a sentence of 10 years’ to life imprisonment. No statistics were available on the number of cases reported or prosecuted during the year. Newspapers, however, reported several cases of abandonment of newborn babies. For example, on July 17, a 36-year-old woman in Bousse abandoned her newborn baby in a public restroom. She was arrested and referred to the prosecutor. According to a local NGO, 24 babies were found abandoned in the month of October 2013 in Ouagadougou and more than 200 babies between 2007 and 2012.

**Convention on the Rights of Persons with Disabilities**

**Burundi**

**Constitution and Laws**
The constitution prohibits discrimination against persons with physical, mental, sensory, or intellectual disabilities.

**Persons with Disabilities**
The constitution prohibits discrimination against persons with physical, mental, sensory, or intellectual disabilities. Nevertheless, the government did not promote or protect the rights of persons with disabilities with regard to employment, education, or access to health care (see section 7.d.); the law does not address air travel and other transportation. Although persons with disabilities are eligible for free health care through social programs targeting vulnerable groups, authorities did not widely publicize or provide benefits. Employers often required health certification from the Ministry of Public Health, a practice that sometimes resulted in discrimination against persons with disabilities.

The Ministry of National Solidarity, Human Rights, and Gender coordinates assistance and protects the rights of persons with disabilities. The government did not enact legislation or otherwise mandate access to buildings, information, or government services for persons with disabilities. The government supported a center for physical therapy in Gitega and a center for social and professional reinsertion in Ngozi for persons with physical disabilities.
Convention on the Rights of Persons with Disabilities
Burundi signed the CRPD and the Optional Protocol on 26/04/2007. The government ratified the CRPD and the Optional Protocol on 22/05/2014.

Cabo Verde

Constitution and Laws
The constitution and law prohibit discrimination based on race, gender, religion, disability, language, or social status. The constitution stipulates the government should create conditions for the gradual removal of all obstacles to the full exercise of human rights and equality before the law.

Persons with Disabilities
The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, access to health care, or in the provision of other state services. The law does not prohibit discrimination in air travel or other transportation services. The government generally enforced these provisions, with problems remaining in a number of areas.

For example, persons with disabilities faced daily obstacles that hindered their integration. Physical accessibility, communication means, and public transport appropriate for persons with disabilities often were lacking. The government worked with civil society organizations to implement programs to provide access for wheelchairs including building ramps to enhance access to transportation and buildings. The government also introduced sign language in its national television news broadcasts.

According to the Ministry of Education and Sports, the ministry had enrolled 1,200 children and youth with special educational needs in primary, secondary, and higher education. There was no information available regarding abuse of persons with intellectual disabilities or mental disabilities in prisons or psychiatric hospitals. Persons with physical disabilities continued to experience difficulties in accessing prison facilities such as bathrooms and other services. Inmates with mental disabilities did not have access to psychiatric care or specific therapy. The government did not legally restrict the right of persons with physical disabilities to vote or otherwise participate in civic affairs and public life, unless the person did not have the mental capacity to exercise that right. According to the Electoral Code, blind persons or those with other physical disabilities that prevent them from voting on their own can be escorted by a citizen of their choice to cast their vote. Persons with intellectual or mental disabilities, however, are not allowed to vote, according to the National Commission for Elections, which claimed such persons do not have the ability to make decisions on their own.

The government has a quota system for granting scholarships and tax benefits to companies
that employ individuals with disabilities. NGOs recognized these measures as partially effective in better integrating these citizens into society but also noted nonenforcement and inadequate regulations continued to be obstacles (see section 7.d.).

Several NGOs worked to protect the interests of persons with disabilities. In 2012 the government adopted a Law on Mobility that set technical standards for accessibility for persons with disabilities for a variety of public facilities and services.

The Ministry of Employment, Human Resources, and Youth is the government organization responsible for protecting the rights of persons with disabilities. The National Council on the Status of Disabled Persons works in partnership with the ministry as a consultative body responsible for proposing, coordinating, and monitoring the implementation of a national policy.

In 2013 the public television station, through a partnership with the National Commission for Human Rights and Citizenship, Handicap International, and the Cabo Verdean Federation of Associations of People with Disabilities, introduced in its nightly news a sign language interpreter to facilitate access to the news for deaf people who sign.

The law stipulates a quota of 5 percent of educational scholarships be allocated to persons with disabilities, but this percentage had not been reached.

Employment:
The labor law prohibits discrimination in employment and occupation based on race, sex, gender, disability, language, sexual orientation, gender identity, HIV-positive status or other communicable diseases, or social status, and the government, in general, effectively enforced the law.

Convention on the Rights of Persons with Disabilities
Cabo Verde signed the CRPD on 30/03/2007. The government ratified the CRPD on 10/10/2011.

Cameroon
Constitution and Laws
The law does not specifically address discrimination against persons with physical, sensory, intellectual, and mental disabilities, although the constitution explicitly forbids all forms of discrimination, providing that “everyone has equal rights and obligations,” and the government made efforts to enforce this effectively with regard to persons with disabilities. The law requires that both new and existing government and private buildings be designed to facilitate access by persons with disabilities.
Persons with Disabilities
Secondary public education is tuition free for persons with disabilities and children born of parents with disabilities, and initial vocational training, medical treatment, and employment must be provided “when possible,” and public assistance “when needed.” Children with disabilities attended mostly mainstream schools, although some specialized schools existed for children with visual, hearing, or physical disabilities.

Societal discrimination continued against persons with disabilities, especially persons with albinism and individuals with dwarfism or similar conditions resulting in short stature. Such discrimination occurred less frequently than in previous years, but employment opportunities for persons with albinism remained limited, especially in the private sector (see section 7.d.). Society largely treated persons with disabilities as outcasts, and many believed that providing assistance was the responsibility of churches or foreign NGOs.

There is no legal framework for the protection of persons with albinism. Although, due to the prevalent discrimination experienced by persons with albinism, the government considers albinism to fall under the legislative framework protecting persons with disabilities. The government reported that persons with albinism benefitted from free medical consultations in dermatology, oncology, and ophthalmology, although this could not be independently verified.

Employment:
The constitution and labor laws do not explicitly prohibit discrimination in employment or occupation based on race, religion, gender, disability, or belief. The constitution does not protect against discrimination based on sexual orientation, gender identity, HIV status, other communicable diseases, or social status. The constitution states that all individuals have the right and the obligation to work.

The government generally attempted to enforce these legal requirements, but the large percentage of the population employed in the informal sector made effective enforcement difficult. Discrimination in employment and occupation occurred with respect to ethnicity, disability, gender, and sexual orientation.

Children:
There were credible reports of mothers (usually young, unemployed, and unmarried) abandoning their newborns in streets, latrines, or garbage cans. The law criminalizes infanticide and provides penalties ranging from five years imprisonment to the death sentence. During the year the government organized education campaigns on responsible parenthood.

Prison and Detention Centers:
Following inspection visits to prisons and detention centers in Douala and Yaounde, respectively, in January and May, the NCHRF reported some improvements in hygiene and sanitation conditions, especially at the Kondengui central and Secretary of State for Defense secondary prisons, compared with previous years. The NCHRF claimed minimum detention conditions were being respected, especially with record keeping, including the identification of
detainees, reasons for detention and the authority that decided the detention, and the expected release date. The NCHRF noted that prisoners were separated by category, distinguishing men, women, minors, detainees with a contagious disease, persons with mental disabilities, and prisoners sentenced to death.

**Convention on the Rights of Persons with Disabilities**
Cameroon signed the CRPD and the Optional Protocol on 1/10/2008.

**Central African Republic**

**Constitution and Laws**
The transitional charter stipulates that all persons are equal before the law without regard to race and gender, but not with regard to disability, language, and sexual orientation and/or gender identity. The government did not enforce these provisions effectively, and significant discrimination existed.

**Persons with Disabilities**
The transitional charter provides for equal protection, but it does not explicitly prohibit discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, access to transportation, and access to state services. The law prohibits discrimination against persons with both mental and physical disabilities but does not specify other forms of disabilities. It also requires that in any company employing 25 or more persons, at least 5 percent of its staff must consist of sufficiently qualified persons with disabilities, if they are available. Additionally, the law states that at least 10 percent of the total number of newly recruited government civil service personnel should be persons with disabilities. There were no legislated or mandated accessibility provisions for persons with disabilities, and authorities did not provide such access.

The government did not enact programs to ensure access to buildings, information, and communications. No information was available on whether any children with disabilities attended school during the year. The government mandates the Ministry of Labor’s Labor Inspectorate with protecting children with disabilities.

**Employment:**
The constitution and the labor code view all citizens as equal with respect to employment. It is illegal to discriminate in hiring or place of employment on the basis of origin, gender, opinions, or beliefs. The law does not explicitly prohibit discrimination in employment and occupation based on disability, language, sexual orientation, gender identity, and HIV-positive status or other communicable diseases, or social status. There was no documentation as to whether the government effectively enforced the law.
Convention on the Rights of Persons with Disabilities
The Central African Republic signed the CRPD and the Optional Protocol on 9/05/2007.

Chad

Persons with Disabilities
The law prohibits discrimination against persons with disabilities, although it does not specify the type of disability or whether the prohibition against discrimination extends to employment, education, air travel and other transportation, access to health care, or the provision of other state services. The government did not effectively enforce the law. There are no laws that provide for access to public buildings for persons with disabilities. The government operated education, employment, and therapy programs for persons with disabilities.

Children with physical disabilities may attend primary, secondary, and higher education institutions. The government supported schools for children with visual or mental disabilities. The government, in conjunction with NGOs such as the Support Group for the Disabled in Chad, annually sponsors a day of activities to raise awareness of the rights of persons with disabilities. The Ministry of Women, Social Action, and National Solidarity is responsible for protecting the rights of persons with disabilities.

Employment:
The law and labor regulations prohibit employment or wage discrimination based on race, religion, gender, age, nationality, or membership in a union. The government did not effectively enforce these laws and regulations. There are no laws preventing employment discrimination based on disability, sexual orientation, and/or gender identity, HIV-positive status or other communicable diseases, or social status. Discrimination occurred based on the above categories with respect to employment and occupation.

Women generally are not permitted to work at night, more than 12 hours in a day, or in jobs that may present moral or physical danger. Persons with disabilities frequently were victims of employment discrimination.

Convention on the Rights of Persons with Disabilities
Chad signed the CRPD and the Optional Protocol on 26/09/2012.

Comoros

Constitution and Laws
Although the law prohibits discrimination based on race, gender, disability, language, or social status, there were reports of discrimination against women and persons with disabilities.
Persons with Disabilities
The constitution and applicable laws, particularly the labor code, prohibit discrimination against persons with physical, sensory, intellectual, or mental disabilities (see section 7.d.). Following the 2012 ratification of the Convention on the Rights of Persons with Disabilities, local law now mandates—but the government does not effectively enforce—improved access to buildings, information, communication, education, air travel, and other transportation for persons with disabilities. Despite the absence of appropriate accommodation for children with disabilities, such children attended mainstream schools, both public and private.

Handicap Comores, the country’s nongovernmental center for persons with disabilities on Grande Comore, was run by a local NGO called Shiwe, or Pillar. The center, recently renovated with help from Australian and other donors, also imported wheelchairs and prostheses.

Employment:
Labor laws and regulations do not address discrimination regarding race, sex, gender, disability, language, sexual orientation and gender identity, HIV-positive status or other communicable diseases, or social status. There were no reports that such discrimination occurred in the country.

Convention on the Rights of Persons with Disabilities
Comoros signed the CRPD on 26/09/2007.

Congo, African Republic of the

Constitution and Laws
The constitution prohibits discrimination based on race, ethnicity, gender, language, culture, or religion but does not address disability or sexual orientation. The government did not enforce prohibitions against discrimination effectively.

Persons with Disabilities
The constitution prohibits discrimination against persons with physical, intellectual, or mental disabilities; stipulates that all citizens regardless of disability have access to public services; and provides specific government protection to persons with disabilities. The constitution states all persons should have access to national education regardless of their mental, physical, or sensorial state. The law states that private, public, and semipublic companies may not discriminate against qualified candidates based on intellectual, sensorial, and physical disabilities. The government did not enforce these provisions effectively, and persons with disabilities often found it difficult to obtain employment, education, and government services.

The law does not mandate access to government buildings or services for persons with disabilities. While persons with disabilities may attend public primary and secondary schools and have access to higher education, no special provisions are required of educational facilities to accommodate their special needs. Some schools for persons with disabilities, including
persons with visual disabilities, received private and limited public funds to provide education and vocational training. Persons with disabilities have the right to vote, although lack of physical accessibility constituted a barrier for some persons with disabilities in exercising that right.

The Ministry of Social Affairs, in cooperation with other concerned ministries (Labor, Education, Justice and Human Rights, Health), had the lead in seeking to provide for the equitable treatment of persons with disabilities.

According to UNICEF society sometimes branded children with disabilities or speech impediments as witches.

**Employment:**
The law prohibits discrimination in employment and occupation based on race, sex, gender, language, or social status. The law does not specifically protect disability, pregnancy, sexual orientation, gender identity, or HIV-positive status. Additionally, no law specifically prohibits discrimination in employment of career public service members. The government did not effectively enforce the law.

The law prohibits discrimination in employment and occupation based on race, sex, gender, language, or social status. The law does not specifically protect disability, pregnancy, sexual orientation, gender identity, or HIV-positive status. Additionally, no law specifically prohibits discrimination in employment of career public service members. The government did not effectively enforce the law.

The constitution prohibits parental abandonment of children accused of sorcery. Nevertheless, parents or other care providers sometimes abandoned or abused such children, frequently invoking “witchcraft” as a rationale. The law provides for the imprisonment of parents and other adults convicted of accusing children of witchcraft. Authorities did not implement the law.

Many churches conducted exorcisms of children accused of witchcraft, which involved isolation, beating and whipping, starvation, and forced ingestion of purgatives. According to UNICEF children with disabilities or speech impediments sometimes were branded as witches. This practice sometimes resulted in parents abandoning their children. UNICEF stated that as many as 70 percent of the street children it assisted claimed to have been accused of witchcraft.

**Convention on the Rights of Persons with Disabilities**
The Democratic Republic of the Congo ratified the CRPD and the Optional Protocol on 30/09/2015.
**Congo, Republic of the**

**Constitution and Laws**
The constitution and law prohibit discrimination on the basis of race, gender, religion, region of origin within the country, place of residence in the country, language, social status, political orientation, or disability; however, the government did not effectively enforce these prohibitions. The law does not prohibit discrimination based on sexual orientation or gender identity. The Ministry of Social Affairs and the Ministry for Promotion of Women’s Rights are the lead government bodies charged with protecting and promoting the rights of vulnerable groups, including women, children, the elderly, the handicapped, and indigenous people (Baka). The Ministry of Social Affairs was particularly active, but its effectiveness was impeded by limited funding and lack of coordination with other ministries.

**Persons with Disabilities**
The law specifically prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, access to health care, or in the provision of other state services. The Ministry of Social Affairs is the lead ministry responsible for protecting the rights of persons with disabilities. In 2009 the Ministry of Social Affairs introduced a national plan to provide access to persons with disabilities, and the ministry’s 2013-16 Social Plan of Action includes an eight-point plan for improving the lives of such persons. There are no laws, however, mandating access for persons with disabilities. The government did not take action during the year to provide equal access for persons with disabilities to public spaces or transportation. The government provides special schools for deaf students in Brazzaville and Pointe-Noire. Blind children and children with physical handicaps are mainstreamed into regular public schools.

**Employment:**
The constitution and law prohibit discrimination on the basis of race, gender, religion, region of origin within the country, place of residence in the country, language, social status, political orientation, or disability; however, the government did not effectively enforce these prohibitions. These antidiscrimination provisions are not specifically reiterated in labor law. Discrimination in employment and occupation sometimes occurred with respect to women and indigenous peoples (Baka) (see section 6). While the law prohibits discrimination based on gender and stipulates women have the right to equal pay for equal work, women were underrepresented in the formal sector of the economy. Most women worked in the informal sector and thus had little or no access to employment benefits. Women in rural areas were especially disadvantaged in terms of education and wage employment, and they were confined largely to family farming, small-scale commerce, and child-rearing responsibilities.

**Convention on the Rights of Persons with Disabilities**
Cote d’Ivoire

Constitution and Laws
The law prohibits discrimination based on race, ethnicity, national origin, gender, religion, or HIV status, but the government did not effectively enforce the law. The law does not address discrimination based on disability, language, sexual orientation, gender identity, or social status.

Persons with Disabilities
The law requires the government to educate and train persons with physical, mental, visual, auditory, and cerebral motor disabilities; hire them or help them find jobs; design houses and public facilities for wheelchair access; and adapt machines, tools, and work spaces for access and use by persons with disabilities. Wheelchair-accessible facilities were not common, and there were few training and job assistance programs for persons with disabilities. The law prohibits acts of violence against persons with disabilities and the abandonment of such persons, but there were no reports that the government enforced these laws.

There were no reports that persons with disabilities were specific targets of abuse, but they reportedly encountered serious discrimination in employment and education. While the government reserved 800 civil service jobs for persons with disabilities, government employers sometimes refused to employ such persons.

The government financially supported special schools, training programs, associations, and artisans’ cooperatives for persons with disabilities, but many such persons begged on urban streets and in commercial zones for lack of other economic opportunities. Although the public schools did not bar persons with disabilities from attending, such schools lacked the resources to accommodate students with special needs. Persons with mental disabilities often lived on the street.

The Ministry of Employment, Social Affairs, and Professional Training and the Federation of the Handicapped are responsible for protecting the rights of persons with disabilities.

Employment:
With respect to employment or occupation, the law prohibits discrimination based on sex, age, national origin, race, religion, and social origin, but it is silent on discrimination based on sexual orientation or gender identity. A law passed in July specifically placed interdictions on workplace discrimination based on HIV/AIDS status. The government did not always effectively enforce the law.

Discrimination in employment and occupation occurred with respect to gender, nationality, persons with disabilities, and LGBT persons (see section 6). While women in the formal sector received the same pay and paid the same taxes as men, some employers resisted hiring
women.

**Convention on the Rights of Persons with Disabilities**
Cote d’Ivoire signed the CRPD and the Optional Protocol on 7/06/2007. On 10/-1/2014 Cote d’Ivoire ratified the CRPD.

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**Djibouti**

**Constitution and Laws**
The constitution and law prohibit discrimination on the basis of race, gender, or language. Nevertheless, the government did not enforce the law effectively. The constitution does not directly address discrimination based on disability, social status, sexual orientation, or gender identity.

**Persons with Disabilities**
The constitution does not prohibit discrimination against persons with disabilities, although the labor code prohibits discrimination in employment against such persons (see section 7.d.). Both the Ministry of National Solidarity and the Ministry for the Promotion of Women and Family Planning had responsibility specifically to protect the rights of such persons. Nevertheless, the law was not enforced. The government did not mandate access to government services and accessibility to buildings for persons with disabilities, and such buildings were often inaccessible. The law provides persons with disabilities access to health care and education; however, the law was not enforced.

Authorities held prisoners with mental disabilities in separate cells. They received minimal psychological treatment or monitoring. Families could request to have mentally ill relatives confined in prison. There were no mental health treatment facilities and only one practicing psychiatrist in the country.

Societal discrimination against persons with disabilities occurred. The National Human Rights Commission conducted awareness raising campaigns, and NGOs continued to organize seminars and other events that drew attention to the need for enhanced legal protections and better workplace conditions for persons with disabilities.

**Employment:**
The labor code states that “no employer may take into account the gender, age, race, color, social background, nationality or national ancestry, participation or nonparticipation in a trade union, or opinions, particularly religious and political of the worker, to make his decisions concerning hiring, the execution and division of labor, vocational training, advancement, promotion, remuneration and other conditions of work, granting of welfare benefits, discipline or the cancellation of a labor contract.” The Labor Inspectorate, however, lacked adequate resources to enforce the law effectively.
There is no law prohibiting discriminatory hiring practices based on disability, sexual orientation, or HIV-positive status. According to disability advocates, there were not enough employment opportunities for persons with disabilities, and legal protections for such individuals were inadequate.

**Convention on the Rights of Persons with Disabilities**
Djibouti ratified the CRPD and the Optional Protocol on 18/06/2012.

**Equatorial Guinea**

**Persons with Disabilities**
The law does not provide persons with disabilities any protection from discrimination in employment, education, or the provision of other state services, nor does it mandate access to buildings or transportation for persons with disabilities (see section 7.d.). Many newly constructed government buildings did not make provision for access by persons with disabilities.

Children with disabilities attended primary, secondary, and higher education, although no accommodations were made for their disabilities. The local Red Cross, with financial support from the government, managed a school for deaf children in Malabo. A privately run school for deaf children affiliated with a foreign religious group operated in Bata. The first lady gave several donations to help persons with disabilities, including to the private school in Bata. Two privately funded mental health clinics offered limited services in Bata. During the year a private mental health facility, funded primarily by the Ministry of Health, opened in Malabo. The government did not routinely audit educational and mental health facilities to ascertain if persons with disabilities were subject to abuse. There were no legal restrictions on the right of persons to vote or participate in civic affairs based on their disability, but lack of access posed a barrier to full participation.

Although not required by law, the national health-care system provided wheelchairs and promoted government employment for persons with physical disabilities.

**Employment**
Labor laws and regulations prohibit discrimination based on race, sex, gender, language, HIV-positive status, or social status. The government did not effectively enforce these laws and regulations. Discrimination in employment and occupation occurred with respect to ethnicity, gender, sexual orientation, disability, and HIV-positive status (see section 6). Discrimination also occurred based on political affiliation (see section 3).

**Convention on the Rights of Persons with Disabilities**
Equatorial Guinea has not signed or ratified the CRPD or Optional Protocol.
Eritrea

Constitution and Laws
The law and unimplemented constitution prohibit discrimination based on race, language, and social status and against women and persons with disabilities, but the government did not enforce these prohibitions. The constitution does not specifically address discrimination based on sexual orientation or gender identity.

Persons with Disabilities
The law and unimplemented constitution prohibit discrimination against persons with disabilities in employment, education, or in the provision of other state services. There are no laws on discrimination in air travel and other transportation and access to health care. The constitution does not specify the types of disabilities against which it prohibits discrimination. The government did not effectively enforce prohibitions, although it implemented programs to assist persons with disabilities, especially combat veterans. The government dedicated substantial resources to support and train thousands of persons with physical disabilities, especially for those missing limbs that resulted from the war for independence and the later conflict with Ethiopia. No laws mandate access for persons with disabilities to public or private buildings, information, and communications. An increasing number of hotels and government offices provided such access or employed guards who offered assistance as needed. There were special schools for children with hearing, sight, mental, and intellectual disabilities. Information on whether there were patterns of abuse in educational and mental health facilities was not available. The Ministry of Labor and Human Welfare is responsible for protecting the rights of persons with disabilities including mental disabilities.

Employment
With respect to employment or occupation, labor laws prohibit discrimination based on race, sex, gender, disability, color, social origin, nationality, political orientation, or religion. The government did not effectively enforce the laws.

Convention on the Rights of Persons with Disabilities
Eritrea has not signed or ratified the CRPD or Optional Protocol.

Ethiopia

Constitution and Laws
The constitution provides all persons equal protection without discrimination based on race, nation, nationality or other social origin, color, gender, language, religion, political or other opinion, property, birth, or status, but the government did not fully promote and protect these rights. The constitution does not address discrimination based on disability, sexual orientation, or gender identity.
Persons with Disabilities
The constitution does not mandate equal rights for persons with disabilities. The law prohibits discrimination against persons with physical and mental disabilities in employment and mandates access to buildings. It is illegal for deaf persons to drive.

The law prohibits employment discrimination based on disability. It also makes employers responsible for providing appropriate working or training conditions and materials to persons with disabilities. The law specifically recognizes the additional burden on women with disabilities. The government took limited measures to enforce the law, for example, by assigning interpreters for hearing-impaired civil service employees (see section 7.d.).

The law mandates building accessibility and accessible toilet facilities for persons with physical disabilities, although specific regulations that define the accessibility standards were not adopted. Buildings and toilet facilities were usually not accessible. Landlords are required to give persons with disabilities preference for ground-floor apartments, and this was respected. Women with disabilities were more disadvantaged than men with disabilities in education and employment. The 2010 Population Council Young Adult Survey found young persons with disabilities were less likely to have ever attended school than young persons without disabilities. The survey indicated girls with disabilities were less likely than boys with disabilities to be in school; 23 percent of girls with disabilities were in school, compared with 48 percent of girls without disabilities and 55 percent of boys without disabilities. Overall, 47.8 percent of young persons with disabilities surveyed reported not going to school due to their disability. Girls with disabilities also were much more likely to suffer physical and sexual abuse than girls without disabilities. Of sexually experienced girls with disabilities, 33 percent reported having experienced forced sex. According to the same survey, approximately 6 percent of boys with disabilities had been beaten in the three months prior to the survey, compared with 2 percent of boys without disabilities.

There were several schools for hearing and visually impaired persons and several training centers for children and young persons with intellectual disabilities. There was a network of prosthetic and orthopedic centers in five of the nine regional states.

The Ministry of Labor and Social Affairs worked on disability-related problems. The CSO law continued to affect negatively several domestic associations, such as the Ethiopian National Association of the Blind, the Ethiopian National Association of the Deaf, and the Ethiopian National Association of the Physically Handicapped, as it did other civil society organizations.

Employment:
The law prohibits discrimination on the basis of race, ethnicity, national origin, gender, marital status, religion, political affiliation, pregnancy, socioeconomic status, and disability. The law specifically recognizes the additional burden on women with disabilities (see section 6.) Sexual orientation, gender identity, and HIV-positive status are not specifically protected. The government took limited measures to enforce the law.
Children:
Ritual and superstition-based infanticide continued in remote tribal areas, particularly South Omo. Local governments worked to educate communities against the practice.

Non-governmental Organizations:
A few domestic human rights groups operated but with significant government restrictions. The government was generally distrustful and wary of domestic human rights groups and international observers. State-controlled media were critical of international human rights groups such as HRW.

The CSO law prohibits charities, societies, and associations (NGOs or CSOs) that receive more than 10 percent of their funding from foreign sources from engaging in activities that advance human and democratic rights or promote equality of nations, nationalities, peoples, genders, and religions; the rights of children and persons with disabilities; conflict resolution or reconciliation; or the efficiency of justice and law enforcement services. The law severely curtailed civil society’s ability to raise questions of good governance, human rights, corruption, and transparency, and forced many local and international NGOs working on good governance and human rights to either close or cease advocacy. In 2012 the UN high commissioner for human rights expressed concern that civil society space “has rapidly shrunk” since the CSO law’s enactment. By year’s end approximately 3,056 NGOs had registered under the CSO law. Of these, however, only four groups were actively engaged in human rights-based advocacy.

Convention on the Rights of Persons with Disabilities
Ethiopia signed the CRPD on 30/03/2007 and ratified the CRPD on 7/07/2010.

Gabon

Constitution and Laws
Although the constitution and law prohibit discrimination based on national origin, race, gender, disability, language, or social status, the government did not enforce these provisions consistently. The constitution and law do not prohibit discrimination based on sexual orientation or gender identity.

Persons with Disabilities
The law prohibits discrimination against persons with “physical, mental, congenital, and accidental” disabilities and requires access to buildings and services, including access to polling centers for participation in elections. Most public buildings did not provide adequate access. The law subsumes sensory disabilities under congenital and “accidental” disabilities but does not recognize the concept of intellectual disability. The law provides for the rights of persons with disabilities to education, health care, and transportation. Enforcement was limited, and no programs provided access to buildings, information, and communications for persons with disabilities. Children with disabilities generally attended school at all levels, including mainstream schools. Specialized schools provided education to some children with significant
disabilities. There was access for persons with disabilities in air travel but not for ground transportation.

Societal discrimination occurred, and employment opportunities and treatment facilities for persons with disabilities were limited (see section 7.d.). Persons with disabilities faced barriers in obtaining employment, such as gaining access to human resources offices to apply for jobs because buildings were not handicap accessible. The inaccessibility of buses and taxis complicated the job search for those without their own means of transportation. Despite these challenges, many persons with disabilities did work and some were successful in professional positions.

Prison and Detention Centers
Prison conditions were harsh and life threatening due to low quality food, inadequate sanitation, lack of ventilation, gross overcrowding, and poor medical care. Conditions in jails and detention centers mirrored those in prisons. There were no special accommodations for persons with disabilities in prisons.

Convention on the Rights of Persons with Disabilities

Gambia, The

Constitution and Laws
The constitution prohibits discrimination based on race, religion, gender, disability, language, or social status, and the government generally enforced these prohibitions. Nevertheless, discrimination against women remained a problem. The constitution and law do not prohibit discrimination based on sexual orientation or gender identity.

Persons with Disabilities
The constitution prohibits discrimination or exploitation of persons with disabilities, although it does not expressly reference the kinds of disabilities protected particularly as regards access to health services, education, and employment (see section 7.d.); these provisions were effectively enforced. Access to air travel and other transportation are not specifically mentioned. There were no laws to provide for access to buildings for persons with disabilities, and very few buildings in the country were accessible to them. Neither the constitution nor laws explicitly prohibit discrimination against persons with physical, sensory, intellectual, or mental disabilities.

No laws or programs stipulate that persons with disabilities have access to information or communications. The law requires that judicial proceedings involving a person with disabilities take into account the disability.
Persons with severe disabilities experienced discrimination and subsisted primarily through private charity. Persons with less severe disabilities encountered less discrimination, including in employment for which they were physically and mentally capable.

The Department of Social Welfare is responsible for protecting the rights of persons with disabilities and worked with the Gambia Organization for the Visually Impaired and the School for the Deaf and Blind to help educate children with disabilities and to promote relevant skills.

Most children with disabilities, however, did not attend school. The department also worked with international donors to supply wheelchairs to some persons with disabilities. Several NGOs sought to improve awareness of the rights of persons with disabilities and encouraged their participation in sports and other physical activities. The NHRU specifically sought to promote the rights of women with disabilities. Persons with disabilities were given priority access to polling booths on election days.

Employment: The constitution and labor law, except in the case of dismissal and disciplinary action, do not prohibit discrimination in employment and occupation based on gender, race, disability, language, sexual orientation, gender identity, HIV-positive status or other communicable diseases, or social status (see section 6).

There were no reports of discriminatory practices with respect to employment or occupation.

Convention on the Rights of Persons with Disabilities
The Gambia ratified the CRPD and Optional Protocol on 7/07/2015.

Ghana

Constitution and Laws
The constitution prohibits discrimination on the basis of race, gender, disability, language, or social status; however, enforcement was generally inadequate. Limited financial resources and a generally permissive societal attitude toward such discrimination contributed to its perpetuation. Courts were empowered to order specific enforcement of these prohibitions.

Persons with Disabilities
The law explicitly prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, health care, air travel and other transportation, and other domains. The government did not effectively enforce the law. Children with disabilities attended specialized schools that focused on their needs, but few adults with disabilities had employment opportunities (see section 7.d.).

According to a 2012 Human Rights Watch (HRW) report, more than five million persons--one-fifth of the population--had disabilities, including 2.8 million persons with mental disabilities.
The World Health Organization estimated that only 2 percent of Ghanaians with mental disorders received treatment.

The law provides that persons with disabilities have access to public spaces with “appropriate facilities that make the place accessible to and available for use by a person with disability.” The inaccessibility of public buildings continued to be a problem, however, and 53 percent of school buildings were not easily accessible to persons with disabilities, according to a 2013 CHRAJ report.

Thousands of persons with mental disabilities were sent to spiritual healing centers known as “prayer camps,” where mental illness was often considered a “demonic affliction.” Frequently located in the Greater Accra, Eastern, Central, Western, Ashanti, and Brong Ahafo regions, prayer camp residents were chained for weeks, physically assaulted, and denied food or water--often for seven consecutive days--to cleanse them of evil spirits. Few could challenge their confinement, according to HRW.

On March 10, Juan E. Mendez, UN special rapporteur on torture and other cruel, inhuman, or degrading treatment or punishment, released a report of his findings from a November 2013 visit to the country’s mental health facilities, as well as to some of its police and prison detention facilities. While commending the country for its passage of the 2012 Mental Health Act, he expressed concern that few steps had been taken to carry out the requirements of the legislation, a complaint also made by Voice Ghana, a disability advocacy organization. Characterizing as “inhumane” the conditions in psychiatric hospitals and at “prayer camps,” the report documented cases of shackling and denial of food and water to persons with mental disabilities, including children as young as seven. Echoing HRW recommendations from 2012, Mendez called for an absolute ban on the use of electroshock therapy without consent and a prohibition on chaining and other forms of prolonged restraint. Noting the country had only one psychiatrist for every two million persons, he also highlighted the need for additional mental health professionals.

In its 2012 report, HRW urged the government to monitor closely all mental health facilities to end the widespread mistreatment of persons with mental disabilities. It noted psychiatric hospitals were overcrowded and unsanitary. In the eight prayer camps HRW visited in 2012, nearly all residents were chained by their ankles to trees in open compounds or in prison-like cells, where they slept, urinated, defecated, and bathed. The report noted some families caring for mentally ill members had limited financial resources and viewed prayer camps as an accessible treatment option. Although HRW and other NGOs urged regulation of prayer camps, no regulations were implemented by year’s end. The Mental Health Authority, however, continued a pilot program that places psychiatric nurses in prayer camps to give medication to patients while they pray.

Persons with both mental and physical disabilities, including children, were frequently subjected to abuse and intolerance. Children with disabilities who lived at home were sometimes tied to trees or under market stalls and caned regularly; some reportedly were killed.
by their families.

The Ghana Education Service, through its Special Education Unit, provided assistive technology devices such as braille readers to blind and visually impaired students. Several government agencies and NGOs were involved in addressing discrimination against persons with disabilities, including the National Council on Persons with Disability; Ministry of Health; Department of Social Welfare in the Ministry of Gender, Children, and Social Protection; Ministry of Education; and Center for Democratic Development.

Employment
The law prohibits discrimination in employment or occupation on grounds of gender, race, color, ethnic origin, religion, creed, social or economic status, disability, or politics.

Discrimination in employment and occupation occurred with respect to women, the disabled, HIV-positive persons, and LGBT persons (see section 6). Women in urban centers and those with skills and training encountered little overt bias, but resistance persisted to women entering nontraditional fields. Women, especially in rural areas, remained subject to burdensome labor conditions, including the performance of physically difficult manual labor such as farming, transporting goods, and manual household chores, while often carrying a child on their backs.

Prison and Detention Centers
Prisons Service statistics available in August indicated 13,479 prisoners (13,235 men and 244 women) were held in prisons designed to hold approximately one-third that number. Of this total, 3,027 were remand prisoners. Authorities neither housed juvenile detainees separately from adults nor pretrial detainees separately from convicted prisoners, but women were held separately. No staff specifically focused on mental health, and inmates with mental disabilities were not routinely identified, separated, or transferred to general or psychiatric hospitals.

Convention on the Rights of Persons with Disabilities
Ghana signed the CRPD and Optional Protocol on 30/03/2007. On 31/07/2012 the government ratified the CRPD and Optional Protocol.

Guinea-Bissau

Persons with Disabilities
The law does not specifically prohibit discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, or other provisions of state services. There were no government efforts to mitigate discrimination against persons with disabilities or ensure their access to buildings, information, and communications. Some children with disabilities may have attended primary and perhaps secondary schools; higher education was not functioning during the year. Most children remained at home because schools rarely functioned. The government
made some efforts to assist military veterans with disabilities through pension programs, but these programs did not adequately address health, housing, or food needs. Provisions existed to allow blind and illiterate voters to participate in the electoral process, but voters with intellectual disabilities could be restricted from voting.

Other References

Employment: The law and regulations do not prohibit discrimination regarding race, sex, gender, disability, language, sexual orientation or gender identity, HIV-positive status or other communicable diseases, or social status.

Documented discrimination did not occur based on the above categories with respect to employment and occupation.

Convention on the Rights of Persons with Disabilities
Guinea-Bissau signed the CRPD and Optional Protocol on 24/09/2013. On 24/09/2014 the government ratified the CRPD.

Kenya

Constitution and Laws
The constitution and law prohibit discrimination based on race, gender, disability, language, or social status. Government authorities did not effectively enforce many of these provisions, and discrimination against women; lesbian, gay, bisexual, and transgender (LGBT) persons; individuals with HIV/AIDS; persons with disabilities; persons suspected of witchcraft; and certain ethnic groups was a problem. There was also evidence that some national and local government officials tolerated, and in some instances instigated, ethnic violence. The law criminalizes homosexual activity.

Persons with Disabilities
The law prohibits discrimination against persons with physical or mental disabilities in employment, education, access to health care, or the provision of other state services; however, the government did not effectively enforce these provisions. The constitution safeguards the representation of persons with disabilities in legislative and appointive bodies. The law provides that persons with disabilities should have access to public buildings, and some buildings in major cities had wheelchair ramps and modified elevators and restrooms; however, the government did not enforce the law, and new construction often did not include accommodations for persons with disabilities. Government buildings in rural areas generally were not accessible for persons with disabilities. According to NGOs police stations remained largely inaccessible to those with movement disabilities. Persons with disability were sometimes forced to crawl in order to enter a police station, and the desks where such persons submit reports were frequently raised and difficult to access.
In a report to the UN Human Rights Council during the year, the KNCHR estimated there were seven million persons with a disability in the country. There was limited societal awareness of persons with disabilities and significant stigma attached to disability. Learning and other disabilities not readily apparent and were not widely recognized. NGOs reported that persons with disabilities had limited opportunities to obtain education and job training at all levels due to lack of accessibility to facilities and resistance on the part of school officials and parents to devoting resources to students with disabilities. For instance, in January parents in Nyeri protested the transfer of the only special needs teacher from Mathathe primary school. The KNCHR estimated that 67 percent of persons with disabilities had a primary education, 19 percent attained secondary education, and 2 percent reached university level, while 7 percent of persons with disabilities reported being denied access to education as a result of their disability.

According to a Handicap International survey during the year of the rights of disabled persons in the country, 85 percent of persons with disabilities had experienced verbal abuse as a result of their disability and 17 percent experienced gender-based violence. Of those who were abused, 47 percent neither reported the incident to police or other authorities, nor sought medical help or counseling. They cited fear of reprisal or of being misunderstood as their reason; of those who reported abuse, the majority reported the incident to community elders rather than the police.

In 2013 the IMLU issued a survey on discrimination against and torture of persons with mental disabilities. The survey found the highest rates of physical assault on such persons occurred in schools, with more than 60 percent of respondents reporting they had experienced caning and other violence, often due to failure to perform adequately on academic tests rather than bad behavior. Torture, degrading treatment, brutal conditions, and sexual abuse of persons with mental disabilities were common at police stations and in prisons. More than 58 percent of persons surveyed had experienced torture or inhumane treatment in their homes. There was also a high rate of abuse of mentally disabled patients in hospitals, including assault by both hospital staff and fellow patients and denial of adequate facilities for bathing and sleeping. Killings of persons with disabilities were reported, as well as torture and abuse, and the government took action in some cases. According to a report by The Standard newspaper, disabled children living in pastoralist communities were often tied up during the day or abandoned. In August a police officer was arrested after he was found sexually abusing a mentally handicapped child. In September 2013 a Nairobi court sentenced a woman to six years in jail for pushing her deaf five-year-old son into a pit where he was later found dead.

In 2012 the KNCHR carried out a survey on the status of the rights of persons with disabilities in Uasin Gishu and Elgeyo Marakwet counties. The report found most government buildings in these counties inaccessible to persons with disabilities and that the lack of sign language interpretation or braille texts at public places, police stations, and the courts created significant barriers and prevented persons with disabilities from meaningful public participation. Negative societal attitudes also posed significant challenges to persons with disabilities. Most families
tended to abandon relatives with disabilities in hospitals or in special schools for children with disabilities, which lacked the funds to educate or care for them. The report noted a cash-transfer program from the Disability Fund was being implemented in Elgeyo Marakwet, but it targeted few households, and the amount of 1,500 shillings ($16.80) distributed monthly was inadequate.

Persons with disabilities faced significant barriers to accessing health care. They had difficulty obtaining HIV testing and contraceptive services due to the perception that they did not or should not engage in sexual activity. According to Handicap International, 36 percent of persons with disabilities reported facing difficulties in accessing health services: cost, distance to the health facility, and physical barriers were the main problems cited.

Few facilities provided interpreters or other accommodations to the deaf or those with other hearing disabilities. The government assigned each region a sign language interpreter for court proceedings. Nevertheless, cases involving persons who were deaf or had hearing disabilities often were delayed or forced to adjourn due to the lack of standby interpreters, according to an official with the Deaf Outreach Program. According to the KNCHR 10 secondary schools in the country were able to accommodate the needs of deaf or hard of hearing persons.

Not all polling stations were equipped with accommodations for persons with disabilities. During by-elections in 2012, however, the Kenya Society for the Mentally Handicapped and the Disabled Voters of Kenya Alliance worked closely with the IEBC to try to assure that all persons were able to cast their votes in the March 2013 elections. The Carter Center noted that during the 2013 elections, persons with disabilities were permitted to vote with the assistance of an attendant.

Under the new government structure, the former Ministry of Gender, Children, and Social Development was subsumed into other ministries, and the Ministry for Devolution and Planning became the lead ministry for implementation of the law to protect persons with disabilities. The quasi-independent but government-funded parastatal National Council for Persons with Disabilities assisted the ministry. Neither entity received sufficient resources to address effectively issues related to persons with disabilities. The Association for the Physically Disabled of Kenya carried out advocacy campaigns on behalf of persons with disabilities, distributed wheelchairs, and worked with public institutions to promote the rights of persons with disabilities. The KNCHR noted that awareness of the rights of persons with disabilities had increased as a result in some counties, but it faulted the government for not ensuring equal protection of the rights of persons with disabilities throughout the country.

Nominated and elected parliamentarians with disabilities formed the Kenya Disability Parliamentary Caucus. Caucus members issued a strategy statement focusing on improving economic empowerment and physical access for persons with disabilities as well as integrating disability rights into county government policies.
Albinism
Societal discrimination continued against persons with albinism, many of whom left their home villages due to fear of abuse and moved to urban areas where they believed they were safer. According to disability rights advocates, there were 12 attacks on persons with albinism documented during the year, although many attacks and killings were unreported. Persons with albinism were attacked for their body parts, which were believed by some to confer magical powers and which could be sold for significant sums. In July criminals in Kisumu demanded an albino as ransom for a two-year-old child they had kidnapped.

Due to societal discrimination, employment opportunities for persons with albinism were limited. The National Council of Persons with Disabilities and the Kenya Albino Child Support Program, in partnership with the government, continued an awareness campaign to combat discrimination. In 2013 Isaac Mwaura became the first person with albinism to serve in parliament when his party nominated him for a seat in the National Assembly designated for marginalized persons.

Political Participation
Despite these obstacles the overall success rate of women who vied for elected positions was 12 percent, compared with the 14 percent success rate of men, but significantly fewer women than men were able to run for office in the 2013 election. Women won only 16 of the 290 open seats in the National Assembly and failed to win any open race for senate or governor. Women campaigned for the 47 county women representative seats in the National Assembly, for five seats in the National Assembly reserved for open nomination, for 16 reserved seats in the Senate, and for a further two Senate seats reserved for young persons and persons with disabilities.

Employment
The law prohibits discrimination in employment and occupation based on grounds of race, color, sex, language, religion, political or other opinion, nationality, ethnic or social origin, disability, pregnancy, mental status, or HIV status. The government did not effectively enforce the law. The World Bank’s December 2012 Kenya Economic Update, *Kenya at Work: Energizing the Economy and Creating Jobs*, stated that “pervasive discrimination stacks the deck against the poor and women, threatening to exacerbate inequalities over time.” According to the report, modern sector wage jobs were increasing by an estimated 50,000 per year, while the working age population was increasing by approximately 800,000 per year. The report asserted that many job seekers found “nepotism, tribalism, demands for bribes, and sexual harassment are major barriers to obtaining a job.”

Inspection forms do not include persons with disabilities, and the ministry was addressing how to capture data affecting such workers. Employers in all sectors routinely bribed labor inspectors to prevent them from reporting infractions, especially in the area of child labor.

Convention on the Rights of Persons with Disabilities
Kenya signed the CRPD on 30/03/2007. On 19/05/2008 the government ratified the CRPD.
Lesotho

Constitution and Laws
The constitution and law prohibit discrimination based on race, color, sex, gender, disability, language, religion, political or other opinion, or social status. The law does not reference sexual orientation or gender identity, but other laws prohibit same-sex sexual activity between men. Authorities did not regularly enforce antidiscrimination laws, in part because public awareness of these protections was low, so victims rarely brought claims. Under customary law, constitutionally recognized as a parallel legal system, women are disadvantaged with regard to property rights, inheritance, and succession rights.

Persons with Disabilities
The constitution and law prohibit discrimination against persons with disabilities in employment, education, access to health care, or the provision of other state services. The constitution does not refer to specific disabilities or to access to air travel and other transportation. The labor code and Public Service Act do not specifically provide for meaningful access to employment in both the private and public sectors by persons with disabilities. The national disability policy establishes a framework for inclusion of persons with disabilities in poverty reduction and social development programs, but by year’s end, the government had not incorporated objectives or guidelines in the implementation of these programs. The Association of the Disabled promoted the rights and needs of persons with disabilities.

Persons with disabilities were disadvantaged regarding access to public buildings, employment (see section 7.d.), education, air travel and other transportation, information and communications, and health care. Laws and regulations stipulate that persons with disabilities should have access to public buildings. Public buildings completed after 1995 generally complied with the law, but many older buildings remained inaccessible. There was no accommodation for persons with disabilities in air or other transportation. Braille and JAWS (computer software used by persons with visual disabilities) were not widely available. Service providers in the government or private sector did not provide sign language interpreters, so signing individuals could not access state services. There were limited facilities for training persons with disabilities.

Children with physical disabilities attended school; however, facilities to accommodate them in primary, secondary, and higher education were limited. Two schools accommodated children with visual disabilities, two schools accommodated children with hearing and speech disabilities, and one school accommodated children with intellectual disabilities. Although the government did not effectively implement laws that provide for persons with disabilities to have access to information and communications, in December 2013 Lesotho Television introduced sign language interpretation during its daily news broadcast.
Media reports indicated that persons with disabilities experienced societal abuse. Although there were no publicly reported cases of such abuse in prisons, educational facilities, or mental health facilities, abuse likely occurred.

**Prison and Detention Centers:**
The LCS did not provide special assistance to prisoners with disabilities, who relied on voluntary assistance from other prisoners. As with many public buildings in the country, prison buildings lacked ramps, railings, and other measures facilitating physical access for prisoners with disabilities. The LCS did not have any personnel trained in sign language.

**Elections:**
No laws prevent women or minorities from voting or otherwise participating in political life on the same basis as men or nonminority citizens. The law provides for the allocation of one-third of the seats in the municipal, urban, and community councils to women. The law also states a political party registered with the Independent Electoral Commission must facilitate the full participation of women, youth, and persons with disabilities.

**Employment:**
The labor code prohibits discrimination regarding race, color, sex, marital status, religion, political opinion, national extraction or social origin, and HIV/AIDS status, but it does not explicitly prohibit discrimination based on disability. There is no provision for equal pay for equal work.

Despite the law prohibiting gender-based discrimination in employment and occupation, such discrimination occurred. Women faced discrimination in employment, business, and access to credit. For example, female workers in textile factories reported being assigned to undesirable tasks if they refused sexual advances made by their male supervisors. Both men and women reported that hiring practices often aligned with gender, with men preferentially selected for certain positions (such as mechanics) and women preferentially selected for other positions (such as sewing machine operators). In general, working conditions, while sometimes poor, were the same for both men and women.

Discrimination in employment and occupation also occurred against those who were HIV positive (see section 6).

**Freedom of Speech:**
No official restrictions limit the ability of individuals to criticize the government publicly or privately or discuss matters of general public interest without reprisal. The law prohibits expressions of hatred or contempt for any person because of the person’s race, ethnic affiliation, gender, disability, or color.

**Convention on the Rights of Persons with Disabilities**
Lesotho ratified the CRPD on 2/12/2008.
Liberia

Constitution and Laws
The constitution prohibits discrimination based on ethnic background, sex, creed, place of origin, disability, or political opinion; however, the government did not enforce these provisions effectively. The constitution allows only persons who are “Negroes” or of “Negro descent” to become citizens and own land. Lebanese born in the country over several generations, for example, remained noncitizens in accordance with this provision.

Tribal tensions exploited during the country’s civil war, which formally ended in 2003 continued on a diminished level to contribute to social and political friction among ethnic groups.

Persons with Disabilities
Although it is illegal to discriminate against persons with physical and mental disabilities, such persons did not enjoy equal access to government services and found very limited employment prospects (see section 7.d.). The constitution prohibits discrimination against persons with physical, sensory, intellectual, or other mental disabilities in employment and provides for access to health care, but these provisions were not always enforced. There is a legal prohibition against discrimination on such bases as access to air travel or other transportation. Streets, schools, public buildings, and other facilities were generally in poor condition and inaccessible to persons with disabilities, although new curbs in Monrovia were built to be wheelchair accessible. The National Union of Organizations of the Disabled (NUOD) argued against the passage of legislation under consideration that would allow schools to exclude children with disabilities from free and compulsory education.

The University of Liberia and other public schools discriminated against students with disabilities, arguing resources and equipment were insufficient to accommodate them. In 2012 a blind student passed the university’s entrance exam but was denied entry on the basis that the university did not have proper equipment to support persons with disabilities. The NUOD sought redress, noting the privately run African Methodist University and United Methodist University admitted blind students, but no action was taken during the year on the request.

Many citizens had permanent disabilities as a result of the civil war. Persons with disabilities faced societal discrimination, particularly in rural areas. Few children with disabilities had access to education; a 2008-09 survey found only 0.8 percent of students enrolled in school were identified as having disabilities. The government included persons with disabilities in its 2012 Vision 2030 national development strategy meeting and related panel discussions that continued during the year.

Students with serious disabilities are exempt from compulsory education. The right of persons with disabilities to vote and otherwise participate in civic affairs was protected by law and was generally respected. The Ministry of Health and Social Welfare is the government agency responsible for protecting the rights of persons with disabilities and implementing measures designed to improve respect for their rights.
Prison and Detention Centers:
There were reports of inadequate treatment for ailing inmates and inmates with disabilities. While the law provides for compassionate release of prisoners who are ill, such release was rarely granted, since the law requires a written policy that does not exist.

Employment:
A constitutional provision prohibits discrimination with respect to equal opportunity for work and employment regardless of sex, creed, religion, ethnic background, place of origin, or political affiliation, and calls for equal pay for equal work. The government, in general, did not effectively enforce the law. The law does not prohibit discrimination in the workplace regarding language, communicable diseases, sexual orientation, or gender identity.

Discrimination in employment and occupation occurred with respect to gender, disability, and HIV-positive status (see section 6). Apart from facing some economic discrimination based on cultural traditions, women also experienced discrimination in employment.

Convention on the Rights of Persons with Disabilities
Liberia signed the CRPD and Optional Protocol on 30/03/2007. On 26/07/2012 the government ratified the CRPD.

Madagascar

Constitution and Laws
The constitution and law prohibit discrimination based on race, gender, disability, language, and social status; the law does not specifically address discrimination based on sexual orientation or gender identity. No government institutions were designated to enforce these provisions, and the laws were not effectively enforced.

Persons with Disabilities
The law prohibits discrimination against persons with physical and mental disabilities, although there is no specific mention of sensory and intellectual disabilities. Legislation broadly defines the rights of persons with disabilities and provides for a national commission and regional subcommissions to promote their rights. By law persons with disabilities are entitled to receive health care and education and have the right to training and employment; the law does not address air travel. Educational institutions are “encouraged” to make necessary infrastructure adjustments to accommodate clients with disabilities. The law also specifies the state “must facilitate, to the extent possible, access to its facilities, public spaces, and public transportation to accommodate persons with disabilities.”

Authorities rarely enforced the rights of persons with disabilities, and the legal framework for promoting accessibility remained perfunctory. According to a comprehensive study
commissioned by a local NGO, key themes such as accessibility, autonomy, personal mobility, equality, access to justice, the ability to participate in public life and politics--in addition to the specific rights of women and children with disabilities--are all excluded from the current legal framework covering disability rights.

Access to education and health care for persons with disabilities also was limited, due to lack of adequate infrastructure, specialized institutions, and personnel. Nevertheless, disability advocates reported there were more than 60 integrated classrooms across the country that included children with mental disabilities. Local officials also accommodated students with disabilities during official high school exams.

Persons with disabilities were at increased risk of discrimination in the workforce (see section 7.d.). They were also more likely to become victims of crime, particularly sexual abuse. In March, for example, the press reported a man in Manahoro attempted to rape a woman with mental disabilities.

Some persons with disabilities were deterred from voting in the 2013 presidential and legislative elections due to the perceived inaccessibility of voting stations. The presence of stairs, uneven pavement, potholes, and the fear of standing in line for long periods were significant deterrents. The electoral code provides that individuals with disabilities be assisted in casting their ballots but contains no other provisions to accommodate voters with disabilities. Despite the law’s ambiguity, observers reported during the October 2013 elections, voters with disabilities of all types received accommodation at various polling stations and could be assisted by a person of their choice in casting their ballots.

The ministry of population and social affairs is responsible for protecting the rights of persons with disabilities. Several government efforts were aimed at improving the situation of persons with disabilities. For example, Eleonore Johasy, the minister of population and social affairs, named a disability rights consultant to advise her on this issue. In partnership with Handicap International, local governments also actively participated in an inclusive communal development program. As a result the communes of Toamasina and Mahajanga significantly improved the accessibility of public markets for persons with disabilities.

**Employment**

Labor laws prohibit discrimination on the basis of race, gender, and disability in the workplace, but discrimination remained a problem. Persons with disabilities and LGBT individuals were subjected to hiring discrimination, while salary discrimination against women in some sectors continued, despite some progress in recent years. During the country’s universal periodic review in November, however, officials reported the government increased the number of inspectors to overcome gaps in the verification system regarding discrimination against women and worked to promote equal employment opportunities in the EPZs.
Children
Media reports documented several deaths of newborns abandoned in gutters and dumpsters throughout the year. A traditional taboo in the southeast against giving birth to twins also contributed to the problem.

Convention on the Rights of Persons with Disabilities
Madagascar signed the CRPD and Optional Protocol on 25/09/2007. On 12/06/2015 the government ratified the CRPD.

Malawi
Constitution and Laws
The law forbids discrimination based on race; color; sex; language; religion; political or other opinion; national, ethnic, or social origin; disability; property; birth; or other status. The law does not specifically mention sexual orientation.

The capacity of government institutions to enforce the law was limited.

Persons with Disabilities
The Disability Act, which became effective in 2013, prohibits discrimination in education, health care, social services, the workplace, housing, political life, and cultural and sporting activities for persons with disabilities, defined as a long-term physical, mental, intellectual, or sensory impairment. The law prohibits discrimination against those with disabilities in political and public life and calls for the government to take measures to provide access for such persons to transportation, information, and communication. The law provides for the establishment of a disability trust fund to support persons with disabilities. The law applies to all public facilities, both governmental and private.

The Disability Act provides for the social protection and support of persons with disabilities through greater access to public places, fair opportunities, and full participation in all spheres of society. Ineffective allocation of the government’s limited resources prevented the government from protecting these rights. Although the Disability Act took effect in 2013, the government had yet to adopt standards and plans for its enforcement and implementation.

The Ministry of Gender, Children, Social Welfare, and Disability is responsible for protecting the rights of persons with disabilities. There were public and privately supported schools and training centers that assisted persons with disabilities.

Accommodations for persons with disabilities were not among government services priorities. The 2013 MHRC annual report released in March reported that it received 11 complaints in the area of disability rights in 2013, including from a teacher who was dismissed after losing his sight in a job-related injury and a government employee who was not provided with needed
accommodation for her vision disability. A prominent disability advocacy group noted that unlawful discrimination against women and children with disabilities was more prevalent in rural areas and that it received several reports of children with disabilities dropping out of school because of inadequate accommodations.

**Employment**

The employment law prohibits discrimination against any employee or prospective employee on the grounds of race, color, sex, language, religion, political or other opinion, nationality, ethnic or social origin, disability, property, birth, marital or other status, or family responsibilities, but the government in general did not effectively enforce the law.

Discrimination in employment and occupation occurred with respect to gender and disability (see section 6). Despite the law against discrimination on the basis of gender or marital status, discrimination against women was pervasive, and women did not have opportunities equal to those available to men. Women had significantly lower levels of literacy, education, and formal and nontraditional employment opportunities. Few women participated in the limited formal labor market, and those that did represented only a very small portion of managerial and administrative staff. Households headed by women were represented disproportionately in the lowest quarter of income distribution.

**Constitution on the Rights of Persons with Disabilities**

Malawi signed the CRPD on 27/09/2007. The government ratified the CRPD on 27/08/2009.

**Mali**

**Constitution and Laws**

The constitution and law prohibit discrimination based on social origin and status, color, language, gender, or race but not disability, sexual orientation, or gender identity. Citizens were generally reluctant to file complaints or press charges of discrimination, based largely on cultural factors. Absent complaints or lawsuits, the government did not aggressively pursue violations of these laws.

**Persons with Disabilities**

The constitution and law do not specifically protect the rights of persons with physical, sensory, intellectual, or mental disabilities in employment, education, air travel and other transportation, access to health care, or in the provision of other state services. There is no law mandating accessibility to public buildings. While persons with disabilities have access to basic health care, the government did not place a priority on protecting the rights of persons with disabilities, and few resources were available. Many such individuals relied on begging. Most NGOs working with persons with disabilities had to suspend their programs during the year due to the conflict in the north. Persons with mental disabilities faced social stigmatization in public institutions. Persons with mental disabilities who committed crimes were sent to a mental institution in Bamako.
The Ministry of Humanitarian Action, Solidarity, and the Reconstruction of the North is responsible for protecting the rights of persons with disabilities. The ministry sponsored activities to promote income-earning opportunities for persons with disabilities and worked with NGOs, such as the Malian Federation of Associations for Handicapped Persons, which provided basic services. Although the government was responsible for eight schools countrywide for the deaf, it provided almost no support or resources.

Employment
The labor law prohibits discrimination in employment and occupation based on race, gender, religion, political opinion, nationality, or ethnicity, but not that based on disability, language, sexual orientation, gender identity, HIV-positive status or other communicable diseases, or social status. While the government’s Labor Inspection Agency seeks to investigate and prevent discrimination based on race, gender, religion, political opinion, nationality, or ethnicity, the laws were not effectively enforced by the government. Discrimination in employment and occupation occurred with respect to gender, sexual orientation, disability, and ethnicity (see section 6). The government was the major formal-sector employer and ostensibly paid women the same as men for similar work, but differences in job descriptions permitted pay inequality. There were cases where employers from southern ethnic groups discriminated against individuals from northern ethnic groups. There were no reported cases of discrimination against internal migrants or foreign migrant workers.

Children
Some prostitutes and domestic workers in Bamako practiced infanticide, mainly because of a lack of access to and knowledge about contraception.

Convention on the Rights of Persons with Disabilities
Mali signed the CRPD and the Optional Protocol on 15/05/2007. The government ratified the CRPD and Optional Protocol on 7/04/2008.

Mauritania

Constitution and Laws
The constitution and law prohibits discrimination against citizens on the basis of race, national origin, sex, disability, or social status and prohibits racial or ethnic propaganda, but the government often favored individuals based on racial and tribal affiliation, social status, and political ties. Societal discrimination against women, trafficking in persons, and racial and ethnic discrimination were also problems.

Persons with Disabilities
The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in education, employment, or the provision of other state services, and there were
no reports of governmental discrimination against persons with disabilities. The law also provides for access to information, communication, existing buildings through retrofitting, and future buildings through amendments to the building code. Authorities did not enforce the law, and persons with disabilities generally did not have access to buildings, information, and communications. There were no other government programs to provide such access. The law provides for access to air transport and other transportation at reduced rates, yet such access was often not available.

The law provides access to mainstream schools for children with disabilities, and there was one primary school in Nouakchott for children with hearing and vision disabilities. The Ministry of Technical and Vocational Training opens and makes available vocational and educational training institutions for persons with disabilities.

During the year the government increased its annual disability assistance outlay by 36 percent, allocating 94 million ouguiya ($308,000) to 30 national associations and NGOs working on disability issues. It also contributed 30 million ouguiya ($98,360) in technical assistance. The government did not mandate preference in employment, education, or public accessibility for persons with disabilities, although it provided some rehabilitation and other assistance for such persons. Fifty persons, all of whom were reportedly unable to perform work, received 60,000 ouguiya ($197) in annual disability payments during the year.

The Ministry of Social Affairs, Children, and the Family oversees social reintegration programs for persons with disabilities. It develops training programs and validates the certificates issued by the institutions created by professional associations of persons with disabilities. Persons with disabilities may file complaints with the ministry and seek additional recourse with the Court of Justice. During the year the ministry received two complaints, four fewer than in 2013. Two television news programs continued to broadcast daily on national television using sign language interpreters.

**Employment**

The labor law prohibits discrimination in employment and occupation based on gender, but it does not prohibit such discrimination based on disability, language, sexual orientation, gender identity, HIV-positive status or other communicable diseases, or social status. In general the government did not effectively enforce the law. The two largest employers, the civil service and the state mining company, observed the law, although most employers in the private sector did not. In the modern wage sector, women also received family benefits, including three months of maternity leave. The government sought to open new employment opportunities for women in areas traditionally filled by men, such as diplomacy, health care, communications, police, and the customs services. The ILO reported a slight increase in the female share of employment in high-status occupations from 28.2 percent in 2005 to 29.9 percent in 2010.

**Convention on the Rights of Persons with Disabilities**

Mauritania ratified the CRPD and the Optional Protocol on 3/04/2012.
Mauritius

Constitution and Laws
The constitution and law specifically prohibit discrimination on the basis of race, caste, place of origin, social status, political opinion, color, gender, disability, language, or sexual orientation. While the government generally enforced these provisions, some societal discrimination occurred. The law prohibits all forms of trafficking of adults and children and prescribes penalties of up to 15 years’ imprisonment for offenders.

Persons with Disabilities
The law prohibits discrimination in employment (see section 7.d.), education, access to health care, or the provision of other state services against persons with physical, sensory, intellectual, and mental disabilities. Such prohibited discrimination includes access to transportation, including by air. The law was not effectively enforced with respect to public conveyances where, for example, heavily used public buses presented particular problems to the physically challenged due to their high steps and narrow doors. Many older buildings also remained inaccessible to persons with disabilities despite a legal requirement all buildings be accessible for persons with disabilities. The Training and Employment of Disabled Persons Board is an advocacy agency promoting participation in the workplace of persons with disabilities and discouraging discrimination against them in either job recruitment or advancement.

The government implemented programs to ensure persons with disabilities had access to information and communications, such as subtitles and sign language interpretation of news broadcasts. The state-run television station broadcast a weekly news program for persons with disabilities. The government did not restrict the right of persons with disabilities to vote or participate in civic activities, although lack of accessible transportation posed a barrier to some voters with disabilities. In 2012, for the first time, the government made provisions to render polling stations more accessible to disabled and elderly persons by providing wheelchairs. Children with physical disabilities attended mainstream schools wherever appropriate facilities existed; however, children with mental disabilities attended specialized schools that received minimal government funding.

Employment
Labor laws and regulations prohibit discrimination regarding race, sex, gender, disability, language, sexual orientation, HIV-positive status or having other communicable diseases, or social status. The law affords women broadly defined wage protections and requires equal pay for equal work for both men and women, but it also states women should not be forced to carry loads above certain weight limits. The government did not effectively enforce these laws and regulations.

Nonetheless, discrimination in employment and occupation with respect to gender, race, disability, and HIV/AIDS status occurred. While women had equal access to education, the
private sector paid women less than men for substantially similar work. There were few decision-making positions in the private sector filled by women, and there were even fewer women sitting on corporate boards. The first female firefighter was not recruited until 2011. A large majority of women held unskilled labor jobs.

The law requires organizations employing more than 35 persons to set aside at least 3 percent of their positions for persons with disabilities, but the government was not always effective in enforcing this law.

Many Creole leaders claimed there was discrimination in the employment of Creoles (citizens of African descent) in the public service.

There were reports of discrimination against HIV/AIDS patients and their relatives involving foreign workers who were denied a work permit due to their HIV status.

**Children**
There were no developments in the April 2013 case in which media reported that two minors with disabilities reported sexual abuse in an NGO-run shelter in 2011.

**Convention on the Rights of Persons with Disabilities**
Mauritius signed the CRPD and Optional Protocol on 25/09/2007. On 8/01/2010 the government ratified the CRPD.

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**Mozambique**

**Constitution and Laws**
The constitution and law prohibit discrimination based on race, gender, disability, language, or social status, but discrimination persisted against women and persons with HIV/AIDS. Discrimination based on sexual orientation or gender identity is not cited except in labor law, which specifically prohibits discrimination in the workplace based on sexual orientation. The government failed to enforce prohibitions against discriminatory acts.

**Persons with Disabilities**
The constitution and law prohibit discrimination against citizens with disabilities but does not differentiate between physical, sensory, intellectual, and mental disabilities. The government provided few resources to implement this provision.

There were an estimated 475,000 persons with disabilities. Such individuals frequently engaged in begging at city street intersections.

Discrimination in employment, education, access to health care, and the provision of other state services was common. Observers often cited unequal access to employment as one of the
biggest concerns (see section 7.d.).

The law requires access to public buildings for persons with disabilities, and although the Ministry of Public Works and Habitation worked to fulfill that goal in Maputo city, progress was very slow. The government did not effectively implement programs to provide access to information and communication for persons with disabilities. Educational opportunities for children with disabilities were generally poor, especially for those with developmental disabilities. The government sometimes referred parents of children with disabilities to private schools with more resources to provide for their children. There were only two schools for persons with disabilities, one in Maputo province and the other in Sofala province. Based on Education Movement for Everyone, a civil society organization for human rights, an estimated 12 percent of youth with disabilities did not have access to education. The Mozambican Association for the Disabled (ADEMO) reported teacher-training programs did not include techniques on how to address the needs of students with disabilities. ADEMO also observed school buildings fell short of international standards for accessibility, and public tenders were not designed to support the participation of persons with disabilities.

Electoral law provides for access and assistance to voters with disabilities in the polling booths, including the right for them to vote first.

The only psychiatric hospital was overwhelmed with patients and did not provide adequate basic nutrition, medicine, or shelter. Doctors also reported many families abandoned members with disabilities at the hospital. ADEMO reported access to donated equipment, like wheelchairs, continued to be a challenge due to required lengthy and complicated bureaucratic procedures.

Veterans with disabilities continued to report nonreceipt of pensions.

The Ministry of Women and Social Action is responsible for protecting the rights of persons with disabilities. The 2012-19 National Action Plan in the Area of Disabilities provides funding, monitoring, and assessment of implementation by various organizations that support persons with disabilities.

The city of Maputo offered free bus passes to persons with disabilities. Buses in Maputo did not have special accessibility features. Because public transportation was limited, many citizens rode in private minibuses and in the backs of pickup trucks, hazardous for persons with or without disabilities. Ramps were rare, and sidewalks were hazardous for pedestrians to traverse.

**Employment**

Discrimination in employment and occupation occurred with respect to women and persons living with disabilities (see section 6). Women were almost four times less likely than men to receive a salaried, formal sector job. They often received lower pay than men for the same work and were less likely to have access to credit. A Labor Ministry representative reported
pregnant women were more likely to be terminated by employers hoping to avoid maternity leave payments. The law prohibits discrimination against workers because of HIV/AIDS status, and the Ministry of Labor generally intervened in cases of perceived discrimination by employers. With an increased public awareness of this law, there were no public reports of individuals dismissed because of their HIV status.

**Convention on the Rights of Persons with Disabilities**
Mozambique signed the CRPD on 30/03/2007. The government ratified the CRPD and the Optional Protocol on 30/01/2012.

**Namibia**

**Constitution and Laws**
The constitution and law prohibit discrimination based on race, creed, gender, language, disability, or social status, or religion and specifically prohibit “the practice and ideology of apartheid.” The government did not effectively enforce all prohibitions.

**Persons with Disabilities**
The constitution protects the rights of “all members of the human family,” which domestic legal experts understand to prohibit discrimination against persons with disabilities. The law prohibits discrimination against persons with physical and mental disabilities in employment, health care, education, or the provision of other state services. The law prohibits discrimination in any employment decision based on a number of factors, including any “degree of physical or mental disability” (see section 7.d.). It makes an exception in the case of a person with a disability if that person is, because of disability, unable to perform the duties or functions associated with the employment or occupation in question. Enforcement in this area was ineffective, and societal discrimination persisted. Seventeen cases of discrimination were registered with the government’s National Disability Council of Namibia since its establishment in 2004. The council helped implement the government’s national policy on disability and raise awareness among the public.

The government requires that all new government buildings be accessible and include ramps and other features. The government, however, neither mandates access to public buildings generally nor requires retrofitting of government buildings. Some ministries thus remained inaccessible. Some street corners in the capital were outfitted with special signal crossings for persons with vision disabilities, and there were sidewalk cuts for those using wheelchairs. Children with disabilities attended mainstream schools. The rights of persons with disabilities to vote and otherwise participate in civic affairs are not restricted by law, but infrastructural challenges at public venues hindered the ability of persons with disabilities to participate in civic life.
The Office of the Prime Minister’s Disability Advisory Council is responsible for overseeing concerns of persons with disabilities and coordinating the implementation of policies on the disabled with government ministries and agencies.

Employment
The labor law prohibits discrimination in employment and occupation based on race, sex, gender, disability, language, gender identity, and HIV-positive status or other communicable diseases, or social status, and the government in general effectively enforced the law.

Discrimination in employment and occupation occurred with respect to gender (see section 6). While the law requires equal pay for equal work, men continued to dominate positions of upper management in both private and public sectors.

Migrant workers enjoy the same legal protections, wages, and working conditions as citizens. The Ministry of Labor and Social Welfare and the Employment Equity Commission, both of which report to the minister of labor, are responsible for addressing complaints of discrimination in employment. Neither was effective, however, due to the backlog of cases.

Children
The media continued to report numerous cases in which parents, usually young mothers, abandoned and sometimes killed newborns for whom they believed they were not able to care. The government enforced prohibitions against this practice.

Convention on the Rights of Persons with Disabilities

Niger

Constitution and Societal Abuses
The constitution and the law prohibit discrimination based on race, gender, disability, language, or social status. The government generally did not enforce these provisions, however, because victims in large part did not report discrimination or were pressured into handling complaints through traditional dispute mechanisms. There are no laws on sexual orientation and gender identity.

The constitution provides for the elimination of all forms of discrimination against women and introduces basic standards of respect for economic and social rights, such as the right to safe and adequate food and drinking water.

Persons with Disabilities
The constitution and law prohibit discrimination against persons with physical and mental
disabilities in employment, education, and access to health care and other government services (see section 7.b.). The government generally enforced these provisions. The law does not specifically mention air travel and other transportation, but authorities generally enforced similar antidiscriminatory provisions. The labor code calls for promoting employment opportunities for persons with disabilities. The law mandates that the government accommodate such individuals, but there were no specific regulations in place mandating accessibility to buildings, transportation, and education for persons with disabilities. Persons with disabilities suffered from social stigma, low levels of education, and fewer job opportunities than the average citizen. The government requires companies to hire a minimum of 5 percent of handicapped individuals or pay a penalty, which goes to fund persons with disabilities; however, implementation was lacking. The law mandates that new buildings be handicap-accessible, but often architects and construction firms ignored this requirement; the law was not enforced.

Societal discrimination also existed against persons with disabilities, particularly mental disabilities and leprosy. The government provided limited health care to disabled persons. Disabled children attended school but faced several difficulties, including adapted instruction and materials as well as the evaluation system. For example, there were 29 deaf students (25 boys and four girls) in the secondary school of Bourja, Maradi Region. Four of the students took their final secondary school graduation exams during the year. In 2013 the only deaf candidate in Maradi Region failed not because of lack of academic ability but due to lack of an evaluation system adapted to his needs, according to a Bourja secondary school principal. Persons with disabilities voted and participated in civic affairs. The electoral code provides for assistance to persons with disabilities by individuals of their choosing. The Ministry of Population, Women’s Promotion, and Children’s Protection is responsible for protecting the rights of persons with disabilities, including those with sensory or intellectual disabilities.

**Employment**

The labor code prohibits discrimination in employment and occupation based on “sex, age, social status, race, religion, skin color, political and religious opinion, disability, HIV-positive status, sickle cell anemia, affiliation or not to a labor union and workers union activities.” The labor code requires equal pay for equal work. The government, in general, effectively enforced the law. Discrimination in employment and occupation occurred with respect to gender (see section 6).

**Children**

Child marriage was a problem, especially in rural areas. Prevalence was highest in the south, in the Diffa, Zinder, Maradi, and Tahoua regions. The law allows a girl deemed to be “sufficiently mature” to marry at 15. Some families entered into marriage agreements under which rural girls 12 or even younger were sent to their husband’s families under the “supervision” of their mothers-in-law. The Ministry of Population, Women’s Promotion, and Children’s Protection cooperated with women’s associations to sensitize traditional chiefs and religious leaders of rural communities to the problem of underage marriage. The UN Population Fund was working
at the community level with the Association of Traditional Chiefs to raise awareness of the problem, including the risk of maternal death and disability. According to the 2012 DHS, 76 percent of women 20-24 years old reported being married before age 18, 36 percent of women 20-24 years old were first married or in union before they were 15 years old, and 77 percent of women 25-49 years old were married or in union before they were 18 years old. According to the same source, 44.8 percent of women 20-49 years old had given birth before there were 18 years old, and 8.7 percent of girls had given birth before they were 15 years old.

Infanticide occurred, and a sizeable proportion of the female prison population was incarcerated for this crime, which was often committed to hide the fact of having become pregnant out of wedlock.

**Convention on the Rights of Persons with Disabilities**
Niger signed the CRPD and the Optional Protocol on 30/03/2007. The government ratified the CRPD and the Optional Protocol on 24/06/2008.

**Nigeria**

**Constitution and Laws**
The constitution and law prohibit discrimination based on community, place of origin, ethnic group, sex, religion, or political opinion, but the government did not enforce the law effectively. The constitution prohibits discrimination based on the circumstances of a person’s birth, but it does not explicitly prohibit discrimination based on disability.

**Persons with Disabilities**
The constitution does not explicitly prohibit discrimination based on disability, but it prohibits discrimination based on the circumstances of one’s birth. There are no federal laws prohibiting discrimination against persons with physical, sensory, intellectual, or mental disabilities in employment, education, air travel and other transportation, access to health care, or the provision of other state services. Plateau and Lagos states have laws that protect the rights of persons with disabilities, while Akwa-Ibom, Jigawa, Osun, and Oyo states took steps to develop such laws. Government responsibility for persons with disabilities falls under the Ministry of Women’s Affairs and Social Development. Some government agencies, such as the National Human Rights Commission and Ministry of Labor, designated an employee to work on issues related to disabilities.

Mental health-care services were almost nonexistent. Officials at a small number of prisons used private donations to provide separate mental health facilities for prisoners with mental disabilities. All prisoners with disabilities stayed with the general inmate population without regard to disability, and no additional services were available.

Persons with disabilities faced social stigma, exploitation, and discrimination, and relatives
often regarded them as a source of shame. Many families viewed children with disabilities who could not contribute to family income as liabilities and sometimes severely abused or neglected them. Many indigent persons with disabilities begged on the streets. Persons with intellectual disabilities were stigmatized, sometimes even within the community of persons with disabilities.

The government operated vocational training centers in Abuja and Lagos to train indigent persons with disabilities. Individual states also provided facilities to assist those who were blind and other persons with physical disabilities to become self-supporting. Persons with disabilities established self-help NGOs such as the Hope for the Blind Foundation in Zaria, Kano Polio Victims Trust Association, the Albino Foundation, and Comprehensive Empowerment of Nigerians with Disabilities. The Joint National Association of Persons with Disabilities served as the umbrella organization for a range of disability groups. In 2008 the Ministry of Education estimated there were 3.25 million school-age children with disabilities, of whom an estimated 90,000 were enrolled in primary school and 65,000 in secondary school.

**Employment**
The law does not prohibit discrimination in employment and occupation based on race, sex, gender, disability, language, orientation, gender identity, HIV-positive status, or social status. The government, in general, did not effectively address discrimination in employment or occupation.

Gender-based discrimination in employment and occupation occurred (see section 6). There are no laws barring women from particular fields of employment, but women often experienced discrimination under traditional and religious practices.

The Nigeria Police Regulations provide for special recruitment requirements and conditions of service applying to women, particularly the criteria and provisions relating to pregnancy and marital status.

NGOs expressed concern over continued discrimination against women in the private sector, particularly in access to employment, promotion to higher professional positions, and salary equity. According to credible reports, many businesses implemented a “get pregnant, get fired” policy. Women remained underrepresented in the formal sector but played active and vital roles in the informal economy, particularly in agriculture, processing of foodstuffs, and selling of goods at markets. The number of women employed in the business sector increased every year, but women did not receive equal pay for equal work and often encountered difficulty in acquiring commercial credit or obtaining tax deductions or rebates as heads of households.

Unmarried women in particular endured many forms of discrimination. Several states had laws mandating equal opportunity for women.

**Prisons**
Prisoners with mental disabilities remained incarcerated with the general prison population.
Some prisons made efforts to provide mental health services, but most prisons did not.

**Convention on the Rights of Persons with Disabilities**


**Rwanda**

**Constitution and Laws**

The constitution provides that all citizens are equal before the law, without discrimination based on ethnic origin, tribe, clan, color, sex, region, social origin, religion or faith, opinion, economic status, culture, language, social status, or physical or mental disability. The constitution and law are silent on sexual orientation and gender identity. The government generally enforced these provisions, although problems remained.

**Persons with Disabilities**

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, and the provision of other state services, and the government generally enforced these provisions (see section 7.d.). The law also mandates access to public facilities, accommodations for taking national examinations, provision of medical care by the government, and monitoring of implementation by the NHRC. The government generally implemented all of the foregoing provisions. Despite a continuing campaign to create a barrier-free environment for persons with disabilities, accessibility remained a problem throughout the country. For example, civil society groups reported a need for translators fluent in sign language in police stations and courts.

The National Council of Persons with Disabilities estimated there were 3,500 primary school students in special centers established to serve children with disabilities. Few students with disabilities reached the university level because many primary and secondary schools were unable to accommodate their disabilities. Many children with disabilities did not attend primary or secondary school. Although resources were inadequate to train all teachers, the Ministry of Education and UNICEF collaborated to train teachers to be more sensitive in responding to the needs of children with disabilities. For example, in 2012 Murama Primary School in Bugesera District appointed a UNICEF-supported special needs education coordinator for students with hearing and speech disabilities and waived lunch and school supply expenses for children with disabilities as incentives to keep them in school. Institutes of higher education admitted students with disabilities, but only the National University of Rwanda and the Kigali Institute of Education were able to accommodate students with visual disabilities.

There was one government psychiatric referral hospital in Kigali, with district hospitals providing limited psychiatric services. All other mental health facilities were nongovernmental.
Facilities were often underequipped and understaffed, although the government worked to improve staffing and equipment in health facilities throughout the country. A judge may commit individuals to Ndera Psychiatric Hospital involuntarily, but district officials must first refer them after counseling and consultation with family members. Gikondo Transit Center officials reported committing persons with disabilities to Ndera involuntarily and without review.

Some citizens viewed disability as a curse or punishment, which could result in social exclusion and sometimes abandonment or the hiding of children from the community.

The National Council of Persons with Disabilities, which assisted government efforts to provide for the rights of persons with disabilities, designated one member with disabilities to the Chamber of Deputies. The National Union of Disability Organizations in Rwanda provided an umbrella civil society platform for advocacy on behalf of persons with disabilities. A disabilities coordination forum was organized every trimester. In 2012 the Ministry of Health formed the Department of Injuries and Disabilities within the Noncommunicable Diseases Division of the Rwanda Biomedical Center.

Persons with mental disabilities were required to submit a medical certificate before they were allowed to vote. Some disabilities advocates complained that requirements for electoral candidates to hold secondary education diplomas or higher degrees, depending on position, disadvantaged persons with disabilities.

**Employment**

The law prohibits discrimination based on race, ethnicity, national origin, gender, marital status, religion, political affiliation, pregnancy, disability, socioeconomic status, and “any other type of discrimination.” The law does not specifically protect sexual orientation, gender identity, and HIV-positive status.

The government sought to enforce antidiscrimination laws, but there were numerous reports of discrimination based on gender, pregnancy, disability, and political affiliation that were not challenged in court. Migrant workers enjoyed the same legal protections, wages, and working conditions as citizens.

**Convention on the Rights of Persons with Disabilities**

Rwanda ratified the CRPD and Optional Protocol on 15/12/2008.

**Sao Tome and Principe**

**Constitution and Laws**

The constitution prohibits discrimination based on race, gender, disability, language, or social status. The government did not effectively enforce the law.
Persons with Disabilities
The law prohibits discrimination against persons with disabilities generally, without specifically listing physical, sensory, mental, and intellectual disabilities.

The law, however, does not mandate access to most buildings, transportation, or services for persons with disabilities. During the year the government amended a law mandating access to school buildings for persons with disabilities, and at least one school undertook new construction to provide this access. Children with disabilities attended school.

Employment
The labor law prohibits discrimination in employment and occupation based on race, sex, gender, and religious belief. The constitution prohibits all forms of discrimination based on these categories or on social status. The law, however, does not prohibit discrimination in employment and occupation based on disability, language, sexual orientation, gender identity, and HIV-positive status or having other communicable diseases. The government, in general, effectively enforced the law.

Unlike in the past, there were no reports of gender-based discrimination in employment and occupation (see section 6). The law allows women to request permission to retire at age 57 or older and men at age 62 but does not oblige them to do so. During the year there were no reports the government subjected women to discriminatory early termination from employment.

Convention on the Rights of Persons with Disabilities
Sao Tome and Principe ratified the CRPD on 5/11/2015.

Senegal

Constitution and Laws
The constitution provides that men and women are equal under the law, and prohibits discrimination based on race, gender, disability, language, or social status. Nevertheless, discrimination was widespread, and antidiscrimination laws, in particular laws against violence against women and children, generally were not enforced. There are no laws to prevent discrimination based on sexual orientation or gender identity.

Persons with Disabilities
The law prohibits discrimination against persons with disabilities in employment, education, air travel and other transportation, access to health care, and the provision of other state services. The government did not enforce these provisions adequately. The law also mandates accessibility for persons with disabilities, but the government did not effectively enforce the law.
The government provided grants and managed regional centers for persons with disabilities to receive vocational training and offered funding for establishing businesses. Due to a lack of special education training for teachers and facilities accessible to children with disabilities, authorities enrolled only 40 percent of such children in primary school. Anecdotal evidence indicated children with disabilities who did not attend school generally stayed at home and, in some cases, begged on the streets. Support for persons with mental disabilities was not generally available, and incidents of abuse of persons with mental disabilities were common.

Persons with disabilities struggled to access voting sites. A 2010 law reserves 15 percent of new civil service positions for persons with disabilities, but the Senegalese National Association of People with Physical Disabilities reported the government failed to issue the executive decree required to make the law operational.

The Ministry for Health and Social Action is responsible for protecting the rights of persons with disabilities.

**Children**
Infanticide, usually due to poverty or embarrassment, continued to be a problem. Domestic workers and rural women working in cities sometimes killed their newborns if they could not care for them. Others married to men working outside the country killed their infants out of shame. According to the African Assembly for the Defense of Human Rights, infanticide also occurred when a woman became pregnant with the child of a man from a prohibited occupational caste. In some cases the families of the women shamed them into killing their babies. If police discovered the identity of the mother, she faced arrest and prosecution.

**Convention on the Rights of Persons with Disabilities**
Senegal signed the CRPD and Optional Protocol on 25/04/2007. On 7/09/2010 the government ratified the CRPD.

**Seychelles**

**Persons with Disabilities**
Although the constitution and law provide for the right of persons with disabilities to special protection, including reasonable provisions for improving quality of life, no laws provide for access to public buildings, transportation, or state services; and the government did not provide such services. There was discrimination against persons with disabilities. For example, there were reports some employers did not pay their employees with disabilities if the latter were already receiving disability social aid (see section 7.d.). Most children with disabilities were segregated into specialized schools. The National Council for the Disabled, a government agency under the Ministry of Community Development, Social Affairs and Sports, developed work placement programs for persons with disabilities, although few employment opportunities existed.
Employment
Labor laws and regulations prohibit discrimination regarding race, sex, gender, disability, language, sexual orientation or gender identity, HIV positive status or other communicable diseases, or social status. The government effectively enforced these laws and regulations.

Convention on the Rights of Persons with Disabilities
Seychelles signed the CRPD and the Optional Protocol on 17/12/2007. On 2/10/2009 the government ratified the CRPD.

Sierra Leone

Constitution and Laws
The law prohibits discrimination based on race, tribe, sex, place of origin, political opinion, color, creed, or disability. The law does not acknowledge sexual orientation or gender identity as protected categories.

The government did not effectively enforce the prohibition of discrimination based on gender as it affected women and girls, and a number of legal acts and customary laws contravened the constitutional provision. The other prohibitions on discrimination were generally enforced.

Persons with Disabilities
The Persons With Disabilities Act, which prohibits discrimination against persons with disabilities in employment and provision of state services, calls further for free health care and education for the disabled, equal access to government buildings, housing, and public transportation, and provision of rehabilitation services. At year’s end only three rehabilitation centers existed. The government made progress in implementing the act’s provisions, launching the National Commission on Persons with Disability in February 2013. The commission, however, was substantially underfunded. In January 2013 President Koroma appointed the vision-impaired Mustapha Bai Attila as deputy minister of social welfare, making Attila the most senior ranking disabled individual in recent memory. Given the high rate of general unemployment, work opportunities for persons with disabilities were few, and begging by them was commonplace. Children with disabilities were also less likely to attend school than other children.

There was considerable discrimination against persons with mental health issues. The Sierra Leone Psychiatric Hospital in Kissy, the only inpatient psychiatric institution, had capacity for 400 patients, but beds for only 200 patients. In 2013 the hospital housed an estimated 95 patients due to staff and resource constraints, since the government poorly funded the hospital, and it received only small donations from private charities. The hospital had one consulting psychiatrist. Patients were not provided sufficient food. Patient restraints were primitive and dehumanizing. The hospital did not have running water and only sporadic electricity. Basic medications were available, but many drugs targeted at specific problems
were lacking. Hospital staff was poorly paid. The hospital generally released patients to their families or communities as soon as possible, and they received follow-up counseling on a regular basis. The vast majority of persons with mental health disabilities remained untreated and received no public services.

The Ministry of Health and Sanitation is responsible for providing free primary health-care services to persons with polio and diabetic retinopathy as well as those who are blind or deaf. The ministry did not provide these services consistently, and organizations reported that many persons with disabilities had limited access to medical and rehabilitative care. The National Committee for Social Action provided some support through limited programs to vulnerable communities. The Ministry of Social Welfare, Gender, and Children’s Affairs has a mandate to provide policy oversight for issues affecting persons with disabilities but had limited capacity to do so.

Some of the many individuals maimed in the civil war, including those who had their limbs amputated, received special assistance from local and international humanitarian organizations. Such programs involved reconstructive surgery, prostheses, and vocational training to help victims acquire new work skills; however, other amputees complained that they did not receive sufficient assistance.

**Governmental Attitudes towards Human Rights**

The government, including security forces, was generally responsive to human rights concerns raised by the HRC-SL, the IMC, and other governmental and nongovernmental organizations. A number of domestic and international human rights groups generally operated without government restrictions, investigating and publishing their findings on human rights cases. Government officials often were cooperative and responsive to the views of local and international NGOs and generally acknowledged the problems presented. They often scheduled forums in conjunction with NGOs to discuss such topics as women’s rights and the rights of persons with disabilities.

Most domestic human rights NGOs focused on human rights education. A few NGOs, including the Campaign for Good Governance, LAWCLA, Timap for Justice, the Center for Accountability and Rule of Law, and Access to Justice, monitored and reported on human rights abuses.

**Employment**

The constitution prohibits discrimination based on race and creed. The government generally enforced that provision.

Discrimination occurred based on sex, disability, sexual orientation, and gender identity with respect to employment and occupation.

**Convention on the Rights of Persons with Disabilities**

Sierra Leone signed the CRPD and Optional Protocol on 30/03/2007. On 4/10/2010 the government ratified the CRPD.
**Somalia**

**Constitution and Laws**
The provisional federal constitution states that all citizens, regardless of sex, religion, social or economic status, political opinion, clan, disability, occupation, birth, dialect, age, race, color, tribe, ethnicity, culture, or wealth, shall have equal rights and duties before the law. The provisional constitution does not prohibit discrimination based on sexual orientation or gender identity. Authorities did not enforce antidiscrimination provisions effectively in any of the regions.

**Persons with Disabilities**
The provisional federal constitution provides equal rights before the law for persons with disabilities and prohibits the state from discriminating against them. Authorities did not enforce these provisions. The provisional federal constitution does not specify whether this provision applies specifically to physical, intellectual, mental, or sensory disabilities. It does not discuss discrimination by nongovernmental actors, including with regard to employment, education, air travel and other transportation, or provision of health care. The law does not mandate access to buildings, information, or communications for persons with disabilities.

The needs of most persons with disabilities were not addressed. A report by the World Health Organization and Swedish International Development Aid estimated that up to 15 percent of the population was physically disabled. In 2011 the Swedish entity found that 75 percent of public buildings were not designed to include accessibility for wheelchair users, and there were no public transportation facilities with wheelchair access.

Several local NGOs in Somaliland provided services for persons with disabilities and reported numerous cases of discrimination and abuse. These NGOs reported that persons with mental and physical disabilities faced widespread discrimination. According to these NGOs, it was common and condoned by the community for students without disabilities to beat and harass students with disabilities. Women with mental or physical disabilities were raped, often with impunity.

Without a public health infrastructure, few specialized institutions existed to provide care or education for persons who were mentally ill. It was common for such persons to be chained to a tree or restrained within their homes. Local organizations advocated for the rights of persons with disabilities with negligible support from local authorities.

**Employment**
The law and regulations prohibit discrimination regarding race, sex, gender, disability, language, or social status, but the government did not effectively enforce those laws and regulations.
The pre-1991 labor code contains a provision that prohibits discrimination on the basis of language, race, color, gender, political leanings, or social origin. The Ministry of Labor did not have the capacity to enforce this provision, however. The Somali Congress of Trade Unions stated that the organization had received several complaints from job seekers of gender- and clan-based discrimination at the largest companies in the country.

**Convention on the Rights of Persons with Disabilities**
Somalia has not signed or ratified the CRPD or the Optional Protocol.

**South Africa**

**Constitution and Laws**
The constitution and law prohibit discrimination on the grounds of race, disability, ethnic or social origin, color, age, culture, language, sex, pregnancy, sexual orientation, or marital status. Nevertheless, entrenched attitudes and practices often resulted in gender-based violence and employment inequities.

**Persons with Disabilities**
The law prohibits discrimination in employment, access to health care, and education based on physical, sensory, intellectual, and mental disability. Department of Transportation policies on providing services to persons with disabilities were consistent with the constitution’s prohibition on discrimination. Nevertheless, government and private-sector discrimination existed. The law mandates access to buildings for persons with disabilities, but such regulations were rarely enforced, and public awareness of them remained minimal.

In 2012, the most recent year for which data was available, there were more than 111,000 students with disabilities in mainstream schools, and the country had 444 specialized schools for students with disabilities. NGOs reported, however, that children with disabilities between the ages of seven and 15 were 20 percent less likely to attend school than children without disabilities. The Department of Basic Education allocated part of its budget for assistive devices, material resources, and assistive technology, but it noted resources were inadequate, and teachers reported insufficient skills in special-needs education. For example, many blind and deaf children in mainstream schools received only basic care rather than education.

The law prohibits harassment of persons with disabilities and, in conjunction with the Employment Equity Act, provides guidelines on the recruitment and selection of persons with disabilities, reasonable accommodation for persons with disabilities, and guidelines on proper handling of employees’ medical information. Enforcement of this law was limited. The law also requires employers with more than 50 workers to create an affirmative action plan with provisions to achieve employment equity for persons with disabilities (see section 7.d.). Nevertheless, persons with disabilities constituted only an estimated 0.9 percent of the workforce. Efforts to link persons with disabilities to civil service positions were ineffective, and
the government was far from meeting its goal of filling 2 percent of government positions with persons with disabilities by 2015.

Prosecutors dropped all charges against the six persons accused of filming themselves raping a 17-year-old girl with mental disabilities in 2012. Lacking evidence of rape, the defense attorney argued the girl solicited the boys, who did not know the girl had mental disabilities. Persons with disabilities were sometimes subject to abuse and attacks, and prisoners with mental disabilities often received no psychiatric care.

There were 15 persons with disabilities in the upper and lower houses of parliament and 218 elected officials with disabilities around the country at the provincial and municipal levels, according to the umbrella advocacy group Disabled People South Africa. The law does not allow persons identified by the courts as mentally disabled to vote.

The president disbanded the Ministry for Women, Children, and Persons with Disabilities during the year and shifted responsibility for disability policy to the Department of Social Development. All provincial and local governments also have offices charged with protecting the rights of persons with disabilities, and there are representatives advocating for persons with disabilities at the Commission for Gender Equality and the SAHRC. NGOs also advocated for the rights of persons with disabilities.

According to the South African Federation for Mental Health, of the 20 percent of citizens with mental disabilities, 75 percent did not receive needed care. There were 80 mental health treatment facilities in the country, and more than half were run by NGOs, well short of the facilities needed.

**Employment**

The Employment Equity Act protects all workers against unfair discrimination on the grounds of race, age, gender, religion, marital status, pregnancy, family responsibility, ethnic or social origin, color, sexual orientation, disability, conscience, belief, political, opinion, culture, language, HIV status, birth, or any other arbitrary ground. An amendment to the act signed in 2014 protects employees based on employment status: after three months, even as a contractor or part-time employee, the individual must be treated as a full-time employee unless he/she meets a defined list of exceptions. The legal standard used to judge discrimination in all cases is whether the terms and conditions of employment between employees of the same employer performing the same or substantially similar work, or work of equal value, differs directly or indirectly based on any of the grounds listed above. The amendment also increased fines incrementally for noncompliance to 2 percent of company revenue, or 1.5 million rand ($130,000), for a first offense up to 10 percent of company revenue, or 2.7 million rand ($233,000), for a fourth offense on the same provision within three years. The government has a regulated code of conduct to assist employers, workers, and unions to develop and implement comprehensive, gender-sensitive, and HIV/AIDS-compliant workplace policies and programs.
Discrimination in employment and occupation was documented with respect to race, gender, disability, sexual orientation, HIV status, and country of origin (see section 6).

Discrimination cases were common and frequently taken to court. Some estimates indicated nearly 50 percent of the SAHRC’s cases were labor equity disputes. In a September 2 decision, the Constitutional Court ruled against the Solidarity Union representing Police Lieutenant Colonel Renate Barnard. Barnard sued SAPS for failing to promote her because of her race. Barnard twice applied unsuccessfully for promotion to superintendent, but the national police commissioner did not appoint her to the position despite recommendations by an interview panel and her divisional commissioner, saying it would negatively affect racial representation at the level of superintendent.

The SAHRC and Commission for Employment Equity Discrimination found discrimination by ethnicity, gender, age, country of origin or disability in all sectors of the economy. One academic study found discrimination against women in the mining sector, but other sectors faced similar challenges. Watchdog organizations claimed discrimination was more frequent in the private sector, which was still organized along traditional ethnic and gender lines. The public sector reflected better the country’s ethnic and gender demographics. Traditional gender stereotypes, such as “mining is a man’s job” and “women should be nurses,” persisted. Bias against foreigners was common in society and the workplace, but workers generally treated internal migrants well. During the year DOL officials reviewed 435 companies for compliance with the employment equity law. The DOL reviewed 158 public institutions and 277 private institutions against the department’s target of 340.

**Women**

Discrimination against women remained a serious problem despite legal equality in inheritance, divorce, and child custody matters. Women experienced economic discrimination in wages (see section 7.d.), extension of credit, and ownership of land.

Women, particularly black women, typically had lower incomes and less job security than men. Many women were engaged in poorly paid domestic labor and microenterprises, which did not provide job security or benefits. The Department of Trade and Industry provided incentive grants to promote the development of small and medium-size businesses and microenterprises for women, young persons, and persons with disabilities. The department also operated the Isivande Women’s Fund to improve women’s access to formal finance.

**Children**

Public education is compulsory until age 15 or grade nine. Public education was fee-based and not fully subsidized by the government. The law provides that schools cannot refuse admission to children due to a lack of funds, and disadvantaged children, who were mainly black, were eligible for assistance. Nevertheless, even when children qualified for fee exemptions, low-income parents had difficulty paying for uniforms and supplies. According to the 2012 Child Gauge Report, girls faced more difficulties accessing services than boys; children with disabilities were at an even greater disadvantage.
**Convention on the Rights of Persons with Disabilities**
South Africa signed the CRPD and the Optional Protocol on 30/03/2007. On 30/07/2007 the government ratified the CRPD and the Optional Protocol.

**South Sudan**

**Constitution and Laws**
The transitional constitution prohibits discrimination based on race, gender, disability, language, and social status but is silent on discrimination based on sexual orientation or gender identity. The government did not effectively enforce the prohibitions.

**Persons with Disabilities**
The law does not specifically prohibit discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, or the provision of other state services. The government has not implemented programs to provide access to buildings for persons with disabilities. NGOs reported community and family routinely subjected persons with disabilities to discrimination as well as in access to public services. Observers estimated authorities enrolled nearly 23,000 children with disabilities in primary schools. There were no legal restrictions on the right of persons with disabilities to vote and otherwise participate in civic affairs, although lack of physical accessibility constituted a barrier to effective participation. There were no mental health hospitals or institutions, and persons with mental disabilities were often held in prisons. Limited mental health services were available at Juba Teaching Hospital.

**Women**

Couples were not subject to coercion or violence in deciding the number, spacing, and timing of children, but few couples had access to accurate information and modern contraceptive methods. Women had the right to attain the highest standard of reproductive health, however, modern contraception, skilled medical attendants during childbirth, and obstetric and postpartum care were not widely available. Dowry also limited some reproductive choices, since men who paid dowries to marry believed they should have the final say in domestic decisions.

High illiteracy rates among women also limited female access to accurate information concerning the right to control their fertility. According to UN estimates, the modern contraceptive prevalence rate was only 1.5 percent among women and girls of reproductive age. The most recent maternal mortality rate estimate was 2,054 deaths per 100,000 live births, and a woman’s lifetime risk of maternal death was one in seven. The leading cause of maternal
death and disability was lack of medical care for treatable conditions, such as infection, hemorrhage, and obstructed birth.

**Convention on the Rights of Persons with Disabilities**
South Sudan has not signed or ratified the CRPD or Optional Protocol.

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**Sudan**

**Constitution and Laws**
The interim constitution states, “All persons are equal before the law and are entitled without discrimination as to race, color, sex, language, religious creed, political opinion, or ethnic origin to the equal protection under the law.” Other articles of the constitution encourage tolerance between different tribes and provides protections for women and persons with disabilities. The law provides safeguards for children. The government worked to promote the rights of women, children, and persons with disabilities. It did not always provide protections to persons of different religious groups. There were no protections for persons based on their sexual orientation or identification.

**Persons with Disabilities**
According to the 2008 National Sudan Census Survey, the estimated prevalence of disability among the public was 4.8 per cent. According to these figures, approximately 720,000 children under the age of 18 had a disability.

Although the law, including the interim constitution, provides protection for persons with disabilities, social stigma and a lack of resources hindered the government from enforcing compliance with the law. The law does not specifically prohibit discrimination against persons with disabilities, but it stipulates, “The state shall guarantee to persons with special needs the enjoyment of all the rights and freedoms set out in the constitution, access to suitable education [and] employment, and participation in society.”

In November 2013 the Ministry of Social Welfare, Women, and Child Affairs and the National Council for Persons with Disabilities launched an initiative to improve access to public sector jobs and encourage respect for the constitutional rights of persons with disabilities. The Ministry of Education also established a special education department. Children with disabilities attended public schools, and there were some other educational institutions for persons with disabilities, including two schools for the blind. In November 2013 the Ministry of Education launched a national education strategy for 2013-16 that included special provisions for children with disabilities.

Social stigma and lack of resources often prevented government and private entities from accommodating persons with disabilities in education and employment. Appropriate supports were especially rare in rural areas.
In July the governor of Khartoum announced the city would allocate 5 percent of government jobs to 211,000 persons with special needs and issue persons with special needs health insurance cards. The Ministry of Social Development stated it would provide financial assistance to 3,000 persons with disabilities and supply hearing aids to 50 persons monthly. Social stigma and official apathy towards the needs of persons with disabilities, however, often limited the resources allocated to those facilities, and accommodations for persons with disabilities were rare in most rural areas.

The government had not enacted laws or implemented effective programs to provide for access to buildings for persons with disabilities. Persons with disabilities reported it was difficult to access or afford necessary equipment, such as wheelchairs.

Several NGOs advocated on behalf of persons with disabilities. From November 3 to November 5, local NGOs participated in a workshop to develop an advocacy strategy for women with disabilities.

**Employment**

Law and regulations prohibit discrimination regarding race, sex, gender, disability, tribe, and language. They do not protect classes according to sexual orientation and/or gender identity, HIV-positive status or other communicable diseases, or social status. The government did not always effectively enforce those laws and regulations.

Discrimination in employment and occupation occurred based on gender, religion, and ethnic, tribal, or party affiliation. Ethnic minorities often complained that government hiring practices discriminated against them in favor of “riverine” Arabs from northern Sudan. Ethiopians, Eritreans, and other suspected refugees or migrants were often exposed to exploitative work conditions. Due to their uncertain legal status, many refugees and migrants did not report cases of discrimination or abuse due to concerns of imprisonment or repatriation.

**Convention on the Rights of Persons with Disabilities**


**Swaziland**

**Constitution and Laws**

The constitution prohibits discrimination based on race, gender, disability, age, ethnicity, religion, political opinion, or social status, but the government did not consistently enforce the law.

**Persons with Disabilities**

The constitution provides for the rights of persons with disabilities but does not differentiate
between physical, sensory, intellectual, and mental disabilities and requires parliament to enact relevant implementing legislation, which parliament has not done. The Office of the Deputy Prime Minister is responsible for upholding the law and for protecting the rights of persons with disabilities. No laws prohibit discrimination against persons with disabilities in employment or provide access to health care or other state services. Persons with disabilities complained of government neglect. No laws mandate accessibility for persons with disabilities to buildings, transportation (including air travel), information, communications, or public services, although government buildings under construction included some improvements for persons with disabilities, including access ramps. Public transportation was not accessible for persons with disabilities, and the government did not provide any means of alternative accessible transport.

There were minimal services provided for persons with disabilities, and there were no programs in place to promote the rights of persons with disabilities. There was one school for deaf students and one special-education alternative school for children with physical or mental disabilities. The hospital for persons with mental disabilities, located in Manzini, was overcrowded and understaffed.

**Employment**

The labor law prohibits discrimination in employment and occupation based on race, gender, language, HIV-positive status or other communicable diseases, or social status, but the law is silent on discrimination in employment and occupation based on disability and sexual orientation or gender identity, and the government, in general, did not effectively enforce the law.

Gender-based discrimination in employment and occupation occurred (see section 6). While women have constitutional rights to equal treatment and take jobs without the permission of a male relative, and the law requires equal pay for equal work, there were few measures in effect protecting women from discrimination in hiring, particularly in the private sector. Despite the law, the average wage rates for men by skill category usually exceeded those of women.

**Children**

Child abuse, including rape of children and incest, was a serious problem, but the crime was rarely reported. The government seldom punished perpetrators of abuse, and penalties seldom matched the crime. According to the UN Children’s Fund (UNICEF), approximately one in three young women experienced some form of sexual violence as a child, nearly one in four experienced physical violence, and approximately three in 10 experienced emotional abuse. According to the MICS, 12 percent of children were subjected to “severe physical punishment.” Children with disabilities, children out of school, and orphans were at particular risk. According to a 2012 report released by the National Children’s Coordination Unit in the Office of the Deputy Prime Minister, there were 4,556 reported cases of abuse between January and June 2011.
**Convention on the Rights of Persons with Disabilities**

**Tanzania**

**Constitution and Laws**
The constitution prohibits discrimination based on nationality, tribe, place of origin, political ideology, color, sex, or social status. The government did not effectively enforce the prohibitions. No provisions prohibit discrimination based on sexual orientation, language, or gender. The law prohibits certain forms of discrimination against persons with disabilities.

**Persons with Disabilities**
The law recognizes physical, intellectual, sensory, or mental disabilities. It prohibits discrimination in learning institutions and employment. Nonetheless, persons with physical disabilities, who constituted approximately 9 percent of the population, were effectively restricted in employment, education, access to health care, and other state services by physical barriers and inadequate financial resources. A 2010 survey published by the Comprehensive Community Based Rehabilitation in Tanzania organization showed that 0.7 percent of employees at 126 large companies had disabilities.

Although the government mandates access to public buildings, transportation, and government services for persons with disabilities, few buildings were accessible. New public buildings were being built in compliance with the law, but funds to retrofit existing structures were unavailable. The law provides for access to information and communication, but not all persons with disabilities had such access.

There were five members of the mainland parliament with disabilities. The president appointed four of these MPs. One MP elected in 2010, Salum Bar’wan, was the first elected MP with albinism. During the election campaign, his opponents repeatedly claimed that persons with albinism did not have the ability to think clearly. Persons with disabilities held three appointed seats in the Zanzibar House of Representatives.

The government reportedly took steps to improve election participation by persons with disabilities. These improvements included preparation of a guidebook on election procedures, shorter waiting times for persons with disabilities at polling stations, and preparation of tactile ballots for persons with vision disabilities; however, a number of shortcomings continued to limit the full participation of persons with disabilities in the election process. These included inaccessible polling stations, lack of available information, limited involvement of persons with disabilities in political parties, failure of the National Electoral Commission to implement its directives, and stigma towards persons with disabilities.
The Ministries of Education, Justice, and Labor are responsible for enforcing the rights of persons with disabilities to education, legal claims, and labor rights, respectively. The Department of Social Welfare within the Ministry of Health and Social Welfare has responsibility for coordinating matters related to persons with disabilities.

**Employment**

The Employment and Labor Relations Act of 2004 prohibits discrimination, directly or indirectly, against an employee based on color, nationality, tribe or place of origin, race, national extraction, social origin, political opinion or religion, sex, gender, pregnancy, marital status or family responsibility, disability, HIV/AIDS, age, or station of life. The law does not specifically prohibit discrimination based on sexual orientation and/or gender identity. The law distinguishes between discrimination and an employer hiring or promoting based on affirmative action measures consistent with the promotion of equality, or hiring based on an inherent requirement of the job. The government, in general, did not effectively enforce the law.

Gender-based discrimination in terms of wages and legal protections in employment occurred frequently. It was difficult to prove and often went unpunished (see section 6). Discrimination against migrant workers also occurred. Migrant workers often faced difficulties in seeking legitimate employment. It remained illegal for refugees to live outside the camp or to travel more than 2.5 miles outside the camp without permits, and few refugees worked in the formal sector.

The law states that employees with 12 months of employment are entitled to 28 days of paid annual leave, and it requires employee compensation for national holidays. The law prohibits excessive or compulsory overtime, and it restricts required overtime to 50 hours in a four-week period or in accordance with previously negotiated work contracts. The law provides for overtime employment compensation at a rate of one and a half times the employee’s regular wage. The law also prohibits discrimination based on tribe, place of origin, health, race, color, gender, marital status, age, or disability, and it requires remuneration at equal levels for employees engaged in equal work.

**Political Participation**

Women held 128 of the up to 357 seats in the unicameral union parliament, including the position of speaker. There were 102 special women’s seats apportioned among the political parties based on their election results. Women held 21 of the 239 elected constituent seats, three of the 10 seats appointed by the president, and two of the five seats elected by the Zanzibar House of Representatives. There were three MPs of South Asian origin and five with disabilities. Women held six of the 30 ministerial positions and five of the deputy minister positions.

The Zanzibar House of Representatives has 50 elected seats, 20 women’s special seats, and eight appointed at-large seats. Women held two of the appointed at-large seats and three
elected seats. Persons with disabilities held three seats. Women held three of the 19 minister positions and four of the deputy minister positions.

**Arrest Procedures**
In April the president pardoned 3,967 prisoners to commemorate 50 years of the union between Tanganyika and Zanzibar. According to the Ministry of Home Affairs, prisoners who benefited from the pardon included those with HIV-positive status, tuberculosis, cancer, and those with medically verified mental and physical disabilities. The pardon also covered persons above 70 years of age, women jailed while pregnant, and young children. The pardon, however, did not include prisoners jailed for drug trafficking, human trafficking, armed robbery, rape, poaching, corruption, abuse of power, and individuals who were in prison for impregnating female students.

**Children**
Infanticide continued to be a problem, especially among poor rural mothers who believed themselves unable to afford to raise a child. Nationwide statistics on infanticide were not available.

**Convention on the Rights of Persons with Disabilities**
Tanzania has not signed or ratified the CRPD or the Optional Protocol.

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**Togo**

**Constitution and Laws**
The constitution and law prohibit discrimination based on race, gender, disability, language, or social status, although the government did not enforce these provisions effectively. The constitution and law do not prohibit discrimination based on sexual orientation or gender identity.

**Persons with Disabilities**
The law prohibits discrimination against persons with physical, mental, intellectual, and sensory disabilities in employment (see section 7.d.), education, access to health care, transportation, or in the provision of other state services, but the government did not effectively enforce these provisions. The law does not mandate accessibility to public or private facilities for persons with disabilities, although some public buildings had ramps. Children with disabilities attended schools at all levels, with some attending schools specifically for those with disabilities. There was no reported pattern of abuse in these facilities. The law does not restrict the right of persons with disabilities to vote and participate in civic affairs, although lack of accessible buildings and transportation posed barriers.

The Ministry of Social Action and National Solidarity (MSANS), the Ministry of Health, and the Ministry of Education are responsible for protecting the rights of persons with disabilities.
During the year the MSANS held awareness campaigns to fight discrimination and promote equality; it also distributed food and clothing and provided skills training to persons with disabilities.

**Employment**
The law prohibits discrimination in employment and occupation based on race, gender, disability, and language but does not specifically prohibit such discrimination based on sexual orientation, gender identity, and HIV-positive status or having other communicable diseases. The government, in general, did not effectively enforce the law.

Gender-based discrimination in employment and occupation occurred (see section 6, Children.). Although the law requires equal pay for equal work, regardless of gender, this provision generally was observed only in the formal sector.

Under traditional law, which applied to the vast majority of women, a husband legally may restrict his wife’s freedom to work and control her earnings.

There was no overt government discrimination against persons with disabilities, and such persons held government positions, but societal discrimination against persons with disabilities was a problem.

**Convention on the Rights of Persons with Disabilities**

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**Uganda**

**Constitution and Laws**
The law prohibits discrimination based on race, gender, disability, language, or social status but is silent on sexual orientation and gender identity. The penal code, however, prohibits “unnatural offenses.” The government did not enforce the law in matters of locally or culturally prevalent discrimination against women, children, persons with disabilities, or certain ethnic groups.

**Persons with Disabilities**
The law prohibits discrimination against persons with physical, sensory, intellectual, or mental disabilities in employment, education, air travel and other transportation, access to health care, and the provision of other state services. The law, however, does not establish penalties for those engaging in discrimination. The government did not enforce the law effectively, and persons with disabilities faced societal discrimination and limited job and educational opportunities. As in the previous year, the UHRC received complaints of discrimination in employment and access to transport and other public services. In February the FHRI noted that
persons with disabilities were excluded during UPDF recruitment exercises either because they lacked academic qualification or were perceived as unable to perform (see section 7.d.).

Most schools did not accommodate persons with disabilities. In April 2012 the government launched a program on inclusive education to enhance education of children with disabilities. The UCC noted a decline in compliance with its requirement for all television programming to carry sign language interpretation. UCC officials reported only five Kampala-based stations partially complied with the requirement, using sign language interpreters only on Sunday. In September 2013 the UCC threatened to revoke the licenses of broadcasting stations if they did not comply, but subsequently took no action against the stations. In June the National Union of Disabled Persons of Uganda (NUDIPU) criticized the government for failure to plan for persons with disabilities in the ongoing national identification card registration process. For example, the NGO noted registration required taking fingerprints, and that no alternate provision for amputees existed. In April 2013 NUDIPU released a report indicating many courts were inaccessible and did not provide sign language interpreters.

An August 2013 study conducted by architects in Kampala indicated 95 percent of buildings in the city were inaccessible to persons with disabilities. Study findings showed most buildings did not have ramps or elevators.

A July 2012 report released by the National Council on Disability (NCD) indicated 55 percent of persons with disabilities lacked functional literacy skills and only 33 percent had completed grade seven. The report found that children with mental disabilities were sometimes denied food and were tied to trees and beds with ropes to control their movements. The report further stated that the needs of children with autism and learning disabilities were ignored due to an insufficient number of appropriate schools.

The law reserves five seats in the National Assembly for representatives of persons with disabilities. The NCD, however, reported participation by persons with disabilities in elections was minimal because they could not access polling centers due to physical barriers, election materials did not accommodate persons with vision disabilities, and polling stations lacked support services such as guides, helpers, and sign language interpreters. The NCD also noted the civic education offered by the government to citizens was inaccessible to many persons with disabilities, since it was done through electronic and print media.

Government agencies responsible for protecting the rights of persons with disabilities included the Ministry of State for Disabled Persons, the NCD, and the Ministry of Gender, Labor, and Social Development, but these entities lacked sufficient funding to undertake any significant initiatives.

Employment
The law prohibits discrimination in employment based on race, color, sex, religion, political opinion, national extraction, social origin, HIV status, or disability. Some discrimination did occur based on the above categories with respect to employment and occupation. The
government did not effectively enforce antidiscrimination laws and regulations with respect to persons with disabilities, and such individuals experienced discrimination in employment (see section 6).

**Political Participation**
There were 22 female ministers in the president’s 75-member cabinet. The speaker of the National Assembly and the inspector of government, who headed the leading government anticorruption investigative body, were women. There were 135 women in the 386-member National Assembly. The law requires elections for seats reserved for special interest groups: 112 for women, five for organized labor, five for persons with disabilities, five for youth, and 10 for the UPDF. An opaque “electoral college” process organized by a single government-supported NGO selected the five persons with disabilities. There was no minority representation in the National Assembly.

**Prisons and Detention Centers**
Prison conditions remained poor and, in some cases, life threatening. Serious problems included long periods of pretrial custody, overcrowding, inadequate food, and understaffing. Local human rights groups, including the Foundation for Human Rights Initiatives (FHRI), received reports the SSF and prison wardens tortured inmates, particularly in government prisons, military facilities, and unregistered detention centers. Isolated reports of forced labor continued (see section 7.b.). Most prisons across the country were not designed to accommodate persons with disabilities.

**Convention on the Rights of Persons with Disabilities**

**Zambia**

**Constitution and Laws**
The constitution and law prohibit discrimination based on race, ethnic group (tribe), gender, place of origin, marital status, political opinion, color, disability, language, social status, and creed, but they do not address discrimination based on sexual orientation or gender identity. The government did not effectively enforce the law. Violence and discrimination against women and children, discrimination based on sexual orientation or gender identity, and discrimination against persons with disabilities remained problematic.

**Persons with Disabilities**
The law prohibits discrimination in general, but no law specifically prohibits discrimination against persons with physical, sensory, intellectual, or mental disabilities in employment, education, air travel and other transportation, access to health care, and the provision of other
government services. The Persons with Disabilities Act of 2012 mandates the MCDMCH to oversee the government’s implementation of policies that address general and specific needs of persons with disabilities in education, health care, access to physical infrastructure, electoral participation, and other areas. The Zambia Agency for Persons with Disabilities oversaw the act’s implementation.

The country’s active disability rights movement was led by an umbrella organization, the Zambia Federation of Disability Organizations, whose primary role was advocacy and raising awareness. According to the Human Rights Watch report *Barriers to HIV Services and Treatment for Persons with Disabilities in Zambia*, released during the year, limited data existed on persons with disabilities, including how many adults and children were living with disabilities and their specific housing, education, and health-care needs. The 2010 census reported 251,427 persons with disabilities, including 66,043 persons in the five-19 age range. National educational data indicated these numbers likely underestimated the total number of persons with disabilities. In comparison to census data, the Ministry of Education in 2013 reported 107,271 children with special learning needs (comprising children with hearing, physical, intellectual, visual, specific learning and other disabilities) enrolled in grades one through nine in basic schools. There were only 878 students with disabilities enrolled in grades 10 through 12. The lack of consolidated data was a major impediment to the inclusion of persons with disabilities in government programming and policy. According to Human Rights Watch, limited understanding of how many persons in the country lived with disabilities suggested they were more vulnerable to contracting HIV/AIDS and were more likely to lack access to health care. According to the report, persons with disabilities had limited access to education and so correspondingly had low literacy levels. The government did not restrict persons with physical or mental disabilities from voting or otherwise participating in civic affairs. The law prohibits those with mental disabilities from holding public office. Persons with disabilities faced significant societal discrimination in employment and education (see section 7. d.).

The Ministry of Education, Science, Vocational Training, and Early Education and the MCDMCH have responsibility for ensuring the welfare of persons with disabilities. Public buildings, schools, and hospitals rarely had facilities to accommodate such persons. By law the government must provide reasonable accommodation for all persons with disabilities seeking education and ensure “any physical facility at any public educational institution is accessible.” Five schools were designated for children with disabilities. Some children with physical disabilities attended mainstream schools.

**Employment**

The labor law prohibits discrimination in employment or occupation on the basis of race, sex, disability, HIV status, and language but did not prohibit discrimination based on sexual orientation and/or gender identity. The government, in general, effectively enforced the law. There were reports of discrimination from minority groups. Discrimination in employment and occupation occurred with respect to disability, sexual orientation, and/or gender identity. LGBT persons were at times dismissed from employment or not hired because of their sexual
orientation or gender identity. Persons with disabilities faced significant societal discrimination in employment and education.

**Prisons and Detention Center Conditions**

Approximately 3 percent of inmates were women, and 3 percent were juveniles. The HRC observed that many juvenile detainees remained in prisons for as long as two to three years, awaiting confirmation orders for their transfer to reformatories. Many of these juveniles told the HRC that this delay made reentry into society difficult, as they were held in the same quarters as adults who had committed serious crimes. When this problem was brought to judges’ attention, many took steps to expedite confirmation orders. Prisons also held an undetermined number of “circumstantial children,” who were either born in prison or living in prisons while their mothers served out sentences. Prisons did not uniformly or adequately address the needs of persons with disabilities.

**Convention on the Rights of Persons with Disabilities**

Zambia signed the CRPD and the Optional Protocol on 9/05/2008. On 1/02/2010 the government ratified the CRPD.

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**Zimbabwe**

**Constitution and Laws**

The bill of rights in the constitution provides that no person can be deprived of fundamental rights, such as the right to life, personal liberty, security of person, freedom of assembly and association, equality, and political and socioeconomic rights. It prohibits discrimination based on one’s race, tribe, place of origin, political opinion, color, creed, gender, or disability. The bill of rights cannot be arbitrarily amended and, in the section on the rights of women, states that all “laws, customs, traditions, and practices that infringe the rights of women conferred by this constitution are void to the extent of the infringement.” Nevertheless, discrimination against women and persons with disabilities persisted. The government and ZANU-PF continued to infringe on the right to due process, citizenship, and property ownership in ways that affected the white minority disproportionately.

**Persons with Disabilities**

The constitution and law prohibit discrimination against persons with disabilities in employment, access to public places, and the provision of services, including education and health care. They do not specify physical, sensory, mental, or intellectual disabilities. NGOs continued to lobby to include persons with albinism in the definition of “disabled” under the law. Government institutions often were uninformed and did not implement the law. The lack of resources devoted to training and education severely hampered the ability of persons with disabilities to compete for scarce jobs. The law stipulates that government buildings be accessible to persons with disabilities, but implementation was slow. Persons with disabilities
faced harsh societal discrimination and exclusion, as well as poor service delivery from state bodies. For example, the National Council for the Hard of Hearing reported that access to justice in courts was compromised for persons with hearing disabilities due to a lack of sign-language interpreters. Persons with disabilities living in rural settings faced even greater challenges.

Although two senators were elected to represent persons with disabilities, Parliament rarely addressed problems affecting persons with disabilities. Parliament does not provide specific line items for persons with disabilities in the various social service ministry budgets.

Most persons holding traditional beliefs viewed persons with disabilities as bewitched, and in extreme cases families hid children with disabilities when visitors arrived. According to the National Association of Societies for the Care of the Handicapped, persons with disabilities were regarded as objects of pity rather than rights-holding individuals and were considered a forgotten and invisible group.

There were very few government-sponsored education facilities dedicated to persons with disabilities. Educational institutions discriminated against children with disabilities. Essential services, including sign language interpreters, Braille materials, and ramps, were not available and prevented children with disabilities from attending school. Many schools refused to accept children with certain disabilities. Schools that accepted students with disabilities offered very little in the way of nonacademic facilities for those accepted as compared to their counterparts without disabilities. Many urban children with disabilities accessed informal education through private institutions, but these options were generally unavailable for persons with disabilities in rural areas. Government programs, such as the basic education assistance module, intended to benefit children with disabilities, failed to address adequately the root causes of their systematic exclusion. The National Association of Societies for the Care of the Handicapped reported that 75 percent of children with disabilities had no access to education.

Persons with mental disabilities also suffered from inadequate medical care and a lack of health services. There were eight centralized mental health institutions in the country with a capacity of more than 1,300 patients, in addition to the three special institutions run by the ZPCS for long-term patients and those considered dangerous to society. Inpatients in the eight centralized institutions received cursory screening, and most waited for at least a year for a full medical review.

A shortage of drugs and adequately trained mental health professionals resulted in patients not being properly diagnosed and not receiving adequate therapy. There were four or fewer certified psychiatrists working in public and private clinics and teaching in the country. There was a 50 percent vacancy rate for psychiatric-trained nurses. The mental institution in Bulawayo provided more than 90 percent of the available psychiatric services. NGOs reported that getting access to these services was slow and frustrating. NGOs reported that patients were subjected to extremely poor living conditions due in part to shortages of food, water, clothing, and sanitation. Budgetary constraints and limited capacity at these institutions
resulted in persons with mental disabilities being kept at home, sometimes in chains and without treatment, and cared for by family.

Prison inmates in the three facilities run by the ZPCS were not necessarily convicted prisoners. Two doctors examined inmates with psychiatric conditions. The doctors were required to confirm a mental disability and recommend a patient for release or return to a mental institution. Prisoners with mental disabilities routinely waited as long as three years for evaluation.

A five-year program launched in 2009 by the National Association of Societies for the Care of the Handicapped provided civic education to persons with disabilities with the goal of encouraging greater civic participation. There were minimal legal or administrative safeguards to allow participation in the electoral processes by persons with disabilities. Administrative arrangements for voter registration at relevant government offices were burdensome, involving long queues, several hours or days of waiting, and necessary return visits, which effectively served to disenfranchise some persons with disabilities. The organizations reported that only 20 percent of eligible voters with disabilities had the identity documents required to vote. On election day in 2013, voting stations in many rural areas were in places inaccessible to persons with disabilities. While the law permits blind persons to bring an individual to assist in marking their ballots, police officers also witnessed the marking of such ballots, thus infringing on ballot secrecy.

**Employment**
The law prohibits discrimination based on race, sex, gender, disability, language, HIV positive status, or social status. The law does not expressly prohibit employment discrimination regarding sexual orientation and/or gender identity. The government did not effectively enforce the law.

Discrimination in employment and occupation occurred with respect to race, sex, gender, disability, and sexual orientation (see section 6). Discrimination against migrant workers occurred, especially those employed in the informal sector. Discrimination with respect to political affiliation also occurred. In March an MDC-T supporter was forced out of a temporary teaching post at an elementary school in Mashonaland East province. The school’s headmaster allegedly told the new teacher that he could not work with a known MDC-T supporter because it would jeopardize his relationship with local ZANU-PF leadership.

**Prison and Detention Centers**
Officials generally sent prisoners with confirmed mental disabilities to one of two mental institutions run by the ZPCS, which were separate from mainstream mental health institutions (see section 6).

**Convention on the Rights of Persons with Disabilities**
Zimbabwe ratified the CRPD and Optional Protocol on 23/09/2013.
Asia and the Pacific

Australia

Constitution and Laws
Federal laws prohibit discrimination based on disability, race, color, descent or national or ethnic origin, marital status, age, gender, gender identity, sexual orientation, religion, political opinion, family or caregiver responsibilities, pregnancy, and intersex status. An independent judiciary and a network of federal, state, and territorial equal opportunity offices effectively enforced antidiscrimination laws.

Persons with Disabilities
The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment; education; access to premises; access to air travel and other forms of transport; provision of goods, services (including health services) and facilities; accommodation; purchase of land; activities of clubs and associations; sport; and the administration of federal laws and programs. The government effectively enforced the law.

The disability discrimination commissioner, a part of the HRC, promotes compliance with federal laws that prohibit discrimination against persons with disabilities. The commissioner also promotes implementation and enforcement of state laws that require equal access to buildings and otherwise protect the rights of persons with disabilities, including ensuring equal access to communications and information. The law also provides for mediation by the HRC of discrimination complaints, authorizes fines against violators, and awards damages to victims of discrimination.

Schools are required to comply with the Disability Discrimination Act, and children with disabilities generally attended school. The federal government’s Better Start for Children with Disability initiative provided up to A$12,000 ($10,488) per person for early intervention services and treatment for eligible children with disabilities. The government’s More Support for Students with Disabilities initiative allocated A$300 million ($262 million) in additional funding for 2012, 2013, and 2014. The government also cooperated with state and territorial governments that ran programs to assist students with disabilities.

The HRC’s 2013 annual report stated that 793 complaints, citing 1,843 alleged grounds of discrimination, were filed under the Disability Discrimination Act from July 2012 to June 2013. Of these, 33 percent related to employment and 34 percent involved the provision of goods and services. The HRC resolved 961 complaints during the period, including 424 through conciliation.

In July 2013 the government launched the National Disability Insurance Scheme, a national disability insurance program and allocated A$14.3 billion ($12.5 billion) over seven years to the
program. A trial stage benefitting 26,000 persons began in July 2013.

In May 2013 the High Court upheld a 2012 ruling by a lower court that found the Business Services Wage Assessment Tool, an instrument used by disability organizations to determine wages, discriminated against workers with mental disabilities. The government subsequently appealed to the HRC for a three-year exemption from the Disability Discrimination Act to continue using the instrument “while alternative wage setting arrangements are considered, devised, and/or established and implemented.” On April 19, the HRC granted a one-year exemption. The government instituted changes to the Disability Support Pension to encourage persons with disabilities to enter the workforce when they have a capacity to do so, including compulsory workforce activities for individuals under age 35 who can work for more than eight hours per week.

Employment
Federal and state and territory laws provide protections against employment discrimination based on race, age, color, gender, gender identity, disability, national or ethnic origin, marital status, religion, political opinion, family or caregiver responsibilities, pregnancy, sexual orientation, and intersex status (see section 6). Federal and various state laws prohibit employment discrimination on the ground of HIV-positive status. The HRC reviews complaints of discrimination on the ground of HIV/AIDS status under the category of disability-related complaints, but a specific breakdown of HIV/AIDS-related cases was not available.

Convention on the Rights of Persons with Disabilities
Australia signed the CRPD on 30/03/2007. On 17/07/2008 the government ratified the CRPD. Australia ratified the Optional Protocol on 21/08/2009.

Brunei

Constitution and Laws
The law does not contain specific provisions prohibiting discrimination based on race, gender, disability, language, sexual orientation, gender identity, or social status.

Persons with Disabilities
The law does not prohibit discrimination against or mandate accessibility or other assistance for persons with disabilities. The government provided educational services for children with disabilities. There was no information available regarding possible abuse in educational and mental health facilities. The Department for Community Development conducted several programs targeted at promoting awareness of the needs of persons with disabilities.

Nine NGOs operated in the country and represented persons with disabilities. They worked to supplement services provided by the three government agencies which support persons with disabilities. The NGOs received some funding from the government through the Ministry of
Culture, Youth, and Sports, and the Yayasan Sultan Haji Hassanal Bolkiah Foundation, as well as through charitable events by local businesses. Public officials called for persons with disabilities to be included in everyday activities. Access to buildings, information, and communications for persons with disabilities was inconsistent.

**Convention on the Rights of Persons with Disabilities**
Brunei signed the CRPD on 18/12/2007.

**Burma**

**Persons with Disabilities**
No laws specifically prohibit discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, access to health care, or in the provision of other state services; the government did not provide ample protections for these persons. On June 10, the government hosted a National Disability Conference and issued a declaration acknowledging the rights of persons with disabilities.

According to a 2009 Ministry of Social Welfare national disability survey, 2.3 percent of the population had a disability. The World Health Organization, however, estimated approximately 15 percent of the population had a disability. The government included questionnaires on disability in the 2014 nationwide census, the results of which were not released as of December. The Ministry of Health is responsible for medical rehabilitation of persons with disabilities, and the Ministry of Social Welfare is responsible for vocational training.

The government operated three schools for the blind, two for the deaf, two rehabilitation centers for adults with disabilities, and two for children with disabilities, which all received inadequate funding. Mainstream schools did not offer adequate assistance technology for deaf and blind students. There were few official resources to assist persons with disabilities. The Ministry of Social Welfare conducted community awareness-raising activities, including a “Barrier Free Environment” pilot project in the Irrawaddy Region.

According to the Myanmar Physical Handicap Association, a significant number of military personnel, armed-group members, and civilians had a disability as a result of conflict, including as a result of torture and landmine incidents. The ICRC estimated there were 12,000 amputees in the country--two-thirds believed to be landmine survivors--supported by four physical rehabilitation centers throughout the country. Persons with disabilities reported stigma, discrimination, and abuse from civilian and government officials. Students with disabilities cited barriers to inclusive education as a significant disadvantage.

Officially military veterans with disabilities received benefits on a priority basis, usually a civil service job at equivalent pay, but both military and ethnic-minority survivors in rural areas typically did not have access to livelihood opportunities or affordable medical treatment.
Official assistance to nonmilitary persons with disabilities in principle included two-thirds of pay for up to one year for a temporary disability and a tax-free stipend for permanent disability. The government did not provide job protection for private sector workers who became disabled. In 2013 the government enacted a law designed to assist the families of deceased and injured military troops, but no information was available on its implementation.

**Employment**

Labor laws and regulations do not specifically prohibit discrimination regarding race, sex, gender, disability, language, sexual orientation or gender identity, HIV-positive status or other communicable diseases, or social status. There were reports government and private actors practiced anti-Muslim discrimination that impeded Muslim-owned businesses’ operations and negatively affected their ability to hire and retain labor, maintain proper working standards, and secure public and private contracts.

**Convention on the Rights of Persons with Disabilities**

Burma has not signed or ratified the CRPD or the Optional Protocol.

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**Cambodia**

**Constitution and Laws**

The constitution prohibits discrimination based on race, gender, disability, language, or social status; however, the government did not generally effectively enforce these prohibitions. The law does not prohibit discrimination based on sexual orientation, gender identity, or social status.

**Persons with Disabilities**

The law prohibits discrimination, neglect, exploitation, or abandonment of persons with disabilities. It includes persons with mental illnesses and intellectual impairments in the definition of persons with disabilities and requires that public buildings and government services, including education, be accessible to persons with disabilities. The law does not address accessibility with respect to air travel or other transportation. The Ministry of Social Affairs, Veteran and Youth Rehabilitation (MOSAVY) has overall responsibility for protecting the rights of persons with disabilities, although the law assigns specific tasks to other ministries, including the Ministries of Health, Education, Public Works and Transport, and National Defense. The government requested all television channels adopt sign-language interpretation for programming. As of August one major television station had sign-language interpretation, and the Ministry of Information was working with the other stations to develop such capabilities. The government continued efforts to implement the law, although the full period for compliance in some cases extends to 2015. The Council of Ministers approved four subdecrees to support the law.

Programs administered by various NGOs brought about substantial improvements in the treatment and rehabilitation of persons with disabilities, but they faced considerable societal
discrimination, especially in obtaining skilled employment.

Children with some limited physical disabilities attended school. Children with more severe disabilities attended segregated schools sponsored by NGOs in Phnom Penh. According to an NGO, education for students with severe disabilities was not available outside of Phnom Penh. There are no legal limitations on the rights of persons with disabilities to vote or participate in civic affairs, but the government did not make any concerted effort to assist them in becoming more civically engaged. MOSAVY is responsible for making policy to protect the rights of persons with disabilities and for rehabilitation and vocational skills training for such persons.

**Employment**
The law prohibits employment discrimination on the basis of race, color, sex, belief, disability, religion, political opinion, birth, social origin, or union membership. The constitution stipulates that Khmer citizens of either sex shall receive equal pay for equal work. The government generally did not have the capacity to enforce these laws. BFC reported that in the garment sector, factory management heavily discriminated against men with respect to hiring and providing benefits. BFC estimated that only 10 to 15 percent of garment-factory workers were men. The ILO noted with concern reports of antiunion discrimination by employers through interference and dismissals of members of independent unions, as well as through the creation of employer-backed unions. The ILO Committee of Experts called for revised legislation to provide adequate protection against antiunion discrimination and sufficiently dissuasive penalties (see section 6).

**Prison and Detention Centers:** Local NGOs maintained that allowances for prisoner food and other necessities were inadequate in many cases. Observers continued to report that allowances for purchasing prisoners’ food sometimes were misappropriated, exacerbating malnutrition and disease. Prisoners and detainees had access to potable water in some prisons. Prisons did not have adequate facilities for persons with mental and physical disabilities. NGOs also related that prisoners whose families bribed prison authorities received preferential treatment, including access to visitors, transfer to better cells, and the opportunity to leave cells during the day.

**Convention on the Rights of Persons with Disabilities**
Cambodia signed the CRPD and Optional Protocol on 1/10/2007. On 20/12/2012 the government ratified the CRPD.

**China (Tibet, Hong Kong, and Macau)**

**Constitution and Laws**
China: While there were laws designed to protect women, children, persons with disabilities, and minorities, some discrimination based on ethnicity, sex, disability, and other factors persisted.
Macau: The law stipulates that residents shall be free from discrimination based on race, gender, disability, language, or social status, and many laws carry specific prohibitions against discrimination. The government effectively enforced the law.

Hong Kong: The SAR has laws that ban discrimination on the grounds of race, sex, disability, and family status.

Persons with Disabilities

China: The law protects the rights of persons with disabilities and prohibits discrimination, but conditions for such persons lagged far behind legal dictates and failed to provide persons with disabilities access to programs intended to assist them.

According to the Law on the Protection of Disabled Persons, “disabled persons are entitled to enjoyment of equal rights as other citizens in political, economic, cultural, and social fields, in family life and other aspects. Discrimination against, insult of, and infringement upon disabled persons is prohibited.”

The Ministry of Civil Affairs and the China Disabled Persons Federation (CDPF), a government-organized civil association, are the main entities responsible for persons with disabilities. In June the CDPF stated that based on 2010 census figures, 85 million persons with disabilities lived in the country. According to government statistics, in 2011 there were 5,254 vocational training facilities that served 299,000 persons with disabilities. Of the 32 million persons of working age with disabilities, more than 22 million were employed. Government statistics stated that 7.4 million persons with disabilities enjoyed “minimum-life-guarantee” stipends, and nearly three million had social insurance.

The law prohibits discrimination against minors with disabilities and codifies a variety of judicial protections for juveniles. In 2007 the Ministry of Education reported that nationwide there were 1,618 schools for children with disabilities. According to NGOs there were approximately 20 million children with disabilities, only 2 percent of whom had access to education that could meet their needs.

According to the CDPF, as of September 2013, 78,174 children with disabilities remained outside the state education system. The media estimated that the figure was approximately 28 percent of the total number of the school-age children with disabilities.

Nearly 100,000 organizations existed, mostly in urban areas, to serve those with disabilities and protect their legal rights. The government, at times in conjunction with NGOs, sponsored programs to integrate persons with disabilities into society.

Misdiagnosis, inadequate medical care, stigmatization, and abandonment remained common problems. According to reports, doctors frequently persuaded parents of children with disabilities to place their children in large government-run institutions where care was often
inadequate. Those parents who chose to keep children with disabilities at home generally faced difficulty finding adequate medical care, day care, and education for their children. Government statistics showed that almost one-quarter of persons with disabilities lived in extreme poverty. Unemployment among adults with disabilities, in part due to discrimination, remained a serious problem. The law requires local governments to offer incentives to enterprises that hire persons with disabilities. Regulations in some parts of the country also require employers to pay into a national fund for persons with disabilities when the employees with disabilities do not make up the statutory minimum percentage of the total workforce.

Standards adopted for making roads and buildings accessible to persons with disabilities are subject to the Law on the Handicapped, which calls for their “gradual” implementation. Compliance with the law was limited. The law permits universities to exclude candidates with disabilities who were otherwise qualified. State media reported in August that a university denied admission to a disabled woman from Fujian Province because she failed to meet the physical fitness test. The high-scoring student was admitted subsequently to another university after the CDPF intervened.

The law forbids the marriage of persons with certain mental disabilities, such as schizophrenia. If doctors find that a couple is at risk of transmitting congenital disabilities to their children, the couple may marry only if they agree to use birth control or undergo sterilization. The law stipulates that local governments must employ such practices to raise the percentage of births of children without disabilities.

**Hong Kong:** The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, access to health care, air travel and other transportation, and the provision of other state services, and the government generally enforced these provisions. The government generally implemented laws and programs to ensure that persons with disabilities have access to buildings, information, and communications, although there were reports of some restrictions.

The Disability Discrimination Ordinance states that children with special education needs must have equal opportunity in accessing education. It is against the law for a school to discriminate against a student with a disability. According to the government, students with significant or multiple disabilities are placed in special segregated schools with parental consent, while students with less significant disabilities are enrolled in mainstream schools. There were occasional media reports about alleged abuses in education and mental health facilities; the most recent court case involving such abuses was in 2011.

The SAR implemented a range of legislative, administrative, and other measures for enhancing the rights of persons with disabilities. Some human rights groups argued that the SAR adhered to its own Disability Discrimination Ordinance, which they considered too limited and does not oblige the government to promote equal opportunities.

The Social Welfare Department (SWD), directly or in coordination with NGOs and employers,
provided training and vocational rehabilitation services to assist persons with disabilities. As of June 16,998 persons were participating in these various programs. As of June the SWD offered 12,504 places for subsidized resident-care services for persons considered unable to live independently. As of June the SWD provided 6,245 places for preschool services to children with disabilities with the goal of improving their opportunity to participate in mainstream schools and extracurricular activities.

As of April the government employed 3,401 civil servants with disabilities. Persons with disabilities filled approximately 2 percent of LegCo secretariat positions, 1 percent of judicial positions, and 2 percent of nonjudicial positions in the judiciary. Instances of discrimination against persons with disabilities persisted in employment, education, and the provision of some public services. The law calls for improved building access and sanctions against those who discriminate.

Despite inspections and the occasional closure of noncompliant businesses, access to public buildings (including public schools) and transportation remained a serious problem for persons with disabilities. Persons with disabilities protested that the government discriminated against them. They claimed that persons with significant disabilities who lived with their families could qualify for social security only by moving out of their families’ homes and living alone or if all family members quit their jobs. The government firmly refuted this claim, noting that the government instituted a disability allowance program for the more significantly disabled (defined as those with “100 percent loss of earning capacity”) to help persons with disabilities meet specific needs arising from their condition. Additionally, as with all citizens of the SAR facing financial hardship, persons with disabilities may apply for comprehensive social security assistance.

According to the EOC, the SAR lagged in providing equal opportunities for students with disabilities, despite having operated an integrated education policy since 1997.

Macau: The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, access to health care, or the provision of other state services, and the government generally enforced these provisions. The law mandates access to buildings, public facilities, information, and communications for persons with disabilities. The government enforced the law effectively. The government provides a variety of services to persons with disabilities, including discounted fares on wheelchair-accessible public transportation. The Social Welfare Institute was primarily responsible for coordinating and funding public assistance programs to persons with disabilities. There was a governmental commission to rehabilitate persons with disabilities, with part of the commission’s scope of work addressing employment. There were no reports of children with disabilities encountering obstacles to attending school.
Other References

China, Children: The Law on the Protection of Juveniles forbids infanticide, but there was evidence that the practice continued. According to the National Population and Family Planning Commission, a handful of doctors were charged with infanticide under this law. Female infanticide, sex-selective abortions, and the abandonment and neglect of baby girls remained problems due to the traditional preference for sons and the coercive birth-limitation policy.

China, Institutionalization: The law forbids the mistreatment or abandonment of children. The vast majority of children in orphanages were girls, many of whom were abandoned. Boys in orphanages were usually disabled or in poor health. Medical professionals sometimes advised parents of children with disabilities to put the children into orphanages.

China, Trail Procedures: Individuals facing administrative detention do not have the right to seek legal counsel. Criminal defendants were eligible for legal assistance, although the vast majority of criminal defendants went to trial without a lawyer. According to the People’s Daily, in 2013 approximately 1.15 million cases received legal aid, up 13 percent from 2012, benefiting 1.28 million individuals. The revised criminal procedure law expanded the availability of legal aid to include cases that could result in the death penalty or life imprisonment and cases involving individuals with certain physical or mental disabilities.

Tibet, Prison and Detention Centers: The number of prisoners in the TAR and Tibetan areas was unknown. There were reports of recently released prisoners permanently disabled or in extremely poor health because of the harsh treatment they endured in prison. According to sources political prisoners endured unsanitary conditions and often had little opportunity to wash or bathe. Former prisoners reported being isolated in small cells for months at a time and deprived of sleep, sunlight, and adequate food. According to sources prisoners rarely received medical care except in the case of serious illness. Former prisoners also complained that prison guards often confiscated gifts of food and medicine from their families. There were cases of detained and imprisoned persons being denied visitors. As elsewhere in the PRC, authorities did not permit independent monitoring of prisons.

China, Employment: The Employment Promotion Law provides some basis for legal protection against employment discrimination. Article 3 states, “No worker seeking employment shall suffer discrimination on the grounds of ethnicity, race, gender, or religious belief.” Article 29 charges the state with the duty to “safeguard the labor rights of handicapped persons” and article 30 outlines employment protections available to carriers of infectious diseases including, presumably, HIV. Enforcement clauses include the right to pursue civil damages through the courts. Other laws provide similar, parallel legal bases for protections for women and persons with disabilities. The labor contract law includes a provision to limit the circumstances under which employers can terminate the contracts of employees suspected of suffering from an occupational disease and those within five years of the statutory retirement age.

Hong Kong, Employment: Labor laws and regulations prohibit discrimination regarding race, sex, gender disability, sexual orientation, HIV-positive status or other communicable diseases,
or social status. The government effectively enforced these laws and regulations. The law stipulates employers must prove that proficiency in a particular language is a justifiable job requirement if they reject a candidate on these grounds.

**Hong Kong, Human Rights Bodies:** There is an Office of the Ombudsman and an Equal Opportunity Commission (EOC). The government appoints both the ombudsman and the EOC commissioners, who were independent in their operations. Both organizations operated without interference from the government and published critical findings in their areas of responsibility. EOC commissioner York Chow Yat-ngok served as a vocal public advocate on minority rights, access to public and commercial buildings for persons with disabilities, and other issues within the EOC’s responsibility.

**Convention on the Rights of Persons with Disabilities**
China signed the CRPD on 30/03/2007 and ratified the CRPD on 1/08/2008. There are no separate records for Tibet, Hong Kong, or Macau.

**Fiji**

**Constitution and Laws**
The constitution prohibits discrimination based on race, culture, ethnic or social origin, color, place of origin, gender, sexual orientation, gender identity and expression, birth, primary language, economic or social or health status, disability, age, religion, conscience, marital status, or pregnancy. The government generally enforced these provisions effectively, although there were problems in some areas.

**Persons with Disabilities**
Under the constitution all persons are considered equal, and discrimination against persons with disabilities in employment, education, provision of housing and land, or provision of other state services is illegal. Statutes provide for the right of access to places and all modes of transport generally open to the public. The constitution addresses specifically the right of persons with disabilities to reasonable access to all places, public transport, and information, as well as the right to use Braille or sign language and to reasonable access to materials and devices relating to the disability; the law does not further define “reasonable,” however. Additionally, the constitution provides that these rights may be limited by law “as necessary.” Public health regulations provide penalties for noncompliance, but there was very little enabling legislation on accessibility for persons with disabilities, and there was little or no enforcement of laws protecting them.

Building regulations require new public buildings to be accessible to persons with disabilities, but only a few existing buildings met this requirement. By law all new office spaces must be accessible to persons with disabilities. There were only a small number of vehicles in the country accessible to persons with disabilities.
The NGO Fiji Disabled People’s Association reported that most persons with disabilities were unemployed due to lack of sufficient education and training and discrimination by and negative attitudes of employers (see section 7.d.). There were no government programs to improve access to information and communications for persons with disabilities, and persons with disabilities, in particular those with hearing or vision impairments, had difficulty accessing public information. There were a number of community organizations that assisted those with disabilities, particularly children.

There were a number of special schools offering primary education for persons with physical, intellectual, and sensory disabilities; however, cost and location limited access. Some students attended mainstream primary schools and were monitored by the Early Intervention Center. Opportunities for a secondary school or higher education for those with disabilities were very limited.

A decree stipulates that treatment should be provided for persons with mental and intellectual disabilities in the community, public health, and general health systems. Most persons with such disabilities, however, were separated from society and typically were supported at home by their families. Institutionalization of persons with severe mental disabilities was in a single underfunded public facility in Suva.

The Fiji National Council for Disabled Persons, a government-funded statutory body, worked to protect the rights of persons with disabilities. Several NGOs also promoted attention to the needs of persons with various disabilities.

**Employment**

Labor laws and regulations prohibit discrimination regarding sex, gender, disability, and sexual orientation. The law stipulates that every employer shall pay male and female workers equal remuneration for work of equal value, but employers did not always adhere to the law. Discrimination in employment and wages occurred with respect to women and persons with disabilities.

**Convention on the Rights of Persons with Disabilities**

Fiji signed the CRPD and the Optional Protocol on 2/06/2010.

**Indonesia**

**Constitution and Laws**

The constitution does not explicitly prohibit discrimination based on gender, race, disability, language, or social status. It provides for equal rights for all citizens, both native and naturalized. The government sometimes failed to defend these rights, particularly for minority communities.
Persons with Disabilities
The law prohibits discrimination against persons with physical and mental disabilities in employment, education, access to health care, or provision of other state services. The law does not contain specific requirements regarding access to air travel and other transportation, but it mandates accessibility to public facilities for persons with disabilities; however, the government did not always enforce this provision. The government classifies persons with disabilities into three categories: physically disabled, intellectually disabled, and physically and intellectually disabled. These categories are further divided for schooling. The government restricted the rights of persons to vote or participate in civil affairs by not enforcing accessibility laws. In 2013 the KPU signed a memorandum of agreement with several NGOs to cooperate to increase the participation of persons with disabilities in the 2014 national elections. As a result, 3.6 million voters with disabilities were eligible to vote in the 2014 elections. Although no official data was available, according to NGOs participation by voters with disabilities increased.

The law provides children with disabilities with the right to an education and rehabilitative treatment. According to one NGO, there were 1.4 million children with disabilities in the country, and fewer than 4 percent had access to education. According to 2008-09 government statistics, there were 1,686 schools dedicated to educating children with disabilities, 1,274 of them run privately. According to NGOs, more than 90 percent of blind children were illiterate. Some young persons with disabilities resorted to begging for a living. Officials sent children with disabilities to separate schools, and mainstream education for them was extremely rare. The country’s universities did not offer a degree in special education. Critics said the government should revise state university admission standards that excluded persons with disabilities from certain majors.

Employment
The law prohibits discrimination in employment based on gender, race, ethnicity, religion, and political orientation. The law states that persons are entitled to “employment befitting for human beings according to their disabilities, their education and their abilities.” In most cases the government did not effectively enforce these protections. There are no laws prohibiting discrimination based on sexual orientation or gender identity, HIV-positive status, or other communicable diseases.

In August the Ministry of Manpower, the Women’s Empowerment and Protection Agency, the Home Affairs Ministry, and the National Development Planning Board signed a memorandum of understanding to strengthen their partnership in reducing gender inequality, which included the establishment of Equal Employee Opportunity (EEO) Task Forces at the provincial, district, and municipal levels. The national EEO Task Force was reaffirmed in a 2013 Ministry of Manpower decree after being largely dormant since 2006.

Women and people with disabilities commonly faced discrimination in employment, including often only being offered lower-status jobs. NGOs and media reported during the year on the practice of “virginity testing” for female police force recruits, but it is unclear how widespread the practice is. Migrant workers were often subject to police extortion and societal
discrimination. There were multiple reports of people being fired with impunity for being HIV positive (see section 6).

**Convention on the Rights of Persons with Disabilities**
Indonesia signed the CRPD 30/03/2007. On 30/11/2011 the government ratified the CRPD.

**Japan**

**Constitution and Laws**
The law prohibits discrimination based on race, gender, disability, and social status but does not prohibit discrimination based on language, sexual orientation, or gender identity. Although the government enforced these prohibitions to some degree, discrimination against women, minority group members, persons with disabilities, LGBT persons, and foreigners remained problems. Moreover, enforcement was not uniform, with some provisions for persons with disabilities interpreted as applying to the public sector but not the private sector.

**Persons with Disabilities**
The Basic Act for Persons with Disabilities prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities and bars infringement of their rights and interests on the grounds of those disabilities in public and private sector employment, education, access to health care, or the provision of other services. The law does not stipulate remedies for persons with disabilities who suffer discriminatory acts or penalties for noncompliance.

The law requires the public sector to provide reasonable accommodation and stipulates that the private sector shall “make efforts” to do so. Advocacy groups for individuals with disabilities were broadly supportive of the legislation. Nonetheless, persons with disabilities faced limited access to some public sector services.

The law mandates that the government and private companies hire minimum proportions (2 percent) of persons with disabilities (including mental disabilities). Companies with more than 200 employees that do not comply must pay a fine of 50,000 yen ($470) per vacant position per month. In March statistics from the Ministry of Health, Labor, and Welfare showed public sector employers had exceeded the minimum proportions at 2.2 to 2.3 percent, while the private sector did not reach its minimum proportions, despite reaching a record-high proportion of 1.76 percent.

Accessibility laws mandate that new construction projects for public use must include provisions for persons with disabilities. In addition the government may grant low-interest loans and tax benefits to operators of hospitals, theaters, hotels, and other public-use facilities if they upgrade or install features to accommodate persons with disabilities.
Children with disabilities generally attended specialized schools.

Mental health professionals criticized as insufficient the government’s efforts to reduce the stigma of mental illness and inform the public that depression and other mental illnesses are treatable and biologically based. Police and prison authorities were particularly slow in providing treatment for mental illness and have no protocol for offering psychiatric therapy.

Abuse of persons with disabilities was a serious concern. A total of 1,699 persons with disabilities around the nation suffered abuse by family members, care facility employees, or employers in the first half of 2013, according to the first national survey conducted by the Ministry of Health, Labor, and Welfare.

**Convention on the Rights of Persons with Disabilities**
Japan signed the CRPD on 28/09/2007. On 20/01/2014 the government ratified the CRPD.

**Kiribati**

**Constitution and Laws**
The constitution prohibits discrimination on the basis of race, national origin, or color, and the government observed these prohibitions; however, only native I-Kiribati may own land. The law prohibits gender discrimination only regarding employment, but due mainly to limited resources the government did not effectively enforce this provision during the year. There is no law prohibiting discrimination on the basis of disability, sexual orientation, gender identity, or social status.

**Persons with Disabilities**
The law does not specifically prohibit discrimination against persons with physical, sensory, intellectual, or mental disabilities, including in employment, education, air travel and other transportation, access to health care, or the provision of other state services. Public infrastructure and essential services were rudimentary and did not provide for the special needs of persons with disabilities. Accessibility of buildings, communications, and information for persons with disabilities is not mandated, and there were no special accommodations for persons with disabilities.

Two main NGOs supported and advocated for persons with disabilities: Te Toa Matoa (Disabled Persons’ Organization), and the School for the Disabled. The school offered special elementary education classes and programs for children with disabilities from age six to age 14. Aside from this school, most children with disabilities generally did not have access to education. A small number of children with disabilities pursued schooling in Fiji. In line with the government’s inclusive education program, seven schools in the outer islands, the teacher’s college, and the Ministry of Education headquarters were refurbished with foreign government assistance and made accessible for children and staff with physical disabilities. The central hospital on Tarawa
had a wing for persons with mental disabilities, and there was a psychiatrist working on Tarawa. Physiotherapy services also were offered at the hospital for persons with physical disabilities.

The Ministry of Women, Youth, and Social Welfare is responsible for protecting the rights of persons with disabilities.

**Employment**

Labor laws and regulations do not prohibit discrimination regarding race, sex, gender, disability, language, sexual orientation, gender identity, HIV positive status or other communicable diseases, or social status, and these persons sometimes experienced discriminatory practices. Discrimination in employment and wages occurred with respect to women (see section 6).

**Convention on the Rights of Persons with Disabilities**

Kiribati ratified the CRPD on 27/09/2013.

**Korea, North**

**Constitution and Laws**

**Persons with Disabilities**

In November 2013 the country announced that it modified its Person with Disability Protection Law in order to meet the international standards of rights for persons with disabilities. In the national report it presented during the May Universal Periodic Review, the DPRK estimated persons with disabilities constituted 5.8 percent of the population.

While a 2003 law mandates equal access to public services for persons with disabilities, implementing legislation has not been enacted. Traditional social norms condone discrimination against persons with disabilities, including in the workplace. Although veterans with disabilities were treated well, other persons with physical and mental disabilities reportedly were sent from Pyongyang to internal exile, quarantined within camps, and forcibly sterilized. Persons with disabilities experienced discrimination in accessing public life. The Korean Federation for the Protection of the Disabled coordinated work with persons with disabilities countrywide.

The UN Committee on the Rights of the Child repeatedly expressed concern over de facto discrimination against children with disabilities and insufficient measures taken by the state to ensure these children had effective access to health, education, and social services.

The Citizens’ Alliance for North Korean Human Rights 2013 report on the Status of Women’s Rights in the Context of Socio-Economic Changes in the DPRK found that the birth of a baby with disabilities--regardless of circumstances--was considered a “curse,” and doctors were poorly trained to diagnose and treat such persons. The report said there were no welfare centers with specialized protection systems for those born with disabilities. Citizens’ Alliance also cited reports that the country maintained a center (Hospital 8.3) for abandoned individuals with
disabilities, where residents were subjected to chemical and biological testing.

UNICEF noted that very high levels of malnutrition indicated serious problems for both the physical growth and psychosocial development of young children. Final results from the 2012 National Nutrition Survey estimated 475,868 children (28 percent) were stunted and 68,225 children (4 percent) acutely malnourished. The report concluded that the acute nutritional status of children had improved moderately since 2009 when the last nationwide survey including nutrition indicators was carried out.

**Employment**

Although the law provides that all citizens “may enjoy equal rights in all spheres of state and public activities” and all “able-bodied persons may choose occupations in accordance with their wishes and skills,” neither the general labor law nor KIC labor law prohibits discrimination with respect to employment or occupation on the basis of gender, sex, race, disability, language, sexual orientation, gender identity, HIV-positive status, other communicable diseases, or social status. Although there is no direct reference to employment discrimination in the law, classification based on the Songbun system has a bearing on equal employment opportunities and equal pay.

Although the law accords women equal social status and rights, societal and legal discrimination against women continued. The UN COI report noted that, despite the economic advancement of women, the state continued to discriminate against them and imposed many restrictions on the female-dominated market. Persons with disabilities also faced employment discrimination (also see section 6).

**Convention on the Rights of Persons with Disabilities**

The Democratic People’s Republic of Korea or North Korea signed the CRPD on 3/07/2013.

**Korea, South**

**Constitution and Laws**

The law forbids discrimination based on race, gender, disability, sexual orientation, and social status, but not discrimination based on language or gender identity. There is no enforcement mechanism in the law, and it does not protect migrant workers against racial discrimination, pregnant women against employment discrimination, or pregnant school-age girls against being denied an education.

In February 2013, following the recommendation of the UN Human Rights Council Universal Periodic Review, legislators prepared comprehensive antidiscrimination legislation. The legislation was withdrawn, however, due to aggressive lobbying, primarily from conservative religious groups opposed to efforts to provide protection to gays and pregnant women.
Persons with Disabilities
The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, or the provision of other state services. Legislation enacted in May, with implementation scheduled to start in 2016, also creates a special task force of prosecutors and police trained to work with persons with disabilities and increases support for persons with disabilities and their families. The government effectively enforced the law, although many local government ordinances and regulations still directly discriminate against persons with disabilities, according to media reports and NGOs. The government also implemented laws and programs to facilitate access to buildings, information, and communications for persons with disabilities. The law establishes penalties for deliberate discrimination of up to three years in prison and a fine of 30 million won ($28,500). The Ministry of Health and Welfare continued to implement a comprehensive set of policies that included encouraging public and private buildings and facilities to provide barrier-free access, providing part-time employment, and employing a task force to introduce a long-term care system. The government operated rehabilitation hospitals in six regions, plus a national rehabilitation research center to increase opportunities and access for persons with disabilities.

Under the Mental Health Act, a mentally ill person may be hospitalized against his/her will with the consent of two guardians and the advice of a neuropsychiatrist. The constitutionality of these measures was under review at the Constitutional Court.

In September the government reported 81 laws and regulations contradicted antidiscrimination protections for persons with disabilities. The NHRC reported 671 discrimination cases against persons with disabilities in 2013.

In March, following media reports, the government investigated allegations of labor exploitation of disabled men on salt farms on west coast islands, to include verbal and physical abuse, nonpayment of wages, long work hours, and unsanitary working and living conditions. In September the Gwangju High Court sentenced two salt farm owners to two and a half and two years’ imprisonment, but with suspended sentences. One trafficker received a suspended sentence of 18 months’ imprisonment.

Any business with 50 or more full-time employees is required to meet an employment quota for persons with disabilities (3 percent for government agencies, 2.3 percent to 3 percent for public organizations, and 2.3 percent for private companies). Foreign companies operating in export processing zones are exempt from this requirement. Any private company or public organization with 30 to 100 full-time workers (expanded from 100 or more full-time workers in 2012) that does not meet its quota is subject to a monthly penalty ranging from 676,000 to 1.089 million won ($645 to $1,040) for each available qualified person with a disability whom it fails to hire. An additional penalty may be imposed if the employment rate of workers with disabilities does not reach 50 percent of the required quota. The Minimum Wage Act excludes “those who clearly lack the capacity to work.” In October the UN Committee on the Rights of Persons with Disabilities stated its concern that many persons with disabilities who work,
especially those with psychosocial disability, received compensation below the minimum wage. In 2013 a total of 7,549 companies were assessed penalties amounting to 334 billion won ($318 million). A person with disabilities working for any company with 50 full-time employees can request a reasonable accommodation, such as adjusted working hours, and the denial of such a request could constitute discrimination.

To increase pressure for compliance on businesses, twice during the year the Ministry of Employment and Labor disclosed to the media and in the official gazette the names of businesses that failed to meet the employment quotas.

The government provided a pension system for adults and children with disabilities, an allowance for children with disabilities under age 18 whose household income was below or near the National Basic Livelihood Security Standard, and a disability allowance for low-income persons age 18 and older with mild disabilities. The National Pension Service decides the degree of the disability, and local governments provide the pension directly to qualified persons. Some NGOs noted the pension and allowance system for individuals with disabilities puts an undue burden on families and assumes more economically well-off families will support their relatives with disabilities. At the end of 2013, out of 2.5 million registered persons with disabilities, 48,335 persons were eligible under the pension and allowance system.

Children with disabilities qualified as special education beneficiaries and attended special, free schools for children between three and 17. Children with severe disabilities may receive hospitalized education. All public and private schools, child-care centers, educational facilities, and training institutions must provide equipment and other resources to accommodate students with disabilities. As an example, a private kindergarten assigns assistant teachers to ensure children with disabilities can participate in outdoor activities.

**Employment**

The constitution and laws prohibit discrimination in employment based on race, gender, disability, sexual orientation, and social status, but there is no comprehensive mechanism to enforce these provisions if discrimination occurs. The law states there shall be no discrimination in economic, social, or cultural life based on sex, religion, or social status. Labor laws generally provide foreign and migrant workers the same legal protections as nationals. Discrimination nonetheless occurred. The law requires equal pay for equal work when men and women do work of equal value in the same business, but wage inequality was a concern (see section 6, Women).

The law prohibits discrimination against irregular workers (those who do not have full-time, permanent employment and who do not receive benefits at the same level as permanent workers) and requires the conversion of those employed longer than two years to permanent status. Nonetheless, subcontracted workers (known as “dispatched workers”) and temporary workers comprised approximately one-third of wageworkers in the labor force and faced discriminatory working conditions. The Ministry of Employment and Labor reported the Act on
the Protection of Fixed-Term and Part-Time Workers enacted in March guarantees overtime pay for these workers.

Both labor and business groups complained the two-year conversion provision forced many businesses to limit the contract terms of irregular workers to two years and incur the cost for entry of new workers every two years. NGOs and the local media reported irregular workers were at greater risk for discrimination because of their status. In a case pending against the country’s largest automaker for almost four years, the Seoul Central District Court ruled in September that the nearly 1,000 in-house subcontractors dispatched to Hyundai for more than two years should be considered “regular” workers. Under the Dispatched Workers Act, anyone employed as a dispatched worker for more than two years must be hired directly by the employer. The court also ordered Hyundai to pay approximately 23 billion won ($20.5 million) in back pay wages to the 994 workers, whose annual income was approximately sixty percent of that of Hyundai’s regular employees.

Women
The Ministry of Gender Equality and Family funded 33 integrated support centers for victims of sexual violence at hospitals, providing counseling, medical aid, case investigations, and legal assistance. The government also subsidized 96 counseling centers, and there were 76 nonsubsidized counseling centers, for a total of 172 counseling centers in the country. These provided victims with free medical services, legal services, support during the investigation and trial, and therapy and rehabilitation programs. As of August, 23 of the 172 facilities were for victims with disabilities. As of August there were a further 25 protection facilities for victims of sexual violence, of which seven were for victims with disabilities and two for child and juvenile victims of sexual violence.

Political Prisoners
The Ministry of Justice stated there were no persons incarcerated solely because of their political beliefs. Some NGOs, however, argued that individuals arrested for violations of the NSL, for conscientious objection to military service, or for strike activities qualified as political prisoners.

The law requires military service by all male citizens and does not distinguish conscientious objectors from others who do not report for duty; the penalty for failing or refusing to report is up to three years in prison. There is no provision for alternative service by conscientious objectors. The Ministry of National Defense reported granting 4,050 exemptions for health, disability, or other reasons as of July. Amnesty International reported there were 680 persons in prison for conscientious objection as of September. The NGO Watchtower stated that as of September 30, 576 Jehovah’s Witnesses were in prison. The government reported that, as of July, 336 persons were convicted for failing to report for military service and were sentenced to 18 months in prison. During the year an increasing number of individuals prosecuted for failure to meet their mandatory military service requirements claimed conscientious objector status on political or moral, not religious, grounds. One NGO reported Canada, France, and Australia
granted political asylum to Korean conscientious objectors seeking exemption from military service, including a January case in Australia.

**Convention on the Rights of Persons with Disabilities**
The Republic of Korea or South Korea signed the CRPD on 30/03/2007. On 11/12/2008 the government ratified the CRPD.

**Laos**

**Constitution and Laws**
The constitution provides for equal treatment under the law for all citizens without regard to ethnicity, gender, social status, education, or faith, but there were no prohibitions of discrimination based on language, disability, sexual orientation, or gender identity. The government at times took action when well-documented, obvious cases of discrimination came to the attention of high-level officials, although the legal mechanism whereby citizens may bring charges of discrimination against individuals or organizations was neither well developed nor widely understood.

**Persons with Disabilities**
The Ministry of Labor and Social Welfare has primary responsibility for protecting the rights of persons with disabilities. The Ministry of Health is also involved in addressing health-related needs of persons with disabilities. Although constitutional protections against discrimination do not apply specifically to persons with disabilities, regulations promulgated by the Ministry of Labor and Social Welfare and the Lao National Commission for the Disabled generally sought to protect such persons against discrimination. The prime minister’s Decree on the Rights of People with Disabilities covers discrimination in employment, education, air travel and other transportation, access to health care, and provision of state services. Nonetheless, these regulations were rarely enforced.

Because of the large number of disabilities resulting from traffic accidents and unexploded ordnance accidents, the Ministry of Health continued to work extensively on the problem, especially in coordination with international NGOs. The nongovernmental Cooperative Orthotic and Prosthetic Enterprise supplies prosthetic limbs, corrects clubfeet, and provides education to persons with hearing and vision disabilities.

According to the Ministry of Public Works and Transport, the law requires construction projects begun after 2009 to provide accessibility for persons with disabilities and elderly individuals, particularly buildings, roads, and public places. The law does not mandate accessibility to buildings built before its enactment or government services for persons with disabilities, but Ministry of Labor and Social Welfare regulations resulted in the construction of additional sidewalk ramps in Vientiane during the year. While there was some progress made on accessibility, a lack of resources for infrastructure slowed the retrofitting of most buildings, and
limited government staffing prevented effective implementation.

The government continued to implement its strategic plan to protect the rights of children with disabilities and enable them to study alongside other children in schools countrywide. The nongovernmental Lao Disabled People’s Association noted that in many cases students with disabilities did not have access to special education.

Little information was available regarding discrimination in the workplace, although persons with disabilities reported it was difficult sometimes to access basic services and obtain employment.

**Employment**
The law prohibits direct or indirect discrimination against workers in the workplace but does not distinguish between discrimination based on race, disability, language, sexual orientation, or gender identity. The law requires equal pay for equal work and prohibits discrimination in hiring based on a female employee’s marital status or pregnancy, and it protects against dismissal on these grounds. The law also prohibits the employment of pregnant women and new mothers in occupations deemed hazardous to women’s reproductive health. The law requires the transfer of women working in such jobs to less demanding positions, and they are entitled to maintain the same salary or wage.

Women faced some challenges in equal access to employment.

**Acceptable conditions of work**
The law provides for safe working conditions and higher compensation for dangerous work, but it does not explicitly protect a worker’s right to self-remove from a hazardous situation. In case of injury or death on the job, employers are responsible to compensate a worker or the worker’s family. Employers generally fulfilled this requirement in the formal economic sector but not in most informal businesses. The law requires employers to report accidents causing major injury to or death of an employee, or requiring an employee to take a minimum of four days off work, to the Labor Administration Agency within three and four days, respectively. The law also mandates extensive employer responsibility for those were disabled while at work, and the Ministry of Labor and Social Welfare appeared to enforce this provision effectively. The law does not specify penalties for noncompliance, but they could include warnings, fines, “re-education,” or suspension of business license.

**Convention on the Rights of Persons with Disabilities**
Laos signed the CRPD on 15/01/2008. Laos ratified the CRPD on 25/09/2009.
Malaysia

Constitution and Laws
The constitution provides for equal protection under the law and prohibits discrimination against citizens based on race, gender, religion, descent, or place of birth. The law is silent on discrimination based on disabilities and sexual orientation. The constitution also provides for the “special position” of ethnic Malays and the indigenous groups of the eastern states of Sabah and Sarawak (collectively, “bumiputra”), and discrimination based on this provision persisted.

Persons with Disabilities
Neither the constitution nor other laws explicitly prohibit discrimination based on physical or mental disabilities, but the government promoted public acceptance and integration of persons with disabilities. The Ministry of Women, Family, and Community and Development is responsible for safeguarding the rights of persons with disabilities.

In November 2013 disability rights activist Bathmavathi Krishnan was sworn in as the country’s second-ever senator with a disability.

The law states that persons with disabilities should be treated equally with access to public services and facilities and that the government and other providers should make improvements to ensure the availability of services. New government buildings were generally outfitted with a full range of facilities for persons with disabilities. The government, however, did not mandate accessibility to transportation for persons with disabilities, and few older public facilities were adapted for such persons. Recognizing public transportation was not “disabled-friendly,” the government maintained its 50 percent reduction of the excise duty on locally made cars and motorcycles adapted for persons with disabilities.

A code of practice guides all government agencies, employers, employee associations, employees, and others in placing persons with disabilities in private sector jobs. A regulation reserves 1 percent of public sector jobs for persons with disabilities. Nonetheless, disability rights NGOs reported that employers were reluctant to hire individuals with disabilities. Special education schools existed but were not sufficient to meet the needs of persons with disabilities. Students with disabilities attended mainstream schools, but accessibility remained a serious problem.

Employment
The law does not prohibit discrimination with respect to employment, although the director general of labor may investigate discrimination in the terms and conditions of employment for both foreign and local employees.

Migrant workers face discrimination because to obtain and renew work permits, they must undergo mandatory testing for more than 16 illnesses (as well as pregnancy). Employers may immediately deport pregnant or ill workers.
Discrimination in employment and occupation occurred with respect to women; members of national, racial, and ethnic minorities; and persons with disabilities.

**Convention on the Rights of Persons with Disabilities**
Malaysia signed the CRPD on 8/04/2008. The government ratified the CRPD on 19/07/2010.

**Marshall Islands**

**Persons with Disabilities**
The constitution states that no person may be treated in a discriminatory manner under law or by public officials, but it does not include disability in its listing of specific prohibited grounds of discrimination. In practical terms, persons with physical, sensory, intellectual, and mental disabilities faced difficulties in obtaining employment and accessing health care and other state services. There were no laws or policies designed to ensure access for individuals with disabilities to buildings, education, communications, or information, although some government offices and private businesses took the initiative to remove barriers to access. Hospitals and two major grocery stores had ramps for persons with disabilities. The Ministry of Education began to incorporate awareness programs for students with disabilities, in particular those with hearing difficulties. In 2013 the courthouse completed a ground-level courtroom to address concerns about accessibility.

Government support for persons with mental and other disabilities was increasing. During the year the session of the legislature endorsed the Marshall Islands Policy on Disabled Persons and budgeted for its implementation. There were no dedicated psychiatric facilities in the country or community-based supports for persons with mental disabilities, although patients were given short-term care at the Majuro Hospital or in facilities off-island through the Ministry of Health. Police held persons deemed as exhibiting psychotic behavior in a standard detention cell until a health-care worker could see them.

The assistant secretary for internal affairs serves as the focal point for disability issues. There is also a disability coordinator’s office authorized by the cabinet to advise the government. The Ministry of Health is charged with addressing the needs of those with mental and physical disabilities, and the Ministry of Education is responsible for supporting special education for children with disabilities. Special education classes were provided in the public school system. There is also a small foreign-funded class providing three months of instruction for persons with hearing disabilities at Ebeye on Kwajalein Atoll and in Majuro. The AGO is responsible for handling court cases involving complaints of discrimination against persons with disabilities, but there were no such cases during the year.

**Employment**
The constitution states that no person may be treated in a discriminatory manner under law or by public officials. Labor laws and regulations do not specifically prohibit employment
discrimination based on race, sex, gender, disability, language, sexual orientation and/or gender identity, HIV-positive status or other communicable diseases, or social status. There were no claims of discrimination with respect to employment or occupation, nor were there any enforcement actions.

**Convention on the Rights of Persons with Disabilities**
Marshall Islands ratified the CRPD on 17/03/2015.

**Micronesia, Federated States of**

**Constitution and Laws**
The constitution and law provide explicit protection against discrimination based on race, gender, or language, but societal discrimination against women remained a problem. Kosrae state passed a Family Protection Act, but the other three states have no laws against family violence. All four state governments have laws to implement the national anti-trafficking law enacted in 2012. There are no specific legal protections regarding social status, sexual orientation, or gender identity. There are limited protections for persons with disabilities.

**Persons with Disabilities**
The law prohibits discrimination in public service employment against persons with physical disabilities. No law prohibits discrimination against persons with physical, sensory, intellectual, or mental disabilities in private sector employment, education, air travel and other public transportation; access to health care; or provision of other state services (see section 7.d.). Neither laws nor regulations mandate accessibility to public buildings or services for persons with disabilities. Many buildings had ramps. There was one elevator in the two-story Pohnpei State government building. No policies or programs ensured access to information and communications for persons with disabilities.

By law children with disabilities have the right to special education and training up to age 21. There were no special education schools. The government provided children with disabilities, including learning disabilities, special education in mainstream schools, and instruction at home if necessary and if foreign funding was available. Such funding was available, but special education programs had some difficulties serving all eligible children, with transportation problems cited as one factor impeding participation.

Due to a lack of facilities and community-based support services for treating persons with mental disabilities, the government housed some individuals with mental disabilities but no criminal background in jails. Authorities provided separate rooms in jails for persons with mental disabilities, and state health departments provided medication as part of their programs to provide free treatment to all residents with mental disabilities.

The national health services department is responsible for protecting the rights of persons with disabilities but does not provide significant services.
Employment
Labor law provides explicit protection against discrimination in employment or occupation based on race, gender, or language. There are no specific legal protections regarding social status, sexual orientation, or gender identity, HIV positive status or other communicable diseases, or social status. There are some protections for persons with disabilities, but they are limited in scope. Discrimination in employment and occupation occurred with respect to disability.

Prison and Detention Centers
At year’s end the four states’ prisons held 132 inmates, all male, including 22 pretrial detainees, in facilities with a total capacity of 150 inmates. Authorities usually held pretrial detainees in the same facilities but separately from convicted prisoners. Due to a lack of medical facilities and/or community-based support services for treating persons with mental disabilities, the government housed four individuals with mental disabilities but no criminal background in jails.

Convention on the Rights of Persons with Disabilities
Micronesia signed the CRPD on 23/09/2011.

Mongolia

Constitution and Laws
The law states that no person shall be discriminated against on the basis of ethnic origin, language, race, age, sex, social origin, or status and that men and women shall be equal politically, economically, socially, culturally, and within the family. The government generally enforced these provisions. The law also protects persons with disabilities from discrimination in all social relations, and the labor law prohibits discrimination on the basis of disability in employment. These rights were not always enforced. The law does not address sexual orientation or gender identity.

Persons with Disabilities
The labor law prohibits discrimination in employment against persons with disabilities “unless the condition of such person prevents him from performing a specified activity or would otherwise be contrary to established working conditions at the workplace” (see section 7.d.). There is no explicit prohibition of discrimination in education, although the law charges the government with creating conditions to ensure students with disabilities receive an education. The law defines the types of disabilities as including those concerning physical, sensory, and mental but not intellectual disabilities. The law gives provincial governors and the Ulaanbaatar governor the responsibility to implement measures to protect the rights of persons with disabilities. The government continued to devote increasing attention to improving conditions for persons with disabilities. A broad-based government and civil society working group initiated a comprehensive review of existing legislation regarding people with disabilities, focusing on ways to transition from a benefits-based approach to disability to a rights-based approach. Implementation and enforcement of existing law remained weak, and most persons with disabilities faced significant barriers to employment, education, and participation in public
life.

The law mandates standards of physical access for persons with disabilities to newly constructed public buildings; however, most new buildings had not complied with the law. Government buildings and public transportation remained largely inaccessible to persons with disabilities. Despite a law introducing standards for road construction, the persistence of open manholes and protruding obstacles (as well as crosswalks unheeded by motorists) prevented many persons with disabilities from moving freely.

The Department for the Development of Persons with Disabilities within the Ministry of Population Development and Social Protection is responsible for developing and implementing policies and projects designed to improve the quality of life of persons with disabilities. The Ministry of Labor allocated 1.9 billion tugrugs ($1.01 million) to fund a program to increase employment opportunities for persons with disabilities, ministry officials reported, the first time a program was specifically dedicated to persons with disabilities. The government also provided tax benefits to enterprises that hired persons with disabilities.

Additionally, the law requires workplaces with more than 25 employees to employ a minimum 4 percent of persons with disabilities or pay a fine. For each person with disabilities that a company should have hired under the law, a company is assessed a fine between 30 and 50 percent of the monthly minimum wage. NGOs reported growing interest among companies in hiring persons with disabilities, although reluctance to hire persisted and many companies preferred to pay the fine.

Members of the disability community also reported that even when persons with disabilities secured jobs, they were sometimes unable to keep them because public transportation was inaccessible and the cost of taking taxis to work became prohibitive. Furthermore, the government failed to employ persons with disabilities in the ratio required of other employers. Three employment agencies were established in 2013 to find jobs for persons with disabilities. The Mongolian Federation of Persons with Disabilities stated that these agencies continued to operate but remained underutilized, in part because many persons with disabilities lacked the skills required for available jobs. The overwhelming majority of working-age persons with disabilities remained unemployed.

The law requires companies with more than 20 transportation carriers to equip least 10 percent of those carriers to be accessible to persons with disabilities. Companies that fail to comply with this provision are supposed to pay a fee. The law further requires that public transportation have the capability to announce the names of the bus stops for blind persons and that bus stops have names, conspicuously displayed on signs, and bus routes posted for persons who are deaf or hard of hearing. During the year eight claimants sued the Ulaanbaatar city governor and the Mongolian Authority for Standardization and Measures for failure to approve regulations enforcing legal provisions requiring accessibility for disabled people and for a provision in existing regulations requiring persons with disabilities using public transportation to travel with a personal assistant. In September an Ulaanbaatar administrative court ruled in
favor of the claimants on both counts. According to sources involved in the case, the standardization authority struck the provision requiring persons with disabilities to travel with a caretaker, and the Ulaanbaatar governor’s office accepted the verdict.

Persons with sight and hearing disabilities had difficulty remaining informed about public affairs due to a lack of accessible broadcast media. Such persons also faced barriers to accessing emergency services, as service providers lacked trained personnel and appropriate technologies to reach these populations. None of the country’s domestic violence shelters was accessible to persons with disabilities.

Although the government increased efforts to accommodate voting by persons with disabilities in the 2013 presidential election, such persons faced barriers to participation in the political process, including a high number of inaccessible polling stations and insufficient Braille ballot covers.

There were six specialized schools for youth with disabilities, all located in Ulaanbaatar. Students with disabilities can by law also attend mainstream schools. Nevertheless, children with disabilities faced significant barriers to education.

NGOs dedicated to promoting rights for persons with disabilities reported, and government officials acknowledged, that schools lacked teachers trained to work with children with disabilities. Further, the NHRC reported inadequate textbooks and other training materials, with some teachers simply using lower-level textbooks designed for mainstream schools or developing their own materials with the available resources. The NHRC’s report stated that most mainstream schools did not have appropriate facilities (including school buses) to make them accessible to children with disabilities and that the government allocated insufficient resources for such renovations.

According to NGOs there was not a common understanding regarding what constituted a disability. Educational institutions frequently failed to identify mental and developmental disabilities. In particular, NGOs organized by parents of children with Down syndrome and autism noted a complete absence of professionals—medical, educational, or otherwise—who specialized in these conditions. Representatives of the NGO “And Children: Autism Mongolia” stated they advised parents to send their children abroad to be diagnosed because there was no diagnostic capability in the country.

The law requires the government to provide benefits according to the nature and extent of the disability. Although the government generally provided benefits, the amount of financial assistance was low, and it did not reach all persons with disabilities due to the absence of any system of distribution and care for such persons.

**Employment**

The law prohibits discrimination based on nationality, race, sex, social origin or status, wealth, religion, or ideology. It also prohibits employers from refusing to employ a disabled person
except on certain broadly defined grounds (see section 6). The law prohibits gender discrimination (defined as discrimination on the basis of sex or marital status) in political, economic, social, cultural, and family spheres. The law prohibits any stigmatization and discrimination against people with HIV/AIDS. The law contains no language prohibiting discrimination on the basis of sexual orientation and/or gender identity.

Discrimination in employment and occupation occurred with respect to sex, disability, sexual orientation and/or gender identity, and HIV-positive status (see section 6). The ILO noted in 2013 that wages for female workers were 85.5 percent those of male workers. Foreign migrant workers did not receive the same level of protection against labor violations as the general population.

**Prison and Detention Centers**

The GEACD reported that as of September 10, there were prisoners serving sentences, of whom 286 were women and 35 were juveniles. In addition, a total of 1,145 people were in pretrial detention, of whom 62 were women and 27 were juveniles. The GEACD’s 25 prisons were intended to hold 5,307 inmates, and its 25 arrest and pretrial detention centers had a capacity of 2,295. Conditions for men and women were similar. Except for inmates of the women’s prison, prisoners were assigned a security level based on the severity of crimes they committed and may be housed only in a prison of the corresponding security level. The women’s prison was an exception. Other detention facilities continued to house violent and nonviolent offenders together. Detention facilities lacked accommodations for persons with disabilities.

**Women**

Couples and individuals have the right to decide freely the number, spacing, and timing of their children; to have the information and means to do so, free from discrimination, coercion, and violence. Observers cited long waiting times, a lack of confidentiality, and unprofessional treatment by medical personnel as problems at public reproductive health care facilities. A local NGO that supports teenage mothers reported that social stigma and poor knowledge of reproductive health impeded young women’s access to prenatal care. Additionally, although reproductive health information was widely available, it was rarely produced in a format accessible to persons with disabilities. According to the

Mongolian National Federation of Wheelchair users, it was virtually impossible for women in wheelchairs to go to the hospital for prenatal checks, both because of a lack of physical access and negative attitudes.

**Convention on the Rights of Persons with Disabilities**

Mongolia ratified the CRPD and Optional Protocol on 13/05/2009.
Nauru

Constitution and Laws
The constitution prohibits discrimination on the basis of race, gender, disability, language, sexual orientation, gender identity, or social status, and the government generally observed these provisions.

Persons with Disabilities
The law does not specifically prohibit discrimination against persons with disabilities. No legislation mandates services for persons with disabilities or access to public buildings. Although the government has installed mobility ramps in some public buildings, many buildings in the country were not accessible. The government provides a welfare benefit to persons with disabilities. As part of aiding the participation in society of persons with disabilities, Department of Education teachers provided classes for a small group of students with disabilities.

There is no government agency with specific responsibility for protecting the rights of persons with disabilities. There are no formal mechanisms to protect persons with mental disabilities. There were no reports of discrimination against persons with disabilities with regard to employment, but social stigma likely led to decreased opportunities for decent work. In December 2013 the government commemorated the UN’s International Day of Persons with Disabilities as a national holiday for the first time.

Employment
Labor laws and regulations do not prohibit discrimination regarding race, sex, gender, disability, language, sexual orientation, gender identity, HIV-positive status or other communicable diseases, or social status, and these persons sometimes experienced discriminatory practices. Discrimination in employment and wages occurred with respect to women (see section 6).

Convention on the Rights of Persons with Disabilities
Nauru ratified the CRPD on 27/06/2012.

New Zealand

Constitution and Laws
The law prohibits discrimination on the basis of race, gender, sexual orientation, gender identity, social status, language, disability, age, and national or ethnic origin, and the government actively enforced these prohibitions.

Persons with Disabilities
The law prohibits discrimination against persons with disabilities in employment; education; access to places and facilities, including air travel and other transport; and the provision of goods, services, housing, and accommodation. The government is prohibited from discriminating on the basis of physical, sensory, intellectual, or mental disability, unless such
discrimination can be “demonstrably justified.” There are laws and programs designed to provide access to communications and information for persons with disabilities. The government effectively enforced applicable laws. Most school-age children with disabilities attended school.

From July 2013 to June 2014, the HRC received 455 disability-related complaints, which represented 30 percent of the total complaints received. The government’s Office for Disability Issues worked to protect and promote the rights of persons with disabilities. Additionally, both the HRC and the Mental Health Commission continued to address mental health problems in their antidiscrimination efforts.

Employment
The law prohibits discrimination on the basis of race, gender, sexual orientation, gender identity, social status, language, disability, age, HIV status, and national or ethnic origin, and the government actively enforced these prohibitions.

Government Human Rights Bodies
The Ministry of Justice funded the Human Rights Commission (HRC), which operated as an independent agency without government interference. The HRC had a staff of 70 and adequate resources to perform its mission. It submitted 76 legal and policy interventions during the 12-month period ending June 30. It also continued to investigate two significant cases from 2012 relating to discrimination against persons with disabilities. The government responded to its recommendations, which led to several policy changes. The HRC was considered effective and enjoyed high public confidence.

Convention on the Rights of Persons with Disabilities
New Zealand signed the CRPD on 30/03/2007. On 25/09/2008 the government ratified the CRPD.

Palau

Constitution and Laws
The law prohibits discrimination based on race, gender, disability, language, or social status, and the government generally enforced these prohibitions.

Persons with Disabilities
The constitution prohibits discrimination against persons with physical or mental disabilities. The Disabled Persons’ Antidiscrimination Act and the Programs and Services for Handicapped Children Act cover persons with mental disabilities and persons with physical disabilities, and the government enforced the provisions of these acts. The government provides a monthly stipend of $50 for persons with disabilities. The law includes a provision for limited access to government buildings for persons with disabilities, and the government generally enforced this provision. There is no legislation providing access to transportation or communication for
persons with disabilities. Most public schools had special education programs to address problems encountered by persons with disabilities.

**Employment**
The constitution prohibits discrimination with respect to employment or occupation regarding race, sex, language, or social status or clan affiliation. The law prohibits employment discrimination against those who are disabled. The government effectively enforced these laws. The law does not prohibit discrimination with respect to employment or occupation regarding sexual orientation and/or gender identity, HIV-positive status or other communicable diseases.

**Convention on the Rights of Persons with Disabilities**
Palau signed the CRPD on 20/09/2011. The government ratified the CRPD and Optional Protocol on 11/06/2013.

**Papua New Guinea**

**Persons with Disabilities**
Although the constitution prohibits discrimination against persons with physical or mental disabilities, there are no antidiscrimination laws. Persons with physical, sensory, intellectual, and mental disabilities faced discrimination in employment, education, access to health care, air travel and other transportation, and provision of other state services. No legislation mandates accessibility to buildings, and most buildings were not accessible for individuals with disabilities. There are no policies or programs to assist such persons in obtaining access to communications and information. Generally, families took care of persons with disabilities at home, and abuse in educational or mental health facilities was not reported in any formal way. Children with disabilities suffered from the under-resourced educational system and attended school in disproportionately low numbers.

Through the National Board for the Disabled, the government grants funds to a number of NGOs that provide services to persons with disabilities. The government provides free medical consultations and treatment for persons with mental disabilities, but such services were rarely available outside major cities. In several provinces, apart from the traditional clan and family system, services and health care for persons with disabilities did not exist. Most persons with disabilities did not find training or work outside the family structure (also see section 7.d.).

**Employment**
Widespread discrimination with respect to women occurred, especially in the attainment of management positions. The law bans discrimination on the basis of gender for employment and wages in the workplace and mandates an employer found guilty of the offense be charged K107 ($45). The government did not effectively enforce this law. The constitution bars discrimination on the basis of disability, but the government did not enforce the protection. The law and regulations do not prohibit discrimination regarding race, language, sexual orientation, and/or gender identity, HIV-positive status or other communicable diseases, or social status. The
government did not effectively enforce laws and regulations prohibiting discrimination. Discrimination occurred based on the above categories with respect to employment and occupation (see section 6.).

**Convection on the Rights of Persons with Disabilities**

Papua New Guinea signed the CRPD on 2/06/2011. The government ratified the CRPD on 26/09/2013.

**Philippines**

**Constitution and Laws**

The constitution and law prohibit discrimination based on race, disability, language, or minority status, but not discrimination based on sexual orientation or gender identity. Moreover, vague regulations and budgetary constraints continued to hinder implementation of specified protections.

**Persons with Disabilities**

The constitution prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, and other social services, but the government did not effectively enforce these provisions. The law provides for equal physical access for persons with both physical and mental disabilities to all public buildings and establishments, but many barriers remained (see section 7.d).

The National Council for the Welfare of Disabled Persons formulated policies and coordinated the activities of all government agencies for the rehabilitation, self-development, and self-reliance of persons with disabilities and their integration into the mainstream of society. DOLE’s Bureau of Local Employment maintained registers of persons with disabilities that indicate their skills and abilities, monitored private and public places of employment for violations of labor standards regarding persons with disabilities, and promoted the establishment of cooperatives and self-employment projects for persons with disabilities. One NGO reported that the government continued to have limited means to assist persons with disabilities in finding employment, and such persons had limited recourse when prospective employers violated their rights, because of the financial barriers to filing a lawsuit.

The DSWD operated two assisted-living centers in the Manila area and five community-based vocational centers for persons with disabilities nationwide. From January to June, the DSWD provided services to 2,632 persons with disabilities. Persons with disabilities frequently solicited donations in the streets, an indicator of the limited options available for livelihood. Advocates for persons with disabilities contended that equal-access laws were ineffective due to continued weak implementing regulations, insufficient funding, and inadequately focused integrative government programs. Many public buildings, particularly older ones, lacked functioning elevators. Many schools had architectural barriers that made attendance difficult.
Some children with disabilities attended primary, secondary, and higher education schools in mainstream or inclusive education settings. Children living in poverty with a disability, however, were unlikely to have access to education. The Philippine Coalition on the UN Convention on the Rights of Persons with Disabilities reported that the Education Department’s 400 special education centers were inaccessible or too expensive for the average family, and a majority of these special education programs and schools were located in urban areas, further limiting access for rural students with disabilities.

Government efforts to improve access to transportation for persons with disabilities were limited. Two of Manila’s three light-rail lines were wheelchair accessible, but many stops continued to have unrepaired, out-of-service elevators. Buses lacked wheelchair lifts, and one NGO claimed that private transportation providers, such as taxis, frequently overcharged persons with disabilities or refused them service. A small number of sidewalks had blocked, crumbling, or too steep wheelchair ramps. The situation was worse in many smaller cities and towns.

The constitution provides for the right of persons with physical disabilities to vote, with the assistance of other persons if necessary. The Commission on Elections (COMELEC) determines the capacity of persons with mental disabilities to vote during the registration process, and citizens may appeal exclusions and inclusions in court. A federal act authorizes COMELEC to establish accessible voting centers exclusively for persons with disabilities and senior citizens. Many persons with disabilities did not vote in the 2013 mid-term elections, however, because of the lack of accessible voting facilities. The nongovernmental Legal Network for Truthful Elections reported that only 82,000 of 365,000 registered persons with disabilities were able to vote during the May 2013 elections, a turnout far below that of the general population. Media reports confirmed the turnout of some persons with disabilities and the elderly in regular precincts, noting that the implementation of express lanes and the provision of poll assistance facilitated their participation. During the October 2013 village council elections, COMELEC designated pilot polling precincts in four malls in Luzon, Visayas, Mindanao, and the national capital region for the elderly and persons with disabilities. COMELEC reported high voter turnout in these special voting centers.

**Employment**

The law prohibits discrimination with respect to employment or occupation regardless of sex, race, or creed, but the government does not effectively monitor and enforce these laws. Moreover, the law does not prohibit employment discrimination with respect to disability, language, sexual orientation, gender identity, HIV positive status or other communicable diseases, or social status. Although the law requires all government agencies and government-owned corporations to reserve one percent of their workforce for persons with disabilities, implementing rules and regulations remained pending as of October.

Persons with disabilities also reportedly experienced employment discrimination during the
Convention on the Rights of Persons with Disabilities
The Philippines signed the CRPD on 25/09/2007. On 15/04/2008 the government ratified the CRPD.

Samoa
Constitution and Laws
The constitution prohibits discrimination based on race, gender, disability, language, or social status, and the government generally respected these provisions. The constitution does not address sexual orientation or gender identity. The society publicly recognizes the transgender Fa’afafine community, although members of the community reported instances of social discrimination. Male same-sex sexual activity is illegal. Politics and culture generally reflected a heritage of matai privilege and power, and members of certain families of high traditional status possessed some advantages.

Persons with Disabilities
There is no law pertaining specifically to the status of persons with disabilities or regarding their access to buildings and public services. Tradition dictates that families care for persons with disabilities, and this custom was observed widely.

In 2012 the death of a man with mental disabilities in Tafaigata Prison raised concerns about the treatment of persons with mental disabilities while in police custody. The victim, Hans Dalton, initially was transported to the National Hospital for treatment but was subsequently transferred to police custody because of his erratic and violent behavior and held in a jail cell, where he was later found dead. A fellow inmate was charged with Dalton’s murder and found guilty by a panel of assessors in February, but the judge overturned the verdict. At year’s end the case remained unsolved. The Dalton family sued the government for WST 33 million ($14 million). The case had not gone to trial by year’s end.

Some children with disabilities attended regular public schools, while others attended one of three schools created specifically to educate students with disabilities. Many public buildings were old, and only a few were accessible to persons with disabilities. Most new buildings provided better access, including ramps and elevators in most multi-story buildings. The Ministry of Women, Community, and Social Development has responsibility for protecting the rights of persons with disabilities.

Employment
The law prohibits discrimination, direct or indirect, against an employee or an applicant for employment in any employment policies, procedures, or practices based on ethnicity, race, color, sex, gender, religion, political opinion, national extraction, sexual orientation, social origin, marital status, pregnancy, family responsibilities, real or perceived HIV status, and
disability.
Observers believed the government effectively enforced the law. During the year, the Ministry of Labor received 121 industrial complaints, and 75 of those required corrective action to comply with the Labor and Employment Relations Act. No cases drew public attention.

Convention on the Rights of Persons with Disabilities
Samoa signed the CRPD on 24/09/2014.

Singapore

Constitution and Laws

Persons with Disabilities
The Ministry of Social and Family Development is responsible for protecting the rights of persons with disabilities. There was no comprehensive legislation addressing equal opportunities for persons with disabilities in education or employment. The Ministry of Social and Family Development’s enabling master plan for 2012-16 outlined a five-year policy plan for the programs and services in the disability sector.

During the 2011 presidential elections, voters with visual impairments could cast their vote independently through the use of stencils, and electoral law allows voters who are unable to vote in the manner described by law to receive assistance to mark and cast their ballots. The government maintained a comprehensive code on barrier-free accessibility; it established standards for facilities for persons with physical disabilities in all new buildings and mandated the progressive upgrading of older structures. The National Council of Social Services, in conjunction with various voluntary associations, provided an extensive job training and placement program for persons with disabilities. A tax deduction of up to S$100,000 ($80,000) was available to employers to defray approved expenditures incurred in modifying buildings to accommodate employees with disabilities. The government also provided a tax deduction of up to S$7,500 ($6,000) for families caring for a sibling, spouse, or child with a disability and up to S$14,000 ($11,200) for a parent or grandparent. The country allows guide dogs for the blind (but not for other service animals) into public places and on trains, but the laws do not cover buses and taxis. Public trains were 100 percent wheelchair accessible as were 68 percent of public buses.

Informal provisions permitted university matriculation for those with visual or hearing impairments or other physical disabilities. Approximately 13,500 children with disabilities attended mainstream schools in 2012. There were 20 special education schools, which enrolled 5,580 students in 2013. All primary and secondary schools were equipped with basic accessibility facilities, such as accessible toilets and first-level wheelchair ramps. Approximately 30 percent of all primary and 20 percent of secondary schools were equipped with facilities to address access for persons with disabilities. The staffs of all primary schools included at least one special needs educator to support students with mild special education needs, and 69
secondary schools were resourced to support students with mild special needs. As of the end of 2013, 10 percent of teachers in all primary school and 20 percent of teachers in all secondary school were trained in special needs.

The government provided funds for two distinct types of early education programs for children with disabilities. The Early Intervention Program for Infants and Children provided educational and therapy services for children up to age six with moderate to severe disabilities. As of October, 2,300 children participated. The government also sponsored a Development Support Program (DSP) to provide learning support and therapy services in mainstream schools for children up to the age of six with mild developmental needs. Approximately 1,000 children received services from the DSP in 2013.

Convention on the Rights of Persons with Disabilities
Singapore signed the CRPD on 30/11/2012. On 18/07/2013 the government ratified the CRPD.

Solomon Islands

Constitution and Laws
The constitution provides that no person--regardless of race, place of origin, color, or disability—shall be treated in a discriminatory manner with respect to access to public places. The constitution further prohibits any laws that would have discriminatory effects and provides that no person should be treated in a discriminatory manner by anyone acting in an official capacity. Despite constitutional and legal protections, women remained the victims of discrimination in the male-dominated society. Unemployment remained high, and there were limited job opportunities for persons with disabilities.

Persons with Disabilities
No law or national policy prohibits discrimination against persons with physical, sensory, intellectual, or mental disabilities, and no legislation mandates access to buildings, information, or communications for such individuals. The Ministry of Home Affairs is responsible for protecting the rights of persons with disabilities. Very few buildings were accessible to persons with disabilities. The government relied upon the extended family and NGOs to provide services and support to persons with disabilities. The country had one educational facility, supported almost entirely by the ICRC, for children with disabilities. During the year concerned citizens in Western Province established a school for the hearing disabled. The school was funded by in-kind donations. Children with disabilities could attend mainstream schools, but inadequate facilities and other resource constraints often made it impractical. A disability center in Honiara assisted persons with disabilities in finding employment, although with high unemployment nationwide and no laws requiring reasonable accommodations in the workplace, most persons with disabilities, particularly those in rural areas, did not find work outside of the family structure.
The government relied upon families to meet the needs of persons with mental disabilities, and there were very limited government facilities or services for such persons. The Kilufi Hospital in Malaita operated a 10-bed ward for the treatment of psychiatric patients. A psychiatrist resident in Honiara ran a clinic at the National Referral Hospital.

**Employment**

No laws regarding employment and occupation prohibit discrimination regarding race, sex, gender, disability, language, sexual orientation and/or gender identity, HIV positive status or other communicable diseases, or social status. Discrimination in employment and occupation occurred with respect to women, especially in the attainment of management positions. Discrimination in employment and occupation also is likely through social attitudes regarding disability, language, sexual orientation and gender identity and HIV status (see section 6).

**Convention on the Rights of Persons with Disabilities**


**Taiwan**

**Constitution and Laws**

The constitution prohibits discrimination based on race, gender, disability, language, sexual orientation or gender identity, or social status.

**Persons with Disabilities**

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation services, access to health care, or the provision of other state services (see section 7.d.). According to the Eden Social Welfare Foundation and the United Way of Taiwan, the unemployment rate of persons with disabilities was triple the rate of individuals without disabilities. The local labor affairs bureau intervenes and investigates complaints of employment discrimination. The fine for employment discrimination ranges from NT$300,000 ($9,700) to NT$1.5 million ($48,000). The law sets minimum fines for violations, and authorities enforced the law effectively. Authorities enacted and effectively implemented laws and programs to ensure access to buildings, information, and communications. In August the legislature passed the Law for Implementation of the Convention on the Rights of Persons with Disabilities to enhance protection of persons with disabilities. The law stipulates that new public buildings, facilities, and transportation equipment must be accessible to persons with disabilities, and this requirement was generally met. The Ministry of Transportation and Communications subsidized procurement of disabled-friendly taxis for drivers.

NGOs alleged that the lack of barrier-free spaces and accessible transportation systems continued to place limits on civic engagement by citizens with disabilities. Disability rights groups raised the problem of older facilities not catering to the needs of disabled students and
claimed that 50 percent of primary and secondary schools were not barrier free. Children with disabilities attended school, and officials noted no patterns of abuse during the year. Students with disabilities mostly attended mainstream schools. NGOs claimed that services for students with disabilities remained largely inadequate, and disabled students at mainstream schools often relied on the assistance of maids, parents, or grandparents to attend schools and use school facilities due to a lack of barrier-free facilities or adequate alternative facilities.

Primary and secondary schools and higher education were available for children with disabilities. There were occasional reports of sexual assaults in educational and mental health facilities. Persons with disabilities have the right to vote and participate in civic affairs. The Ministry of Health and Welfare and the Ministry of Labor are responsible for protecting the rights of persons with disabilities. The law stipulates that authorities must provide services and programs to members of the population with disabilities. The government provided free universal medical care to persons with disabilities. NGOs continued to assert the need for more public nursing homes and expansion of current programs, such as home care services, to meet the growing needs of those with disabilities, an increasing number of whom were elderly persons.

Employment

Labor laws and regulations prohibit discrimination based on race, gender, disability, language, sexual orientation or gender identity, social status, or HIV or other communicable disease status. The law also prohibits potential employers from requesting health examination reports from job candidates to prove they do not have HIV or other communicable diseases (see section 6). Workers who encounter discrimination can file complaints with two independent committees composed of scholars, experts, and officials in city and county departments of labor affairs. Authorities enforced decisions made by those committees. Employers can appeal rulings to the Ministry of Labor and the Administrative Court.

Persons with disabilities and persons with HIV/AIDS remained vulnerable to discrimination in employment and occupation (see section 6). Women were promoted less frequently, occupied fewer management positions, and worked for lower pay than their male counterparts. According to the Ministry of Labor, in 2013, women comprised 44.1 percent of the workforce, and women’s labor participation rate was 50.5 percent. On average, women’s salaries were 83.9 percent of that of men performing comparable jobs. Household caregivers and domestic workers did not enjoy the same legal protections as other workers (see section 7.e.). According to law any foreign national in Taiwan who is found to have contracted a communicable disease, including those who test positive for HIV (except as noted in section 6), are subject to deportation. Foreign migrant workers were required to have annual health examinations and were deported if they tested positive for HIV.

Arrest Procedures

The Judicial Yuan (JY, or court system) and the NPA operated a program to provide legal counsel during initial police questioning to qualifying indigent suspects who have a mental disability or have been charged with a crime punishable by three or more years in prison.
Convention on the Rights of Persons with Disabilities
Taiwan has not signed or ratified the CRPD or Optional Protocol.

Thailand

Persons with Disabilities
Prior to the coup, the constitution and law prohibited discrimination against persons with physical, sensory, intellectual, and mental disabilities in education, air travel and other transportation, access to health care, or the provision of other government services. Although coup leaders suspended the constitution, laws pertaining to persons with disabilities remained intact.

The government modified many public accommodations and buildings to accommodate persons with disabilities, but government enforcement was not consistently effective. The law mandates that persons with disabilities have access to information, communications, and newly constructed buildings, but these provisions were not uniformly enforced. The law does not require government entities to install accessible street curbs when they repaired or constructed streets or roads.

Persons with disabilities who register with the government are entitled to free medical examinations, wheelchairs, and crutches. The government provided five-year, interest-free, small business loans for persons with disabilities.

The Community-based Rehabilitation Program and the Community Learning Center for People with Disabilities project operated in all provinces. There were 162 learning centers nationwide, two in each of the 76 provinces and 10 in Bangkok, as well as 76 rehabilitation centers nationwide with one in each province and 50 in Bangkok. The annual government subsidy was approximately 25,000 baht ($750) per learning center and 10,000 baht ($300) per rehabilitation center.

The government maintained 46 special schools for students with disabilities, 77 centers offering special education programs for preschool-age children, and 77 educational centers for persons with disabilities. The law requires all government schools nationwide, approximately 31,000, to accept students with disabilities, but only 5,026 schools (16 percent) taught such students during the year. An estimated 200,000 students with disabilities, of a total of 7.2 million students, attended school. There were some reports of schools turning away students with disabilities, although the government claimed that such incidents occurred because schools did not have appropriate facilities to accommodate them. The government reported that it did not receive any complaints during the year. There were also nine government-operated and at least 23 NGO-operated training centers for persons with disabilities, including both full-time and part-time or seasonal centers. The government operated 13 government shelters specifically
for persons with disabilities, including two day-care centers for autistic children. In addition there were private associations providing occasional training for persons with disabilities.

Some employers subjected persons with disabilities to wage discrimination (see section 7.d.). Government regulations require private firms either to hire one person with a disability for every 100 other workers or contribute to a fund that benefits persons with disabilities, but this provision was not uniformly enforced. Officials estimated that 77 percent of firms complied with the law, and the chair of the Universal Foundation for People with Disabilities concurred with that figure. Some private firms preferred to contribute to the fund rather than hire a person with a disability because they believed it was less costly.

**Employment**

Labor laws do not prohibit discrimination regarding race, sex, gender, disability, language, sexual orientation and/or gender identity, HIV-positive status or other communicable diseases, or social status. The 2007 constitution included guarantees of equality and equal protection under the law and prohibited discrimination against a person on the grounds of national origin, race, language, sex, age, disability, physical or health condition, personal status, economic or social standing, religious belief, education, or political views. The military abolished the constitution, however, after it seized power in the May 22 coup. The law requires that workplaces with more than 100 employees hire at least one disabled worker for every 100 workers. The government did not effectively enforce these laws in all cases.

Discrimination in respect to employment occurred against LGBT persons, persons with disabilities, and migrant workers (also see sections 6 and 7.e.). In June the International Labor Organization reported that persons of diverse sexual orientations and gender identities in the country faced frequent discrimination in the workplace, partly due to common prejudices and a lack of protective laws and policies on discrimination. The report found discrimination occurred at all stages of the employment process, including education and training, access to jobs, advancement opportunities, social security and partner benefits. Transgender workers reportedly faced even greater constraints, and their participation in the workforce was often limited to a few professions such as beauticians and entertainers.

**Acceptable Work Conditions**

During 2013 there were 111,894 reported incidents of diseases and injuries from workplace accidents, including 76,776 minor injuries (resulting in no more than three days' work missed) and 35,118 injuries resulting in more than three days' work missed (including permanent disabilities and deaths). The rate of incidents occurring in the informal and agricultural sectors and among migrant workers was believed to be higher but underreported. Occupational diseases were rarely diagnosed or compensated, and few doctors or clinics specialized in them. Migrant workers and their dependents in formal and informal sectors were eligible to buy health insurance. Some migrant workers, however, did not purchase health insurance because they did not understand their rights due to language barriers, an insufficient number of health-care personnel, and other factors. Medium and large factories often applied government health
and safety standards, but overall enforcement of safety standards continued to be lax. In the informal sector, health and safety protections continued to be substandard.

Children
There were reports of abuse in orphanages or other institutions. For instance, authorities arrested a teacher in August for allegedly beating a mentally ill 12-year-old child at a school for children with disabilities in Chaiyaphum. The investigation continued at year’s end.

Political Participation
The Election Commission and civil society organizations continued to work together to enhance voting opportunities for the elderly, persons with disabilities, hill tribe members, and youth.

Prison and Detention Centers
Judicial authorities often imposed alternative penalties (e.g., probation, suspended sentence, fine, or restriction on movement) rather than imprisonment on nonviolent offenders, minors, and convicts with disabilities. The Department of Probation used personal electronic monitoring devices during the year to detain 190 persons at their homes instead of in prisons.

Convention on the Rights of Persons with Disabilities
Thailand signed the CRPD on 30/03/2007. The government ratified the CRPD on 29/07/2008.

Timor-Leste

Constitution and Laws
Government regulations prohibit all forms of discrimination. Nonetheless, violence against women was a major problem, and discrimination against women, persons with disabilities, and the lesbian, gay, bisexual, and transgender (LGBT) community occurred.

Persons with Disabilities
The law does not prohibit discrimination against persons with physical, sensory, intellectual, and mental disabilities, and there is no specific legislation regarding persons with disabilities. The government had not enacted legislation or otherwise mandated accessibility to buildings for persons with disabilities. There are no known provisions with regard to access to air travel or other forms of transportation.

Training and vocational initiatives did not address the needs of persons with disabilities, but electoral regulations makes accommodations for persons with disabilities and permits them to request assistance with voting. There were reports that persons with mental disabilities sometimes faced discriminatory or degrading treatment due in part to a lack of appropriate community support or lack of referral to existing resources. In many districts children with disabilities were unable to attend school due to accessibility problems. Authorities incarcerated persons with mental disabilities with the general prison population.
According to the 2010 government census, there were 48,243 persons with disabilities in the country. An office in the Ministry of Social Solidarity is responsible for protecting the rights of persons with disabilities.

**Women**
The law provides protection and defense to vulnerable groups, including women, children, the elderly, and persons with disabilities, against all forms of violence, exploitation, discrimination, abandonment, oppression, sexual abuse, and mistreatment. While many cultural and institutional obstacles hinder implementation of the law, local NGOs viewed the law as having a positive effect by encouraging victims of domestic violence to report their situations to police. Domestic violence offenses were the most commonly charged crimes in the criminal justice system. Several NGOs that monitored the courts’ treatment of such cases, and those providing services to victims in such cases, criticized how these cases were handled, although there were significant improvements in the past year. Prosecutors routinely charged cases involving aggravated injury and use of deadly weapons as low-level simple assaults. Police conducted only the most perfunctory of investigations. Often the victim had to leave her home during investigation and prosecution of the case. Police, prosecutors, and judges routinely ignored many parts of the law that protect victims. Finally, even after a case is successfully prosecuted, judges almost universally issued suspended sentences involving no prison time, including cases involving significant injury to the victim. During the year, however, judges sentenced defendants charged with domestic violence offenses to incarceration in at least two cases.

**Convention on the Rights of Persons with Disabilities**
Timor-Leste has not signed or ratified the CRPD or Optional Protocol.

**Tonga**

**Persons with Disabilities**
No laws specifically prohibit discrimination against persons with physical, sensory, intellectual, or mental disabilities, and there are no legally mandated provisions for services for them. There were no programs to ensure access to buildings for persons with disabilities, and most buildings were not accessible. There also were no programs to ensure access to communications and information for persons with disabilities. The Tonga Red Cross Society (TRCS) operated a school for children with disabilities and conducted occasional home visits. A program of the Ministry of Education, Women, and Culture to assimilate children with disabilities into primary schools continued during the year. Many school buildings, however, were not accessible to students with physical disabilities, and attendance rates of children with disabilities at all educational levels were lower than those of students without disabilities. It was possible for some children with disabilities to attend regular schools, depending on the nature and degree of the child’s disability, but children with more severe disabilities generally attended the TRCS-run school.

In May the cabinet adopted the National Policy on Disability Inclusive Development 2014 to 2018 and the Action Plan for the National Policy on Disability Inclusive Development. Under the
policy the government established a National Council on Disability and designated the Ministry of Internal Affairs to work on disability-related problems.

Employment
The law does not prohibit discrimination regarding race, sex, gender, disability, language, sexual orientation, gender identity, HIV-positive status or other communicable diseases, or social status. Discrimination with respect to employment and wages occurred with respect to women (see section 6, Women). Reports indicated that discrimination against foreign domestic workers occurred during the year. Some employers reportedly confiscated foreign domestic workers’ passports and subjected the workers to exploitative practices.

Prison and Detention Center
As of July the country’s four prisons and other detention facilities held 176 inmates, including eight women. There were 17 juveniles and three prisoners with disabilities. Authorities held two nonviolent prisoners with disabilities at the Vaiola Hospital and one prisoner with disabilities in the Hu’atolitoli prison. The official prison capacity grew to between 300 and 400 inmates after the construction of two new facilities during the year. Authorities held pretrial detainees at police headquarters in Nuku’alofa and Hu’atolitoli prison. As of July there were 13 pretrial detainees at Hu’atolitoli prison. As of July 2013, 372 pretrial detainees (360 men and 12 women) were held at the police headquarters. During the year one death occurred in the Hu’atolitoli pretrial detention center due to natural causes (heart attack). Prisoners had access to potable water and sufficient quantities of food. Sanitation and medical care were adequate.

Convention on the Rights of Persons with Disabilities
Tonga signed the CRPD on 15/11/2007.

Tuvalu

Persons with Disabilities
The law does not specifically prohibit discrimination against persons with physical, sensory, intellectual, or mental disabilities, including in employment, education, air travel and other transport, or the provision of other state services. Supplementary state services to address the special needs of persons with disabilities were very limited. There are no mandated building accessibility provisions for persons with disabilities. The one multi-story government building had nonoperational elevators, and there were no elevators in other multi-story buildings. Persons with disabilities had limited access to information and communications. The Fusi Alofa Association (Tuvalu National Disabled Persons Organization) and the Tuvalu Red Cross undertook regular home visits to persons with disabilities and conducted educational programs to raise community awareness of the rights of persons with disabilities and advocate for such persons.

Children with disabilities reportedly had lower school attendance rates at all levels than other children. Some students with disabilities attended government-run public primary schools both
in Funafuti and in several outer islands. The Fusi Alofa Association operates a special school for children with disabilities in Funafuti. Parents make the decision concerning which school a child with disabilities attends after consultation with a Fusi Alofa Association advisor.

The Community Affairs Department in the Ministry of Home Affairs and Rural Development is responsible for protecting the rights of persons with disabilities.

**Employment**

Labor laws and regulations do not prohibit discrimination regarding race, gender, disability, language, sexual orientation, gender identity, HIV-positive status or other communicable diseases, or social status, and these persons sometimes experienced discriminatory practices. Discrimination in employment and wages occurred with respect to women (see section 6).

**Convention on the Rights of Persons with Disabilities**

Tuvalu ratified the CRPD on 18/12/2013.

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**Vanuatu**

**Persons with Disabilities**

No law specifically prohibits discrimination against persons with physical, sensory, intellectual, or mental disabilities. In 2013 Parliament passed a building-code to ensure access for person with disabilities in existing and new facilities. There is a national policy designed to protect the rights of persons with disabilities, but the government did not implement it effectively. There was no specific legislation mandating access to information or communications. Some provinces had care centers, but the government generally relied upon the traditional extended family and NGOs to provide services and support to persons with disabilities. In practice persons with disabilities could not access most buildings. The high rate of unemployment in the general population, combined with the social stigma attached to disabilities, meant that few jobs were available for persons with disabilities (see section 7.d.). Persons with mental disabilities generally did not have access to services. They usually relied on members of their extended families for assistance. In general, school officials rejected many potential students with disabilities.

**Employment**

Laws regarding employment and occupation prohibit discrimination based on gender, but they do not prohibit discrimination in regard to race, disability, language, sexual orientation and/or gender identity, HIV-positive status or other communicable diseases, or social status. Discrimination in employment and occupation occurred with respect to women, especially in the attainment of management positions, and among those with disabilities (see section 6).

**Convention on the Rights of Persons with Disabilities**

Vanuatu signed the CRPD on 17/05/2007. On 23/10/2008 the government ratified the CRPD.
Vietnam

Constitution and Laws
The law prohibits discrimination based on race, gender, disability, language, or social status, but enforcement of these prohibitions was uneven, and the law did not specifically address discrimination based on sexual orientation or gender identity. During the year the government demonstrated an increased tolerance and respect for rights for lesbian, gay, bisexual, and transgender persons, compared with previous years.

Persons with Disabilities
The constitution provides for the protection of persons with mental and physical disabilities. The law prohibits discrimination against or maltreatment of persons with physical and mental disabilities, encourages their employment, and requires equality for them in accommodation, access to education, employment, health care, rehabilitation, local transportation, and vocational training. In November the government ratified the UN Convention on the Rights of Persons with Disabilities and increased coordination with foreign governments and international organizations to review legal provisions governing implementation of the treaty, conduct feasibility studies, share international best practices, conduct informational workshops, and hold awareness activities.

While the law requires that the construction of new or major renovations of existing government and large public buildings include access for persons with disabilities, enforcement continued to be sporadic. The Ministry of Construction maintained units to enforce barrier-free codes and provide training on construction codes for inspectors and architectural companies in more than 22 provinces. Some new buildings and facilities in large urban cities included ramps and accessible entries.

Access to education for children with disabilities, particularly deaf children and those with intellectual disabilities, remained extremely limited. There was no information available on attendance by children with disabilities at the primary, secondary, and tertiary levels.

The law promotes and encourages the employment of persons with disabilities; however, social and attitudinal barriers remained problems. MOLISA issued guidance to its provincial branches to adjust job skills training for persons with disabilities tailored to the group’s diversified needs. Companies with a workforce composed of at least 51 percent employees with disabilities may qualify for special government-subsidized loans.

The government assisted persons with disabilities to vote in the 2011 election by taking ballot boxes to the homes of individuals unable to go to a polling station. There is no legal restriction on the right to vote for persons with disabilities, although many polling stations were not accessible, especially to persons with physical disabilities.
While the provision of social services to persons with disabilities remained limited, the government made some efforts to support the establishment of organizations of persons with disabilities and consulted them in the development or review of national programs, such as the National Poverty Reduction Program, vocational laws, and various educational policies. The National Coordination Committee on Disabilities and its members from various ministries continued to work with domestic and foreign organizations to provide protection, support, physical access, education, and employment; however, the coordination committee was gradually given a diminished role, while the Vietnam Federation on Disability was expected to pick up some of its functions. The government operated a small network of rehabilitation centers to provide long-term, inpatient physical therapy. Several provinces, government agencies, and universities had specific programs for persons with disabilities.

Employment
The law prohibits discrimination with respect to employment or occupation based on sex, race, disability, social class, marital status, religion, and HIV/AIDS-positive status. By law an enterprise may not dismiss a female employee who is engaged to be married or is pregnant, on maternity leave, or caring for a child under one year of age unless the enterprise closes. Female employees who are at least seven months pregnant or are caring for a child under one year of age may not be compelled to work overtime, at night, or in locations distant from their homes. The government did not effectively enforce these laws. The law does not prohibit discrimination based on political opinion, national origin, or sexual orientation and gender identity.

Discriminatory hiring practices existed, usually related to gender, age, and marital status (also see section 6).

Arrest Procedures
By law only cases involving juveniles, individuals with mental or physical disabilities, and persons formally charged with capital crimes require authorities to request the local bar association or the VFF to appoint an attorney.

Convention on the Rights of Persons with Disabilities
Vietnam signed the CRPD on 22/10/2007. The government ratified the CRPD on 5/02/2015.
Europe and Eurasia

Albania

Constitution and Laws
The law prohibits discrimination based on race, gender, age, disability, language, religion, gender identity and/or sexual orientation, health, family, economic, or social status. The government did not effectively enforce these prohibitions.

Persons with Disabilities
The constitution and laws prohibit discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, transportation, access to health care, and the provision of other state services. Despite these legal prohibitions, employers, schools, health-care providers, and providers of other state services sometimes engaged in discrimination. The law mandates that new public buildings be accessible to persons with disabilities, but the government only sporadically enforced the law. According to the 2011 census, 24 percent of persons with disabilities had never attended school and 65 percent of such persons were female. Widespread poverty, unregulated working conditions, and poor medical care posed significant problems for many persons with disabilities (see section 7.d.).

Persons with disabilities were not restricted from participating in civic affairs, although resource constraints and lack of infrastructure made it difficult for them to participate fully in many activities. The government set up social services agencies to protect the rights of persons with disabilities, but the agencies often lacked funding to implement their programs. The law does not limit the right of persons with disabilities to vote, although voting centers often were located in facilities lacking accommodations for such persons. The OSCE/ODIHR mission reported that during the June 2013 elections, approximately 44 percent of voting centers were inaccessible to voters with disabilities.

The ombudsman regularly inspected mental health institutions. Both the admission and release of patients at mental health institutions were problems due to lack of sufficient financial resources to provide adequate psychiatric evaluations. There was societal discrimination and stigmatization of persons with mental health problems and other forms of disability.

In July the parliament passed a framework law that expands the categories of disabled persons eligible for government aid to include those with autism, Down Syndrome, and other less commonly recognized disabilities. Some NGOs criticized the law because they asserted it would transfer some powers from civil society organizations to the government.
**Employment**

Labor laws prohibit employment discrimination because of race, skin color, gender, age, physical or mental disability, political beliefs, nationality, religion, family, and social origin. The laws do not specifically prohibit discrimination in employment or occupation with regard to sexual orientation and/or gender identity, HIV-positive status, language, or social status. Discrimination in employment and occupation occurred with respect to gender, presence of a disability, sexual orientation and gender identity, nationality, and ethnicity (see section 6).

**Government Human Rights Bodies**

The parliament has a committee on legal issues, public administration, and human rights. The parliament approved several laws aimed at addressing human rights problems, including a law on prisoners, on persons persecuted under the former communist regime, and on persons with disabilities; however, the ombudsman and some NGOs criticized some aspects of these laws.

**Convention on the Rights of Persons with Disabilities**

Albania signed the CRPD on 22/12/2009. On 11/02/2013 the government ratified the CPRD.

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**Andorra**

**Persons with Disabilities**

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, and the provision of other government services. Discrimination against persons with disabilities nevertheless existed in the form of social and cultural barriers. In 2013 the European Committee of Social Rights expressed concern that persons with disabilities also faced disadvantages in the labor market (see also section 7.d.). During his visit to the country in 2013, the Council of Europe’s human rights commissioner observed a gap between the law and the actual conditions facing persons with disabilities. The commissioner emphasized a need to increase awareness about the rights of persons with disabilities and the need to remove physical and cultural barriers impeding persons with disabilities from living in dignity.

The law mandates access to public buildings, information, and communications for persons with disabilities, and the government generally enforced this provision. The law does not, however, fully meet international standards.

According to the National Commission of Assessment, schools continued to implement the law requiring them to adapt their infrastructure to the needs of children with disabilities. The majority of children with disabilities attended regular schools. Additionally, one specialized school existed in the country.
The Andorran Federation of Associations for Persons with Disabilities represented the organizations in the country that worked with persons with disabilities. The federation’s priorities are accessibility for persons with disabilities and their entry into the workforce, two areas in which the country was not fully compliant with international standards.

**Employment**

Labor laws and regulations prohibit discrimination regarding race, sex, gender, disability, language, sexual orientation and/or gender identity, HIV-positive status or other communicable diseases, or social status. The government effectively enforced these laws and regulations.

Some cases of discrimination with respect to employment or occupation occurred against women, persons with disabilities, and persons based on sexual orientation (see section 6).

**Convection on the Rights of Persons with Disabilities**

Andorra signed the CRPD and Optional Protocol on 27/04/2007. The government ratified the CRPD and Optional Protocol on 11/03/2014.

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**Armenia**

**Constitution and Laws**

The constitution and law prohibit discrimination based on race, gender, disability, language, or social status. The government did not effectively enforce these prohibitions. In its July 16 report, the CESCR expressed concern about the absence of a comprehensive antidiscrimination legal framework covering all the grounds for discrimination enumerated in the International Covenant on Economic, Social, and Cultural Rights.

**Persons with Disabilities**

The law prohibits discrimination against persons with any disability in employment, education, access to health care, and the provision of other state services, but discrimination remained a problem. The law and a special government decree require that buildings, including schools, be accessible to persons with disabilities, but very few buildings or other facilities were accessible. The Ministry of Labor and Social Affairs is responsible for protecting the rights of persons with disabilities but failed to carry out this mandate effectively.

Persons with disabilities seldom left their homes due to the social stigma associated with disabilities. At times children with disabilities missed school, due both to discrimination and the absence of facilities to accommodate their needs. According to a UNICEF-commissioned survey released during the year, nearly one-third of the population believed children with intellectual disabilities should be kept isolated from society. The CESCR indicated in its July report that 18 percent of children with disabilities lacked access to formal education. The committee reported that in spite of the efforts of the state to expand the network of inclusive schools, officials did not fully implement the policy. A 2012 UNICEF survey found that one in five children with
disabilities did not attend school, and one in eight resided in a residential care institution (orphanage or special boarding school). According to official data for 2012, approximately 64.8 percent of children with disabilities were poor, and an additional 8.4 percent were extremely poor.

Persons with all types of disabilities experienced discrimination in virtually all spheres of life, including access to health care, social and psychological rehabilitation, education, transportation, communication, employment, social protection, cultural events, and the internet (see section 7.d.). Lack of access to information and communications was a particularly significant problem for persons with sensory disabilities.

The National Alliance to Advocate for the Rights of the Disabled reported women with disabilities faced further discrimination because of their gender, including in social acceptance and access to health and reproductive care, employment, and education. The group reported that authorities were more likely to place girls with disabilities in orphanages than boys, and women with disabilities were more likely than women without disabilities to be subjected to physical and sexual violence.

Penitentiaries lacked adequate accommodations for persons with disabilities. Hospitals, residential care, and other facilities for persons with more significant disabilities remained substandard. According to official data, more than 90 percent of persons with disabilities who were able to work were unemployed.

The NGO HCAV, which monitored neurological-psychiatric institutions, reported in 2013 that authorities subjected patients to humiliating and cruel treatment, labor exploitation, inappropriate food, poor sanitary and hygienic conditions, abusive use of physical restraints, and inadequate medical care. They had inadequate access to communications and information and limited or no access to information about their rights or their medical condition and treatment. HCAV and other human rights observers cited the risks of corruption and human rights abuse inherent in the nontransparent nature of commitment procedures, which subjected persons to mandatory treatment in neurological-psychiatric institutions, as well as the process of declaring a person legally incompetent. Furthermore, according to HCAV, the government did not keep track of or properly investigate deaths in these institutions.

Media reports alleged corruption and arbitrary rulings on the part of the Medical-Social Expertise Commission, a governmental body under the Ministry of Labor and Social Affairs that determines a person’s disability status. Disability status, in turn, determines eligibility for various social benefits.

**Employment**

The constitution prohibits discrimination on any ground, including sex, race, color, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, national minority status, property ownership, birth, disability, age, or other personal or social circumstances. Other laws and regulation specifically prohibit discrimination in employment.
and occupation based on gender and sex. Nonetheless, there were no effective legal mechanisms to enforce these regulations, and discrimination in employment and occupation occurred based on gender, age, presence of a disability, sexual orientation, HIV/AIDS status, and religion (see section 6).

Many employers reportedly discriminated against potential employees by age, most commonly requiring job applicants to be between the ages of 18 and 30. Such discrimination appeared to be widespread, and authorities did not take any action to mitigate it. Unemployed workers older than 40, particularly women, had little chance of finding jobs appropriate to their education or skills.

Children
During the year the ombudsman’s office discovered instances of children with slight, or in some cases no, mental disability studying in institutions for children with mental disabilities. According to the ombudsman’s office, by putting their children in special schools, socially vulnerable parents could obtain care, food, and overnight lodging for them, while the school administration could increase the quantity of pupils enrolled.

Education
According to UNICEF children with disabilities and from socially vulnerable families continued to face systematic disadvantages in access to school and continuous use of education services. Children from ethnic minority groups, in particular Yezidis, Kurds, and Molokans, had significantly lower than average school enrollment and attendance rates as well as higher dropout levels after the eighth grade.

Prison and Detention Centers
According to the PMG’s February report, physical violence and degrading treatment were common in penitentiaries. According to the Helsinki Committee, solitary confinement and beating with batons were the most common forms of punishment. Prisoners lacked effective mechanisms to report problems with their confinement. Prisons lacked accommodations for inmates with disabilities.

Convention on the Rights of Persons with Disabilities
Armenia signed the CRPD and Optional Protocol on 30/03/2007. On 22/09/2010 the government ratified the CRPD.

Austria
Constitution and Laws
The law provides for protection against discrimination based on race, sex, disability, language, sexual orientation and gender identity, or social status, and the government generally enforced these protections.
**Persons with Disabilities**
The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in housing, education, air travel and other transportation, employment, access to health care, and other government services. The government did not effectively enforce these provisions (see section 7.d.).

While federal law mandates access to public buildings for persons with physical disabilities, NGOs complained many public buildings lacked such access due to insufficient enforcement of the law and low penalties for noncompliance. Persons with disabilities generally had access to information and communications. They generally were able to vote and participate in civil affairs.

While the law prohibits the sterilization of minors, it provides for involuntary sterilization of adults with mental disabilities in cases where a pregnancy would be considered life threatening. Authorities maintained there were no such cases during the year.

The Ministry of Labor, Social Affairs, and Consumer Protection handled disability-related problems. The government funded a wide range of programs for persons with disabilities, including transportation and other assistance to help integrate schoolchildren with disabilities into regular classes and employees with disabilities into the workplace. Children with disabilities attended primary, secondary, and higher education schools.

In 2013 the Committee on the Rights of Persons with Disabilities released a report that criticized the fragmentation of disability policy between federal and state governments, the lack of opportunities for the employment of persons with disabilities, and authorities' failure to integrate children with disabilities into the educational system.

The *UN Periodic Review of Austria on the Rights of Persons with Disabilities*, published in 2013, criticized aspects of the country’s laws and institutional settings. Practices criticized included the use of net beds and other forms of nonconsensual practices in psychiatric hospitals and institutions. Laws allow a person to be confined involuntarily in a psychiatric institution when they have a psychosocial disability and were a risk to endanger themselves or others. The UN review also expressed concern the population of persons with disabilities who were institutionalized had increased over the previous 20 years. In the course of the year, the ombudsman for disabled persons and the minister of social affairs urged businesses to comply with quotas for employment of disabled persons.

**Employment**
Labor laws and regulations related to employment or occupation prohibit discrimination regarding race, sex, gender, disability, language, sexual orientation or gender identity, HIV-positive (or other communicable disease) status, or social status. The government effectively enforced these laws and regulations.
Discrimination in employment and occupation occurred with respect to women, persons with disabilities, and certain minorities (see section 6).

**Compulsory Labor**
Trafficers subjected men, women, and children to forced labor in the agriculture, construction, and catering sectors. Trafficers subjected Romani children and physically and mentally disabled persons to forced begging.

**Prison and Detention Centers**
In reaction to a case involving the neglect of a mentally disabled prison inmate that became public in May, the justice minister announced a restructuring of the supervisory system of prisons.

**Acts of Violence**
In June a man attacked an LGBT politician at the Vienna Rainbow Parade with butyric acid. There were no injuries, but Vienna police opened an investigation on charges of property damage. They later terminated the investigation since the perpetrator was mentally disabled and could not be held legally responsible for his actions.

**Forced Marriage**
The minimum legal age for marriage is 18 years. Adolescents between 16 and 18 years may legally contract a marriage if they obtain a special permit for this purpose. NGOs estimated there were approximately 200 cases of early marriage annually, primarily in the Muslim and Romani communities. In November 2013 a court in Lower Austria sentenced a couple to five years in prison on charges of sexual abuse of minors for bringing a 13-year-old Bosnian girl to Austria in 2011 to marry their 17-year-old mentally disabled son.

**Trial Procedures**
The law provides for the right to a fair trial, and an independent judiciary generally enforced this right.

The law presumes persons charged with criminal offenses are innocent until proven guilty; authorities inform them promptly and in detail of the charges with free interpretation if required. Trials must be public and conducted orally; juries are used in trials for major offenses. Attorneys are not mandatory in cases of minor offenses, but legal counsel is available at no charge for needy persons in cases where attorneys are mandatory. The law grants defendants and their attorneys adequate time and facilities to prepare a defense and have access to government-held evidence relevant to their cases. Defendants can confront or question witnesses against them and present witnesses and evidence on their own behalf. They cannot be compelled to testify or confess guilt. A system of judicial review provides multiple opportunities for appeal.

The law extends the above rights to all citizens regardless of sex, gender, race, ethnicity, religion, or mental or physical disability.
Safe Country of Origin/Transit
The government required asylum seekers who transited a country determined to be “safe” to return to that country to seek refugee status. Authorities consider signatories to the 1951 refugee convention and its 1967 protocol to be safe countries of transit. Human rights groups urged authorities to refrain from returning asylum seekers to countries where effective protection was not provided or in which transfer would result in humanitarian hardship for health and family reasons. In response to a ruling by the ECHR and the recommendations of the UN special rapporteur on torture, the government in 2011 effectively halted the return of asylum seekers to Greece; the ruling remained in force during the year. In April the UNHCR assessed conditions in Bulgaria had improved but recommended vulnerable asylum seekers, in particular unaccompanied children, older persons, and persons with disabilities and other medical emergencies not be returned to Bulgaria.

Convention on the Rights of Persons with Disabilities
Austria signed the CRPD and Optional Protocol on 30/03/2007. The government ratified the CRPD and Optional Protocol on 26/09/2008.

Azerbaijan

Constitution and Laws
The constitution prohibits discrimination based on race, gender, disability, language, or social status, but the government did not always respect these prohibitions or effectively enforce them.

Persons with Disabilities
The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, or the provision of other state services, but the government did not enforce these provisions effectively. Employment discrimination remained a problem. Employers generally hesitated to hire persons with disabilities. A common belief persisted that children with disabilities were ill and needed to be separated from other children and institutionalized, but specific educational facilities were available to children with certain disabilities. A local NGO reported there were approximately 60,000 children with disabilities in the country. Between 6,000 and 10,000 of these children had access to specialized educational facilities, while the rest were educated at home or not at all. The ability of children with disabilities to attend school was based on several factors, such as an evaluation by a medical committee, the type of disability, and the resources and physical structure of a desired school. Several international and local NGOs facilitated educational campaigns to change social perceptions and reintegrate children with disabilities. There were no laws mandating access to public or other buildings, information, or communications for persons with disabilities, and most buildings were not accessible.

Conditions in facilities for persons with mental and other disabilities varied.
Qualified staff, equipment, and supplies at times were lacking.

The Ministry of Health and the Ministry of Labor and Social Welfare are responsible for protecting the rights of persons with disabilities.

**Convention on the Rights of Persons with Disabilities**
Azerbaijan signed the CRPD and Optional Protocol on 9/01/2008. On 28/01/2009 the government ratified the CRPD and Optional Protocol.

**Belarus**

**Persons with Disabilities**
The law does not specifically prohibit discrimination against persons with physical, sensory, intellectual, or mental disabilities in employment, education, air travel and other transportation, access to health care, and other government services, and discrimination was common.

The Ministry of Labor and Social Security is the main government agency responsible for protecting the rights of persons with disabilities, who accounted for more than half a million persons. The law mandates that transport, residences, and businesses be accessible to persons with disabilities, but few public areas were wheelchair accessible or accessible for hearing and vision-impaired persons. The National Association of Disabled Wheelchair Users estimated that more than 90 percent of persons with physical disabilities were unable to leave their places of residence without assistance, and their places of residence were not built to accommodate wheelchair users. While authorities claimed that 30 percent of the country’s total infrastructure was accessible, disability rights organizations disputed this figure.

A government prohibition against workdays longer than seven hours for persons with disabilities reportedly made companies reluctant to hire them. Local NGOs reported that up to 85 percent of persons with disabilities were unemployed. Authorities provided minimal welfare benefits for persons with disabilities, and calculations of pensions did not take disability status into account. Members of the country’s Paralympic teams received half the salaries and prize money of athletes without disabilities.

The country’s lack of independent living opportunities left many persons with disabilities no choice but to live in state-run institutions. Approximately 78 such institutions existed across the country and housed over 18,000 persons. Disability rights organizations reported that the quality of care in these facilities was low, and instances of fundamental human rights violations, harassment, mistreatment, and other abuse were reported. Authorities frequently placed persons with physical and mental disabilities in the same facilities and did not provide either group with specialized care.

Public transportation was free to persons with disabilities, but the majority of subway stations
in Minsk and the bus system were not wheelchair accessible. According to government statistics, 2 percent of the country’s public transportation network was accessible.

Disability rights organizations reported difficulty organizing advocacy activities due to impediments to freedom of assembly, censorship of materials, and the government’s unwillingness to register assistance projects. For example, on November 21, authorities in Svetlahorsk denied civil society activist Yuri Liashenka, who uses a wheelchair, permission to hold a picket in the city center to protest delayed renovation of his apartment building that did not comply with accessibility requirements. When he attempted to protest without an official sanction on November 25, an ambulance picked him up and transported him to a local hospital where police questioned him. On December 22, a Svetlahorsk district court fined Liashenka 300,000 rubles ($28) for allegedly violating regulations on holding a demonstration.

Advocates also noted that persons with disabilities, especially those who were visually and hearing impaired, lacked the ability to address violations of their rights easily and completely since courts often failed to provide special equipment and sign language translation.

On January 15, a Minsk district court partially upheld an appeal filed by Yauheni Shauko, the chair of the National Association of Disabled Wheelchair Users, to ban the national airport in Minsk from using unsafe chairs without belts or any other security to move persons using wheelchairs onto airplanes. The airport administration compensated Shauko five million rubles ($470) out of the 10 million sought ($940) in moral damages.

In the period preceding the May World Ice Hockey Championship in Minsk, the Belarusian Office for the Rights of Persons with Disabilities conducted an accessibility analysis of sports and transportation facilities. Their monitoring found a lack of accessible infrastructure to travel to the sporting events and that sports facilities were often not accessible. They also reported difficulties for persons with disabilities to enter sports arenas due to security issues as well as challenges purchasing tickets.

**Employment**

The law prohibits discrimination based on race, gender, language, or social status. These laws do not apply specifically to employment or occupation. The government did not effectively enforce these laws. Discrimination in employment and occupation occurred with respect to ethnicity, gender, disability, language, sexual orientation and/or gender identity, and HIV-positive status (see section 6).

**Forced Labor**

Senior officials with the General Prosecutor’s Office and the Interior Ministry stated on November 28 that at least 97 percent of all work-capable inmates worked in jail as required by law, excluding retirees and persons with disabilities, and that labor in jail was important and useful for rehabilitation and reintegration of inmates.

**Women**
Very few women were in the upper ranks of management or government, and most women were concentrated in the lower-paid public sector. Women’s groups also voiced concerns about the feminization of poverty, particularly among women with more than two children, female-headed households, women taking care of family members with disabilities or older family members, rural women, and older women.

Convention on the Rights of Persons with Disabilities
Belarus signed the CRPD on 28/09/2015.

Belgium

Constitution and Laws
The law prohibits discrimination based on race, gender, disability, language, or social status, and the government generally enforced these prohibitions. The law specifically identifies 18 categories of discrimination subject to legal penalty: age, sexual orientation, civil status, place of birth, financial situation, religious belief, philosophical orientation, physical condition, disability, physical characteristics, genetic characteristics, social status, nationality, race, color, descent, national origin, and ethnic origin. A separate law governs gender discrimination in the workplace. Under a directive issued by the Board of Prosecutors General, police and prosecutors must cite racial motivation or sexual orientation if present when reporting or recording offenses. In such instances the prosecutor must escalate the case (for example, in a racially motivated crime, the charge would additionally include a hate-crime offense).

Persons with Disabilities
The law provides for the protection of persons with physical, sensory, intellectual, and mental disabilities from discrimination in employment, education, transportation, access to health care, and the provision of other state services. The government generally enforced the provisions. The CEOOR received 344 complaints in 2013, most related to employment and concerned access to private and public buildings and services, including public transport and access to banks, bars, restaurants and amusement parks (also see section 7.d.).

Children with disabilities were able to attend school, and there were no significant patterns of abuse in educational or mental health facilities. While the government mandated that public buildings erected after 1970 must be accessible to such persons, many older buildings remained inaccessible. Although the law requires that inmates with disabilities receive adequate treatment in separate, appropriate facilities, there were, nonetheless, approximately 1,000 inmates with disabilities in prisons. A new psychiatric department opened in May in Ghent to address the needs of convicted prisoners with disabilities.

Employment
Labor laws and regulations related to employment or occupation prohibit discrimination regarding race, sex, gender, disability, language, sexual orientation and/or gender identity, HIV-positive status or other communicable diseases, or social status. The government effectively
enforced these laws and regulations.

Discrimination in employment and occupation occurred with respect to women, persons with disabilities, and certain minorities. Discrimination in employment and occupation occurred against internal and foreign migrant workers (see section 6).

**Convention on the Rights of Persons with Disabilities**
Belgium signed the CRPD and Optional Protocol on 30/03/2007. The government ratified the CRPD and Optional Protocol on 2/07/2009.

**Bosnia and Herzegovina**

**Constitution and Laws**
The law prohibits discrimination based on race, gender, disability, language, sexual orientation, or social status, but the government did not enforce these prohibitions effectively.

**Persons with Disabilities**
The law in both entities and at the state level prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment; education; access to health care, air travel, and other transportation; and the provision of other state services (see section 7.d.). Nevertheless, discrimination in these areas continued.

The source of the disability determines the level of governmental assistance to persons with disabilities. Veterans and civilians who suffered from disabilities caused by the Bosnian war received far greater benefits than persons whose disabilities were not a result of the war.

The laws of both entities require increased accessibility to buildings for disabled persons, but authorities rarely enforced the requirements. Human rights NGOs complained that the construction of public buildings without access for persons with disabilities continued. The NGOs also complained that the government did not effectively implement laws and programs to provide information and assistance to persons with disabilities (also see section 7.d.).

The law requires children with disabilities to attend regular classes, but schools often reported that they were unable to accommodate them. Children with disabilities either attended classes using regular curricula in regular schools or attended schools for children with disabilities. Parents of children with disabilities, especially of those with extensive disabilities, faced many obstacles, and authorities generally left them on their own to provide education for their children, although a growing number of programs for children with disabilities were available in schools.

**Employment**
Labor laws and regulations related to employment or occupation prohibit discrimination regarding race, sex, gender, disability, language, sexual orientation and/or gender identity, HIV-
positive status or other communicable diseases, or social status. The government generally effectively enforced these laws and regulations.

Discrimination in employment and occupation occurred with respect to race, gender, disability, language, ethnicity, sexual orientation and gender identity, HIV-positive status, and social status (see section 6).

Prison and Detention Centers
Conditions in the country’s prisons and detention centers were harsh and, on occasion, life threatening. Medical care and sanitation were wholly inadequate, and while prisoners had adequate access to food, some prisoners complained about its quality. Prisoners had access to potable water. There were no prison facilities suitable for prisoners with disabilities.

National/ Racial/ Ethnic Minorities
School enrollment for Roma children was below the national average. There were credible reports that Romani students were overrepresented in special schools for children with intellectual disabilities.

Convention on the Rights of Persons with Disabilities
Bosnia and Herzegovinian signed the CRPD and Optional Protocol on 29/07/2009. On 12/03/2010 the government ratified the CRPD and Optional Protocol.

Bulgaria

Constitution and Laws
The law prohibits discrimination on the grounds of race, sex, gender, disability, social status, and sexual orientation but not language. Societal discrimination continued, particularly against ethnic minorities, LGBT persons, and persons with disabilities. Trafficking in persons continued to be a problem.

The government investigated complaints of discrimination, issued rulings, and imposed sanctions on violators. The law allows individuals to pursue a discrimination case through the court system or through the CPD. As of October the CPD received 526 complaints, most of them concerning allegations of discrimination based on personal status and disability, particularly with regard to employment. The commission found discriminatory practices in 375 cases and imposed fines totaling 18,950 levs ($11,800) on violators. In 2013 courts completed 34 discrimination proceedings granting full remedy in six cases and partial remedy in six cases, rejecting six claims, and terminating 16 cases.

Persons with Disabilities
The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, and the provision of other government services. The government did not effectively enforce
these provisions. The government focused most of its efforts on providing various social services but lacked sufficient funds to modify the infrastructure and implement active policies to improve public awareness. NGOs criticized the government for a lack of access for persons with disabilities to information and communications, noting only one newscast was available with sign language interpretation and that authorities made no information available in Braille. Societal discrimination against persons with disabilities persisted.

While the law requires improved access to buildings for persons with disabilities, enforcement of the law lagged in some new public works projects as well as in existing, unrenovated buildings. NGOs filed complaints with the CPD over the inadequate accessibility of a renovated Sofia tramline, asserting that underground passages that provide the only access to the platforms did not have elevators and that ramps were too steep.

The law promotes the employment of persons with disabilities, providing employers with subsidies covering 30 to 50 percent of insurance benefits and the cost of adjusting and equipping workplaces to accommodate persons with disabilities. Enforcement was poor, and employers did not feel motivated to hire disabled persons, citing inaccessible public infrastructure, low level of education, and lack of sufficient funding for workplace modification. According to the Agency for Persons with Disabilities, 10 percent of persons with disabilities earned an income (also see section 7.d.).

The country’s infrastructure did not provide persons with disabilities adequate access to education, health care, and social services. Individuals with mental and physical disabilities were often separated from the rest of society and housed in institutions located in remote areas, which inhibited the hiring of qualified staff and hampered access to timely medical assistance. Children with disabilities studying in segregated schools received diplomas that higher level learning establishments did not accept as qualifying them for further education. According to Eurostat data, 45 percent of children with disabilities with specific education needs dropped out of school. NGOs reported students with disabilities, such as children with autism, generally dropped out because the school system could not provide for their specific education needs. The SACP stated the prevailing practice of considering child disability a medical issue, the lack of an inclusive social environment, and insufficient support infrastructure encouraged institutionalization.

Despite some incremental improvements, conditions in the country’s 79 institutions for persons with mental, physical, and sensory disabilities remained poor. NGOs criticized the government for not moving toward an inclusive, community-oriented model of education, socialization, and health care for persons with disabilities. In 2013 the Ministry of Education and Science conducted a two-week training course on developing useful skills, orientation, and mobility for students, parents, and teachers of students with sensory disabilities attending mainstream schools.

The law provides specific measures for persons with disabilities to have access to the polls, including mobile ballot boxes. According to the OSCE/ODIHR preliminary election observation
mission statement on the October early parliamentary elections, disability advocates questioned the accessibility of polling stations.

The Interagency Council for Integration of Persons with Disabilities was responsible for developing the policy supporting persons with disabilities. The Ministry of Labor and Social Policy, through its executive agency for persons with disabilities, was responsible for protecting the rights of such persons and worked with government-supported national representative organizations to that end. Some NGOs criticized the existing model, suggesting that instead of meeting formalistic criteria, such as territorial representation and membership size, the government should tie subsidies to these organizations’ achievement of policy objectives. They remained concerned the incentive structure prioritizes obtaining national representation over effective advocacy and the lack of transparency regarding financial and other support to the national representative organizations affected those organizations’ independence.

The government continued implementing its two-year (2013-14) action plan designed to introduce measures for improving the quality of life of persons with disabilities, preventing discrimination, and encouraging their active participation in society.

**Employment**
The law prohibits discrimination in employment with regard to nationality, ethnicity, gender, sexual orientation, race, color, age, political and religious beliefs, membership in trade unions and civil society organizations, family and marital status, and mental or physical disabilities. Although the government effectively enforced these laws in general, discrimination in employment and occupation occurred with respect to gender, disability, and minority status (see section 6).

**Children**
Authorities placed children in institutions regardless of varying types and degrees of disability. Between September 2013 and March, the government closed seven institutions as part of a plan to close all institutions by 2025 and replace them with alternative, community-based care. As of October the government operated 103 institutions, including 50 for parentless children, 29 for those needing medical and social care, and 24 for children and youth with physical disabilities. The number of institutionalized children further declined from 3,592 in July 2013 to 3,550 as of July. Approximately 25 percent of the children remaining in institutions had disabilities. According to the SACP, an estimated 50 percent of institutionalized children were Roma. The BHC was concerned that, despite its deinstitutionalization policy, the government continued to place children in institutions.

The SACP stated that poverty and the lack of sufficiently developed alternatives to institutionalized care, in addition to the insufficient number of needs-based services for disabled children, hampered successful deinstitutionalization.

**Freedom on Speech**
The penal code provides for one to four years’ imprisonment for incitement to “hate speech.”
The law defines hate speech as speech that instigates hatred, discrimination, or violence based on race, ethnicity, nationality, religion, sexual orientation, marital or social status, or disability. According to NGOs, hate speech was becoming a somewhat more common form of expression not just for xenophobic politicians, but also in societal confrontations, and paid “trolls” populated forums and social media of all media outlets, targeting political opponents with racist and xenophobic comments. As of October there were no convictions for hate speech.

**Trial Procedures**
A defense attorney is mandatory if the alleged crime carries a possible punishment of 10 or more years in prison; if the defendant is a juvenile, foreigner, or person with mental or physical disabilities; or if the accused is absent.

**Convention on the Rights of Persons with Disabilities**
Bulgaria signed the CRPD on 27/09/2007, and on 18/12/2008 signed the Optional Protocol. The government ratified the CRPD on 22/03/2012.

**Croatia**

**Constitution and Laws**
The law prohibits discrimination based on race, gender, disability, language, sexual orientation, gender orientation, or social status, and the government generally enforced these prohibitions.

**Persons with Disabilities**
The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, and in the provision of other government services, but the government did not always enforce these provisions effectively.

The ombudsman for persons with disabilities reported the country lacked facilities to promote employment among persons with disabilities, which resulted in a majority of persons with disabilities being routed into early retirement instead.

Funding shortfalls persisted regarding disability-related health care, and there was reduced overall funding for programming for persons with disabilities during the year due to government-wide budget cuts. The Ministry of Social Policy and Youth reported 4,800 persons required disability-related services, while only 641 people actually enrolled in such programs in 2013. According to the national Register of Persons with Disabilities, as of January there were 510,274 persons with disabilities in the country.

The Open Society Institute continued its three-year project with the Ministry of Social Policy and Youth to provide alternative, community-based accommodation for approximately 400 persons with mental disabilities in lieu of institutionalization. The 2013 Human Rights Watch (HRW) global report noted “there was virtually no progress implementing the government’s
March 2011 master plan for de-institutionalization.” The HRW maintained approximately 9,000 persons with intellectual or mental disabilities continued to live in institutional settings, with only a small increase in the number of beds in community-based housing and support services (up to 425 from 300 in 2010) for all those with disabilities. According to the Ministry of Social Policy and Youth, 184 persons with mental disabilities were discharged from institutions from January to November.

Persons with disabilities have the right to vote. During the year a law was enacted to increase employment of persons with disabilities in the private sector, but the disability ombudsman indicated the private sector lacked mechanisms to ensure and monitor reasonable accommodation for employing persons with disabilities.

While the law mandates access to buildings for persons with disabilities, building owners and managers did not always comply, and there were no sanctions. Children with disabilities attended all levels of school, although NGOs stated the lack of legislation mandating equal access for persons with disabilities meant many students with disabilities had unequal access to secondary and university education. According to the Office of the Ombudsman for Disabilities, the lack of access reduced the number of persons with disabilities who attended school as well as the number of schools from which they had to choose. Most buildings remained wheelchair inaccessible, and there was a lack of sign-language interpreters for the deaf, scarce screen reader equipment for the blind, and few academic and logistical assistants to navigate schools.

**Employment**
The law prohibits discrimination based on race, gender, disability, language, sexual orientation, and gender identity, or social status. The government generally enforced these laws.

Discrimination in employment or occupation occurred in regard to gender, disability, sexual orientation, HIV status, and ethnicity (see section 6).

**Convention on the Rights of Persons with Disabilities**
Croatia signed the CRPD and Optional Protocol on 30/03/2007. The government ratified the CRPD and Optional Protocol on 15/08/2007.

**Cyprus**

**Constitution and Laws**
The “law” prohibits discrimination based on race, gender, disability, language, or social status. Authorities generally enforced these prohibitions. On January 27, the “parliament” passed reforms that decriminalize homosexuality, outlaw gender or sexual identity discrimination, eliminate the death penalty, and increase penalties for child abuse and abuse of the disabled.

The amendments to the “criminal code” outlaw discrimination based on one’s sex, sexual preference, or sexual identity; increase penalties for sexual abuse of children, including child
prostitution; increase penalties for abuse of the mentally disabled; increase penalties for violation of sexual inviolability; declare sexual inviolability is a human right; include men in this protection (which previously applied only to women); increase penalties for rape; and increase penalties (to life imprisonment) for sexual activity with minors or persons with mental disabilities-- in a new category similar to statutory rape. The amendment decriminalizing homosexuality created controversy, with religious and conservative groups criticizing liberal human rights advocates. Human rights activists reported there remained a lack of awareness-raising campaigns that would reduce discrimination. The “legislation” went into effect on February 12.

**Persons with Disabilities**

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, or in the provision of other state services. The law provides persons with disabilities the right to participate effectively and fully in political and public life, including by exercising their right to vote and stand for election. The government generally enforced these provisions. While the law mandates universal accessibility for public buildings and tourist facilities built after 1999, government enforcement was ineffective. Older buildings frequently lacked access for persons with disabilities. No appropriate institutions existed for adults with mental disabilities who required long-term care.

In 2012 the government extended the ombudsman’s authority to cover discrimination based on disabilities in both the private and public sectors. Problems facing persons with disabilities included access to natural and constructed environments, transportation, information, and communications. The ombudsman submitted a report to the competent government authorities with recommendations on how to ensure accessibility of persons with visual and hearing disabilities to audio and visual media services.

The state provided facilities to enable children with disabilities to attend all levels of education. In April the Ministry of Education in collaboration with the ombudsman prepared a code of good practices regarding attendance of students with special needs in special units of public schools. Authorities provided a personal assistant for students with disabilities when necessary.

Since there were no long-term care facilities specifically for persons with mental disabilities, many resided at the Athalassa Psychiatric Hospital. In 2013 the House of Representatives Committee on Human Rights noted there was no infrastructure to support mental-health patients when they left the psychiatric hospital and no programs for their social integration or aftercare in general. The Ombudsman’s Office reported that it closely monitored implementation of the recommendations included in her 2012 report for improving patients’ living conditions at Athalassa Psychiatric Hospital. In 2013 the ombudsman reported the hospital had created a separate department for children and juveniles. The de-institutionalization of persons with mental disabilities remained a matter of great concern for the ombudsman.
The Paraplegics Association reported that the government did not take measures to provide that all public buses were accessible to wheelchair users. The association reported that some older buses as well as intercity buses and those providing transport to and from the airports were not accessible while the newer ones had only one space for wheelchair users.

The Ministry of Labor and Social Insurance’s Service for the Care and Rehabilitation of the Disabled is responsible for protecting the rights of persons with disabilities. The minister of labor and social insurance chaired the Pancyprian Council for Persons with Disabilities, which included representatives of government services, organizations representing persons with disabilities, and employer and employee organizations. Observers did not consider fines for violating the law against employment discrimination sufficient to deter employers from discriminating against persons with disabilities (see also section 7.d.).

The “law” prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, or in the provision of other “state” services, and authorities effectively enforced these provisions. The “government” employed 573 persons with disabilities and provided financial aid to the remaining 4,062 persons with disabilities in the area administered by Turkish Cypriots. The “law” does not mandate access to public buildings and other facilities for persons with disabilities, and the disabled community complained of lack of infrastructure in public spaces, including lack of sidewalks, blocked sidewalks, and the inability to use public transportation.

**Employment**

Laws and regulations prohibit direct or indirect discrimination with respect to employment or occupation regarding race, nationality, gender, disability, and sexual orientation. The government did not effectively enforce these laws or regulations. Discrimination in employment and occupation occurred with respect to race, gender, disability, sexual orientation, and HIV-positive status. Discrimination against Romani migrant workers occurred (see section 6).

“Laws” generally prohibit discrimination with respect to employment or occupation regarding race, sex, gender, disability, language, sexual orientation and/or gender identity, and social status. The “government” did not effectively enforce these “laws.” Discrimination in employment and occupation occurred with respect to race, ethnicity, sex, and gender (see section 6).

**Convention on the Rights of Persons with Disabilities**

Cyprus signed the CRPD and Optional Protocol on 30/03/2007. The government ratified the CRPD on 27/06/2011.
Czech Republic

Constitution and Laws
The law prohibits discrimination based on gender, age, disability, race, ethnic origin, nationality, sexual orientation, religion, or personal belief. The government did not effectively enforce these provisions. Significant societal discrimination against some minorities, including Roma, persisted.

In 2013 the ombudsman received 360 complaints of discrimination, investigated 301, and found discrimination in 20 cases. The most common complaints of discrimination were in the areas of employment (104 cases), public administration (100), education (53), and services (49). The reasons for discrimination were age (49 cases), gender (31), ethnicity (30), and health/disability (25). The ombudsman criticized the high fees for filing a discrimination complaint, which resulted in few cases being filed.

Persons with Disabilities
The law prohibits discrimination against persons with physical, mental, and other disabilities in employment, education, public transportation services, access to health care, and the provision of other government services. The government generally enforced these provisions. Nevertheless, persons with disabilities faced a shortage of public accommodations and were unemployed at disproportionately high rates. Most children with disabilities were able to attend mainstream primary and secondary schools and universities. Education officials placed a number of children with disabilities in special, or “practical,” schools, intended for children with “mild retardation.” These schools did not prepare children for university-level education. Elementary school directors had the authority to accept or reject any student, based upon the school’s ability to meet the student’s individual needs. Mainstream schools sometimes refused admittance to students with disabilities.

The new civil code, in force since January 1, strengthened the position of persons whose disabilities impede their ability to exercise their full legal rights. The law requires a legal guardian to ensure the preferences of a person with a mental or psychological disability are taken into consideration. In addition courts are no longer able to deprive such individuals of their full legal capacity but can only limit it in some clearly specified areas (e.g., finances, the right to vote). The courts have three years to review all cases of mentally or physically disabled persons with curtailed legal rights to determine whether the treatment of such individuals complies with the law.

Of Prague’s 54 subway stations, 34 were accessible to persons with disabilities, including five of the 15 major stations in the city center. Approximately 66 percent of buses and new tramcars had low entry doors to accommodate passengers with disabilities, although only 20 percent of all trams and 10 percent of all tram stations were fully accessible. The subway, bus, and tram systems provided stop announcements and equipment for riders with vision disabilities.

The ombudsman is required to visit regularly all governmental and private workplaces.
employing incarcerated or institutionalized persons, including persons with disabilities, to examine conditions, ensure respect for fundamental rights, and advocate for improved protection against mistreatment. The ombudsman’s office made these visits throughout the year. In 2013 the office focused on institutions for seniors with dementia. The ombudsman visited 15 institutions and claimed misconduct in seven cases. In 2013 the ombudsman’s office received 360 complaints of discrimination, of which 25 were for health and disability reasons.

The Ministry of Labor and Social Affairs continued a program, initiated in 2012, to assist persons with disabilities in transitioning from institutional care to mainstream society. Through 2013 the program, which the EU funded, helped 490 individuals transition to community homes and 168 to return to their families or move to new housing.

**Employment**

Labor laws and regulations prohibit any kind of discrimination based on nationality, race or ethnic origins, religion, gender, sexual orientation and/or gender identity, age, disability, HIV-positive status or presence of other communicable diseases, social status, political attitude and belief, or trade union membership. The law provides for equal treatment for any individual seeking employment.

The SBLI conducted 2,637 checks for unequal treatment and discrimination. It imposed fines totaling 2.9 million koruna ($145,000) for violations of discrimination laws, most involving noncompliance with the requirement to employ a specific number of disabled persons or the publication of discriminatory job advertisements.

Associations supporting HIV-positive individuals reported cases of discrimination. According to labor legislation, HIV-positive individuals are not obligated to report their diagnoses to their employer unless the diagnosis prevents them from executing their duties. Some employers dismissed HIV-positive employees due to prejudices of other employees. To avoid accusations of discrimination, employers justified such dismissals on administrative grounds, such as redundancy.

The government generally enforced antidiscrimination laws in employment effectively, but employees were often unwilling to file formal complaints or testify against their employers due to fear of losing their jobs, having their wages reduced, or being moved to positions with poorer working conditions (also see section 6, HIV and AIDS Social Stigma).

**HIV/AIDS Social Stigma**

Persons with HIV/AIDS faced societal discrimination, although there were no reported cases of violence. The Czech AIDS Help Society (CSAP) reported a number of cases of discrimination, primarily in access to health care and dental care and wrongful termination of employment or discrimination during the hiring process. The government took no action in most cases, because individuals with HIV/AIDS often preferred to keep their status confidential rather than file a complaint. In 2013 the ombudsman issued an opinion in connection with a case of wrongful termination of employment of a police officer with HIV/AIDS. The opinion stated that, based on
the antidiscrimination law, HIV/AIDS can be considered a health disability and should be treated as such. The opinion recommended police modify how they apply regulations regarding health standards for police officers and avoid applying them mechanically.

**Civil Judicial Procedures**
A law on crime victims’ rights went into effect in August 2013. The law recognizes children, persons with disabilities, victims of human trafficking, and victims of sexual and brutal crimes as the most vulnerable populations. It lists the rights of crime victims, such as to claim compensation and have access to an attorney. It also sets standards of treatment by the judiciary and defines the framework for provision of other services.

**Convention on the Rights of Persons with Disabilities**
The Czech Republic signed the CRPD and Optional Protocol on 30/03/2007. The government ratified the CRPD on 28/09/2009.

**Denmark**

**Constitution and Laws**
The constitution and law prohibit discrimination based on race, sex, gender, disability, language, sexual orientation, gender identity, or social status, and the government effectively enforced these prohibitions.

**Persons with Disabilities**
The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in a number of areas including employment, education, air travel and other transportation, access to health care, and other government services. It also mandates access by persons with disabilities to government buildings, education, information, and communications. The government generally enforced these provisions. The Danish Institute of Human Rights (DIHR) reported discrimination enforcement legislation was well established for the workplace (see also section 7.d.) but less so in other areas, such as public transportation and educational facilities. Antidiscrimination legislation provides for compensation for persons with disabilities but does not provide for total inclusion of such persons outside the workplace.

According to the DIHR, although building legislation sets out accessibility requirements, new buildings often were not accessible for persons with disabilities. Furthermore, the accessibility requirements focused primarily only on accessibility for those with physical disabilities. While the National Board of Health and Welfare operated an online network with technology to assist persons with disabilities, the DIHR noted a study by the Danish Agency for Digitization found 34 percent of public sector websites were not as accessible as they should be.

Children with disabilities attended school. The right of persons with disabilities to vote or participate in civic affairs was generally not restricted, but some persons with disabilities reported problems in connection with public elections, including ballots that were not
accessible to blind persons or persons with learning disabilities. The country maintains a system of guardianship for persons considered incapable of managing their own affairs due to psychosocial or intellectual disabilities; persons under guardianship are automatically deprived of their right to vote.

The parliamentary ombudsman monitored the treatment of persons with disabilities and issued opinions regarding complaints of disability discrimination.

**Employment**
Labor laws prohibited employment discrimination with respect to race, sex, gender, disability, language, sexual orientation and/or gender identity, HIV-positive status or other communicable diseases, or social status. The government generally enforced these laws. Discrimination in employment and occupation occurred with respect to ethnicity (see section 6).

**Convention on the Rights of Persons with Disabilities**

**Estonia**
**Persons with Disabilities**
The law prohibits discrimination against persons with physical and mental disabilities in employment, education, access to health care, and transportation, including air transport. The government generally enforced these provisions.

The state provides access to information services and makes individual assistants available to persons with disabilities when necessary. By law buildings constructed or renovated after 2002 must be accessible to persons with disabilities. Few older buildings were accessible, but new or renovated ones generally were. Fewer than 25 percent of persons with disabilities had jobs. According to the legal chancellor, measures to safeguard the fundamental rights of individuals in mental health facilities remained inadequate. Problems included abusive use of physical restraints and inadequate medical care. NGOs complained that while services typically were accessible in the capital, persons with disabilities in some rural areas had difficulty receiving appropriate care. In 2013 the commissioner for gender equality and equal treatment received 12 claims of discrimination based on disability (also see section 7.d.).

The Ministry of Social Affairs is responsible for protecting the rights of persons with disabilities, and local governments are responsible for the provision of social welfare services to persons with disabilities. Children with disabilities attended school (primary, secondary, and higher education). The government focused on developing rehabilitation services to improve the ability of persons with disabilities to cope independently and increase their social inclusion. The
government also compensated for some additional expenses incurred by persons with disabilities.

**Employment**

Labor laws and regulations prohibit discrimination regarding nationality, race, color, political opinion, age, sex, gender, disability, language, sexual orientation and/or gender identity, and origin. The government enforced these laws. With respect to employment or occupation, labor laws and regulations follow the following principles: employers are obligated to provide employees protection against discrimination, follow the principle of equal treatment, and promote equal treatment and gender equality.

Discrimination in employment or occupation occurred with respect to age, gender, disability, and language (see section 6).

**Stateless Persons**

Nearly all individuals without documented citizenship were long-term residents; they could vote in local, but not parliamentary, elections. Individuals applying for naturalization must pass Estonian language and civics tests. In 2013, 64.3 percent of the persons who took the language test to acquire the citizenship passed. To facilitate acquisition of citizenship, authorities adopted policies, such as funding civics and language courses and simplifying the naturalization process for persons with disabilities.

**Government Human Rights Bodies**

The legal chancellor, an independent official with a staff of more than 40, performs the role of human rights ombudsman. The chancellor reviews legislation for compliance with the constitution; oversees authorities’ observance of fundamental rights and freedoms and the principles of good governance; and helps resolve accusations of discrimination based on gender, race, nationality (ethnic origin), color, language, religion, social status, age, disability, or sexual orientation.

**Convention on the Rights of Persons with Disabilities**

Estonia signed the CRPD on 25/09/2007. The government ratified the CRPD and Optional Protocol on 30/05/2012.

**Finland**

**Constitution and Laws**

The constitution and law prohibit discrimination based on race, gender, disability, language, sexual orientation, and social status, and the government effectively enforced these prohibitions.

**Persons with Disabilities**

The constitution and law prohibit discrimination against persons with physical, sensory,
intellectual, and mental disabilities in all fields, including employment, education, access to health care, or the provision of other state services. The government effectively enforced these provisions.

Authorities generally enforced laws mandating access to buildings for persons with disabilities, although many older buildings remained inaccessible. In August 2013 YLE reported concerns of national disability associations that the needs of persons with disabilities were not sufficiently addressed during new construction projects. On January 17, YLE reported a growing need for modified accommodation suitable for persons with disabilities in many municipalities in the country. Most forms of public transportation were accessible, but problems continued in some geographically isolated areas.

The Ministry for Social Affairs and Health and the Ministry of Employment and the Economy are responsible for protecting the rights of persons with disabilities and did so effectively. The law promotes the equal opportunities of persons with severe disabilities and reinforces their fundamental and human rights.

Approximately 200,000 persons with disabilities lived in the country. According to YLE, persons with physical disabilities were likely to experience difficulties entering the labor market (see section 7.d.).

Children and young persons with disabilities attended primary, secondary, and higher education school and studied together with their peers.

**Employment**
The constitution and laws prohibit discrimination in employment or occupation on the basis of race, gender, or other personal characteristics such as disability or health, language, sexual orientation and gender identity, or social status. The government generally respected these rights and regulations, and law enforcement authorities investigated and punished violations. Discrimination in employment and occupation occurred with respect to women; and the Romani, Russian-speaking, and Somali minorities (see section 6, National/Racial/Ethnic Minorities).

**Convention on the Rights of Persons with Disabilities**
Finland signed the CRPD and Optional Protocol on 30/03/2007.

**France**

**Constitution and Laws**
The constitution and law prohibit discrimination based on race, gender, disability, language, social status, or sexual orientation, and the government generally enforced these prohibitions.
**Persons with Disabilities**

The constitution and law prohibit discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, and the provision of other government services. The government generally enforced these provisions effectively.

The Fund Management Organization for the Professional Integration of People with Disabilities (AGEFIPH) reported that the unemployment rate for persons with disabilities grew 21 percent in 2013, faster than the growth rate for the general population (9 percent). The law requires that at least 6 percent of the workforce in companies with more than 20 employees be persons with disabilities. The law requires noncompliant companies to contribute to a fund managed by AGEFIPH. Approximately 52 percent of companies met the requirement in 2013; 47.5 percent contributed into the fund, while a small number (mostly large corporations) received an exemption from the government based on a negotiated action plan, according to AGEFIPH (see section 7.d.).

The law requires that buildings, education, and employment be accessible to persons with disabilities. According to the Association of Paralytics France, only 15 percent of establishments in the country were accessible to them. On June 26, the parliament allowed the government to extend deadlines for making buildings and facilities accessible, enabling the government to issue decrees ordering public and private buildings to make their facilities accessible. The decrees could give public and private establishments receiving public funds three to nine more years to make their buildings accessible.

The law also requires the establishment of centers in each administrative department to assist individuals with disabilities in receiving compensation and employment assistance. During the year one million persons with disabilities received financial compensation from the government. As of September the government paid each adult with disabilities 790 euros ($988) per month.

On February 5, the Council of Europe announced it had issued a 2013 resolution criticizing the country for not fulfilling its educational obligations to persons with autism. The European Committee of Social Rights concluded the country was violating the European social charter and called on it to report on its progress towards improvement in the schooling of children and training of young adults with autism.

Authorities charged two teenagers on February 5 with abuse of a vulnerable person as part of a group for recording and broadcasting violent images. The teenagers allegedly filmed themselves assaulting a young mentally disabled man and posting the video on Facebook. A third teenager was charged with complicity. A date for the trial had not been set by year’s end.

On July 3, a Bobigny court fined EasyJet airlines 60,000 euros ($75,000) for refusing to let a partially paralyzed 65-year-old woman fly unaccompanied from Paris to Portugal to attend her son’s funeral in 2009.
Employment
The labor code prohibits discrimination based upon an individual’s national origin, sex, lifestyle, sexual orientation, age, family situation, pregnancy, and state of health or disability. Authorities generally enforced this prohibition.

On July 23, the parliament approved a gender equality law creating measures to reinforce equality in the workplace. The new measures include sanctions against companies whose noncompliance could prevent women from bidding for public contracts. The law also requires employers to conduct yearly negotiations with employees on professional and pay equity between women and men in companies with more than 50 employees.

Employment discrimination occurred based on sex, gender, national origin, and disability (see section 6).

Acts of Violence
On January 16, the parliament extended the statute of limitations from three to 12 months for offenses related to sex, sexual orientation, gender identity, and disability.

Convention on the Rights of Persons with Disabilities

Georgia
Constitution and Laws
The constitution and law prohibit discrimination based on race, gender, disability, language, or social status. The government did not always enforce these prohibitions effectively. On May 2, parliament adopted antidiscrimination legislation that prohibits discrimination against individuals based in part on ethnicity, religion, age, sexual orientation, gender identity, and political beliefs.

Persons with Disabilities
While the constitution and law prohibit discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, or the provision of other government or private sector services, the government was not effective in enforcing all these provisions. Discrimination, including social, educational, and employment discrimination, against persons with disabilities was a problem. According to the Public Defender’s Office, the state had not developed a policy to address the challenge of employment for persons with disabilities. Most schools did not provide appropriate educational services because of a lack of qualified instructors. Many families with children with disabilities considered themselves stigmatized and kept their children out of the public mainstream.
The law mandates access to buildings for persons with disabilities and stipulates fines for noncompliance. On January 6, the government passed a resolution requiring builders take accessibility standards into account for planned public buildings. The resolution also stipulated existing public buildings should become accessible within five years. Very few public facilities or buildings were accessible, although the Ministry of Internal Affairs, Ministry of Justice, Ministry of Education, and Public Defender Office’s buildings complied with the law. Public and private transportation offered no accommodation for persons with disabilities. Sidewalk and street crossing accessibility was poor.

In April the government adopted guidelines to provide for immediate life-saving surgeries for children with hydrocephalus.

According to UNICEF three state-run institutions caring for children with disabilities were still functional in Georgia (in Tbilisi, Kojori, and Senaki), compared with 41 in 2009. The number of children living in state-run institutions decreased from more than 4,600 children in 2005 to 106 during the year. While some disabled children in state care were deinstitutionalized, the number of children who may have been in unregulated orphanages run by the Georgian Orthodox Church was unknown.

The public defender reported social welfare programs did not address the individual needs of persons with disabilities. Many persons with disabilities, especially those living outside of Tbilisi, lacked information regarding access to available social, medical, and other programs. The universal health-care program did not cover all needs for persons with disabilities, particularly provision of medication. The public defender stated inclusive education remained a major challenge. According to the Ministry of Education and Science, there were 3,366 pupils with special education needs in the education system. Despite the introduction of inclusive education in professional and general educational institutions, preschool and higher education were not part of the system.

The public defender’s 2013 Situation of Human Rights and Freedom report highlighted that the government adopted a resolution approving the 2014-16 action plan with an aim of ensuring equal opportunities for persons with disabilities by bringing the legislative framework in line with international standards; providing for education, health care, social security, and labor rights; and encouraging greater participation in public and political life.

Employment

The law prohibits discrimination in employment based on race, color, language, ethnic or social belonging, nationality, origin, economic condition or status, place of residence, age, gender, sexual orientation, disability, membership of religious, public, political or any union, including professional unions, marital status, political or other views. It does not specifically prohibit discrimination based on HIV/AIDS-positive status or other communicable diseases, gender, language, or social status. The law further stipulates that discrimination is considered to be
“direct or indirect oppression of a person that aims to or causes the creation of a frightening, hostile, disgraceful, dishonorable and insulting environment.”

**Prison and Detention Centers**
In the public defenders June 2013 report, *Conditions of Persons with Disabilities in Penitentiary Establishments, Temporary Detention Isolators, and the Institution for Involuntary Psychiatric Treatment*, the public defender noted that the needs of persons with disabilities, including for medical services, were not taken into account in prisons and temporary detention centers. The report also found flaws in the majority of institutions, including keeping statistical data and registering the needs of persons with disabilities. The Ministry of Corrections and Legal Assistance subsequently created a special medical unit for the treatment of prisoners with disabilities.

**Women**
Domestic and other violence against women remained a significant problem. Penalties for domestic violence include community service for a period of between 80 and 150 hours. An act of domestic violence committed against a pregnant woman, a minor, a person with disabilities, or in the presence of a minor witnessing an act against a family member, or against two or more persons may be punished by community service for a period of between 100 to 200 hours, restriction of freedom for up to one year, or deprivation of freedom for up to one year.

**Children**
The quality of education fluctuated greatly between urban and rural areas and between Tbilisi and the regions. According to the government’s assessment of the *National Concept for Tolerance and Civic Integration and Action Plan for 2009-14*, the school curriculum and textbooks included stereotyped material and lacked quality translations. In rural areas school facilities were often inadequate and lacked heating, libraries, and blackboards. Children of noncitizens often lacked the documentation necessary to register in school, impeding registration in some cases. The level of school attendance was low for children belonging to disadvantaged and marginalized groups, such as street children, children with disabilities, and children in foster care. The quality of education in the occupied regions of Abkhazia and South Ossetia, outside of the government’s control, was reportedly poor.

**Convention on the Rights of Persons with Disabilities**
Georgia signed the CRPD and Optional Protocol on 10/07/2009. The government ratified the CRPD on 13/03/2014.
**Germany**

**Constitution and Laws**

The constitution and laws prohibit discrimination, including in employment, based on sex, parentage, race, language, homeland and origin, faith, religious or political opinion, disability, sexual orientation and gender identity, or social status.

Authorities compiled a strong enforcement record in most of these areas but acknowledged that they needed to do more in some areas, such as enforce laws prohibiting discrimination against persons with disabilities.

**Persons with Disabilities**

The law prohibits discrimination against persons with physical or mental disabilities in employment, education, access to health care, and the provision of other federal state services, including access to air travel and other transportation. The relevant law makes no specific mention of persons with sensory or intellectual disabilities, but these are considered to be subsumed under the other headings. The extent to which the government effectively enforced these provisions remained debatable among NGOs, and the government expressed interest in learning about ways to enhance enforcement of its antidiscrimination laws. The country’s approximately 500,000 children with disabilities attended school. Some persons with disabilities attended special schools, and officials contended that special schools were often better equipped to take care of such students. Some observers asserted that these institutions prevented the full integration of children with disabilities into the professional world and society as a whole (see section 7.d.).

The federal states continued efforts to improve access to public buildings and transportation and to integrate students with disabilities into regular schools, including by upgrading buildings, equipment, and staff. Progress varied from region to region. For example, on August 1, North Rhine-Westphalia began giving students with identified special education needs the choice to enroll in mainstream schools without having to submit a special application as previously required. Schools in North Rhine-Westphalia upgraded facilities, employed specialized teachers, and provided teacher training as required to meet the students’ needs.

The government employed a number of measures to promote the employment of persons with disabilities. Employers with 20 or more employees must hire persons with disabilities to fill at least 5 percent of all positions. There are special provisions for companies with 20-40 employees (one position for persons with disabilities) and 40-60 (two positions for persons with disabilities). Companies that fail to meet these quotas face a monthly fine of 100-290 euros ($125-$363) for each required position that is not filled by a person with disabilities.

By law the federal government must provide barrier-free access to communications, especially access to of administrative internet sites and official forms and notifications. Authorities continued efforts to improve barrier-free access to public transportation.
The Office of the Federal Commissioner for Matters relating to Persons with Disabilities is the principal government contact in all matters related to persons with disabilities and had specific responsibility for protecting their rights. The Ministry of Labor and Social Affairs; the Ministry of Family, Senior Citizens, Women, and Youth; and the Ministry of Transport, Building, and Urban Affairs also have responsibilities for addressing the needs of persons with disabilities. The German Institute for Human Rights has responsibility for monitoring the country’s implementation of the UN Convention on the Rights of Persons with Disabilities.

Pursuant to an agreement between the German Railway and the Federal Ministry for Labor and Social Affairs, persons with disabilities who meet certain requirements can ride all regional trains within the country free of charge.

**Employment**

Labor laws and associated regulations regarding employment and occupation prohibit discrimination regarding race, ethnic origin, sex, religion or belief, disability, age, sexual orientation, and gender identity. According to the Federal Labor Court, persons with HIV and chronic diseases also fall under the nondiscrimination law. The law protects against discrimination with regard to access to employment, self-employment, and promotions and career advancement. The government effectively enforced these laws and regulations.

According to the Federal Antidiscrimination Agency, the most common grounds of employment-related discrimination occurred with regard to age, gender, disability, ethnic origin, and HIV-positive status. Persons of foreign origin and persons with disabilities faced particular difficulties finding employment.

**Convention on the Rights of Persons with Disabilities**

Germany signed the CRPD and Optional Protocol on 30/03/2007. The government ratified the CRPD and Optional Protocol on 24/02/2009.

**Greece**

**Constitution and Laws**

The constitution and law prohibit discrimination based on race, gender, disability, or social status. Some laws also include antidiscrimination provisions on the grounds of sexual orientation and gender identity. While the government generally enforced these provisions, some societal discrimination continued against women, persons with disabilities, migrants, Roma, and lesbian, gay, bisexual, and transgender (LGBT) individuals.

**Persons with Disabilities**

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, and access to health care and provides for other government services, such as transportation and education. NGOs and organizations for disability rights reported that government enforcement of these provisions was uneven.
Persons with disabilities, including children, continued to have poor access to buildings, transportation, and public areas. The law mandates access to buildings for persons with disabilities as well as accessible transportation and ramps for sidewalks and public transportation vehicles. Disability rights advocates, however, claimed that 9 percent of public buildings were fully accessible and 40 percent were partly accessible. The law allows service animals to accompany blind individuals in all mass transit, but blind activists maintained they faced serious problems when attempting to use city transportation with their dogs. NGOs and other groups supporting rights for persons with disabilities criticized government health-care funding cuts for such persons, the lack of qualified personnel to provide health and educational support to children with disabilities, the lack of social welfare support for migrants with physical disabilities, and the lack of quality education and appropriate educational support services at all levels.

In 2013 the ombudsman handled 56 complaints related to persons with disabilities. In his 2013 antidiscrimination report, the ombudsman noted that the law was not completely compatible with the rights of children with disabilities in education and support services sectors. The report also noted that state media failed to implement a 2010 EU directive to adapt and provide services for deaf and blind persons. On February 10, the National Radio and Television Council issued a directive requiring that all noninformation-based television stations change their programs to accommodate the needs of the blind and the deaf.

Understaffed government offices responsible for issuing disability certificates led to waits of up to a year, during which applicants were unable to collect disability benefits. On March 4, the Ministry of Finance announced exemptions from salary and pension deductions for tax purposes for persons with serious disabilities. Advocates claimed the unemployment rate for persons with disabilities exceeded 90 percent. Under certain conditions the government exempted public sector employees with disabilities or those having dependents with disabilities from public sector job cuts that were part of a wide-ranging structural reform program. On February 23, the deputy minister of labor, social security, and welfare announced that a 5 percent public sector hiring quota, introduced in a 1998 law but not enforced due to a suspension of hiring under current austerity measures, would be implemented for individuals with disabilities.

The Manpower Employment Organization, an independent agency of the Ministry of Labor, continued to offer EU- and state-funded programs to enhance the employability and entrepreneurship of individuals with disabilities, including subsidies for employers of such persons and subsidies for new businesses run by them.

Two newly established state-funded institutes for vocational training for blind and deaf students started classes at the end of April.

**Employment**
The law prohibits discrimination with respect to employment based on race, sex, gender,
disability, sexual orientation, HIV-positive status, or social status. The government did not effectively enforce these laws and regulations.

Discrimination in employment and occupation occurred based on race, sex, sexual orientation, gender identity, and HIV-positive status (see section 6). Discrimination occurred against migrant workers (see section 7.e.).

**Freedom of Speech**

On September 9, parliament amended the anti-racism/antidiscrimination law to set stricter penalties for individuals or legal entities convicted of incitement to violence, discrimination, or hatred based on race, color, religion, national or ethnic origin, disability, sexual orientation, or gender identity. Courts may sentence violators to three months to three years’ imprisonment, deprivation of political rights for one to five years, and a fine from 5,000 to 50,000 euros ($6,250 to $62,500). The punishment increases if incitement to violence leads to a criminal act or is carried out by a civil servant in the course of duty. The law also criminalizes approval, trivialization, or malicious denial of the existence or seriousness of genocides, war crimes, crimes against humanity, the Holocaust, and crimes of Nazism if such behavior leads to incitement of violence or hatred, or if it is threatening or abusive toward groups of individuals based on race, color, religion, genealogy, nationality/ethnicity, sexual orientation, gender identity, or disability. Violators may be sentenced to three months to three years in prison and a fine of 5,000 to 20,000 euros ($6,250 to $25,000). A new legal provision also sets stricter penalties for racially motivated crimes, in which case a court may sentence violators to an additional six months to three years and a doubled fine.

**Disappearances**

There were no reports of politically motivated disappearances, abductions, or kidnappings. On June 27, the government amended the law to impose penalties against persons perpetrating forced disappearances, including prison sentences for perpetrators or their superiors who knew or disregarded information of such crimes or who exercised control and responsibility. Prison sentences are a minimum of 10 years if the victim was pregnant or a minor, had a disability, or suffered serious bodily harm. If the victim died, the penalty is a life sentence.

**Convention on the Rights of Persons with Disabilities**

Greece signed the CRPD on 30/03/2007 and the Optional Protocol on 27/09/2010. The government ratified the CRPD and Optional Protocol on 31/05/2012.

**Hungary**

**Constitution and Laws**

The constitution prescribes that fundamental rights shall be provided to everyone without discrimination based on race, color, sex, disability, language, religion, political or any other opinion, ethnic or social origin, wealth, birth, or any other circumstance whatsoever. The government failed to enforce these rights fully.
**Persons with Disabilities**

The constitution provides for fundamental rights for all without discrimination, including for persons with disabilities, and provides for their protection with special measures. The law prohibits discrimination against persons with physical, sensory, or intellectual disabilities in employment, education, air travel and other transportation, access to health care, or the provision of other state services. NGOs reported the government failed to enforce antidiscrimination laws effectively. During the year ETA issued six resolutions in cases in which persons with disabilities were discriminated against in the fields of education and public service.

The 2011 census identified 561,247 residents with disabilities, while disability organizations estimated the number to be significantly higher.

The international NGO Mental Disability Advocacy Center (MDAC) continued to criticize the government for failing to protect the rights of nearly 60,000 adults with disabilities under the legal guardianship of others, particularly their right to access employment, education, and health care.

By government decree companies with more than 25 employees must reserve 5 percent of their work positions for persons with physical or mental disabilities. The decree levies fines for noncompliance. Employers generally paid the fines rather than employ persons with disabilities. In 2012 the government introduced a new rehabilitation system for promoting the employment of persons with disabilities. Under the system, “transit employment” prepared employees who could be rehabilitated through skills development to work in the open labor market under protected conditions. “Long-term supported employment” offered the preservation and development of working skills, health conditions, and physical and mental capabilities of persons with disabilities under protected labor circumstances. During the year 7,432 persons participated in the transit employment program and 23,451 in the long-term supported employment scheme.

Both the central government and municipalities continued to renovate public buildings to make them accessible to persons with disabilities. The law originally set 2010 as the deadline by which the central government had to make buildings accessible, while municipalities had until the end of 2013. There were no data available on the percentage of government buildings that complied with the law, but NGOs contended many public buildings remained inaccessible.

NGOs claimed the right to public schooling was not honored for children with significant and multiple disabilities because public elementary schools are not obligated to enroll children with disabilities. In 2012 the ombudsman released a report on the enforcement of the rights of students with disabilities in higher education. The ombudsman noted that due to legal ambiguities, the practices of higher education institutions (and in certain cases faculties) may differ significantly in applying the immunities and benefits to which students with disabilities are entitled. The ombudsman urged the minister of human capacities to harmonize the relevant
legal provisions. He also urged the presidents of institutions of higher education to provide for enforcement of the rights of persons with disabilities.

NGOs continued to complain about the lack of independent oversight of government-run long-term care institutions for persons with mental disabilities. According to the MDAC, in 2012 approximately 25,000 persons with disabilities were living in long-term psychiatric and social care institutions. On January 29, the ombudsman released a report on financial practices of the Psychiatric Patients Home at Elek in response to a petition from persons living there. The ombudsman’s report concluded the home’s practice of withholding information from patients about their individual financial situations, such as their pensions and other income, as well as fees and other expenses deducted by the home, constituted a violation of patients’ rights to legal security, property, equal treatment, and fair proceedings. The report also noted the overall institutional shortcomings “resulted and maintained the constant and direct risk” of violating the patients’ human dignity and social security. The ombudsman instructed the head of the home to correct the problems cited in the report and asked the regional guardianship authority to monitor compliance closely. On December 16, the commissioner of human rights of the Council of Europe released a report in which he encouraged Hungarian authorities to stop new placement in institutions, avoid opening new institutions, and move resources from institutions to the development of individualized support services.

According to the constitution, a court may deprive persons with disabilities who are under guardianship of their right to vote due to limited mental capacity. The MDAC continued to criticize the “mental ability” provision, calling it an “unsophisticated disguise for disability-based discrimination” because it could apply to persons with intellectual disabilities and persons with psychosocial disabilities. NGOs noted polling places were generally not accessible to persons with disabilities and that election materials were not available in an easy-to-read format. The commissioner of human rights of the Council of Europe in his report released on December 16 also noted the high number of persons with disabilities who were placed under guardianship and called for a genuine shift from the substitute decision-making paradigm to one based on supported decision making.

On October 21, the ECHR held that a petitioner who has an intellectual disability was disenfranchised because of his disability. The applicant was placed under plenary guardianship by the court in 2000 and as an automatic consequence he was deleted from the electoral register and could not vote in the 2010 national election.

The lead agency for protecting the rights of persons with disabilities is the Ministry of Human Capacities.

**Employment**

The constitution and some laws prohibit discrimination based on race, sex, gender, disability, language, sexual orientation and gender identity, infection with HIV or other communicable diseases, or social status. The labor code provides for the principles of equal treatment without explicitly prohibiting discrimination or defining grounds for discrimination. The government
failed to enforce these regulations effectively. Discrimination in employment and occupation occurred with respect to Roma, gender, and disability (see section 6).

**Freedom of Speech**
In addition any person who physically assaults or coerces someone because of his membership in a national, ethnic, racial, religious, or lesbian, gay, bisexual, and transgender (LGBT) group, or because of disability, may be convicted of a felony punishable by imprisonment for one to five years. NGOs continued to criticize courts for failing to convict persons for inciting hatred unless the crime was accompanied by a physical assault.

**Children**
Segregation of Romani schoolchildren remained a problem. NGOs and government officials estimated one-third of Romani children were educated in segregated classes and that school officials placed 20 percent, without justification, in remedial classes for children with mental disabilities, effectively segregating them from other students. Schools with a majority of Romani students employed simplified teaching curricula, were generally less well equipped, and were in significantly worse physical condition than those with non-Romani majorities. Since 2013 the government spent 250 million forint ($965,000) on reforming the diagnostic system for children with mental disabilities to prevent unjustified diagnoses and in September introduced a new database aimed at tracking the individual development of diagnosed children.

**Women**
In a 2013 review of the combined seventh and eight periodic reports to the UN Committee on the Elimination of Discrimination against Women, the committee urged the government to cease all negative interference with women’s sexual and reproductive rights, provide adequate access to family planning services and affordable contraceptives, establish an adequate regulatory framework for the practice of moral or religious objections by health professionals, provide for women to be offered existing alternatives, and recognize trained midwives as independent professionals. The committee also expressed concern about the limited access to and inadequate quality of sexual and reproductive health services for women with disabilities, women with low income, Romani women, women living in rural areas, and women living with HIV.

**Convention on the Rights of Persons with Disabilities**
Hungary signed the CRPD and Optional Protocol on 30/03/2007. The government ratified the CRPD and Optional Protocol on 20/07/2007.

**Iceland**

**Constitution and Laws**
The constitution and law prohibit discrimination based on race, gender, disability, language, sexual orientation, gender identity, and social status. Various laws implement these prohibitions, and the government effectively enforced them.
**Persons with Disabilities**
The constitution prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, and the provision of other government services. The law provides that persons with disabilities receive preference for government and municipal jobs when they are at least as qualified as other applicants. Disability rights advocates asserted that the government did not fully implement the constitution and the law and that persons with disabilities constituted a majority of the country’s poor. Children with disabilities attended school (primary, secondary, and higher education).

The law provides that persons with disabilities have access to buildings, information, and communications. Building regulations prescribe that buildings and building premises be designed in accordance with “universal design.” Universal design is meant to ensure that persons are not discriminated against on the basis of a disability or illness regarding access or the general use of buildings, and to ensure that people can safely enter and exit buildings, even under abnormal circumstances, such as in the case of fire. Disability rights advocates complained the law and regulations were not fully implemented and access to public information was unsatisfactory, since not all persons with disabilities had access to the internet.

One domestic airline did not accommodate persons in wheelchairs due to the small size of its airplanes. While violations of these regulations are punishable by a fine or a jail sentence of up to two years, one of the main associations for persons with disabilities complained that authorities rarely, if ever, assessed penalties for noncompliance.

Disability rights advocates asserted that persons with disabilities had a more difficult time finding jobs due to prejudice and that fewer job opportunities were available for persons with disabilities. The positions that persons with disabilities were able to find were usually low paying, required only a low level of education or skills, and offered limited opportunities for advancement.

The Ministry of Welfare was the lead government body responsible for protecting the rights of persons with disabilities. The municipalities in each of the country’s 10 regions are responsible for organizing and delivering services and support to persons with disabilities. The Ministry of Welfare maintained a diagnostic and advisory center in Reykjavik that aimed to create conditions allowing persons with disabilities to lead normal lives.

**Employment**
Labor laws and regulations do not specifically prohibit discrimination regarding race, sex, gender, disability, language, sexual orientation and/or gender identity, HIV positive status or other communicable diseases, or social status. The constitution and other laws do ban such discrimination.
Discrimination in employment and occupation occurred with respect to gender, language, and nationality (see section 6).
Children
The prime minister appoints the children’s ombudsman, who acts independently of the government. The ombudsman’s mandate is to protect children’s rights, interests, and welfare. When investigating complaints, which typically involved physical and psychological abuse and inadequate accommodation for children with illnesses or disabilities, the ombudsman has access to all public and private institutions that housed or otherwise cared for children. The ombudsman is not empowered to intervene in individual cases but can investigate them for indications of a general trend. The ombudsman can also initiate cases at her discretion. While the ombudsman’s recommendations are not binding on authorities, generally the government adopted them.

Convention on the Rights of Persons with Disabilities
Iceland signed the CRPD and Optional Protocol on 30/03/2007.

Ireland
Constitution and Laws
The constitution and law prohibit discrimination. The nine grounds under which the law prohibits discrimination include sex, marital status, family status, sexual orientation, religion, age, disability, race, and membership in the Traveller community. The government effectively enforced these prohibitions.

Persons with Disabilities
The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, or the provision of other state services. The government effectively enforced these provisions and implemented laws and programs to ensure persons with disabilities have access to buildings, information, and communications. The National Disability Authority has responsibility for setting and implementing disability standards, as well as directing disability policy. Children with disabilities generally have full access to all educational options at all levels. Observers reported minors continued to be admitted to adult psychiatric units, and human rights groups continued to criticize understaffing and working conditions at the Central Mental Health Hospital in Dundrum, the country’s only secure mental health facility.

Employment
The law bans discrimination in a wide range of employment and employment-related areas. It defines discrimination as treating one person in a less favorable way than another person based on any of the following grounds: sex, marital status; family status; sexual orientation; religion; age; disability, which includes persons with physical, intellectual, learning, cognitive or emotional disabilities; HIV-positive status or other communicable diseases and a range of medical conditions; race; and membership in the Traveller community (also see section 6). The law specifically requires equal pay for equal work or work of equal value.
Convention on the Rights of Persons with Disabilities
Ireland signed the CRPD on 30/03/2007.

Italy

Constitution and Laws
The law prohibits discrimination based on race, gender, ethnic background, and political opinion. It provides some protection against discrimination based on disability, language, or social status. While the government generally enforced these prohibitions, some societal discrimination continued against women, persons with disabilities, immigrants, ethnic minorities such as Roma, and LGBT persons.

Persons with Disabilities
The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel, and other transportation, access to health care, and the provision of other government services. The government enforced these provisions, but in many instances access to public buildings, transit, and facilities was not assured, and there were incidents of societal discrimination.

Although the law mandates access to government buildings for persons with disabilities, physical barriers, particularly in public transit, continued to pose challenges, especially in the south. Many cities lacked infrastructure (such as subway elevators, funicular stations, and ramps on sidewalks) for persons in wheelchairs or with limited mobility. Many municipalities provided free transportation to persons with disabilities who requested it. Persons with disabilities generally were able to participate in political and public life. The government provided voting assistance at polling stations, in hospitals, and in homes to persons with serious impediments. The law provided fiscal incentives to employers with more than 15 employees to hire workers with disabilities (see section 7.d.).

In June 2013 the Court of Justice of the European Union condemned the government for having failed to fulfill its obligation to implement a European directive establishing a general framework for equal treatment in employment and occupation. The court found the various measures adopted by the government for access of persons with disabilities to employment did not require all employers to adopt effective and practical measures covering all aspects of work, including advancement and training.

According to ISTAT, during the 2012-13 school year an estimated 149,000 persons with disabilities were students, of whom 84,000 were elementary school pupils. Of the total, 67 percent had physical disabilities.

In March approximately 1,000 persons were confined in six psychiatric prisons, which often had inadequate facilities and limited access to psychiatric services.
Employment
The law prohibits discrimination in employment because of race, sex, gender, disability, language, HIV-positive status or carrying other communicable diseases, or social status. The government effectively enforced the law. Nevertheless, discrimination based on gender, religion, sexual orientation and gender identity occurred (see section 6). For example, on April 28, a Muslim woman reported to online media the owner of a hotel refused to offer her an internship because she wore a hijab. On August 6, a court in Milan ordered Carlo Taormina to pay 10,000 euros ($12,500) to the LGBT association LGBT-Rete Lenford for having said in a televised interview in 2013 he did not intend to hire homosexuals in his office since “they are against nature.” Taormina was convicted under a law prohibiting discrimination based on sexual orientation in the workplace. Employment discrimination based on pregnancy and maternity occurred.

Compulsory Labor
Forced labor occurred during the year. Workers were subjected to debt bondage in agriculture in the south of the country and in construction, domestic service, hotels, and restaurants in the north. Chinese men and women were forced to work in textile factories, and persons with disabilities from Romania and Albania were subjected to forced begging. On February 3, the NGO February Three criticized the exploitation of hundreds of Bangladeshi nationals, most of whom lacked residence permits, by Italian and Bangladeshi entrepreneurs in textile factories in the province of Naples. The entrepreneurs had allegedly seized their passports and forced them to work seven days a week for up to 14 hours a day. The NGO accused the entrepreneurs of engaging in slavery and assisted migrants with requests for residence permits for humanitarian reasons. Traffickers subjected Nigerian women to debt bondage. Children were also subjected to forced labor (see section 7.c.).

Convention on the Rights of Persons with Disabilities
Italy signed the CRPD and Optional Protocol on 30/03/2007. The government ratified the CRPD and Optional Protocol on 15/05/2009.

Kosovo

Constitution and Laws
The law specifically prohibits discrimination based on sex, gender, age, marital status, language, mental or physical disability, sexual orientation, political affiliation or conviction, ethnic origin, nationality, religion or belief, race, social origin, property, birth, or any other characteristic. The government did not always effectively enforce these prohibitions.

Persons with Disabilities
The constitution and law prohibit discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, transportation, health care, or other state services. Disability rights groups reported there were approximately 200,000 persons with disabilities. Despite the legal requirement that the government provide protection
and services to all citizens equally, persons with disabilities suffered considerable discrimination (see section 7.d.). The government adopted a 2013-23 strategy to improve the rights of persons with disabilities, accompanied by an action plan to implement changes from 2013-15. The EU’s Progress Report for the year noted the failure of the Ministry of Education, Science, and Technology to implement commitments made in the ministry’s strategy to make personal assistants available to children with disabilities. Laws and programs to provide access to buildings, information, or communications were not in place. As a result persons with physical disabilities could not access municipal buildings, the parliament, or many hospitals and schools. Persons with disabilities also lacked access to public transport due to inaccessible buses. The Ministry of Labor and Social Welfare had responsibility for protecting the rights of persons with disabilities. Persons with disabilities were eligible for small social payments from the government. The disability rights organization HandiKos reported that persons with spinal cord injuries, muscular dystrophy, Down syndrome, and multiple sclerosis lacked access to essential services and social assistance.

The law provides for protection for children with disabilities. According to the Ministry of Education, Science, and Technology, seven special residential schools served children with disabilities, and on October 2, there were 1,239 special-needs children in 76 special-needs classrooms in regular schools.

There was no national law regulating the commitment of persons to psychiatric or social care facilities or protecting their rights within such institutions. Mental health facilities were substandard. The labor and health ministries had separate mandates for treating persons dealing with mental health problems. The KRCT reported that in isolated instances, police detained persons with mental disabilities with no legal basis. According to World Health Organization estimates, there were 14,000 persons with mental disabilities. Other observers estimated that 50,000 persons with mental disabilities lived isolated and stigmatized lives outside of institutions. The main facility for persons with mental disabilities was the Shtime/Stimlje Special Institute, a complex with two residential treatment buildings. During the year one building served adults with developmental or intellectual disabilities and treated 63 individuals. The second building specialized in treating adults with psychiatric disabilities and housed 65 persons, most of whom had lived there since the 1999 war. The government also supported several residential community houses for persons with developmental disabilities. All but one was dedicated to adults with disabilities.

As of 2013 the Ministry of Health operated eight integration and community homes across the country, providing inpatient care for 75 persons with mental disabilities. The Ministry of Labor and Social Welfare operated another 10 community homes with 10 to 15 residents in each facility. Most residents reportedly spent years in these homes with little prospect of reintegration in the community.

**Employment:** Discrimination in employment and occupation occurred with respect to sex, gender, disability, and minority status (see section 6). During the year the BSPK received reports
from labor unions and individuals also claiming discrimination based on age and family status. The BSPK noted that employment almost exclusively depended on the employee’s political status and affiliation. The BSPK also stated that due to high unemployment, employees were reluctant to report discrimination, fearing retaliation by their employer. Most often employees addressed their work-related matters internally and informally with their employers. The BSPK also reported employers sometimes illegally fired female employees for being pregnant or requesting maternity leave.

**Women**
Anecdotal evidence suggested that some relatives had widows falsely declared incompetent or mentally disabled in order to claim their property.

**Collective Bargaining**
NGOs monitored child labor and the inclusion of socially vulnerable groups, including the disabled, in the workplace.

**Prison and Detention Centers**
The law specifically prohibits discrimination based on sex, gender, age, marital status, language, mental or physical disability, sexual orientation, political affiliation or conviction, ethnic origin, nationality, religion or belief, race, social origin, property, birth, or any other characteristic. The government did not always effectively enforce these prohibitions.

**Convention on the Rights of Persons with Disabilities**
Kosovo has not signed or ratified the CRPD or Optional Protocol.

**Latvia**

**Constitution and Laws**
The law prohibits discrimination based on race, gender, disability, language, sexual orientation and/or gender identity, and social status. The government enforced most of these prohibitions.

**Persons with Disabilities**
The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, access to health care, or the provision of other state services, and the government generally enforced these provisions. The law mandates access to air travel and other transportation for persons with disabilities, and the government and municipalities partially implemented the law. According to 2013 data from the Ministry of Welfare, there were approximately 163,000 persons with disabilities.

Although the law mandates access to public buildings for persons with disabilities, most were not accessible. The NGO Apeirons reported that approximately 80 percent of new and renovated buildings throughout the country were not accessible to persons with disabilities, and only 2 percent of all buildings were fully accessible.
In May, Ministry of Welfare officials contacted state police to report the alleged abuse of residents at the Ziedkalni shelter for persons with mental disabilities in the southern region of Zemgale. Police initiated an investigation, which continued at year’s end.

In July the government increased state benefits for persons with disabilities to up to 213 euros ($266) per month, depending on the category of disability and level of care needed. In 2013 the government began providing a personal assistance service to persons with disabilities. NGOs, including Apeirons and Zelda, noted that many persons with disabilities were dissatisfied with the service, largely due to scheduling difficulties. The government adopted policy-planning guidelines in 2013 to implement the UN Convention on the Rights of People with Disabilities during 2014-20. The document focused on four main priority areas: education, employment, social protection, and public awareness. The document also addressed problems regarding the personal assistance service, particularly for persons with mental disabilities.

The law grants additional assistance to children with disabilities, allowing them and their caretakers to use public transportation free of charge. The law also allows families of children diagnosed with a disability to receive state-funded counseling. Children with disabilities attended school. The majority attended specialized schools, but they could also attend regular schools that accommodate their needs. In 2012 the government began providing eligible children with disabilities with assistants in schools.

**Employment**

Labor laws and regulations prohibit discrimination regarding race, sex, gender, disability, language, sexual orientation and/or gender identity, HIV-positive status or other communicable diseases, or social status. The government effectively enforced these laws and regulations. Discrimination in employment or occupation occurred with respect to gender and ethnicity.

**Access to Information**

The law does not stipulate criminal or administrative sanctions for noncompliance. Government institutions have specific instructions to take into account an applicant’s visual or hearing disabilities when providing information.

**Stateless Persons**

The law also provides for procedures by which other members of the resident noncitizen population can obtain citizenship. In many cases these procedures include a test of Latvian language skills and the applicant’s knowledge of the constitution and the history of the country. The law exempts certain persons from the tests, including persons with disabilities and persons who completed high school with a curriculum taught at least 50 percent in the Latvian language. The law allows dual citizenship in some circumstances.

**Convention on the Rights of Persons with Disabilities**

Latvia signed the CRPD on 18/07/2008 and the Optional Protocol on 21/01/2010. The government ratified the CRPD on 1/03/2010 and Optional Protocol on 31/08/2010.
**Liechtenstein**

**Constitution and Laws**
The law prohibits discrimination based on race, gender, disability, language, or social status. The government effectively enforced these prohibitions.

**Persons with Disabilities**
The law prohibits discrimination against persons with physical, sensory, intellectual, or mental disabilities in employment, education, transportation, access to health care, or the provision of other state services or other areas. According to NGOs working with individuals with disabilities, cooperation with the government was good, but greater awareness of problems related to disabilities as well as support for employees and employers were needed. The government effectively implemented laws and programs to ensure that persons with disabilities readily had access to buildings, information, and communications. The law mandates that public kindergartens and schools, as well as public transportation systems, must be accessible to persons with disabilities. Children with disabilities were able to attend public schools or a special school established by the orthopedic society. The country also had several institutions that provided working, living, and school facilities for persons with disabilities.

The government took various measures to eliminate barriers for persons with disabilities. It expanded barrier-free access to its internet platform, which was outfitted with a special sign language feature, and maintained an online guide, “Barrier-free through Liechtenstein,” which provided current information on accessibility of buildings, schools, and restaurants.

In 2013, 324 buildings were officially listed as “barrier-free.” The law requires public buildings constructed before 2002 to be barrier-free by 2019 and public buildings constructed between 2002 and 2007 to be barrier-free by 2027.

**Employment**
The country’s equality act and disability law prohibit discrimination between men and women and against disabled persons with respect to employment. However, according to the government’s center for women, Infra, a marked difference between men and women still exists in professional promotions, and women are severely underrepresented in top-level management positions in private industry and the national administration. While antidiscrimination laws do not explicitly mention race, language, or sexual orientation, protection is granted to persons within these categories through special legal provisions. For example, the country’s labor laws refer to the protection of an employee’s personality, which encompasses gender, race, nationality, and sexual orientation, among others. However, according to the 2013 E CRI report, it was particularly difficult for Muslim women who wore headscarves to find employment. The report cited cases in which Muslim women were refused employment or traineeships because of their refusal to remove their headscarves. Infra also noted that migrant women faced greater obstacles finding employment than local women.
**Convention on the Rights of Persons with Disabilities**
Liechtenstein has not signed or ratified the CRPD or Optional Protocol.

**Lithuania**

**Constitution and Laws**
Among the forms of discrimination prohibited by the law are race, sex, gender, social status, ethnic background, sexual orientation, and disability. Discrimination against women and ethnic minorities as well as LGBT persons persisted despite government efforts at enforcement.

**Persons with Disabilities**
The law prohibits discrimination against persons with disabilities, although it does not specify what kind of disabilities. It explicitly prohibits discrimination in housing, transport, telecommunications, and cultural and leisure activities. There was no proactive enforcement of these requirements. During the first half of the year, the equal opportunities ombudsman investigated 17 cases of alleged discrimination based on disability (see section 7.d.).

The law mandates that buildings be accessible to persons with disabilities. According to the most recently available data from the Department of Statistics in 2012, nearly 52 percent of housing complied with this requirement.

According to the Department of Statistics, 36,077 children with disabilities (9.8 percent of all children in schools) attended public schools in 2013-14. Children enrolled in public schools, especially children with limited mobility, did not always receive the assistance they required. Fifty special schools or drop-in centers accommodated an additional 3,594 children.

In 2012 the ECHR that found the system of protection for persons with disabilities had serious practical and legal shortcomings. Nevertheless, as of September 1, authorities had not made any changes in the process. Not only was there no appeals process for persons the courts declared legally incompetent, but, as in the case that led to the ECHR decision, the plaintiff had no opportunity to participate in the competency hearing.

Observers widely regarded the mental health system as inadequate; it remained among the least reformed areas in the health sector.

The government continued implementation of the *National Strategy for Social Integration of People with Disabilities for 2013-2019*. In 2013 the Department for the Affairs of the Disabled disbursed more than 57 million litas ($22.5 million) as part of this program.

The Department for the Affairs of the Disabled, under the Ministry of Social Security and Labor, is the primary governmental organization responsible for developing equal opportunities in the labor market and improving government effectiveness in meeting the needs of, and
augmenting the social security net for, persons with disabilities. The Ministry of Health is responsible for making health services equally accessible to all inhabitants of the country.

**Employment**
The law requires employers to treat employees equally with respect to gender, race, nationality, language, origin, social status, belief, convictions or views, age, sexual orientation, disability, ethnic origin, and religion. There was no specific statute concerning HIV-positive status or a positive status for other communicable diseases. The Office of the Equal Opportunities Ombudsman monitored the implementation of these laws. As of August 1, the ombudsman had conducted 156 employment discrimination investigations, including nine of discriminatory job advertisements, 39 involving discrimination based on social status, five on religion, 15 on age, three on belief, five on language, nine on nationality, four on sexual orientation, one on sexual harassment, and 41 on gender. Many workers remained unaware of their rights with respect to workplace discrimination.

**Convention on the Rights of Persons with Disabilities**
Lithuania signed the CRPD and Optional Protocol 30/03/2007. The government ratified the CRPD and Optional Protocol on 18/08/2010.

**Luxembourg**

**Constitution and Laws**
The law prohibits discrimination based on race, gender, disability, language, or social status, and the government effectively enforced it.

**Persons with Disabilities**
The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, the provision of other state services, or other areas. The government mostly enforced these provisions. The law does not require government or privately owned buildings to be accessible to persons with disabilities, but the government subsidized the construction of such structures. The NGO Aid for Handicapped Children advocated for the protection of the rights of persons with disabilities. Children with disabilities attended one of nine such specialized schools, based on the nature and degree of their disability. Children with disabilities can attend regular schools at their parents’ discretion, in close consultation with advisory services of the Ministry of Education. The government allowed children with disabilities to attend primary, secondary, and higher education. There were no patterns of abuse in educational and mental health facilities.

The Ministry of Family Affairs and the Consultative Commission for Human Rights are responsible for protecting the rights of persons with disabilities.

The law establishes quotas requiring businesses employing more than 25 persons to hire workers with disabilities and pay them prevailing wages, but the government acknowledged it
had not applied or enforced these laws consistently. The law requires private companies with at least 25 workers to hire at least one employee with a disability and the workforce of larger companies to have between 2 and 4 percent of employees with a disability. For state and all public companies, at least 5 percent of the workforce had to be classified as having a disability.

Employment
The law prohibits discrimination based on race, sex, gender, disability, language, sexual orientation or gender identity, HIV-positive status or other communicable diseases, or social status. The government effectively enforced these laws and regulations. The labor code does not prohibit discrimination on the basis of color, political opinion, national extraction, and social origin.

Discrimination in employment and occupation occurred with respect to disability (see section 6).

Convention on the Rights of Persons with Disabilities
Luxembourg signed the CRPD and Optional Protocol on 30/03/2007. The government ratified the CRPD and Optional Protocol on 26/09/2011.

Macedonia
Constitution and Laws
The constitution and law prohibit discrimination based on age, gender, race, disability, language, gender identity, and ethnic, social, or political affiliation. The law provides for fines ranging from 400 to 1,000 euros ($500 to $1,250) on individuals or legal entities found guilty of discrimination. The government generally enforced these prohibitions. The ombudsman’s report stated that discrimination existed in all spheres in society, especially with regard to employment rights and on the basis of ethnicity and political affiliation.

Persons with Disabilities
The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, and the provision of other state services, but the government did not always enforce these provisions effectively. The law allows persons who have experienced discrimination to submit complaints to the Commission for Protection from Discrimination.

A separate law regulates the usage of a special government fund for stimulating employment of persons with disabilities. The Employment Services Agency manages the fund with oversight by the Ministry of Labor and Social Policy. The fund provided incentives to prospective employers, including grants for office reconstruction or procurement of equipment for a working station in order to provide reasonable accommodation. The law requires persons with physical or mental disabilities to obtain approval from a government medical commission in order to serve in supervisory positions in both the private and public sectors (see section 7.d.).
The law requires new buildings be built in accordance with accessibility standards, while existing public structures are to be made accessible for persons with disabilities by 2015. NGOs reported that building accessibility was slowly improving but indicated that the law needed further clarification to define the requirement for a “fully accessible” environment. Many new buildings did not have accessible toilets. Public transportation was largely inaccessible for persons with physical disabilities, although all buses purchased over the past two years by the government for Skopje were accessible. In addition the Ministry of Transport and Communications initiated a two-year project to procure new train cars and renovate train stations in Skopje and 10 other cities to bring them into compliance with accessibility standards.

The Ministry of Education and Science made efforts to provide suitable support to enable children with disabilities to attend regular schools. It employed special educators, assigned either to individual selected schools or as “mobile” municipal special educators covering all schools in their municipality, to support teachers who had children with disabilities in their regular classes. School authorities also installed elevators in several primary schools and deployed technology to assist students with disabilities in using computers in selected primary and secondary schools. Despite these efforts a large number of students with disabilities continued to attend special schools.

**Employment**

Labor laws and regulations generally prohibit discrimination regarding race, sex, gender, disability, language, sexual orientation, health status, or social status. The government did not enforce the laws effectively. Discrimination in employment and occupation occurred with respect to gender, disability, and certain ethnic groups (see section 6).

**Prison and Detention Centers**

The Ombudsman’s National Prevention Mechanism Office noted that despite a number of recent renovations, most psychiatric hospitals for in-patient care lacked detention rooms for convicted mentally disabled females.

**Government Human Rights Bodies**

The ombudsman worked to protect citizens against infringement of their rights by public institutions, reduce discrimination against minority communities and persons with disabilities, promote equitable representation in public life, and address children’s rights. The ombudsman reported good cooperation and communication with the government but noted that, while government responses to the ombudsman’s inquiries were usually timely, they often were not substantive and at times lacked the requested information.

The Inter-Ministerial Body for Human Rights, chaired by Foreign Minister Nikola Poposki, examined problems related to the promotion of human rights and freedoms under the international human rights agreements adopted by the country.
The country’s seven-member Commission for Protection from Discrimination has a mandate to review discrimination complaints, issue recommendations, and promote the implementation of antidiscrimination law. The commission does not have the power to punish offenders. As of September it received 73 complaints and determined that four constituted discrimination. The commission was located in an office inaccessible to persons with physical disabilities. Unlike the ombudsman, the commission reviewed complaints from both the public and the private sectors, although the public at large continued to be largely unaware of the commission’s existence. Citizens not satisfied with the outcome of complaints may seek redress in court, which may accept the written opinion of the commission as evidence.

**National/Racial/Ethnic Minorities**

Roma reported widespread societal discrimination. NGOs and international experts reported that employers often denied Roma job opportunities, and some Roma complained of lack of access to public welfare funds. Romani children were overrepresented in segregated “special” schools for students with intellectual disabilities. Romani NGOs also reported that proprietors occasionally denied Roma entrance to their establishments. Some Roma lacked identity cards, which were necessary to obtain government services such as education, welfare, and health care, although the EU, the UNHCR, and several NGOs worked to provide identity documents to all Roma.

**Convention on the Rights of Persons with Disabilities**

Macedonia has not signed or ratified the CRPD or Optional Protocol.

**Malta**

**Constitution and Laws**

The constitution prohibits discrimination based on race, gender, disability, language, sexual orientation or gender identity, or social status, and the government generally enforced these prohibitions.

**Persons with Disabilities**

The law prohibits both the public and private sectors from discriminating against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, health care, physical access, access to goods and services, housing, and insurance, and the government effectively enforced these provisions. As of late July, the National Commission for Persons with Disabilities, the agency responsible for enforcement of this law, was examining 187 pending discrimination complaints from previous years, opened investigations into 290 new cases, and satisfactorily concluded 233. There were 57 new cases and 59 concluded cases involving accessibility.

The government previously implemented legislation to provide access to buildings, information, and communication. While the government made efforts to ensure access, many historical buildings remained inaccessible due to limited structural adaptability.

**Employment**
Labor laws and regulations prohibit employment discrimination regarding race, sex, gender, disability, language, and sexual orientation or gender identity (also see section 6). The government effectively enforced these laws and regulations. The law does not explicitly prohibit employment discrimination based on social status, HIV-positive status, or other communicable diseases.

**Government Human Rights Bodies**
The National Commission for the Promotion of Equality (NCPE) and the National Commission for Persons with Disability oversaw human rights issues related to gender equality and disabilities.

**Convention on the Rights of Persons with Disabilities**
Malta signed the CRPD and Optional Protocol on 30/03/2007. The government ratified the CRPD and Optional Protocol on 10/10/2012.

**Moldova**

**Constitution and Laws**
The law prohibits discrimination based on race, gender, disability, ethnicity, or social status, but the government did not always enforce these prohibitions effectively.

The law prohibits discrimination on the basis of 11 characteristics, including gender, race, and disability, as well as employment discrimination on the basis of sexual orientation. As of September a council established in October 2013 to prevent discrimination and ensure equality in implementing the law had examined 101 complaints and sent 15 cases to court, all of which were challenged by state institutions accused of discrimination. Based on the council’s recommendation, the sides came to an amicable solution in 33 cases. The council has no sanctioning power and its recommendations may only be used in court at the judge’s discretion. A plurality of cases involved discrimination against persons with disabilities while other cases involved age and gender discrimination.

**Persons with Disabilities**
The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, access to public facilities, health care, or the provision of other government services, but the law was rarely enforced.

The law provides protection for persons with disabilities against discrimination in employment, education, health care, and public life. The law prohibits construction companies from designing or constructing buildings without special access for persons with disabilities and requires transportation companies to equip their vehicles to meet the needs of such persons. The law also requires that land, railroad, and air transportation authorities ensure access for individuals with disabilities and adapt public spaces and transportation to provide access for persons in wheelchairs. The airport administration must provide an escort for persons with disabilities. Authorities only implemented the provisions of the law to a limited extent during
the year.

The country had approximately 183,700 persons with disabilities, including more than 25,000 persons with severe disabilities, and 14,753 children, many of whom often faced discrimination, social exclusion, poverty, unemployment, and lack of access to public services (see section 7.d.). The state paid a monthly allowance of 500 to 1,000 lei ($32 to $64) to persons with disabilities. The average disability pension was lower than the average retirement pension of 826 lei a month ($53). In July the government raised the monthly disability allowance by 100 to 180 lei ($6.40 to $11.60), depending on the disability. As of October the state paid monthly pensions of 876 lei ($56.30) to 133,774 persons with disabilities. In addition, 6,519 persons with disabilities received a monthly allowance of 149 lei ($9.60), 27,181 individuals with lifelong disabilities received a monthly allowance of 410 lei ($26.40), and 13,662 children with disabilities received 415 lei ($26.70) per month.

According to the Ministry of Education, more than 50 percent of children in residential institutions were children with disabilities. The Ministry of Health reported that 27 percent of these were children with congenital diseases, 26 percent had mental disabilities, and 20 percent had neurological disorders.

Children with disabilities were entitled to home schooling provided by the government, but this service was limited in rural areas. In many cases children with disabilities declined schooling to avoid discrimination. Schools were often ill equipped to address the needs of such children. A recent UNICEF study determined that 5,800 children with disabilities did not attend school in 2013. Some children with disabilities attended regular schools, while others were placed in boarding schools, including “special” boarding schools, or were home schooled.

In Transnistria, children with disabilities rarely attended school and lacked access to specialized resources.

Official regulations mandate access to buildings for persons with disabilities. While many newly built or reconstructed buildings were accessible, older buildings often were not. Over 70 percent of public institutions lacked access ramps for persons with disabilities. According to the Motivatie association for persons with disabilities, only 1 percent of buildings in Chisinau were accessible. Even where ramps existed, they frequently did not fit a standard wheelchair, or were too steep or slippery. Most ramps at street crossings did not provide adequate access for wheelchair users. Persons with limited mobility complained about the lack of access to public transportation and public institutions and the shortage of designated parking places. The Social Assistance Division in the Ministry of Labor, Social Protection, and Family and the National Labor Force Agency were responsible for protecting the rights of individuals with disabilities.

The range of social services available to persons with disabilities included specialized services, such as social assistance, support, and counseling to foster social inclusion. There were 102 community service centers for persons with disabilities, including three community houses for 14 children with mental disabilities and two specialized homes for eight individuals with
disabilities. There were also nine mobile support groups providing social assistance, medical and psychological support to 614 beneficiaries, and family support services for 155 persons. The government budgeted 9.5 million lei ($611,000) for services to persons with disabilities during the year. In October the government adopted a decision to pay a daily allowance of 10 lei ($0.64), a birthday allowance of 100 lei ($6.40) and holiday allowances of 70 lei ($4.50) to at risk children placed in community houses.

There were 9,500 persons nationwide with visual disabilities, 3,500 of whom were completely blind. Ballots were not available in Braille, but the Central Election Commission started a pilot project to provide ballots in Braille for the next parliamentary elections.

According to the State Labor Inspectorate, 123 enterprises allocated 446 jobs for persons with disabilities. There were 632 persons with disabilities employed in 201 companies.

Patients with psychosocial and intellectual disabilities in residential institutions and psychiatric hospitals were the most vulnerable to abuse. According to the ombudsman for psychiatry, there were serious violations in many psychiatric and related institutions, including physical, sexual, and psychological abuses, malnutrition, forced medication, forced abortions, and a lack of legal protection for individuals with mental disabilities. Many such individuals were isolated in psychiatric institutions. A June report by the UN special rapporteur on extreme poverty and human rights noted that severe abuses, such as neglect, mental and physical abuse, and sexual violence continued to be committed against persons with psychosocial and intellectual disabilities. The rapporteur raised concerns about unsanitary and unhygienic conditions. Forced abortions in psychiatric and social care institutions were used to prevent births.

With UN support, the government set up a National Health Management Center within the Ministry of Health to handle complaints filed by patients with psycho-neurological deficiencies or intellectual disabilities. At the same time, 13 lawyers provided pro bono legal services to patients in psychiatric institutions. During the first nine months of the year, the ombudsman for psychiatry received 5,600 complaints from 1,500 such persons.

During the year the tuberculosis and psychiatric unit of the Balti Psychiatric Hospital in the Briceni District, was a source of serious concern. Instead of closing the hospital, which had previously come under sharp criticism for its substandard conditions, authorities converted it into an institution for palliative care. There were credible reports that the hospital did not transfer the patients with severe mental disabilities to other institutions but continued to detain them in inhuman conditions.

The mortality rate in mental-health institutions was significantly higher than in other healthcare institutions. No conclusive investigations on deaths in these institutions were conducted. The standards of treatment in psychiatric facilities were substandard.

Human rights observers criticized the country’s guardianship system. A person placed under guardianship loses all standing before the law and cannot engage in social and legal acts, such...
as marriage, voting, claiming social benefits, consenting to or refusing medication. One example of problems involved a woman, placed under the guardianship of her husband, who was not allowed to file for a divorce. In rejecting her divorce application, the court requested her husband, as her legal guardian, to file for a divorce himself, which he refused. The case was sent to the ECHR during the year.

Although the law provides for equal employment opportunities and prohibits discrimination against persons with disabilities (with the exception of jobs requiring specific health standards), many employers either failed to accommodate or avoided employing such persons. The law requires that 5 percent of the workforce in companies with 20 or more employees be persons with disabilities. Such individuals are legally entitled to two months of paid annual leave and a six-hour workday, benefits that made employers less willing to hire them.

Transnistrian legislation provides for protection of the rights of persons with disabilities in the areas of education, health care, and employment. Reliable information about the treatment of persons with disabilities in Transnistria was unavailable.

**Employment**

Labor laws and regulations prohibit discrimination based on race, sex, gender, disability, language, sexual orientation or gender identity, HIV-positive status or other communicable diseases, or social status. The government did not effectively enforce the law. Discrimination in employment and occupation occurred with respect to gender, presence of a disability, minority status, sexual orientation and gender identity, and HIV-positive status (see section 6).

**Children**

The deinstitutionalization of children continued during the year. More than 20 boarding schools were closed since 2007, resulting in a 40 percent decrease in the number of institutionalized children. More than 4,000 children lived in residential institutions, including 300 orphans. The monthly allowance per child in boarding schools was 450 lei ($31). The Ministry of Labor, Social Protection, and Family increased the allowance by 200 lei ($13) during the year. The number of alternative family-based and community services increased as well. There were 87 family-type houses for 359 children left without parental care, and 261 professional parental family assistants for 392 children. During the year the government earmarked 13.6 million lei ($875,000) for the children in family-type houses and 24.1 million lei ($1.55 million) for beneficiaries of parental family assistance.

NGOs estimated that 25 percent of the children in orphanages had one or two living parents but were abandoned when their parents left the country in search of employment. Children in residential institutions were subject to a greater risk of unemployment, sexual exploitation, trafficking, and suicide compared with their peers raised in families. UNICEF estimated that 50 percent of institutionalized children had disabilities.

The Ministry of Labor, Social Protection, and Family maintained two boarding schools for 675 children with disabilities and three asylums providing temporary (up to one year) shelter,
counseling, and other assistance to approximately 110 children from socially vulnerable families. The Ministry of Education oversaw 50 boarding schools with 4,843 students. The ministry reported that 35 percent of these children were orphans or abandoned, while the other 65 percent came from socially vulnerable families whose parents could not maintain basic living conditions.

Police and NGOs reported that sex tourists continued to target orphanages, with sexual predators posing as school benefactors and paying off the administration of an orphanage to obtain unsupervised access to children, even taking them for overnight stays in rented apartments.

During the year the Ministry of Education continued to implement a national action plan to reform the residential-care system for children. There was little progress in deinstitutionalizing children with disabilities and children under the age of three. The country has a national program for the development of inclusive education for 2011-20 that provides for the closure or reorganization of 23 residential institutions (including boarding schools) by 2015.

**Degrading Treatment:** There were credible reports of forced medication, forced abortion, work exploitation, and physical and sexual abuse in psychiatric hospitals under the Ministry of Health. Legal proceedings continued in the case of a doctor at the institution in Balti arrested in 2013 for the serial sexual assault and abuse of patients. Investigation showed that the doctor performed 18 forced abortions on the victims of his sexual assaults, all patients with mental disabilities. One of the 17 victims identified during the investigations was found dead in January, while a second died under unknown circumstances in April. At year’s end authorities detained the doctor under house arrest. In April the head of the Balti institution resigned following repeated accusations of violations of patients’ rights at the facility.

Under the criminal code, conviction for torture carries up to a 10-year prison sentence. Persons found guilty of torturing minors, pregnant women, persons with disabilities, or committing acts of torture that lead to death or suicide may be sentenced to up to 15 years in prison without the possibility of amnesty. A deliberate act by a public official that leads to physical or psychological suffering is punishable by imprisonment of two to six years or a fine of 7,500 to 9,900 lei ($620 to $820) and a ban on holding public office. Courts are not permitted to grant suspended sentences to persons convicted of torture.

**Convention on the Rights of Persons with Disabilities**
Moldova has not signed or ratified the CRPD or Optional Protocol.

**Monaco**

**Constitution and Laws**
The constitution and the law prohibit discrimination based on race, sex, disability, language, sexual orientation and/or gender identity, or social status, and the government effectively enforced these prohibitions.
**Persons with Disabilities**

The constitution and the law prohibit discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, and the provision of other government services. The government effectively enforced these provisions. The government enacted and effectively implemented laws ensuring access to public buildings for persons with disabilities, and the country had a beach that was accessible to persons with disabilities. The Social Welfare Services assisted minors less than 18 years of age with disabilities. Children with disabilities had access to all levels of education.

**Employment**

Labor laws and regulations prohibit discrimination regarding race, sex, gender, disability, language, sexual orientation or gender identity, HIV-positive status or other communicable diseases, or social status. The government effectively enforced these laws and regulations.

**Convention on the Rights of Persons with Disabilities**

Monaco signed the CRPD on 23/09/2009.

**Montenegro**

**Constitution and Laws**

The constitution and laws prohibit discrimination based on race, sexual orientation, gender, disability, language, and social status. Despite progress the government did not fully enforce these prohibitions. Discrimination continued, especially against persons with disabilities, ethnic minorities and Roma, LGBT persons, women, and the elderly. Persons could bring complaints of discrimination to the ombudsman, but the institution lacked the human, technical, and financial resources to address them adequately. Government continued to conduct antidiscrimination campaigns and provide training for public servants, but efforts to combat discrimination and enforce the antidiscrimination law remained modest.

On March 24, the parliament adopted amendments to the Antidiscrimination Law to outlaw sexual harassment, segregation, hate speech, racial discrimination, and discrimination based on religion or belief. During the first nine months of the year, police received 128 reports of discrimination against 135 individuals.

**Persons with Disabilities**

The constitution and laws prohibit discrimination against persons with physical, sensory, intellectual, and mental disabilities in access to employment, education, health care, pensions, allowances, family care and support, buildings, information, air travel, and road and railway transportation. The country’s poor physical infrastructure and limited ramp access to public buildings made these rights difficult to exercise for the approximately 60,000 persons with disabilities. Societal discrimination further limited their ability to exercise these rights, and authorities did not actively prosecute such discrimination.
While authorities generally enforced the requirement that new public buildings include access for persons with disabilities, most buildings, including public buildings, hospitals, and public transportation, were older and lacked access. Although election laws specifically mandate that polling places be accessible to persons with disabilities, the majority of polling stations were not accessible.

Although legal support for persons with disabilities has improved and their visibility has increased, they remained among the most vulnerable members of society. Persons with disabilities hesitated to institute legal proceedings for the infringement of their rights because of their belief that judges are not educated enough to understand their problems and because of adverse outcomes of previous cases. According to the 2011 census, 11 percent of the population had difficulty performing everyday activities due to illness, age, and disability. The Ministries of Health, Labor and Social Welfare, Education, Finance, Justice, Human and Minority Rights, Sustainable Development, Traffic and Tourism, as well as the Secretariat for Legislation, the State Employment Agency, and five NGOs provided assistance and protection in their respective spheres.

Despite these efforts discrimination against persons with disabilities persisted. NGOs contended that the government was significantly behind in implementing its action plan to integrate persons with disabilities into society. The government did not consistently implement regulations intended to provide protection, encourage employment, and secure housing for persons with disabilities. Although persons with disabilities were entitled to health care within the general health-care system, some NGOs claimed that the responsible agencies often did not deliver care in a satisfactory manner. Disability allowances did not cover the cost of living. The Association of Paraplegics of Podgorica initiated an EU-funded project “Taxis for Persons with Disabilities” to make public transport more accessible.

Persons with disabilities had difficulty obtaining high-quality medical devices to facilitate their mobility and other orthopedic aids through health and social insurance.

There were no legal restrictions on participation of persons with disabilities in civic affairs, but the lack of adequate infrastructure often prevented them from doing so. The ombudsman’s 2012 annual report noted that courts received 12 cases involving discrimination against persons with disabilities. According to the ombudsman, the low volume of cases was attributable to insufficient public awareness of human rights and protection mechanisms related to disabilities.

Services to children with mental and physical disabilities at the local level remained inadequate, according to NGOs. Associations of parents of children with disabilities were the primary providers of these services. Their professional development and continuity were often limited by funding tied to specific projects that forced them to shut down after such projects ended. Parents of children with disabilities faced many obstacles to providing education and basic services for their children.
Education for children with mental and physical disabilities remained inadequate. There was a widespread perception that children with disabilities were ill and should be institutionalized and separated from other children. Children with disabilities attended primary and, to a lesser degree, secondary schools in both regular schools and specialized schools for children with disabilities. There were three specialized schools, two in Podgorica and one in Kotor.

The number of children with disabilities who attended regular schools rose during the previous five years. As of October 2013, 1,075 children with physical and mental disabilities attended school together with other children. The government continued to encourage inclusive education and trained 120 teachers to work with children with disabilities in 2013. Nevertheless, many schools lacked adequate infrastructure for students with physical disabilities. At the university level, only two faculties were accessible to students with disabilities.

Many parents of children who had problems integrating into schools turned to the ombudsman for help. The ombudsman recommended that schools provide assistants for children with special needs. During 2013 the government funded training for 176 such assistants and assigned 171 assistants to the schools. The government continued to implement its plan to construct day-care centers for younger children with disabilities as an alternative form of care in all 21 municipalities. By year’s end eight centers were in operation. In 2013 the centers accommodated 113 children.

Employment opportunities for persons with disabilities were limited. Advocates noted that the training programs for persons with disabilities were too few to contribute significantly to their economic integration. Neither governmental entities nor private employers hired many persons with disabilities. In 2013, 39 private sector companies employed 61 persons with disabilities. Authorities provided incentives to private employers who hire persons with disabilities and required those who failed to meet established hiring quotas to contribute to a Fund for Professional Rehabilitation and Employment of Persons with Disabilities. The State Employment Agency organized the fund as a separate program with an annual budget of two million euros ($2.5 million). Employers often preferred to pay the contribution than meet the quota (also see section 7.d.). The allegedly nontransparent use of the fund continued to be a source of controversy and possible malfeasance. According to the NGO Association of Young Persons with Disabilities, 75 persons with disabilities were studying in domestic private and state universities, compared with three in 2001. In September authorities accepted the association’s request that the state university exempt persons with disabilities from paying tuition for the academic year.

The NGO Association of Young Persons with Disabilities continued a project to provide trained guide dogs to visually impaired individuals, and two persons were waiting for such dogs. The NGO also started the country’s first web portal for persons with disabilities. Medical care for persons with mental disabilities remained inadequate. Officials often placed such persons, as wards of the state, in outdated and underfunded facilities. Institutionalization perpetuated stigmatization. Reporting on its 2013 visit to the country, the CPT mission noted that living conditions in the Dobrota Special Psychiatric Hospital were inadequate and
unchanged from its 2008 visit. With an official capacity of 241 beds, the hospital accommodated 250 psychiatric patients at the time of the 2013 visit.

**Employment**
The law prohibits discrimination based on race, sex, gender, disability, language, sexual orientation, religion, age, pregnancy, health conditions, nationality, marital status, social status, political or other affiliation, and membership in political and trade union organizations. Nevertheless, there were instances of discrimination based on most of these factors.

There were instances of discrimination against unregistered domestic and foreign workers (see section 6). Women were at times subject to discrimination based on their marital status, pregnancy, and physical appearance. Employers did not respect all of their legal obligations toward pregnant women, and sometimes reduced their responsibilities or fired them after they returned from maternity leave.

**Work Conditions**
Employers often preferred to engage employees on a temporary basis. Private employers sometimes hired workers for a “trial period” lasting several months and then fired them before the trial period ended. They would then hire new workers and repeat the cycle. The use of temporary workers continued to be a major problem between trade unions and employers, since employers had considerable advantage over the terms of employment of such workers, particularly with regard to pregnant women, older workers, and those with disabilities.

**Prison and Detention Centers**
During the first nine months of the year, six persons with physical disabilities were in prison, and there were no specific reports suggesting they experienced mistreatment.

Authorities continued to make improvements in the prison system. At the Podgorica prison, they renovated the room for conjugal visits, the water supply and sewage system, 44 cells, seven bathrooms, and a clinic in the remand prison unit. They also renovated a detention cell for minors, a special cell for persons with disabilities, and 12 cells for inmates with short sentences.

**Trial Procedures**
Authorities must provide an attorney at public expense when a defendant is a person with disabilities, already in detention, destitute, or indicted on a charge carrying a possible sentence of more than 10 years. Lack of public funds continued to limit the provision of free legal aid. Authorities generally respected defendants’ rights, although NGOs reported several cases of alleged violation of the defendant’s right to a fair trial. Systemic weaknesses, such as political influence and prolonged procedures, diminished public confidence in the efficiency and impartiality of the judiciary.
Freedom of Assembly
To hold public gatherings of any kind, organizers must notify the Ministry of the Interior, which oversees the police. Police rejected a number of applications for permission to assemble, most of them organized by disgruntled workers. The banned protests included workers of the Metalac metal company in Niksic, the Gornji Ibar company in Rozaje, the Radoje Dakic company in Podgorica, and the Boksisi company in Niksic. Authorities denied a permit assemble sought by workers with disabilities in Bijelo Polje.

Convention on the Rights of Persons with Disabilities

Netherlands
Constitution and Laws
The constitution and laws prohibit discrimination based on age, race, gender, disability, language, political preference, sexual orientation, and social status, and the governments generally enforced these prohibitions.

Persons with Disabilities
Antidiscrimination laws exist throughout the kingdom. In the Netherlands discrimination against persons with physical, sensory, intellectual, and mental disabilities is illegal. The law requires equal access to employment, education, health care, and other government services. The law also requires that persons with disabilities have access to public buildings, information, and communications, but, despite continued progress, public buildings and public transport were not always easily accessible, since some continued to lack access ramps. The law provides criminal penalties for discrimination and administrative sanctions for failure to provide access. Government enforcement of rules governing access was inadequate.

Children with disabilities attended school (primary, secondary, and higher education) including specialized schools if needed. In 2011 a total of 324 of the 6,849 primary schools were specially designed for impaired children, although children with disabilities were also “mainstreamed” into regular schools.

The NIHR reported 17 percent of its verdicts in 2013 related to persons with disabilities--many of which dealt with workplace problems, including discrimination in hiring, failure to provide reasonable accommodation, lack of promotion and other problems (also see Section 7.d.) Although NIHR rulings are not binding, authorities usually implemented them. The government worked to improve the position of persons with disabilities on the labor market.

In Sint Maarten and Aruba, a wide-ranging law prohibiting discrimination does not specifically mention, but was in practice applied to, persons with physical, sensory, intellectual, and mental disabilities in employment, education, health care, air travel and other transportation, and the provision of other government services. Children with disabilities attended primary, secondary,
and university-level schools on all three islands.

In Aruba children with disabilities were able to participate in “regular” schools, but there were also various types of special schools for them. Various foundations, subsidized by the government, provided adequate and free transportation for their clients, including citizens with disabilities.

Although discrimination is illegal in Curacao, human rights observers asserted a continuing need for more specific laws banning it, since persons with disabilities had to rely on ad hoc measures by government and other employers to access buildings, parking spots, and information. Not all public buildings and public transport were easily accessible. The law does not make specific reference to access to air travel.

According to the Ministry of Education in Sint Maarten, children with physical disabilities had access to public primary and secondary schools “if they are able to participate fully in their academic programs.” Not all schools were equipped for children with a range of physical disabilities. One government-run school for special needs children with various disabilities existed.

**Employment**

Labor laws and regulations prohibit discrimination in employment or occupation regarding race, sex, gender, disability, language, sexual orientation and/or gender identity, HIV-positive status or other communicable diseases, or social status. The government effectively enforced these laws and regulations.

Discrimination in employment and occupation occurred with respect to race, religious minorities, and disability (see section 6).

**National/ Racial/ Ethnic Minorities**

In May the government presented a comprehensive plan of action to address discrimination on the labor market that included tailored policies for specific groups, such as non-Western immigrants, persons with disabilities, LGBT persons, women, and older persons. Discrimination on the labor market was by far the most commonly experienced form of discrimination, according to the Netherlands Institute for Social Research. The NIHR initiated the “at work you may wear a headscarf” campaign to highlight discrimination at the workplace.

**Convention on the Rights of Persons with Disabilities**

The Netherlands signed the CRPD on 30/03/2007.
**Norway**

**Constitution and Laws**
The law prohibits discrimination based on race, gender, disability, language, sexual orientation, or social status. The government generally enforced this prohibition, although there were reports of violence against women and children, anti-Semitism, and stigmatizing statements against immigrants and Muslims.

**Persons with Disabilities**
The constitution and law prohibit discrimination against persons with disabilities in employment, education, air travel and other transportation, access to health care, and the provision of other governmental services, and the government effectively enforced these provisions. The law applies to all persons with disabilities without enumerating specific types of disabilities. It mandates access to public buildings, information, and communications for persons with disabilities. All educational institutions, from primary schools through universities, are required to have an appointed contact person for students with disabilities as well as a plan of action to include students with disabilities in all school activities.

**Other References**
**Employment:** Labor laws and regulations prohibit discrimination in employment and occupation regarding race, sex, gender, disability, language, sexual orientation or gender identity, HIV-positive status or other communicable diseases, or social status. The government effectively enforced these laws and regulations.

**Freedom of Speech:** The law prohibits “threatening or insulting anyone, or inciting hatred or repression of or contempt for anyone because of his or her: a) skin color or national or ethnic origin; b) religion or life stance; c) sexual orientation or lifestyle, or d) disability.” Violators are subject to a fine or imprisonment not to exceed three years. As of October there were no reports of persons charged or convicted for violating the hate speech law. According to the ombudsman for antidiscrimination and equality, hate speech on the internet against ethnic minorities, women, gays, and lesbians was a problem.

**Convention on the Rights of Persons with Disabilities**
Norway signed the CRPD on 30/03/2007. The government ratified the CRPD on 3/06/2013.

**Poland**

**Constitution and Laws**
The constitution prohibits discrimination in “political, social, and economic life for any reason whatsoever.” The law prohibits discrimination on the grounds of sex, gender, disability, race, nationality, ethnic origin, and sexual orientation.

The law requires the ombudsman for citizen rights to monitor implementation of the principle of equal treatment and to support victims of discrimination. The ombudsman and NGOs
asserted that some provisions of the antidiscrimination law may be unconstitutional, since they do not treat all groups equally, providing greater protection against discrimination on grounds of race, ethnicity, and gender than on disability, sexual orientation, or age.

**Persons with Disabilities**
The law prohibits discrimination against persons with physical, sensory, intellectual, or mental disabilities in employment, education, air travel and other transportation, access to health care, or the provision of other government services. While the government effectively enforced these provisions, there were reports of some societal discrimination against persons with disabilities. The government restricted the right of persons with certain mental disabilities to vote or participate in civic affairs.

The law states that buildings should be accessible for persons with disabilities, and at least three laws require retrofitting of existing buildings to provide accessibility. Many buildings remained inaccessible to persons with disabilities, because regulations do not specify what constitutes an accessible building. Public buildings and transportation generally were accessible, although older trains and vehicles were often less accessible to persons with disabilities, and many train stations were not fully accessible for persons with all types of disabilities.

The law specifies that children with disabilities have the right to attend all levels and types of school. If there was no school nearby to accommodate a child with disabilities, the child had alternatives, such as independent schooling by teachers at the child’s home.

The Ministry of Labor and Social Policy is responsible for disability-related matters. The government plenipotentiary for persons with disabilities organized training sessions for central and local government officials to encourage them to hire persons with disabilities. The government fund for rehabilitation of persons with disabilities continued a nationwide campaign encouraging companies to employ persons with disabilities. The fund granted money to NGOs to organize media campaigns on the rights of persons with disabilities. A government ombudsman for children’s rights issued periodic reports on problems such as the need for better access to public schools for children with disabilities.

**Employment**
The law prohibits discrimination with respect to employment or occupation in any way, directly or indirectly, on the grounds of gender, age, disability, race, religion, nationality, political opinion, ethnic origin, and sexual orientation. The law does not specifically prohibit such discrimination based on language, HIV-positive status, gender identity, or social status. The government did not effectively enforce these law and regulations. According to the Polish Society for Antidiscrimination Law, by law the accused must prove that discrimination did not take place, but judges often placed the burden on the victim to prove that discrimination occurred.
**National/Racial/Ethnic Minorities**

Romani organizations and the Ministry of Education reported that authorities, particularly in southern provinces, continued to send many Romani children to schools for children with mental disabilities without cause. During the year the government allocated five million zloty ($1.4 million) for programs to support Roma, including for educational programs.

**Prison and Detention Centers**

During the first eight months of the year, 56 prisoners died in prison, including 18 reported suicides. The Helsinki Human Rights Foundation described systemic problems with medical care in prisons. These included inadequate medical staffing, such as a lack of specialized medical care and too few doctors to handle the workload, and poor medical infrastructure. The Helsinki Foundation for Human Rights also listed a number of specific problems raised by individual prisoners, such as inadequate care for prisoners with disabilities and facilities unequipped for the needs of elderly prisoners.

**Convention on the Rights of Persons with Disabilities**

Poland signed the CRPD on 30/03/2007. The government ratified the CRPD on 25/09/2012.

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**Portugal**

**Constitution and Laws**

The constitution and law prohibit discrimination based on race, gender, disability, sexual orientation, language, and social status, and the government effectively enforced these prohibitions. The law does not expressly make racist motivation an aggravating circumstance for all offenses. The procedure to file a complaint of racial discrimination continued to be lengthy and complicated. The current complaints system against police officers concerning racist or racially discriminatory acts was not functional, and there was serious underreporting.

**Persons with Disabilities**

The constitution and law prohibit discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, and the provision of other state services. The government effectively enforced the law. The law mandates access to public buildings for persons with disabilities, and, while the government implemented these provisions, no such legislation covers private businesses or other facilities. The Lisbon municipal government continued to carry out a project to eliminate barriers that cause difficulty of movement to persons with physical disabilities.

Students with disabilities attended all levels of schooling (primary, secondary, and higher education). The government’s policy is to integrate students with disabilities into mainstream schools. The Ministry of Solidarity, Employment, and Social Security oversees the National Bureau for the Rehabilitation and Integration of Persons with Disabilities, which is responsible
for the protection, professional training, rehabilitation, and social integration of persons with disabilities, as well as for the enforcement of related legislation.

**Employment**

Labor laws and regulations prohibit discrimination in employment or occupation regarding race, sex, gender, disability, language, sexual orientation and/or gender identity, HIV-positive status or other communicable diseases, or social status. The government effectively enforced these laws and regulations. Discrimination in employment and occupation occurred with regard to gender (see section 6).

**Convention on the Rights of Persons with Disabilities**


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**Romania**

**Constitution and Laws**

The law forbids discrimination based on race, gender, disability, ethnicity, nationality, language, social status, beliefs, sexual orientation, age, noncontagious chronic disease, HIV infection, or belonging to an underprivileged category, or on any criteria that aim at restricting human rights and fundamental freedoms. The government did not enforce these prohibitions effectively, and women, as well as Roma and other minorities, often experienced discrimination and violence.

**Persons with Disabilities**

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, transportation (without specifying air travel), access to health care, and the provision of other services. The government did not fully implement the law, and discrimination against persons with disabilities remained a problem.

In many cases persons with disabilities faced institutional and societal discrimination. According to a 2012 report drafted by the EU’s Agency for Fundamental Rights (FRA), only 1 percent of persons with mental disabilities had employment. The FRA report also indicated that persons with mental disabilities in institutional settings, in particular children, were subjected to various forms of bullying, harassment, and abuse. According to an EU-funded survey published in 2012, 87 percent of respondents viewed discrimination (broadly understood) as one of the major problems faced by persons with disabilities.

The law mandates accessibility for persons with disabilities to buildings and public transportation. While the number of buildings with facilities for persons with disabilities continued to increase during the year, the country still had an insufficient number of facilities specifically designed to accommodate persons with disabilities, and persons with disabilities could have extreme difficulty navigating city streets or gaining access to public buildings.
According to the Ministry of Labor, Family, Social Protection, and the Elderly, 715,201 persons with disabilities were registered at the end of March, of whom only 29,184 were employed. At the end of June, there were 387 public social assistance institutions for adults with disabilities, coordinated by the Ministry of Labor. At the end of March, there were 61,720 children with disabilities registered with the Directorate for Child Protection.

Between October 2013 and March, the Center for Legal Resources (CRJ) paid unannounced visits, on the basis of written protocols with the Ministry of Labor, Family, Social Protection, and the Elderly and the Ministry of Health, to public and private residential centers for children with disabilities. As a result of these visits, the CRJ identified a series of violations of some patients’ rights and of the law. The CRJ found that there were no effective procedures to record and settle complaints and that verbal and physical abuse of children, sedation, excessive physical restraint, lack of hygiene, inadequate living conditions, lack of medical care, and lack of access to education were common problems.

A CRJ report expressed concern about the observance of the rights of people with disabilities in Breaza-based Saint Toma Home for intellectually disabled. The CRJ visited this institution twice. On March 28, the CRJ was denied access to the home. On April 15, when the CRJ representatives were allowed to visit the home, they were denied access to documents regarding the condition of the patients. The CRJ reported that this center operated illegally and that six people died there during the 18 months before the CRJ visit and no proper investigation of the circumstances of the deaths took place. The CRJ further stated that the patients’ living conditions and medical care were inadequate and that they could not make complaints to the relevant authorities.

After a five-day visit to the country in April, Nils Muiznieks, the Council of Europe commissioner for human rights, expressed concern about the situation of the children with disabilities placed in institutions. He noted the country’s laws were not aligned with the UN Convention on the Rights of Persons with Disabilities to ensure that persons with disabilities enjoy legal capacity on an equal basis with others in all aspects of life.

In July the ECHR for the first time accepted that NGOs may represent the interests of a young HIV-positive man who had no relatives and who died in a psychiatric ward in Poiana Mare in 2004. The ECHR ruled that the state had violated the young man’s right to life and ordered it to pay 35,000 euros ($43,800) in compensation to the NGOs.

According to human rights NGOs, there was no system to ensure that government-run institutions for children with mental disabilities observed the rights of children in their care. The Directorate General for the Protection of Persons with Disabilities in the Ministry of Labor coordinated at the central level the activities of special protection and advocacy for the rights of persons with disabilities, drafted policies, strategies, and standards in field of rights of persons with disabilities, and monitored the implementation of regulations.
Employment
Labor laws and regulations prohibit discrimination regarding race, sex, gender, disability, language, sexual orientation and/or gender identity, HIV-positive status or other communicable diseases, or social status. The government did not enforce these laws effectively.

Discrimination in employment or occupation occurred with respect to, gender, disability, and HIV-positive status. Discrimination against Roma and migrant workers occurred (see section 6).

Children
There were also reports that some personnel in state institutions mistreated abandoned children with physical disabilities and subjected children in state orphanages to lengthy incarceration as punishment for misbehavior.

Women
There were no reports regarding coercive family planning practices, including sterilization, but qualitative research carried out in three psychiatric rehabilitation centers and released in March reported on the practice of providing oral contraceptives to women with mental disabilities without their informed consent.

Government & Nongovernmental Relationships
A number of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials generally met with human rights NGOs and were cooperative and responsive to their views. There were reports that government officials were reluctant to cooperate with NGOs that focused on institutionalized persons with disabilities or to accept NGO criticism of institutions for persons with disabilities.

Conventional Human Rights Bodies

Russia
Persons with Disabilities
While several laws prohibit discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, transportation, access to health care, and the provision of state services, the government generally did not enforce these laws.

No laws prohibit discrimination in air travel.

Persons with disabilities continued to face discrimination and denial of equal access to education, employment, and social institutions. Persons with mental disabilities were subject to severe discrimination in education and employment. In addition the conditions of guardianship
imposed by courts deprived them of almost all personal rights. For example, under the family code, individuals with mental disabilities at times were prevented from getting married without a guardian’s consent.

Conditions in institutions for adults with disabilities were often poor, with unqualified staff and overcrowding. Institutions rarely attempted to develop the abilities of residents, whom they frequently confined to the premises and whose movements they sometimes restricted within the institutions themselves.

Federal law requires that buildings be accessible to persons with disabilities, but authorities did not enforce the law, and many buildings were not accessible. In a 2013 report, HRW noted that in apartment buildings constructed before 2001 (i.e., prior to the development of minimum accessibility standards for new construction), doorways and elevators were too narrow for wheelchairs, and buildings lacked elevators or appropriate ramps. In some cases buildings constructed after 2001 also lacked these accommodations. This lack of building access was an insurmountable barrier to employment, education, and social engagement for the vast majority of wheelchair-bound persons interviewed in the report. The report also noted that critical public facilities and emergency services remained largely inaccessible to persons with disabilities.

As of 2013 federal law allows regional governments to set quotas for employment of persons with disabilities. Companies with 35 to 100 employees have a quota of 1 to 3 percent, while those with more than 100 employees have a 2 to 4 percent quota. Some local authorities and private employers continued to discourage persons with disabilities from working, and there was no penalty for failure to honor quotas.

Because only 3 percent of schools could accommodate them, most children with disabilities could not study in their communities and were isolated from other community members.

According to an HRW report released in September, nearly 30 percent of all children with disabilities lived in state orphanages where they could face violence and neglect. Some children interviewed by HRW said that orphanage staff beat them, injected them with sedatives, and sent them to psychiatric hospitals for days or weeks at a time to control or punish them. HRW reported that at least 95 percent of children living in orphanages and foster care had at least one living parent, although children with disabilities who entered institutions at a young age were unlikely to return to their birth families as a result of the practice of local-level state commissions to recommend continued institutionalization of children. Staff in institutions HRW visited occasionally discouraged visits with families or other contact with family members, claiming that such contact “spoiled” children by getting them accustomed to too much attention. Within orphanages, HRW documented the segregation of children whom staff deemed to have the most “severe” disabilities into “lying-down” rooms, where they were confined to cribs and often tied to furniture with rags. Many of these children received little attention except for feeding and diaper changing.
While only 2 to 3 percent of children in the country suffered from disabilities, according to data from the Ministry of Internal Affairs, more than 45 percent of the country’s total population of children with disabilities was in institutions. Authorities generally segregated children with disabilities from mainstream society through a system that institutionalized them until adulthood. Graduates of such institutions often lacked the necessary social, educational, and vocational skills to function in society.

There were numerous cases of children dying as a result of abuse in state facilities. For example, on May 2, HRW released a report that described the case of a seven-year-old boy with an intellectual disability who died on May 1 in an orphanage in Arzamas, Nizhniy Novgorod Oblast, after a health worker used cloth diapers to tie him to his bed. While authorities investigating the case did not establish that anyone intentionally inflicted harm, medical accounts following the situation stated that the boy may have choked on his own vomit and that being tied down stopped him from rolling over to breathe. According to the orphanage, the boy’s government-issued medical forms recommended that staff use physical restraints as treatment for hyperactivity. Following the incident the children’s rights ombudsman, Pavel Astakhov, urged the government to investigate the death and called for a ban on the practice of restraining children, noting that other children had died in similar circumstances. No official results of the investigation were available at year’s end.

There appeared to be no legal mechanism by which individuals could contest their assignment to a facility for persons with disabilities. The classification of children with mental disabilities to categories of disability often followed them through their lives. The official designations “imbecile” and “idiot,” assigned by a commission that assesses children with developmental problems at the age of three, signify that authorities consider a child to be uneducable. These designations were almost always irrevocable. The designation “debil” (having slight cognitive or intellectual disability) followed an individual on official documents, creating barriers to employment and housing after graduation from state institutions.

Election laws do not specifically mandate that polling places be accessible to persons with disabilities, and the majority of polling stations were not. Election officials generally brought mobile ballot boxes to the homes of voters with disabilities. In the months prior to the 2012 presidential elections, television commercials instructed citizens with disabilities on their rights and voting procedures.

National/Racial/Ethnic Minorities
Human rights organizations expressed concern that Romani children in schools experienced discrimination. Some schools refused to register Romani students on the grounds that they lacked documents, while others segregated Romani students because of their ethnicity or placed them in classes designed for children with learning disabilities.

Convention on the Rights of Persons with Disabilities
Russia signed the CRPD on 24/09/2008. The government ratified the CRPD on 25/09/2012.
San Marino

Constitution and Laws
The law prohibits discrimination based on race, gender, disability, language, religion, sexual orientation, gender identity, or social status. The government effectively enforced antidiscrimination laws.

Persons with Disabilities
The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, air and other forms of transportation, education, access to health care, and in the provision of other state services. The government effectively enforced most of these provisions. The Ministry for Territory has not fully implemented a law that mandates easier access to public buildings by persons with disabilities, and many buildings were inaccessible. There were no press reports or legal cases involving discrimination against persons with disabilities. Children with disabilities attended school at all levels; assistant teachers offered them special help.

Other References
Employment: Labor laws and regulations specific to employment and occupation prohibit discrimination regarding race, sex, gender, disability, language, sexual orientation and/or gender identity, HIV positive status or other communicable diseases, or social status. The government effectively enforced these laws and regulations. There were no official cases of employment or occupational discrimination brought during the year.

Convention on Rights of Persons with Disabilities
San Marino signed the CRPD and Optional Protocol on 30/03/2007. The government ratified the CRPD and Optional Protocol on 22/02/2008.

Serbia

Constitution and Laws
The constitution prohibits discrimination based on race, gender, disability, language, or social status, and the government made efforts to enforce these prohibitions effectively. Discrimination continued, however, against women, LGBT persons, persons with disabilities, and ethnic minorities, particularly Roma. Violence against women and children were problems.

Persons with Disabilities
The constitution and law prohibit discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, or the provision of other state services. The government did not enforce these laws effectively. Persons with disabilities and their families suffered from stigmatization and segregation because of deeply entrenched prejudices and the lack of
information. Persons with disabilities were among the most vulnerable social groups, and were marginalized in terms of access to education, other basic services, employment, and participation in social and political life (also see section 7.d.). A total of 19,142 persons with disabilities were registered with the National Employment Agency. The law provides for all public buildings to be accessible to persons with disabilities, but public transportation and many older public buildings were not accessible.

The law prohibits physical, emotional, and verbal abuse in schools. Generally, children with disabilities attended school. Depending on parents’ preferences, children can enroll in regular or special schools. According to the Committee for the Rights of the Child, a local NGO, more than 50 municipalities in the country lacked funding to support inclusive education for children with disabilities. The same NGO noted that children with disabilities did face discrimination in access to education and health care.

The Ministries of Labor, Employment, Veteran, and Social Issues; Education; and Health had sections with responsibilities to protect persons with disabilities. The Ministry of Labor, Employment, Veteran, and Social Issues had a broad mandate to liaise with NGOs, distribute social assistance, and monitor laws to ensure protection for the rights of persons with disabilities. The Ministries of Health and Education offered assistance and protection in their respective spheres.

**Freedom of Association**

Allegations of antiunion dismissals and discrimination persisted. According to the NGOs Felicitas and the Center for Democracy, as well as the Labor Inspectorate of the Ministry of Labor, Employment, Veteran, and Social Issues, the most common violations of workers’ rights involved work performed without an employment contract; nonpayment of salary, overtime, and benefits; employers withholding maternity leave allowances; discrimination based on gender and age; discrimination against persons with disabilities; unsafe working conditions; and general harassment.

Labor NGOs have worked to increase awareness regarding workers’ rights and to improve the conditions of women, disabled persons, and other groups facing discrimination in employment or occupation.

**Prison and Detention Centers**

The ombudsman has the right to visit prisoners and make recommendations concerning prison conditions. During the year there were several visits by the ombudsman to prisons and detention centers. The ombudsman issued a number of recommendations pertaining to failure of authorities to pay inmates for work, providing conditions for undisturbed and quality time, maintaining contact with children of inmates, and living conditions. In addition, the ombudsman found that there was no adequate support for mentally disabled prisoners within the formal penal system. Local prison watchdog nongovernmental organizations (NGOs) generally operated free of influence from political authorities.
Employment
Labor laws prohibit direct and indirect discrimination in employment and occupation on the basis of sex, birth, language, race, skin color, age, pregnancy, disabilities, nationality, religion, marital status, family obligations, sexual orientation, political or other beliefs, social status, property status, membership in political organizations or trade unions, or other personal relations. The government enforced these laws with varying degrees of success.

Discrimination in employment and occupation occurred with respect to race, sex, disability, language, sexual orientation, gender identity, and HIV-positive status (see section 6). Since April 2013 the Labor Inspectorate reinstated 58 pregnant women who worked part-time and were fired because of pregnancy or maternity leave.

Convention on the Rights of Persons with Disabilities
Serbia signed the CRPD and Optional Protocol on 17/12/2007. The government ratified the CRPD and Optional Protocol on 31/07/2009.

Slovakia

Constitution and Laws
The constitution and the law prohibit discrimination based on race, gender, disability, language, sexual orientation or gender identity, or social status; the government made efforts to enforce these prohibitions.

Persons with Disabilities
The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, access to health care, air travel and other transportation, or the provision of other public services. Persons with disabilities were able to vote and participate in civic affairs. Experts reported, however, that access to buildings and to higher education remained problems, and laws to improve students with disabilities’ access to school facilities or educational materials were not implemented.

NGOs reported limited resources for persons with mental disabilities outside of Bratislava, a lack of community-based support, and an absence of mechanisms to monitor human rights abuses against persons with mental disabilities. Psychiatric institutions and hospitals, which fall under the purview of the Ministry of Health, used cage beds to restrain patients. The law prohibits both physical and nonphysical restraints in social care homes managed by the Ministry of Labor, Social Affairs, and Family.

No broadcaster complied with legislation requiring television stations to provide audio descriptions for viewers who are blind or have impaired vision. While the law defines mandatory standards for access to buildings, NGOs noted they were not fully implemented, although access to privately owned buildings improved more rapidly than access to public
buildings.

The government’s Council on Human Rights, National Minorities, and Gender Equality operated a committee on persons with disabilities. The council served as a governmental advisory body and included representation from NGOs working on disability problems. The council continued deliberations on the country’s first National Human Rights Strategy, which includes a chapter on the rights of persons with disabilities. In January the cabinet approved the new National Program for the Development of Living Conditions of Persons with Disabilities 2014-20, which supersedes a similar document in place between 2001 and 2014.

Employment
The law prohibits discrimination regarding race, sex, gender, disability, language, sexual orientation, social status or “other status” but does not specifically prohibit discrimination based on HIV status. The government generally enforced these laws and regulations, except with regard to the Romani minority.

Child Labor
There were reports that Romani children in some settlements were exploited for commercial sex (see section 6, Children). NGOs reported that family members or other Roma exploited Romani victims, including children with disabilities. Child labor in the form of forced begging was a problem in some communities.

Arrest Procedures
Police detained a Romani man with an intellectual disability for two and one-half months following a June 2013 police raid in the Moldava nad Bodvou Romani settlement. The European Roma Rights Center claimed the man’s detention had no legal basis. Authorities released the man after an NGO intervened. An investigation into the detention remained pending.

National/Racial/Ethnic Minorities
While education is universal and free through the postsecondary level and compulsory until the age of 15, Romani children exhibited a lower attendance rate than other children. Authorities disproportionately enrolled Romani children in “special” schools for children with mental disabilities. Later re-evaluations often revealed those same students would have likely succeeded in mainstream educational institutions. A special school education did not provide Romani children the knowledge or certification necessary to pursue higher education. Transfer from a special school to a regular educational track was difficult or impossible.

Convention on the Rights of Persons with Disabilities
Slovakia signed the CRPD and Optional Protocol on 26/09/2007. The government ratified the CRPD on 26/05/2010.
Spain

Constitution and Laws
The law prohibits discrimination based on race, gender, disability, language, sexual orientation, gender identity, or social status, and the government generally enforced the law effectively.

Persons with Disabilities
The law prohibits, with fines of up to one million euros ($1.25 million), discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, access to information technology and communication, including social media, and the provision of other government services. The government generally enforced these provisions effectively. The law mandates access to buildings for persons with disabilities. While the government generally enforced these provisions, levels of assistance and accessibility differed among regions. Children with disabilities attended school, and there were no patterns of abuse in educational or mental health facilities. The government requires companies with more than 50 workers to reserve 2 percent of their jobs for persons with disabilities.

The law defines sexual acts committed against unconscious persons or mentally ill persons as nonconsensual sexual abuse, and it provides from four to six years in prison. Penalties for recruiting persons with disabilities into prostitution are imprisonment from one to five years. The penalty for pimping persons with disabilities into prostitution is imprisonment from four to six years. The penalty for recruiting persons with disabilities for pornography is one to five years’ imprisonment.

The Ministry of Home Affairs reported a link to disability bias in 290 crimes.

Employment
Labor laws and regulations prohibit discrimination regarding race, sex, gender, disability, language, sexual orientation and/or gender identity, HIV-positive status or other communicable diseases, or social status. While the government enforced these laws and regulations, discrimination in employment and occupation occurred with respect to race and ethnicity, gender, and sexual orientation (see section 6).

Freedom of Speech
The law prohibits, subject to judicial oversight, actions including public speeches and the publication of documents that the government interprets as glorifying or supporting terrorism. The Office of the General Prosecutor reported that in 2013 there were 41 accusations and 55 sentences involving 103 persons, of whom 62 were found guilty. The law provides that persons who provoke discrimination, hatred, or violence against groups or associations for racist, anti-Semitic, or other references to ideology, religion or belief, family status, membership within an ethnic group or race, national origin, sex, sexual orientation, illness, or disability may be punished with imprisonment for one to three years.
Convention on the Rights of Persons with Disabilities

Sweden

Constitution and Laws
While the constitution and law prohibit discrimination based on race, gender, disability, social status, ethnicity, or sexual orientation, the government did not always effectively enforce these prohibitions.

Persons with Disabilities
The law prohibits employers from discriminating against persons with physical, sensory, and intellectual disabilities in hiring decisions (see section 7.d.) and prohibits universities from discriminating against students with disabilities in making admission decisions. No other specific law prohibits discrimination against persons with disabilities. The discrimination ombudsman is responsible for protecting the rights of persons with disabilities.

The law does not cover accessibility. Regulations for new buildings require full accessibility, and similar requirements exist for some, but not all, public facilities. Many buildings and some means of public transportation remained inaccessible.

In 2013 the number of reports of discrimination against persons with disabilities in employment, education, access to health care, or the provision of government services decreased to 403, compared with 485 in 2012. Observers reported cases of insufficient access to privately owned buildings used by the public, such as apartments, restaurants, and bars. Those involved handled many complaints through mediation procedures rather than formal court hearings.

Employment
With respect to employment and occupation, labor laws and regulations prohibit discrimination regarding race, sex, gender, disability, language, sexual orientation, gender identity, communicable diseases, and social status. The government generally enforced these laws effectively.

Discrimination in employment or occupation occurred with respect to minorities, gender, disability, and sexual orientation, and gender identity (see section 6).

Convention on the Rights of Persons with Disabilities
Sweden signed the CRPD and Optional Protocol on 30/03/2007. The government ratified the CRPD on 15/12/2008.
Switzerland

Constitution and Laws
The constitution prohibits discrimination based on race, gender, disability, language, or social status. The government generally enforced these prohibitions.

Persons with Disabilities
The constitution and federal law prohibit discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, or the provision of other state services, and the government generally enforced the prohibition. The law mandates access to public buildings and government services for persons with disabilities, and the government generally enforced these provisions.

The Federal Equal Opportunity Office for Persons with Disabilities promoted awareness of the law and respect for the rights of individuals with disabilities through counseling and financial support for projects to facilitate their integration in society and the labor market.

According to Procap, one of the country’s largest organizations for persons with disabilities, there remained significant problems in integrating individuals with psychological ailments into the labor market, since most employers did not consider psychological illnesses a disability (see section 7.d.).

In June 2013 a revised planning and building act entered into force in the canton of Zurich. According to the new law, residential buildings with more than five units had to be barrier-free. During the year authorities ensured construction of new buildings with more than five units was in accordance with the law, and developers renovated older buildings to meet necessary standards.

In August 2013 Zurich’s social insurance/security court approved two Procap complaints regarding the canton’s intention to reduce public funding for apprenticeships for persons with disabilities to one year as well as to limit additional financial support to those who could effectively enter the labor market without claiming their entire disability insurance. Children with disabilities could attend schools, and most cantons integrated them well into the school system. Special need schools were available for children with serious disabilities.

Employment
Labor laws prohibit discrimination with respect to employment on the grounds of gender and disability. The government did not effectively enforce these provisions. There was no labor law that explicitly prohibits discrimination with respect to employment on the grounds of race, sexual orientation, language, HIV positive status, gender identity, age, or national and social origin.
A significant difference existed between men and women in pay and professional promotions, and women were heavily underrepresented in top-level management positions, particularly in private industry. Discrimination against persons with disabilities, particularly those with mental illnesses, occurred as well (see section 6). Discrimination in employment and occupation occurred with respect to national, racial, and ethnic minorities, as well as sexual orientation and gender identity (see section 6) and age.

**Convention on the Rights of Persons with Disabilities**
Switzerland ratified the CRPD on 15/04/2014.

**Turkey**

**Constitution and Laws**
The law prohibits discrimination based on race, gender, disability, language, or social status, but the government did not enforce these prohibitions effectively. Government officials used discriminatory language toward opposition groups such as protesters, women, Alevi, Kurds, and other minorities. The constitution allows measures to advance gender equality as well as measures to benefit children, seniors, persons with disabilities, widows, and veterans, without violating the constitutional prohibition against discrimination.

On March 3, the parliament approved a law known as the Democratization Package that introduced an article on hate speech or injurious acts related to language, race, nationality, color, gender, disability, political opinion, philosophical belief, religion, or sectarian differences. Perpetrators of these acts may be punished by up to three years in prison. While observers considered the legislation a positive step, they noted its categories did not match OSCE’s recommendations because ethnic identity, sexual orientation, sexual identity, age, and profession were not included. Consequently civil society organizations asserted the grounds for punishing discrimination and hate in the law remained too limited and excluded major offences that may be motivated by discrimination and/or hate, especially failing to protect the most vulnerable groups, including women, persons with disabilities, LGBT individuals, Roma, and religious minorities.

**Persons with Disabilities**
The constitution permits positive discrimination favoring persons with disabilities, and the law prohibits discrimination against them in employment, education, air travel and other transportation, access to health care, and the provision of other state services. On February 6, the parliament amended the Law on Disabled Persons to revise state obligations in line with international definitions and standards. The amendments specifically prohibit discrimination against persons with disabilities. NGOs that advocate for persons with disabilities asserted the government did not enforce the law effectively.

The law requires all governmental institutions and businesses to provide persons with disabilities access to public areas and public transportation and allows for the establishment of
review commissions and fines for noncompliance. Nonetheless, the government continued to make little progress implementing the law. Access in most cities remained extremely limited. The Disabled and Senior Citizens Directorate General, under the Ministry of Family and Social Policies, is responsible for protecting persons with disabilities.

For companies with more than 50 workers, the law requires that at least 3 percent of the workforce be persons with disabilities; in the public sector, the requirement is 4 percent. The ministry reported that a job-placement initiative launched in 2012 provided 5,254 positions for persons with disabilities in 2012 and an additional 5,926 position as of October 2013. As of May the ministry reported there were 12,329 persons with disabilities working in both the public and private sectors. In September the State Personnel Department reported 34,088 persons with disabilities serving as public officials. Despite these proactive efforts on the part of the government, NGOs reported examples of discrimination in employment.

The law requires all public schools to accommodate student with disabilities, although activists reported instances of such students being refused admission or encouraged to drop out of school. According to disability activists, a large number of school-age children with disabilities did not receive adequate access to an education. Nonetheless, according to the Ministry of Education, students with disabilities received at least eight hours of individual education and four hours of group education per month. The Ministry of Family and Social Policies reported there were 20,632 disabled students above the ninth grade in special education schools. In addition 5,455 students were attending specialized programs for children with disabilities. The ministry also reported that as of 2012, there were 1,728 special education and rehabilitation centers in the country providing support and training services to 255,848 disabled persons.

The Independent Election Watch Platform, which monitored both presidential and local elections in March and August under coordination of the Association to Watch for the Equal Rights, reported 545 violations involving voting centers that were not accessible.

**Government and Nongovernmental Relationships**

The Ministry of Justice’s Human Rights Department is the sole authority in the ministry for human rights issues. It has responsibility for facilitating the implementation of the country’s obligations under the ECHR and coordinating the execution of ECHR decisions.

The parliamentary HRIC functioned as a national monitoring mechanism. The members of the Commission conducted on-site inspections of detention centers and prisons and maintained dialogue with NGOs. It provided reports to the relevant government offices for action. By August 25, the HRIC had received 1,147 complaints of alleged human rights violations related to issues including judicial processes, prison conditions, practices of state officials, social security issues, financial aid requests, and rights for soldiers, workers, and persons with disabilities.

**Arrest Procedures**

The law provides detainees the right to immediate access to an attorney at any time. In criminal cases the law also requires that the government provide indigent detainees with a public
attorney if they request one. In cases where the potential prison sentence is more than five years or where the defendant is a child or is disabled, a defense attorney is appointed, even absent a request from the defendant. Human rights observers noted that in most cases authorities provided an attorney where a defendant could not afford one. The HRA noted that after the annulment of antiterror law article 10, suspects charged with terror crimes could be represented by more than three lawyers in courts, allowing human rights interest groups and bar associations greater participation in the legal defense of these cases. According to the Judiciary Reform Package finalized into law on December 12, defense lawyers’ access to their clients’ court files for a specific catalog of crimes including crimes against state security, organized crime, and sexual assault against children is restricted until after the client is indicted.

**Employment**

Labor laws and regulations prohibit discrimination in employment or occupation with regard to race, sex, gender, disability, language, religion or sect, political opinions, or philosophical beliefs. The Positive Life Association reported that in practice these safeguards also included medical conditions (e.g., HIV). The government did not effectively enforce these laws and regulations. Discrimination in employment or occupation occurred with regard to gender, ethnicity, religion, sexual orientation, HIV-positive status, and presence of a disability.

**Freedom of Speech**

On March 3, the parliament approved a law known as the Democratization Package that introduced an article on hate speech or injurious acts related to language, race, nationality, color, gender, disability, political opinion, philosophical belief, religion, or sectarian differences. Perpetrators of these acts may be punished by up to three years in prison.

**Women**

While women enjoy the same rights as men under the law, societal and official discrimination were widespread. On July 28, Deputy Prime Minister Bulent Arinc sparked an outcry with his statement that women should not laugh loudly in public."She should not laugh loudly in front of all the world and should preserve her decency at all times," he stated. He went on to mock women using their cell phones excessively, implying that women, even with their female friends, should be quiet and submissive. On November 24, President Erdogan told a summit organized in honor of the UN’s International Day for the Elimination of Violence against Women: “You cannot claim that men and women are equal, as their natures are different.” He went on to clarify: “Our religion has defined a position for women: motherhood,” and he added that women and men could not be treated equally “because it is against human nature.... You cannot place a mother breastfeeding her baby on an equal footing with men.”

The constitution permits measures, including positive discrimination, to advance gender equality. The Purple Roof Association reported non-Turkish speaking women and women with disabilities had difficulty accessing these services.
Convention on the Rights of Persons with Disabilities

Ukraine

Constitution and Laws
While the constitution and law prohibit discrimination based on race, sex, gender, disability, language, social status, and ethnic and social origin, the government lacked effective legal instruments to enforce the prohibitions, and both governmental and societal discrimination persisted. The law covers discrimination, although experts raised concerns the definition of discrimination was too narrow and the law lacked meaningful enforcement mechanisms.

In May the parliament amended the law to define discrimination and related actions and prohibit direct and indirect discrimination on behalf of national and local government authorities, legal entities, and natural persons.

Persons with Disabilities
The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, and the provision of other state services, although the government did not effectively enforce these provisions.
According to the State Statistics Service, as of January 1, there were 2,831,726 persons with disabilities including 168,280 children with disabilities in the country.

The law requires the government to ensure access to public venues, and involvement in public, educational, cultural, and sporting activities for persons with disabilities. The law also requires employers to take into account the individual needs of employees with disabilities. The government generally did not enforce these laws.

Advocacy groups maintained that, despite the legal requirements, most public buildings remained inaccessible to persons with disabilities, restricting the ability of such persons to participate in society. Access to employment, education, health care, transportation, and financial services remained difficult (see section 7.d.).

Special needs education remained problematic. Authorities often did not integrate students with disabilities into the general student population. Only secondary schools offered classes for students with special needs. State employment centers lacked resources to place disabled students in appropriate jobs.

NGOs noted the government was unable to provide outpatient care to persons with disabilities, thus putting the main burden on their families and forcing them to place children and sometimes adults with disabilities in state institutions.
Government policy favored institutionalization of disabled children over placement with their families. The state cared for approximately one-third of the country’s estimated 168,280 children with disabilities, but lacked the legal framework and funds to deinstitutionalize them. Programs to provide for the basic needs of children with disabilities and inpatient and outpatient therapy programs were underfunded and understaffed. The inadequate number of educational and training programs for children with disabilities left many isolated and limited their professional opportunities in adulthood.

Patients in mental health facilities remained at risk of abuse, and many psychiatric hospitals continued to use outdated methods and medicines. According to the Ukrainian Psychiatric Association, insufficient funding, patients’ lack of access to legal counsel, and poor enforcement of legal protections deprived patients with disabilities of their right to adequate medical care.

A government report published in April 2013 stated government monitors observed incidents of involuntary seclusion and application of physical restraints to persons with mental disabilities at psychiatric and neuropsychiatric institutions of the Ministry of Social Policy. Health-care authorities placed patients in isolated and unequipped premises or even metal cages in which they were held for long periods without being able to satisfy basic human needs.

By law employers must set aside 4 percent of employment opportunities for persons with disabilities. NGOs noted many of those employed to satisfy this requirement received nominal salaries but did not actually work at their companies. During the first six months of the year, an estimated 5,834 persons with disabilities received jobs through government placement services, according to the Ministry of Social Policy.

**Employment**

Laws and regulations prohibit discrimination in employment or occupation with respect to race, gender, disability, language, or HIV-positive status. The antidiscrimination laws do not specifically identify sexual orientation or gender as a protected class. Discrimination in employment and occupation occurred with respect to gender, disability, nationality, race, minority status, sexual orientation or gender identity, and HIV-positive status.

**Internationally Displaced Persons**

According to the UNHCR, as of December 22, there were an estimated 610,000 internally displaced persons (IDPs) due to the conflict in Donbas and occupation of Crimea. The largest number resided in areas immediately surrounding the conflict zones, in peaceful areas of Donetsk and Luhansk oblasts, as well as in the Kharkiv, Dnipropetrovsk, and Zaporizhzhya oblasts. Due to delays in adopting a government policy on IDPs, many had to rely on their own resources, as well as those of family, friends, and civil society, to meet their basic needs. On November 19, President Poroshenko signed into effect the Law on the Protection of Rights and Freedoms of Infernally Displaced People. The law provides 880 hryvnia ($55) per month for children and persons with disabilities and 440 ($28) hryvnia per month for those able to work. Aid to children and persons with disabilities was provided for up to six months. Authorities reduced aid for those able to work by half after two months and stopped it after four months. Families may receive no more than 2,400 hryvnia ($152) a month for six months. The process of
IDP registration and aid distribution, however, was slow and inefficient.

The bulk of assistance for IDPs was provided on a temporary basis by local and civil society organizations, and eventually by international humanitarian organizations. UN agencies commented the ability of grassroots organizations to continue absorbing IDPs was limited. As displacement continued, tensions emerged between host populations and IDPs as competition for resources increased. Critics accused internally displaced men who moved to western Ukraine of evading military service, while competition rose for housing, employment, and educational opportunities in Kyiv and Lviv. The UN’s HRRM also reported IDPs who left their homes without their “labor book” experienced difficulties securing employment or acquiring insurance payments for unemployment. IDPs settled around Mariupol lived in extreme hardship, often sleeping in tents or cars and with insufficient toilet facilities and no potable water. Romani activists expressed concern some Roma in eastern Ukraine could not afford to flee the conflict areas, while others had no choice but to leave their homes.

Children
According to the local Crimean Human Rights Watch, the “government” of Crimea operated 20 residential institutions that provided education to nearly 3,000 children, including 365 with special needs. There were also approximately 800 children with significant mental and physical disabilities in seven boarding schools.

Russian occupation authorities permitted orphans in Crimea to be kidnapped and transported across the border into Russia for adoption. In October children from Crimea participated in the “train of hope,” an event designed to match kidnapped Crimean orphans with parents in Russia. At least seven children between the ages of 10 months and 10 years were reportedly taken out of Crimea for adoption by Russian families. The Ukrainian government did not know the whereabouts of the children.

Convention on the Rights of Persons with Disabilities

United Kingdom

Constitution and Laws
The law prohibits discrimination based on race, gender, disability, language, sexual orientation, or social status, and the government routinely enforced the law effectively.

Bermudian law protects against discrimination because of race, place of origin, color, or ethnic or national origins, sex or sexual orientation, marital status, disability, family status, religion or beliefs, political opinions, and, except where the nature of the an offense justifies different treatment, criminal record. Elderly persons are also a protected class in the areas of goods,
facilities, services, and accommodations but not in employment. The law does not protect against discrimination of persons with mental, learning, and cognitive disabilities.

**Persons with Disabilities**
The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, or the provision of other state services. The government effectively enforced the law. The law requires that all public service providers make “reasonable adjustments” to ensure their services are available to persons with disabilities. The law prohibits schools from discriminating against students with disabilities, either directly, for example, by refusing admission, or indirectly.

Bermudian law protects the rights of persons with disabilities in the workplace. It requires employers to “modify the circumstances of employment” to accommodate persons with disabilities so long as there is no “unreasonable hardship” on the employer.

From March 2013 through March 2014, in Scotland there were 154 recorded crimes connected to disability, an increase of 12 percent from the previous year. The PSNI recorded 74 hate crimes connected to disability from April 2012 through March 2014. The NGO National Autism Society reported that of 800 persons who took part in its survey, 81 percent had experienced verbal abuse and 47 percent had been the victim of physical assaults.

The mandate of the EHRC includes work on behalf of persons with disabilities to stop discrimination and promote equality of opportunity. The EHRC provided legal advice and support for individuals, a hotline for persons with disabilities and employers, and policy advice to the government. It may also conduct formal investigations, arrange conciliation, require persons or organizations to adopt action plans to ensure compliance with the law, and apply for injunctions to prevent acts of unlawful discrimination.

**Governmental and Nongovernmental Relationships**
Government Human Rights Bodies: Parliament has a Joint Committee on Human Rights composed of 12 members selected from the House of Lords and the House of Commons. The committee investigates human rights matters in the country and scrutinizes legislation affecting human rights. It may call for testimony from government officials, who routinely comply.

The Equality and Human Rights Commission (EHRC) is a nondepartmental public body that promotes and monitors human rights and protects, enforces, and promotes equality across nine “protected” grounds: age, disability, gender, race, religion and belief, pregnancy and maternity, marriage and civil partnership, sexual orientation, and gender reassignment. The sponsoring department is the Government Equalities Office.

In Bermuda the Human Rights Commission administers the law regarding human rights.

**Employment**
The law prohibits discrimination in employment or occupation regarding race, sex, gender,
disability, sexual orientation, and gender identity. The government effectively enforced these laws and regulations. Discrimination in employment and occupation occurred with respect to race, gender, and sexual orientation and gender identity (see section 6).

**Children**
Persons with disabilities of all ages were victims in 97 forced marriage cases, out of 1,302.

**Convention on the Rights of Persons with Disabilities**
Near East (Northern Africa and Middle East)

Algeria

Persons with Disabilities
The law prohibits discrimination against persons with disabilities in employment, education, access to health care, or the provision of other state services, although the government did not effectively enforce these provisions. Persons with disabilities faced widespread social discrimination. Few government buildings were accessible to persons with disabilities. Public enterprises that downsized generally ignored a requirement that they reserve 1 percent of jobs for persons with disabilities. Social security provided payments for orthopedic equipment. The Ministry of National Solidarity, Family, and the Status of Women provided some financial support to health-care-oriented NGOs, but for many NGOs such financial support represented approximately 2 percent of their budgets.

Government statistics from 2013 stated there were two million individuals with disabilities in the country, the largest percentages of whom were classified as “chronically ill” or “other” (38 and 30 percent, respectively). These statistics accounted for those who registered with the government, including individuals who received a disability pension. The government distributed a monthly pension of DZD 3,000 to DZD 4,000 ($38 to $50) to registered persons with disabilities. Only those who earned less than DZD 20,000 ($250) per month were eligible.

According to the Algerian Federation of Wheelchair Associations, however, there were three million persons with disabilities living in the country. The government estimated that 44 percent of citizens with disabilities had some form of motor disability, 32 percent had communication difficulties, and 24 percent suffered from a visual disability.

In April the Ministry of National Solidarity, Family, and the Status of Women established the National Council of Handicapped Persons in response to a 2006 presidential decree. It serves as a consultative organ to study problems such as accessibility for handicapped persons, autism, and the education of children with disabilities.

Many persons with disabilities faced challenges in voting due to voting centers that lacked accessible features.

Employment
The law prohibits discrimination with respect to employment or occupation based on race, sex, gender, disability, language, sexual orientation, gender identity, HIV-positive status, other communicable diseases, or social status. The government did not adequately enforce the law since discrimination reportedly existed.
Political Participation
Persons with disabilities reported impediments to voting due to voting centers’ lack of accessible features.

Convention on the Rights of Persons with Disabilities
Algeria signed the CRPD and Optional Protocol on 30/03/2007. The government ratified the CRPD on 4/12/2009.

Bahrain
Constitution and Laws
The constitution provides for equality, equal opportunity, and the right to medical care, welfare, education, property, capital, and work for all citizens. The government protected these rights unevenly, depending on an individual’s social status, sect, or gender. The law does not specifically prohibit discrimination based on race, gender, disability, language, sexual orientation and gender identity, religion, sect, or social status. The law deprives foreign workers, who comprised approximately one-half of the population, of many fundamental legal, social, and economic rights.

Persons with Disabilities
The law stipulates equal treatment for persons with disabilities with regard to employment, and violations of the law are punishable with fines. It was unclear whether the government enforced these laws. The law does not address discrimination in education, air travel and other transportation, access to health care, or the provision of other state services. According to the government, it re-established in 2012 a committee originally formed in 2011 to care for persons with disabilities and included representatives from all relevant ministries, NGOs, and the private sector. The committee is responsible for monitoring violations against persons with disabilities; it was unclear whether the committee acted on any incidents during the year.

Authorities mandated a variety of governmental, quasi-governmental, and religious institutions to support and protect persons with disabilities. New public buildings in the Central Municipality must include facilities for persons with disabilities. The law, however, does not outline specific criteria for what is required for facilities to be accessible for persons with disabilities. The law does not mandate access to other nonresidential buildings for persons with disabilities. There was no information available regarding a law providing access for persons with disabilities to information and communication.

There was no information available on the responsibilities of government agencies to protect the rights of persons with disabilities and actions taken by government agencies to improve respect for their rights. According to anecdotal evidence, however, such persons routinely lacked access to education and employment. The one government school for children with hearing disabilities did not operate past the 10th grade. Some public schools had specialized education programs for children with learning disabilities, physical disabilities, speech
impediments, and Down syndrome, but the government did not fund private programs for children who could not find appropriate programs in public schools.

Eligible voters can vote either in their regular precincts or in a general polling station. The local precincts, which are mostly in schools, sometimes offered challenges to those with mobility issues; however, the general polling stations are in public spaces such as malls, which allow for assistance devices. One disabled candidate in the November parliamentary election complained that access restrictions separated him from the other candidates at a function, as there was no ramp for his wheelchair to get up on stage. There were also complaints there were no provisions made for those who were house- or hospital-bound to vote, as there was no absentee ballot system.

The law requires the government to provide vocational training for persons with disabilities who wish to work. The law also requires employers of more than 100 persons to hire at least 2 percent of its employees from the government’s list of workers with disabilities. The government did not monitor compliance. The government placed persons with disabilities in some public-sector jobs.

In September 2013 Minister of Social Development and Chairperson for the High Committee for Persons with Disabilities Fatima Mohammed al-Balooshi announced the launch of a National Strategy for the Rights of Persons with Disabilities. Al-Balooshi stated the government based the national strategy on human rights and focuses on the principles embedded in the UN Charter and the Convention on the Rights of Persons with Disabilities. She further noted the government formed the strategy in cooperation with the UN Development Program and based it on seven main themes: legislation; health and rehabilitation; education; economic and social empowerment; economic empowerment of women with disabilities; easy access to buildings, services, and information; and awareness.

**Employment**

The constitution guarantees equality between men and women in political, social, cultural, and economic spheres without breaching the provisions of Islamic cannon law. There are no specific protections regarding race, disability, language, sexual orientation and/or gender identity, HIV-positive status or having other communicable diseases, or social status.

The government was successful in ensuring a good environment for women to work, although women continued to face discrimination in the workplace; especially in fields traditionally dominated by men including leadership positions. In June women represented 85 percent of those registered as unemployed and represented about 23 percent of the work force. Women reported having to work twice as hard as men to get recognition at work and often faced hiring difficulty because of a perception they would become pregnant or their family lives would interfere with their work.

As in 2013 the Ministry of Social Development continued to fund the Disabled Services Center, which helped train and find work for disabled Bahrainis. It remained rare, however, for persons
with disabilities to find employment in positions of responsibility. Many workplaces remained difficult to access for those needing assistance due to a lack of ramps, narrow doorways, and unpaved parking lots.

**Prison and Detention Centers**
There were no accommodations for persons with disabilities in prisons and detention centers. Prisoners with chronic medical conditions including sickle cell anemia, diabetes, and gout had difficulty accessing regular medical care. There were few accommodations for prisoners whose medical conditions required a special diet. Human rights groups reported prisoners who became physically or mentally disabled while in custody relied on fellow prisoners for their care.

**Civil and Judicial Procedures**
Local human rights activists reported the government provided compensation only for deaths that occurred in 2011. In addition to deaths, there were 421 applications for compensation for injuries; 193 cases were selected for the first phase, and the Civil Settlement Office assessed the settlement value of each claim based on the percentage of permanent disability determined by a medical examiner.

**Convention on the Rights of Persons with Disabilities**
Bahrain signed the CRPD on 25/06/2007. The government ratified the CRPD on 22/09/2011.

**Egypt**

**Constitution and Laws**
The constitution states that all citizens “are equal in rights, freedoms, and general duties without discrimination based on religion, belief, gender, origin, race, color, language, disability, social class, political or geographic affiliation, or any other reason.” It does not specifically mention sexual orientation or gender identity. Many aspects of the law discriminate against women and religious minorities, and the government did not effectively enforce prohibitions against such discrimination.

**Persons with Disabilities**
The constitution states all citizens “are equal in rights, freedoms, and general duties without discrimination based on...disability” among other attributes, but does not explicitly “prohibit” discrimination.

The law provides for persons with disabilities to gain access to vocational training and employment but does not outlaw discrimination altogether (see section 7.d.). Government policy for employing persons with disabilities is based on a quota system (5 percent workers with disabilities) for companies with more than 50 employees. According to most sources, however, this quota was not enforced, and companies often had persons with disabilities on
their payroll to meet the quota without actually employing them. Although the constitution states persons with disabilities are equal without discrimination before the law, at year’s end, there were no laws prohibiting discrimination against persons with disabilities in education, access to health care, or the provision of other state services, nor were there laws mandating access to buildings or transportation. Widespread discrimination continued against persons with disabilities, particularly persons with mental disabilities, resulting in a lack of acceptance into mainstream society. Government-operated treatment centers for persons with disabilities, especially children, were of poor quality.

In 2011 the World Health Organization, UNICEF, and local civil society organizations estimated the percentage of persons with disabilities to be 11 percent, or approximately 8.5 million persons. The Ministries of Education and Social Solidarity shared responsibility for protecting the rights of persons with disabilities. Persons with disabilities rode government-owned mass transit buses free of charge, but the buses were not wheelchair-accessible and access assistance from friends and relatives was needed. Persons with disabilities received special subsidies to purchase household products, wheelchairs, and prosthetic devices. Persons with disabilities also received expeditious approval for the installation of new telephone lines and received reductions on customs duties for specially equipped private vehicles.

**Employment**
The law and regulations prohibit discrimination regarding race, gender, disability, language, and social status. The law provides for persons with disabilities to gain access to vocational training and employment but does not outlaw discrimination altogether. The government did not effectively enforce prohibitions against such discrimination. Discrimination in employment and occupation occurred with respect to women and persons with disabilities (see section 6). Discrimination against migrant workers occurred (see section 2.d.).

**Convention on the Rights of Persons with Disabilities**
Egypt signed the CRPD on 4/04/2007. The government ratified the CRPD on 14/04/2008.

**Iran**

**Constitution and Laws**
The constitution prohibits discrimination based on race, gender, disability, language, and social status “in conformity with Islamic criteria,” but the government did not effectively enforce these prohibitions. The constitution does not prohibit discrimination based on sex, sexual orientation, or gender identity.

**Persons with Disabilities**
The law generally prohibits discrimination against persons with disabilities by government actors. No information was available regarding authorities’ effectiveness in enforcing the law. The law does not apply to private actors, and electoral law prohibits blind and deaf persons from running for seats in the Islamic Consultative Assembly. While the law provides for state-
funded vocational education for persons with disabilities, according to domestic news reports, vocational centers were located in urban areas and unable to meet the needs of the entire population.

The law provides for public accessibility to government-funded buildings, and new structures appeared to comply with the standards in these provisions. There also were efforts to increase the access of persons with disabilities to historical sites. Nevertheless, government buildings that predated existing accessibility standards remained largely inaccessible, and general building accessibility for persons with disabilities remained a widespread problem. Persons with disabilities had limited access to information, education, and community activities.

The Welfare Organization of Iran is the principal governmental agency charged with protecting the rights of persons with disabilities.

**Employment**
The constitution bars discrimination based on race, gender, disability, language, and social status “in conformity with Islamic criteria,” but the government did not effectively enforce these prohibitions. The constitution does not bar discrimination based on sex, sexual orientation, or gender identity.

There were systematic efforts by the government to limit women’s access to the workplace. In July male managers in the Tehran city government were barred from employing female secretaries or office managers. In August a policy prohibiting women’s employment in coffee shops, coffee houses, and traditional restaurants was announced. In September the local press reported that bands with female musicians would not be granted performance licenses. The performance ban would extend to the entire country a prohibition that had been in place in a few cities.

Discrimination occurred based on the above categories with respect to employment and occupation (see also section 6).

**Convention on the Rights of Persons with Disabilities**
Iran ratified the CRPD on 23/10/2009.

**Iraq**

**Constitution and Laws**
The constitution provides that all citizens are equal before the law without regard to gender, sect, opinion, belief, nationality, or origin. The law prohibits discrimination based on race, disability, or social status. The government was ineffective in enforcing these provisions.

**Persons with Disabilities**
Although the constitution states that the government, through law and regulations, should care
for and rehabilitate persons with disabilities in order to reintegrate them into society, there are no laws prohibiting discrimination against persons with physical, sensory, intellectual, or mental disabilities in employment, education, air travel and other transportation, access to health care, or the provision of other state services. There were reports that persons with disabilities continued to experience discrimination due to social stigma. Although the Council of Ministers issued a decree ordering access for persons with disabilities to buildings and to educational and work settings, incomplete implementation limited access. Local NGOs reported that many children with disabilities dropped out of public school due to insufficient physical access to school buildings, a lack of appropriate learning materials in schools, and a shortage of teachers qualified to work with children with developmental or intellectual disabilities. The Union for the Rights of the Disabled, a local NGO, reported that land mines and explosive remnants had a disproportionate impact on children—approximately 25 percent of all victims were children under age 14.

The Council of Representatives passed a law in 2013 establishing a commission for persons with disabilities and special needs to be led by the minister of labor and social affairs but to remain independent of the government. At year’s end the government had not established the commission; instead, the Ministry of Labor and Social Affairs created a department within the ministry to carry out such functions. The Kurdistan regional government has a similar law.

In 2013 the Council of Ministers approved a 3-percent public sector employment quota for persons with disabilities, but employment discrimination persisted, and observers projected that the quota was not likely to be met by year’s end (see also section 7.d.). Central government and Kurdistan regional government officials reported they had few resources to accommodate individuals with disabilities in prisons, detention centers, and temporary holding facilities. Mental health support for prisoners with mental disabilities did not exist.

The Ministry of Health provided medical care, benefits, and rehabilitation, when available, for persons with disabilities, who could also receive benefits from other agencies, including the Prime Minister’s Office. The Ministry of Labor and Social Affairs operated several institutions for children and young adults with disabilities.

**Work Conditions**
In December 2013 the government launched a Social Safety Net program to assist the unemployed and persons with disabilities in gaining access to financial aid and benefits from the government; at its inception the program covered more than one million persons.

**Convention on the Rights of Persons with Disabilities**
Iraq ratified the CRPD on 20/03/2013.
Israel and Palestinian Territories

Constitution and Laws
The law prohibits discrimination on the basis of race, sex, gender, disability, language, sexual orientation and gender identity, or social status, and the government was generally effective in enforcing these prohibitions.

PA law prohibits discrimination based on race, gender, disability, language, or social status. PA authorities worked to enforce these laws but often failed to do so. Some laws are discriminatory. For example, it is illegal for a Palestinian to sell land to Israelis, an offense punishable by death.

Hamas, despite remaining under the authority of Palestinian laws prohibiting discrimination, continued to implement discriminatory policies based on race, political affiliation, gender, and sexual orientation.

Many NGOs alleged Israeli actions in the West Bank and Gaza amounted to racial and cultural discrimination, citing legal differences between the treatment of Palestinians and Jewish settlers in the West Bank.

Persons with Disabilities
The Palestinian Disability Law was ratified in 1999, but NGOs complained of very slow implementation. It does not mandate access to buildings, information, or communications, although UNRWA’s policy was to provide accessibility in all new structures. Disability rights NGO Bizchut reported a lack of accessible transportation services in East Jerusalem.

Palestinians with disabilities continued to receive uneven and poor quality services and care. The PA depended on UN agencies and NGOs to care for persons with physical disabilities and offered substandard care for persons with mental disabilities. There were reports Israeli authorities placed in isolation detainees deemed mentally disabled or a threat to themselves or others without a full medical evaluation. According to Physicians for Human Rights-Israel, isolation of prisoners with mental disabilities was common.

Familial and societal discrimination against persons with disabilities existed in both the West Bank and the Gaza Strip.

The Basic Laws provide a legal framework for prohibiting discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, and the provision of other state services. Legislation mandates access to buildings, transportation, and physical accommodations and services in the workplace, and access to mental health services as part of government-subsidized health insurance. On July 6, the minister of economy signed an Encouragement of Employment of Persons with Disabilities order requiring that 3 percent of the workforce of employers with more than 100 employees be persons with disabilities. According to NGOs, government
progress in enforcing these laws was limited.

Societal discrimination and lack of accessibility persisted in employment, transportation, housing, and education. According to the Ministry of Industry, Trade, and Labor, the employment rate of persons with disabilities rose from 40 percent in 2007 to 51 percent in 2012. The rate remained lower than the 74 percent employment rate for persons without disabilities.

According to 2012 statistics, gross per capita income of persons with disabilities was 73 percent of that of persons without disabilities, but net income was relatively higher at 80 percent. The average monthly income of persons with severe disabilities was 36 percent lower than that of persons without disabilities.

The rate of persons with disabilities in the Arab community was 29 percent, compared with 17 percent in the Jewish population. Employment of Arab citizens with disabilities was 21 percent, compared with 49 percent for Jews with disabilities. Shortages of funding for Arab municipalities, including for education, adversely affected Arabs with disabilities.

The government reported improved access to interurban buses with 91 percent of municipal buses, 43 percent of inter-urban buses, and 73 percent of bus stops being accessible to persons with disabilities. Authorities projected 92 percent of central bus stops would be accessible to persons with disabilities by year’s end. Ninety-five percent of train stations were accessible to persons with disabilities, with the remaining 5 percent scheduled to become accessible in 2015, according to the government.

Access to community-based independent living facilities for persons with disabilities, however, remained limited. According to the disability rights NGO Bizchut, more than 8,000 persons with intellectual disabilities lived in institutions and large hostels while only 1,500 lived in community-based settings. Following the government’s decision to close private psychiatric hospitals, the government issued, but then rescinded, tenders for new small community-based housing units for persons with disabilities leaving these facilities. Reportedly, the government preferred to place them in existing institutions. Bizchut claimed there were prior complaints against several of these institutions. During the year the Ministry of Social Affairs announced a new program to move 900 persons with intellectual disabilities from institutions into community-based housing facilities within the next three years.

A family court restored legal capacity to a woman with a disability and removed her legal guardian in favor of a supported decision-making arrangement. Other laws passed during the year widen the scope of the Law Preventing Sexual Harassment to employees in sheltered vocational workshops, provide paternity leave to husbands whose wives cannot fully care for an infant due to a disability, and allow parents of children with disabilities to be absent from work for medical appointments as part of sick leave.
The law prioritizes access by persons with disabilities to public services, such as eliminating waiting in line as well as providing adapted seating and accessible facilities in public places other than buildings, such as public beaches, municipal parks, swimming pools, and cemeteries. For deaf and hard-of-hearing persons, the law provides for short message public announcement services.

The Commission for Equal Rights of People with Disabilities within the Ministry of Justice is responsible for protecting the rights of persons with disabilities and worked with government ministries to enact regulations. The Unit for the Integration of Persons with Disabilities in the Labor Market, located within the Ministry of Economy, examined and promoted the employment of persons with disabilities. The unit has three support centers designed to assist employers who wish to hire persons with disabilities. During 2013, 474 employers applied to these centers for assistance, and 261 persons with disabilities found employment through their assistance. The Ministry of Social Affairs and Social Services provided out-of-home placement and sheltered employment for persons with cognitive, physical, and communication disabilities. As of November there were 3,750 persons with mental disabilities employed in sheltered employment, 1,350 employed in the open labor market in supported employment, and 1,700 in nonemployment day care. The Ministry of Social Affairs and Social Services also handled criminal investigations involving persons with certain disabilities, whether they were victims or offenders, when police requested assistance. The National Insurance Agency provided financial benefits and stipends, the Ministry of Health provided mental health and rehabilitation services, and the Ministry of Education provided special education services to persons with disabilities. The Ministry of Economy allocated NIS 15 million ($3.8 million) for workplace modifications to accommodate persons with disabilities between 2007 and the end of the year.

**Employment**

The law and regulations do not prohibit discrimination regarding race, language, sexual orientation and/or gender identity, HIV-positive status or other communicable diseases, or social status. Laws prohibit discrimination on the bases of gender and disabilities; however, the government did not effectively enforce those laws and regulations. There was discrimination based on the above categories with respect to employment and occupation. For further discussion of discrimination on the basis of gender, sexual orientation, HIV status, and disability, see section 6.

The Commission for Equal Employment Opportunities is charged with the implementation and civil enforcement of the Equal Employment Opportunities Law. The 26-member commission includes one member each from organizations that promote employment rights for Arab Muslims, Arab Christians, Druze and Circassians, Haredim, immigrants, elderly persons, women, and army veterans.

Additionally, the commission must have adequate representation of citizens of Ethiopian descent and of persons with disabilities. No details were provided by the government regarding violations of the law or enforcement activities.
Freedom of Movement
The government reported that as of December 16, 2,444 persons who entered Israel illegally through the Egyptian border in recent years were either placed in Holot or detained in Saharonim. According to NGOs, some detainees were documented trafficking victims, older persons, persons with disabilities, pregnant women, single mothers, unaccompanied minors, and those suffering from poor physical or mental health that were unable to work and who were dependent on the capacities of their communities and NGOs to support their basic needs.

Convention on the Rights of Persons with Disabilities
Israel signed the CRPD on 30/03/2007. The government ratified the CRPD on 28/09/2012.

Jordan

Constitution and Laws
The constitution states that all citizens are equal under the law and prohibits discrimination based on race, language, and religion; however, discrimination on the basis of gender, disability, and social status is not specifically prohibited and remained a problem in practice. The government did not effectively enforce these provisions, and the penal code does not address discrimination, thereby severely limiting judicial remedies. Women faced significant and widespread discrimination across society.

Persons with Disabilities
The law generally provides equal rights to persons with disabilities, but such legal protections were not upheld. Activists noted the law on the rights of persons with disabilities lacked implementing regulations. The Higher Council for the Affairs of People with Disabilities (HCAPD), a government body, worked with ministries, the private sector, and NGOs to formulate and implement strategies to assist persons with disabilities. Citizens and NGOs universally reported that persons with disabilities faced problems in obtaining employment and accessing education, health care, transportation, and other services, particularly in rural areas.

Human rights activists reported that institutions and rehabilitation centers subjected some persons with disabilities to cruel and inhuman treatment. In April the Ministry of Social Development launched an investigation into allegations that staff at the government-run Karak Rehabilitation Center physically and sexually assaulted a resident. After news sources published photographs of the abuse, the Ministry of Social Development suspended six employees, who faced charges of negligence and failure to report a crime. The ministry said the resident’s injuries resulted from a fight with another resident rather than from abuse by center staff.

The electoral law directs the government to verify that voting facilities are accessible to persons with disabilities and allows such persons to bring a personal assistant to the polling station; the Independent Electoral Commission has responsibility for implementing this law. Following the January 2013 parliamentary elections, the NCHR noted that accessibility for persons with disabilities needed improvement. Following the August 2013 municipal elections, the NCHR
reported that most of the polling centers were not accessible to persons with disabilities.

Banks commonly refused to allow visually impaired persons to open a bank account independently and required blind applicants to bring two male witnesses to certify each transaction. Banks commonly refused to issue visually impaired customers automated teller machine cards.

The 2013 NCHR report noted that school classrooms were not fully accessible and that there were no qualified teachers for children with disabilities, problems that remained an issue throughout the year. The HCAPD reported that educational accommodations were more readily available at the university level than in elementary and secondary schools. At all levels of education, children with certain types of disabilities were excluded from studying certain subjects and often could not access critical educational support services, such as sign-language interpretation. Authorities did not train general education teachers to work with students with various disabilities. Families of children with disabilities reported that teachers and principals often refused to include children with disabilities in mainstream classrooms. The education ministry provided accessible transportation to specialized centers for children with disabilities, but not to mainstream schools.

There remained insufficient capacity in specialized centers for all students who required accommodations. Students with significant intellectual disabilities fell under the authority of the Ministry of Social Development rather than the Ministry of Education.

The Special Buildings Code Department is tasked with enforcing accessibility provisions and oversees retrofitting of existing buildings to comply with building codes. The vast majority of private and public office buildings continued to have limited or no access for persons with disabilities. Municipal infrastructure such as public transport, streets, sidewalks, and intersections was not accessible. In 2012 the NCHR also reported that 82 percent of individuals with disabilities were economically inactive.

The law mandates that public- and private-sector establishments with between 25 and 50 workers employ at least one person with disabilities and that establishments with more than 50 workers must reserve 4 percent of their positions for persons with disabilities. The law lacked implementing regulations, and authorities rarely enforced it. Additionally, employers who state the nature of the work is not suitable for persons with disabilities are exempt from the quota. Employers, including the government’s Civil Service Bureau, frequently required potential employees with disabilities to present a medical letter certifying the bearer was competent to perform the job in question. Human rights activists considered the letter a significant barrier to participation in public life because some medical professionals were not aware of the full range of accommodations available and thus certified individuals as not able to perform certain tasks.

Girls and women with disabilities were particularly at risk for gender-based violence. Human rights activists and the media reported that children and adults with disabilities were vulnerable to physical and sexual abuse while in institutions, rehabilitation centers, or other
care settings, including their family homes. Some of these institutions were government operated, and some of the abusers were government employees.

The government endorsed instructions giving tariff exemptions for the vehicles of persons with disabilities and reduced the costs of hiring domestic help for persons with disabilities. Approximately 10,000 persons with disabilities (some 17 percent of the total estimated population with disabilities) benefited from these measures.

Women
The forced sterilization of women and girls with intellectual disabilities was until recently a common practice. The Sisterhood Is Global Institute estimated that 65 such hysterectomies were performed annually as recently as 2013. In April the General Fatwa Department issued a fatwa banning the practice, and Sisterhood Is Global Institute and the Higher Council for the Affairs of Persons with Disabilities said they heard no reports of hysterectomies performed on intellectually disabled women during the year.

The law stipulates a sentence of at least 10 years of imprisonment with hard labor for the rape of a girl or woman 15 years of age or older. Spousal rape is not illegal. The Family Protection Law prescribes penalties of up to six months in prison for domestic abuse; however, NGOs reported that judges rarely prosecuted cases under the Family Protection Law because they considered its procedures were unclear. Instead, they prosecuted domestic abuses cases under the penal code, as injury or sexual assault cases. The government did not enforce the law against rape effectively, and violence and abuse against women was widespread. Women’s rights activists speculated that many incidents went unreported because violence against women remained a taboo subject due to societal and familial pressures. The PSD’s Family Protection Department (FPD) reported 1,556 cases of domestic abuse. Human rights activists stated that girls and women with disabilities were particularly at risk of gender-based violence.

Political Participation
In August parliament passed a constitutional amendment to broaden the mandate of the IEC to oversee municipal elections. The NCHR reported that during the municipal elections, some polling stations were not fully accessible to disabled persons.

Children
A 2013 government report found no physical or sexual abuse in state institutions; however, NGOs reported such abuses occurred. Cases involving violence against persons with disabilities or institutionalized persons are automatically referred to the FDP. During the year the Ministry of Social Development closed two day-care centers for violations related to the building code, inadequate space, or lack of supervisors. The committee highlighted the pervasive use of physical discipline, physical and verbal abuse, unacceptable living conditions, and a lack of educational, rehabilitative, or psychosocial services for wards and inmates. Activists for orphans’ rights alleged that adult orphans and former wards of the state were especially vulnerable to forced and early marriage, labor trafficking, and sexual exploitation.
Some children of female citizens and noncitizen fathers must apply for residency permits every year, and permission was not assured. Children with disabilities experienced extreme difficulty in accessing constitutionally protected early and primary education.

**Refugees**
UNHCR reported that the government also prevented some Syrians seeking refuge from entering the country, and forcibly returned Syrian refugees, including women, children, war-wounded, and disabled persons to Syria.

**Employment**
Labor laws do not prohibit discrimination regarding race, sex, gender, disability, language, sexual orientation and/or gender identity, HIV-positive status or other communicable diseases, or social status.

Discrimination in employment and occupation occurred with respect to sex, gender, disability, and sexual orientation (see section 6). Discrimination against migrant workers occurred (see section 7.e.).

**Convention on the Rights of Persons with Disabilities**
Jordan signed the CRPD and Optional Protocol on 30/03/2007. The government ratified the CRPD on 31/03/2008.

**Kuwait**

**Constitution and Laws**
The law prohibits discrimination based on race, origin, disability, or language. The law does not prohibit discrimination based on social status, gender, or sexual orientation. The government did not consistently enforce laws against discrimination, and a number of laws and regulations discriminated against women, bidoun, noncitizens, and domestic and foreign workers.

**Persons with Disabilities**
The law prohibits discrimination against persons with permanent physical, sensory, intellectual, and mental disabilities, in employment, education, air travel and other transportation, access to health care, or the provision of other state services. It imposes penalties on employers who refrain without reasonable cause from hiring persons with disabilities. The law also mandates access to buildings for persons with disabilities. The government generally enforced these provisions. There were no specific reports of discrimination against persons with disabilities, but noncitizens with disabilities neither had access to government-operated facilities nor received stipends paid to citizens with disabilities that covered transportation, housing, job training, and social welfare costs.

In 2010 the government approved a disability law, and the National Assembly formed a Committee for Disabled Affairs for the past two years. In 2013 the committee drafted
amendments to the 2010 law, including increasing the monthly allowance given to the mother of a disabled child or the wife of a disabled man, from 300 to 600 dinars (from $1,065 to $2,130). In November the Kuwait Credit Bank, in coordination with the Public Authority for the Disabled, approved the issuance of grants worth up to 20,000 dinars ($71,000) to the families of citizens with disabilities.

Advocates for disabled rights criticized the government’s slow reaction in providing individuals with disabilities the enhanced rights provided by law. For example, the law requires that government employers with workforces of 50 persons or more recruit at least 4 percent of their workforce from vocationally trained persons with special needs, but the government did not attempt to enforce this and some other provisions of the law. Separate from the law, the government reserved a small number of admissions in the year’s KU class for citizens with disabilities.

Children with disabilities attended public school, and there were no reported incidents of abuse of children with disabilities. The law does not restrict the right of persons with disabilities to vote and participate in civic affairs. Representatives from ministries, other governmental bodies, KU, and several NGOs constituted the government’s Higher Council for Handicapped Affairs, which makes policy recommendations, provides direct financial aid to citizens with disabilities, and facilitates their integration into schools, jobs, and other social institutions. The government supervised and contributed to schools and job training programs oriented to persons with special needs.

**Government and Nongovernmental Relationships**
Locally licensed NGOs devoted to the rights or welfare of specific groups--such as women, children, foreign workers, prisoners, and persons with disabilities--operated without government interference, as did a few dozen local, unlicensed human rights groups. The government and various National Assembly committees met occasionally with local NGOs and generally responded to their inquiries.

**Employment**
The law prohibits discrimination in employment based on race, sex, gender, and disability. The government immediately deports HIV-positive foreign workers, and there is no protection for workers based on sexual orientation. No laws prohibit labor discrimination based on language, communicable diseases (non- HIV), or social status, but no cases of discrimination in these areas were reported.

Discrimination in employment and occupation occurred with respect to women (see section 6) for both citizens and noncitizens. Domestic workers were at particular risk of discrimination or abuse due to the lack of a labor law specifying their rights.

**Prison and Detention Center Conditions**
There were no special accommodations made for persons with disabilities in the prisons or detention centers.
Convention on the Rights of Persons with Disabilities
Kuwait ratified the CRPD on 22/08/2013.

Lebanon
Constitution and Laws
The law provides for equality among all citizens and prohibits discrimination based on race, gender, disability, language, or social status. Although the government generally respected these provisions, they were not enforced, especially with regard to economic matters, and aspects of the law and traditional beliefs discriminated against women. The law does not protect against discrimination based on sexual orientation or gender identity.

Persons with Disabilities
Although prohibited by law, discrimination against persons with disabilities continued. Employment law defines a “disability” as a physical, sight, hearing, or mental impairment. The law stipulates that at least 3 percent of all government and private sector positions be filled by persons with disabilities, provided such persons fulfill the qualifications for the position, but there was no evidence it was enforced. Employers are legally exempt from penalties if they provide evidence no otherwise qualified person with disabilities applied for employment within three months of advertisement. The law mandates access to buildings by persons with disabilities, but the government failed to amend building codes. Many persons with mental disabilities received care in private institutions, several of which the government subsidized (see section 7.d.).

The Ministry of Social Affairs and the National Council of Disabled are responsible for protecting the rights of persons with disabilities. According to the president of the Arab Organization of Disabled People, little progress has occurred since parliament passed the law on disabilities in 2000. Approximately 100 relatively active but poorly funded private organizations provided most of the assistance received by persons with disabilities.

Depending on the type and nature of the disability, children with a disability may attend regular school. Due to a lack of awareness or knowledge, school staff often did not identify a specific disability in children and could not adequately advise parents. In such cases children often repeated classes or dropped out of school.

The public school system was ill equipped to accommodate students with disabilities. Problems included a poor regulatory framework; poor infrastructure that was not accessible to persons with disabilities; curricula that did not include material to assist children with disabilities; laboratories and workshops that lacked the equipment required for children with disabilities; laboratories that lacked space and access for persons with disabilities, especially those using wheelchairs; teaching media and tools that relied increasingly on computers and audiovisual material that were not accessible to students with disabilities, including the blind, the deaf, and those with other physical disabilities; and lack of accessible transportation to and from schools.
The Ministry of Education and Higher Education’s 2002 decree for new school building construction stipulated: “Schools should include all necessary facilities in order to receive the physically challenged.”

Some NGOs (often managed by religious entities) offered education and health services for children with disabilities. The Ministry of Social Affairs contributed to the cost per child, although the ministry often delayed payments to the organizations. According to the Ministry of Social Affairs, it supported school attendance, vocational training, and rehabilitation for approximately 7,300 persons in 2012. In the 2009 election, a Lebanese Physically Handicapped Union study showed, only six of the country’s 1,741 polling stations satisfied all criteria for accessibility.

**Employment**
The law provides for equality among all citizens and prohibits discrimination based on race, gender, disability, language, or social status. The law does not specifically provide for protection against discrimination based on sexual orientation, gender identity, HIV status, or other communicable diseases.

Although the government generally respected these provisions, they were not enforced, especially in economic matters, and aspects of the law and traditional beliefs discriminated against women. Discrimination in employment and occupation occurred with respect to women, persons with disabilities, foreign domestic workers, and LGBT and HIV-positive persons (see section 6).

**Prison and Detention Centers**
Prison and detention center conditions were harsh and often lacked access to basic sanitation. In some prisons, such as the central prison in Roumieh, conditions were life threatening. Facilities were not adequately equipped for persons with disabilities.

**Convention on the Rights of Persons with Disabilities**
Lebanon signed the CRPD and Optional Protocol on 14/06/2007.

**Libya**

**Constitution and Laws**

**Persons with Disabilities**
The Constitutional Declaration addresses the rights of persons with physical, sensory, intellectual, and mental disabilities and requires the state to provide monetary and other types of social assistance, but it does not explicitly prohibit discrimination. The government did not effectively enforce these provisions.
The government did not enact or effectively implement laws and programs to ensure access to buildings, information, and communications, but a number of organizations provided services to persons with disabilities. Few public facilities had adequate access for persons with physical disabilities, resulting in restricted access to employment, education, and health care. New sidewalks did not have curb cuts for persons in wheelchairs, and new construction often did not have accessible entrances. There was limited access to information or communications.

Employment
The Constitutional Declaration prohibits discrimination on the basis of gender, although it does not prohibit discrimination on the basis of race, disability, sexual orientation, social status, HIV-positive status, or having other communicable diseases. Rules against gender discrimination were not adequately enforced. Discrimination in all the above categories occurred.

Convention on the Rights of Persons with Disabilities
Libya signed the CRPD on 1/05/2008.

Morocco

Constitution and Laws
The constitution prohibits discrimination based on race, gender, disability, language, social status, faith, culture, regional origin, or any other personal circumstance. Discrimination occurred based on each of these factors. The 2011 constitution mandates the creation of a body to promote gender equality and resolve parity issues—the Authority for Equality and the Fight against All Forms of Discrimination—but implementing legislation for the body had not been adopted by year’s end.

Persons with Disabilities
The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, and access to health care. The law also provides for regulations and building codes that ensure access for persons with disabilities. The government did not effectively enforce or implement these laws and regulations. While building codes enacted in 2003 require accessibility for all persons, the codes exempt most pre-2003 structures, and authorities rarely enforced them for new construction. Most public transportation was inaccessible to persons with disabilities, although the national rail system offered wheelchair ramps, handicap-accessible bathrooms, and special seating areas. Government policy provides that persons with disabilities should have equal access to information and communications. Special communication devices for the blind and deaf were not widely available.

The Ministry of Social Development, Family, and Solidarity has responsibility for protecting the rights of persons with disabilities and attempted to integrate persons with disabilities into society by implementing a quota of 7 percent for persons with disabilities in vocational training in the public sector and 5 percent in the private sector. Both sectors were far from achieving
the quotas. The government maintained more than 400 integrated classes for children with learning disabilities, but integration was largely left to private charities. Families typically supported persons with disabilities, although some survived by begging.

Prison and Detention Centers
According to the CNDH, prison facilities did not provide adequate access to health care and did not accommodate the needs of prisoners with disabilities, although government sources claimed each prisoner received an average of 3.4 consultations with a medical professional during the first seven months of the year.

Women
A few NGOs made efforts to provide shelter for victims of domestic abuse. There were reports, however, that these shelters were not accessible to persons with disabilities. Courts had “victims of abuse cells” that brought together prosecutors, lawyers, judges, women’s NGO representatives, and hospital personnel to review domestic and child abuse cases to provide for the best interests of women or children according to proper procedure.

Convention on the Rights of Persons with Disabilities
Morocco signed the CRPD on 30/03/2007. The government ratified the CRPD and Optional Protocol on 8/04/2009.

Oman

Persons with Disabilities
The law provides persons with disabilities, including physical, sensory, intellectual, and mental disabilities, the same rights as other citizens in employment, education, access to health care, and the provision of other state services. Persons with disabilities, however, continued to face discrimination. The law mandates access to buildings for persons with disabilities, but many older buildings, including government buildings and schools, did not to conform to the law. The law also requires private enterprises employing more than 50 persons to reserve at least 2 percent of positions for persons with disabilities. Authorities did not widely enforce this regulation.

There is no protective legislation to provide for equal educational opportunities for persons with disabilities. The government provided alternative education opportunities for more than 500 children with disabilities, including overseas schooling when appropriate; this was largely due to lack of capacity within the country. Additionally, the Ministry of Education collaborated with the International Council for Educational Reform and Development to create a curriculum for students with mental disabilities within the standard school system, which was in place throughout the year. There were a number of civil society groups raising awareness of the experiences and needs of those with disabilities.
The Ministry of Social Development is responsible for protecting the rights of persons with disabilities. In March a royal decree established the Directorate General of Disabled Affairs within the Ministry of Social Development. The directorate was tasked with preparing national plans and programs for disabled persons, and implementation of these programs in coordination with relevant authorities. The directorate was further authorized to supervise all of the ministry’s rehabilitation and treatment centers for the disabled.

**Employment**
Labor laws and regulations do not address discrimination on the basis of race, sex, gender, disability, language, sexual orientation, and/or gender identity, HIV positive status or other communicable diseases, or social status. Discrimination occurred on the basis of sex, gender, sexual orientation, and gender identity. For further discussion of discrimination, see section 6.

**Government and Nongovernment Relationships**
No registered or fully autonomous domestic human rights organizations existed. There were civil society groups that advocated for persons protected under human rights conventions, particularly women and the disabled. These groups were required to register with the Ministry of Social Development.

**Convention on the Rights of Persons with Disabilities**
Oman signed the CRPD on 17/03/2008. The government ratified the CRPD on 6/01/2009.

**Qatar**

**Constitution and Laws**
The constitution prohibits discrimination based on gender, race, language, and religion, but not disability, sexual orientation, or social status. Local custom, however, outweighed government enforcement of nondiscrimination laws. Legal, cultural, and institutional discrimination existed against women, noncitizens, and foreign workers. The UN special rapporteur on the human rights of migrants reported salaries were sometimes calculated on the basis of nationality rather than experience or qualification levels.

**Persons with Disabilities**
The law prohibits discrimination against--and requires the allocation of resources for--persons with physical, sensory, intellectual, and mental disabilities in employment, education, access to health care, and other state services or other areas. There was no underlying pattern of abuse at education facilities, mental health facilities, or prisons. The government is charged with acting on complaints from individuals and the NHRC and enforcing compliance. The law requires reserving 2 percent of jobs in government agencies and public institutions for persons with disabilities, and most government entities appeared to carry out this law. Private sector businesses employing a minimum of 25 persons are also required to hire persons with disabilities as 2 percent of their staff. Employers who violate these employment provisions are subject to fines of up to 20,000 riyals ($5,500). There were no reports of violations during the
Private and independent schools generally provided most of the required services for students with disabilities, but government schools did not. Few public buildings met the required standards of accessibility for persons with disabilities, and new buildings generally did not comply with standards. The SCFA is responsible for verifying compliance with the rights and provisions mandated under the law, but compliance was not effectively enforced.

Employment
The constitution prohibits discrimination based on gender, race, language, and religion, but not disability, sexual orientation, or social status. Local custom, however, outweighed government enforcement of nondiscrimination laws, and legal, cultural, and institutional discrimination existed against women, noncitizens, and foreign workers. The government discriminated against noncitizens in employment, education, housing, and health services (see section 6).

Convention on the Rights of Persons with Disabilities
Qatar signed the CRPD and Optional Protocol on 9/07/2007. The government ratified the CRPD on 13/05/2008.

Saudi Arabia

Constitution and Laws
The law prohibits discrimination based on race but not gender, sex, disability, language, sexual orientation and gender identity, or social status. The law and tradition discriminate based on gender. The law and the guardianship system restrict women to the status of legal dependents vis-a-vis their male guardians. This status is unchanged even after women reach adulthood. Women and some men faced widespread and state-enforced segregation based on societal, cultural, and religious traditions.

The government generally reinforced sharia-based traditional prohibitions on discrimination based on disability, language, social status, or race. Nevertheless, discrimination based on race, lineage, or social status were common.

Persons with Disabilities
The law does not prohibit discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, or the provision of other state services or other areas. The law does not require public accessibility to buildings, information, and communications. Newer commercial buildings often included such access, as did some newer government buildings. Children with disabilities could attend government-supported schools. Persons with disabilities had equal access to information and communications.
Information about patterns of abuse of persons with disabilities in prisons and educational and mental health institutions was not widely available. Persons with disabilities could participate in civic affairs, and there are no restrictions on men with disabilities from voting in Municipal Council elections. In 2013 the HRC appointed four subject-matter experts to work as advocates for persons with disabilities in the kingdom and to respond to complaints of discrimination; their work expanded during the year to include participation in international conferences on discrimination against persons with disabilities. The Prince Salman Center for Disability Research, a nonprofit research foundation, continued to conduct laboratory and field research on a range of disability and quality of life issues. The Ministry of Social Affairs is responsible for protecting the rights of persons with disabilities. Vocational rehabilitation projects and social care programs increasingly brought persons with disabilities into the mainstream.

**Employment**

Labor laws and regulations did not prohibit discrimination on the basis of sex, gender identity, disability, language, or sexual orientation. Discrimination with respect to employment and occupation occurred with respect to all these categories. Women faced many discriminatory regulations, limiting the work they were allowed to do. There is no regulation requiring equal pay for equal work (see section 6).

Discrimination with respect to religious beliefs occurred. Members of the Shia community complained they were discriminated against based on their religion and had difficulty securing or being promoted in government positions.

Discrimination against Asian and African migrant workers occurred (see section 6). Government policies designed to increase the number of citizens in the workforce intentionally raised the costs of hiring migrant workers, and made it more difficult for them to find work.

Informal discrimination in employment and occupation occurred on the basis of sex, gender, race, religion, and sexual orientation/gender identity.

**Women**

Additionally, the government required Saudi men wishing to marry a second wife, who is a foreigner, to submit documentation attesting to the fact that his first wife is either disabled, suffering from a chronic disease, or is sterile. Women do not directly transmit citizenship to their children.

**Prison and Detention Centers**

Activists alleged authorities sometimes detained individuals in the same cells as individuals with mental disabilities as a form of punishment and indicated authorities equally mistreated the persons with disabilities. This was the case for political reformist Abdulaziz al-Wuhaibi, who remained in a military hospital’s psychological ward during the year (see section 3).

**Convention on the Rights of Persons with Disabilities**

Saudi Arabia ratified the CRPD and Optional Protocol on 24/06/2008.
Syria

Constitution and Laws
The constitution provides for equal rights and equal opportunity for all citizens and prohibits discrimination based on race, gender, disability, language, or social status. The constitution does not address sexual orientation or gender identity. The government did not enforce the law effectively or make any serious attempt to do so. Women faced widespread violence, discrimination, and significant restrictions on their rights. ISIL imposed severe restrictions on women’s personal conduct, attire, and freedom of movement in the territory it controlled (see section 1.g.).

Persons with Disabilities
The law prohibits discrimination against persons with disabilities and seeks to integrate them into the public sector workforce, but the government did not effectively enforce these provisions. The law protects persons with disabilities from discrimination in education, access to health care, or provision of other state services, and it reserves 4 percent of government sector jobs and 2 percent of private sector jobs for persons with disabilities. The law did not specifically restrict the rights of persons with disabilities regarding access to air travel and other transportation. Private businesses are eligible for tax exemptions after hiring persons with disabilities. The law does not address specific disabilities.

Authorities did not fully document the number of persons with disabilities, but the conflict negatively affected persons with disabilities and increased their numbers through injuries. The SNHR reported the deaths of hundreds of citizens with pre-existing health conditions who could not access medical facilities due to conflict-related travel restrictions, including both regime and extremist checkpoints. In other instances regime blockades prevented the movement of medical supplies and persons to opposition-held areas and prevented persons with medical needs from seeking appropriate treatment.

The government did not effectively implement access for persons with disabilities to buildings, communication, or information. Children with disabilities attended primary and secondary school in addition to seeking higher education.

The Ministry of Social Affairs and Labor is responsible for assisting persons with disabilities and worked through dedicated charities and organizations to provide assistance.

Employment
The constitution prohibits discrimination based on gender, although personal status and penal laws continued to discriminate. Since homosexuality is a legally prohibited activity (see section 6), many persons faced discrimination on the basis of their sexual orientation. The constitution prohibits discrimination on the basis of disability. There were no reports of government
activities to encourage participation or prevent discrimination on the basis of disability. Discrimination in employment and occupation occurred with respect to certain ethnic groups (see section 6).

Conflict Related Abuses
The COI also reported government sniper fire and military assaults on medical facilities intentionally targeted the sick and injured, as well as pregnant women and persons with disabilities.

Prison and Detention Centers
Information on conditions and care for prisoners with disabilities was unavailable.

Convention on the Rights of Persons with Disabilities
The Syrian Arab Republic signed the CRPD on 30/03/2007. The government ratified the CRPD and Optional Protocol on 10/07/2009.

Tunisia

Constitution and Laws
The law and the newly promulgated constitution explicitly prohibit discrimination based on race, gender, disability, language, or social status, and the government generally enforced these prohibitions, although discrimination against women occurred due to reliance on customary law and social norms. The law is silent regarding sexual preference and gender identity. Traditional social norms resulted in discrimination.

Persons with Disabilities
The law prohibits discrimination against persons with physical or mental disabilities in employment, education, air travel and other transportation, access to health care, or the provision of other state services. It mandates that at least 1 percent of public and private sector jobs be reserved for persons with disabilities. NGOs reported authorities did not widely enforce this law, and many employers were not aware of it. There were no statistics on patterns of abuse in educational and mental health facilities, and individual cases of employment discrimination against persons with disabilities were rarely reported.

A 1991 law requires all new public buildings to be accessible to persons with physical disabilities, and the government generally enforced the law. Persons with physical disabilities did not have access to most buildings built before 1991. The government enacted and effectively implemented laws and programs to provide access to post-1991 buildings, but not to information and communications.

The government issued cards to persons with disabilities for benefits such as unrestricted parking, free and priority medical services, free and preferential seating on public transportation, and consumer discounts. The government provided tax incentives to companies
to encourage the hiring of persons with physical disabilities. The Ministry of Social Affairs is charged with protecting the rights of persons with disabilities. There were approximately 300 government-administered schools for children with disabilities, five schools for the blind, one higher-education school, and one vocational training institution. The Ministry of Social Affairs managed centers in Tunis, Kairouan, Nabeul, and Sfax that provided short- and long-term accommodation and medical services to persons with disabilities who lacked other means of support.

**Employment**

The law and regulations prohibit employment discrimination regarding race, sex, gender, disability, language, sexual orientation and gender identity, HIV-positive status or presence of other communicable diseases, or social status. The government did not always effectively enforce those laws and regulations due to lack of resources and difficulty in identifying when employers’ traditional attitudes toward gender identity or sexual orientation resulted in discriminatory employment practices (see also section 6).

**Convention on the Rights of Persons with Disabilities**

Tunisia signed the CRPD and Optional Protocol on 30/03/2007. The government ratified the CRPD and Optional Protocol on 2/04/2008.

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**United Arab Emirates**

**Constitution and Laws**

The constitution provides for equality of citizens without regard to race or social status, and the law prohibits discrimination based on disability; however, legal and cultural discrimination existed and went unpunished. The constitution does not specifically prohibit discrimination based on gender, sexual orientation, or gender identity; however, the constitution states that all persons are equal before the law. The government took some steps to advance the rights of women and promote the role of Emirati women in all sectors of society. Recognizing Arabic as the country’s official language, the constitution does not prohibit discrimination concerning language, nor does it provide for equality for noncitizens.

**Persons with Disabilities**

The law prohibits discrimination against persons who have physical and mental disabilities in employment, education, air travel and other transportation, access to health care, or the provision of other state services; however, the government was slow to implement and enforce the law.

In March the emirate of Dubai issued a law to protect the rights of persons with disabilities in Dubai. The law was intended to foster cooperation among authorities in Dubai to provide health care, therapeutic services, rehabilitation, and housing for persons with disabilities.

In 2013 education authorities enrolled more than 4,500 persons with disabilities in public and private facilities that provided education, health services, sports, and vocational rehabilitation.
Capacity was insufficient, but the government made efforts to increase support for those with disabilities. Approximately 2,000 persons with disabilities and learning difficulties attended special education classes in public schools in 2013.

The Ministry of Social Affairs is the central body dealing with the rights of persons with disabilities and raising awareness at the federal and local level.

Most public buildings provided some form of access for persons with disabilities in accordance with the law.

The Ministry of Social Affairs’ seven federal rehabilitation centers, as well as some private centers, reportedly provided inadequate services. The rehabilitation centers lacked a sufficient number of qualified individuals who specialized in physical and other medical therapies, and they focused almost exclusively on medical rehabilitation for persons with disabilities. Some centers offered vocational workshops but failed to address adequately the need for vocational rehabilitation. Rehabilitation centers considered persons with disabilities as subjects of medical care and medical “cures,” which impeded social and economic integration and the recognition of the individuals’ human rights and human dignity.

Various departments within the Ministries of Labor, Education, and Social Affairs are responsible for protecting the rights of persons with disabilities, and the government enforced these rights in areas related to employment, housing, and other entitlement programs. While enforcement was effective for jobs in the public sector, the government did not sufficiently encourage hiring in the private sector. The emirate of Abu Dhabi reserved 2 percent of government jobs for citizens with disabilities, and other emirates and the federal government included statements in their human resources regulations emphasizing that priority be given to hiring citizens with disabilities in the public sector. Public sector employers provided reasonable accommodations, defined broadly, for employees with disabilities. The employment of persons with disabilities in the private sector remained a significant challenge due to a lack of training and opportunities, a lack of public awareness, and prevalent societal discrimination. The government sponsored several initiatives to host international conferences for persons with disabilities, enhance airport accessibility, allow duty-free importation of designated goods for persons with disabilities, and improve accessibility to parks and swimming pools.

The General Authority of Sports and Youth Welfare provided programs to promote the inclusion of persons with disabilities in sporting activities. There is a Disabled Sports Federation designed to support these initiatives.

Officials overseeing the 2011 FNC election assisted voters with disabilities, and polling stations had wheelchair ramps at both the men’s and women’s entrances, as well as specific voting machines dedicated to persons with disabilities. Moreover, a blind candidate from Sharjah ran in the FNC election.
**Employment**

No specific law prohibits or regulates discrimination regarding race, sex, gender, disability, language, sexual orientation and/or gender identity, HIV-positive status or other communicable diseases, or social status with respect to employment or occupation. In free zones individualized laws govern employment requirements. For example, in the Dubai International Financial Centre, employers must not discriminate against any person based on sex, marital status, race, national identity, religion, or disability. Nevertheless, job advertisements requesting applications only from certain nationalities were common and not regulated.

**Women**

The law criminalizes rape, and it is punishable by death under the penal code. The penal code does not address spousal rape. The penal code allows men to use physical means, including violence, at their discretion against female and minor family members. Authorities sometimes filed domestic abuse cases as assault without intent to kill, punishable by 10 years in prison if death results, seven years for permanent disability, and one year for temporary injury. According to local media, the Dubai Foundation for Women and Children dealt with 229 cases of domestic abuse at a shelter in Dubai during the first half of the year.

**Convention on the Rights of Persons with Disabilities**

The United Arab Emirates signed the CRPD on 8/03/2008 and the Optional Protocol on 12/02/2008. The government ratified the CRPD on 19/03/2010.

**Yemen**

**Constitution and Laws**

The law provides for equal rights and equal opportunity regardless of race, gender, language, beliefs, or disability, but the government did not consistently enforce the law. Discrimination based on race, gender, social status, sexual orientation and gender identity, and disability remained a serious problem. Some groups, such as the marginalized Muhamasheen community (an ethnic group largely descended from East Africans) and the Muwaladeen (Yemenis born to foreign parents), faced social and institutional discrimination based on social status. Despite significant female participation in the revolution and in the NDC, societal discrimination severely limited women’s ability to exercise equal rights.

**Persons with Disabilities**

Several laws mandate the rights and care of persons with disabilities, but authorities enforced them poorly, due to social stigma and official indifference. The law permits persons with disabilities to exercise the same rights as the able-bodied, but it was unknown whether this applies in practice.

The law reserves 5 percent of government jobs for persons with disabilities, and the law mandates the acceptance of persons with disabilities in universities, exempts them from paying
tuition, and requires that schools be made more accessible to persons with disabilities. The extent the government implemented these laws was unclear.

Children with disabilities may attend public schools, although schools make no special accommodations for them. There were some private educational institutions for persons with disabilities in large cities. Many parents refused to send their children with disabilities to public school due to concern about potential harassment by other children.

Although the law mandates new buildings have access for persons with disabilities, compliance was poor. Most persons with disabilities relied on their extended family for support. Information about patterns of abuse of persons with disabilities in educational and mental health institutions was not publicly available.

Authorities imprisoned persons with mental disabilities with criminals without providing adequate medical care and in some instances without legal charge. The MOI reported that at times family members brought relatives with mental disabilities to ministry-run prisons, asking officers to imprison the individuals; ministry-run prisons in Sana’a, Aden, and Ta’iz operated semiautonomous units for prisoners with mental disabilities in cooperation with the Red Crescent Society. Conditions in these units reportedly were deficient in cleanliness and professional care. At year’s end neither the MOI nor the Ministry of Health had acted on a 2005 MOI initiative to establish centers for the mentally ill.

The Ministry of Social and Labor Affairs is responsible for protecting the rights of persons with disabilities. The government’s Social Fund for Development and the Fund for the Care and Rehabilitation of the Disabled, administered by the ministry, provided limited basic services and supported more than 60 NGOs assisting persons with disabilities.

**Employment**

Labor laws and regulations prohibit discrimination with regard to race, sex, color, beliefs, language, or disability, and specifically state, “Women shall be equal with men in relation to conditions of employment and employment rights.” The law does not address sexual orientation, gender identity, HIV status, or other communicable diseases. Authorities did not consistently enforce the laws, and discrimination based on race, gender, and disability remained a serious problem in employment and occupation.

**Convention the Rights of Persons with Disabilities**

South and Central Asia

Afghanistan

Persons with Disabilities
The constitution prohibits any kind of discrimination against citizens and requires the state to assist persons with disabilities and to protect their rights, including the rights to health care and financial protection. The constitution also requires the state to adopt measures to reintegrate and provide for the active participation in society of persons with disabilities. The Law on the Rights and Benefits of Disabled Persons provides for equal rights to, and the active participation of, such persons in society. The MoLSAMD continued to implement a five-year national action plan through a memorandum of understanding with the Ministry of Information and Culture and the Ministry of Education to implement public awareness programs on the rights of persons with disabilities through the national media and to provide scholarships for students with disabilities.

Updated and comprehensive data on persons with disabilities continued to be lacking. Handicap International carried out a National Disability Survey in 2005, which remained the most up-to-date source of information. The survey estimated there were between 800,000 and 900,000 persons with disabilities in the country and 20 percent of all households had at least one such person. The MoLSAMD and NGOs, however, estimated in 2013 there were two million persons with disabilities in the country, 61 percent of whom were women or children. Approximately 128,000 persons with disabilities were registered with the ministry and received financial support from the government during the year.

Insecurity remained a challenge for disability programs. Insecurity in remote areas, where a disproportionate number of persons with disabilities lived, precluded delivery of assistance in some cases. The majority of buildings remained inaccessible to those with disabilities, prohibiting many from benefitting from education, health care, and other services.

Persons with disabilities faced challenges, such as limited access to educational opportunities, an inability to access government buildings, a lack of economic opportunities, and social exclusion. NGOs reported persons with disabilities faced difficulties accessing the majority of public buildings, including government ministries, health clinics, and hospitals. Society and even their own families mistreated persons with disabilities, since there was a common perception persons had disabilities because they or their parents had “offended God.”

In the Meshrano Jirga, authorities reserved two of the presidentially appointed seats for persons with disabilities.
Displaced Children
The Ministry of Labor, Social Affairs, Martyrs, and Disabled (MoLSAMD) and the AIHRC continued to estimate the number of street children in the country at six million, but the National Census Directorate had not conducted a recent survey. Street children had little or no access to government services, although several NGOs provided access to basic needs, such as shelter and food.

Discrimination, Societal Abuses and Trafficking of Persons
While the constitution prohibits discrimination among citizens and provides for the equal rights of men and women, local customs and practices that discriminated against women prevailed in much of the country. The constitution does not explicitly address equal rights based on race, disability, language, or social status. There were reports of discrimination based on race, ethnicity, and gender.

Discrimination with Respect to Employment or Occupation
The constitution prohibits discrimination and notes that citizens “man and woman” have equal rights and duties before the law. There are no specific provisions addressing discrimination regarding race, disability, language, sexual orientation, and/or gender identity, HIV-positive status or other communicable diseases, or social status. The penal code prescribes a term of imprisonment of not more than two years for anyone convicted of spreading discrimination or factionalism.

Prohibition of Child Labor and Minimum Age for Employment
The labor law sets the minimum age for employment at 18 but permits 14-year-olds to work as apprentices, allows children who are 15 and older to do “light work,” and permits children 16 and 17 to work up to 35 hours per week. Children less than age 14 are prohibited from working under any circumstances. The law prohibits the employment of children in work likely to threaten their health or cause disability. In February the labor ministry released a list of “hazardous occupations” forbidden for children. The list includes mining, begging, and garbage collection; work in blast furnaces, waste-processing plants, and large slaughterhouses; work with hospital waste; drug-related work; security guard services; and work related to war.

Participation of Women and Minorities
The constitution provides seats for women and minorities in both houses of parliament. The constitution provides for at least 68 female members in the 249-member lower house of parliament, while 10 seats are provided for the Kuchi minority. According to the constitution, the president should appoint one-third of the 102 members of the upper house, including two members with physical disabilities and two Kuchis. Women must compose 50 percent of the president's appointees to the upper house. One seat in the upper house is reserved for the appointment of a Sikh or Hindu representative. In September 2013, then president Karzai issued a presidential decree reserving a seat in the lower house for a Sikh or Hindu in the 2015 parliamentary elections. Although the lower house voted to reject the decree in December 2013, the upper house voted to approve it. The decree was sent to a joint committee; final resolution remained pending at year's end.
Convention on the Rights of Persons with Disabilities
Afghanistan ratified the CRPD and the Optional Protocol on 18 September 2012.

Bangladesh

Persons with Disabilities
The Disability Rights and Protection Act of 2013 provides for equal treatment and freedom from discrimination for persons with disabilities; however, persons with disabilities faced social and economic discrimination. The law focuses on prevention of disability, treatment, education, rehabilitation, social protection, employment, transport accessibility, and advocacy.

The law requires persons with disabilities to register for identity cards to track their enrollment in educational institutions and access to jobs. Giving unequal treatment for school, work, or inheritance based on disability is punishable with fines up to 500,000 taka ($6,250) or three years’ imprisonment. The law also created a 27-member National Coordination Committee charged with coordinating relevant activities among all government organizations and private bodies to fulfill the objectives of the law.

The NGO Action on Disability and Development estimated there were 16 million persons with disabilities, or 10 percent of the population. The government estimated a lower figure of approximately 1.5 percent of the population.

According to the NGO Action against Disability, 90 percent of children with disabilities did not attend public school. The government trained teachers on inclusive education and recruited disability specialists at the district level. The government also allocated stipends for students with disabilities.

The law contains extensive accessibility requirements for new buildings. Authorities approved construction plans for new buildings without compliance with these requirements.

The law afforded persons with disabilities the same access to information rights as those without disabilities, but family and community dynamics often influenced whether or not these rights were exercised. The law contains provisions for information and communications technology to be accessible to persons with disabilities through video subtitling, sign language, screen readers, or text-to-speech systems in public and private media outlets. The state television channel used sign language, but general practice by the media did not meet the requirements of the law.

The law identifies persons with disabilities as a priority group for government-sponsored legal services. The Ministry of Social Welfare, Department of Social Services, and National Foundation for the Development of the Disabled are the government agencies responsible for protecting the rights of persons with disabilities. Due to inaccessibility and discrimination, persons with disabilities were sometimes excluded from mainstream
government health, education, and social protective services. The government reduced taxes on several hundred items, such as wheelchairs, hearing aids, braille machines, orthotics, and prostheses, designed to assist persons with disabilities.

Government facilities for treating persons with mental disabilities were inadequate. The Ministry of Health established child development centers in all public medical colleges to assess neurological disabilities. Several private initiatives existed for medical and vocational rehabilitation as well as for employment of persons with disabilities. National and international NGOs provided services and advocated for persons with disabilities. The government established service centers for persons with disabilities in all 64 districts, where local authorities provided free rehabilitation services and assistive devices. The government also promoted autism research and awareness.

**Discrimination with Respect to Employment or Occupation**
The labor law prohibits wage discrimination on the basis of sex or disability, but it does not prohibit other discrimination based on sex, disability, social status, or similar factors. The constitution prohibits adverse discrimination by the state on the basis of religion, race, caste, sex, or place of birth and expressly extends that prohibition to government employment; it allows affirmative action programs for the benefit of disadvantaged populations. The government generally enforced these laws and regulations.

**Discrimination, Societal Abuses and Trafficking of Persons**
The law specifically prohibits certain forms of discrimination against women, provides special procedures for persons accused of violence against women and children, calls for harsh penalties, provides compensation to victims, and requires action against investigating officers for negligence or willful failure of duty; however, enforcement was weak. Women, children, minority groups, persons with disabilities, indigenous people, and sexual minorities often confronted social and economic disadvantages.

**Convention on the Rights of Persons with Disabilities**

**Bhutan**

**Persons with Disabilities**
The constitution specifically protects the rights of citizens with disabilities. Legislation directs the government to attend to the security of all citizens in the “event of sickness and disability.” The law stipulates that new buildings must be constructed to allow access for persons with disabilities, but the government did not enforce this legislation consistently. There were reports that hospitals were generally accessible to persons with disabilities, but residential and office buildings were not.
Under the Disability Prevention and Rehabilitation Program, the government seeks to provide medical and vocational rehabilitation for persons with all types of disabilities, promote integration of children with disabilities in schools, and foster community awareness and social integration. There were approximately 22,000 persons with physical disabilities (3.4 percent of the population, according to a 2005 estimate) in the country. There was no government agency specifically responsible for protecting the rights of persons with disabilities.

There were special-education institutes for students with disabilities, including the National Institute for the Disabled in Khaling, which educates children with vision disabilities, and an education resource unit in Paro for persons with hearing disabilities. Children with disabilities often attended mainstream schools, although the resources needed to accommodate them varied among school districts. There were also special education facilities in Thimphu designed to meet the needs of children with physical and mental disabilities. Although there were no government-sponsored social welfare services available for persons with disabilities, the National Pension and Provident Fund granted benefits to such persons. An NGO, the Disabled Persons’ Association of Bhutan, was formed in 2011 with the goal to change the public perception of disability and assist persons with disabilities. In December 2014 the government observed the UN International Day of Persons with Disabilities, attended by the queen and other officials.

According to the Bhutan Observer, in rural areas there was widespread discrimination against persons with disabilities, and some parents did not send children with disabilities to school.

**Discrimination, Societal Abuses and Trafficking of Persons**
The constitution prohibits discrimination on the basis of race, sex, disability, language, politics, or social status. The government generally respected these prohibitions in practice, though societal discrimination existed.

**Acceptable Work Conditions**
All citizens are entitled to free medical care. At its expense the government transported persons who could not receive adequate care in the country to other countries (usually India) for treatment. Workers are eligible for compensation in the case of partial or total disability. Upon the death of a citizen, family members are entitled to compensation.

**Convention on the Rights of Persons with Disabilities**
Bhutan signed the CRPD on 21 September 2010.

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**India**

**Persons with Disabilities**
The constitution does not explicitly mention disability as a prohibited ground for discrimination. The Persons with Disabilities Act provides equal rights for persons with a variety of disabilities, including blindness, hearing disability, Hansen’s disease (leprosy),
mobility disability, developmental disability, and mental illness. The law links implementation of programs to the “economic capacity and development” of the government. The act encourages governmental authorities to promote access, but it includes no specific enforcement provisions or sanctions for noncompliance.

According to the director of the National Center for Promotion of Employment for Disabled People, the law regards persons with disabilities as requiring social protection and medical care, rather than as possessing inherent rights as persons with disabilities.

Discrimination against persons with disabilities in employment, education, and access to health care was more pervasive in rural areas. The Kolkata High Court passed an order in 2013 mandating the state government to provide accessibility to roads and buildings. Despite legislation that all public buildings and transport be accessible to persons with disabilities, there was limited accessibility. A Public Interest File was pending in the Supreme Court on accessibility to buildings and roads.

A Department of School Education and Literacy’s program provided special educators and resource centers for students with disabilities. There was no data available on whether these students remained within the education system or if the system denied any individualized supports needed for their education. The law allows mainstream schools to admit children with disabilities, but mainstream schools remained inadequately equipped with special educators, resource material, and appropriate curricula.

The law also stipulates that 3 percent of all educational places be reserved for persons with disabilities, although students with disabilities made up only an estimated 1 percent of all students, according to the Ministry of Social Justice and Empowerment. Some schools continued to segregate children with disabilities or deny them enrollment due to lack of infrastructure, equipment, and trained staff. UNICEF estimated that between 6 and 10 percent of all children in the country were born with disabilities. The Ministry of Social Justice and Empowerment continued to offer scholarships to persons with disabilities to pursue higher education. University enrollment of students with disabilities remained low for several reasons, including inaccessible infrastructure, limited resources, nonimplementation of the 3-percent job reservation, and harassment.

The Ministry of Health and Family Welfare estimated that 6 to 7 percent of the population experienced a mental or psychosocial disability. Of the individuals with mental disabilities, 25 percent were homeless, and many in rural areas did not have access to modern mental health-care facilities. Disability rights activists estimated that there were 40 to 90 million persons with disabilities. The NGO CRY estimated that one in 10 children in the country had disabilities. There were three mental-health institutions run by the federal government and 40 state-operated mental hospitals. In October the government announced a new policy to provide universal mental health services.

Patients in some mental-health institutions faced food shortages, inadequate sanitary conditions, and lack of adequate medical care. Human Rights Watch reported that women and girls with disabilities were sometimes forced into mental hospitals against their will.
Most persons with mental disabilities were dependent on public health-care facilities, and fewer than half who required treatment or community support services received such assistance. Complying with a 2004 Supreme Court order, the government made efforts to ensure persons with disabilities cast their votes in a nonrestrictive and dignified manner. During the 2009 elections, activists filed questionnaires to state election commissions in 11 states asking what steps the government had taken to comply with the 2004 Supreme Court order. Based on the responses, disability rights groups filed petitions in the states of Uttar Pradesh, Jharkhand, and Andhra Pradesh to ensure accessible voting. Nevertheless, in the May general elections, persons with disabilities had trouble exercising their vote due to physical barriers.

The law requires that 3 percent of public sector jobs be reserved for persons with physical, hearing, or vision disabilities. NGOs reported that government annual reports did not provide any information on fulfillment of the quota, but activists and NGOs stated there were vacancies for persons with disabilities that had not been filled. The government continued to allocate funds to programs and NGO partners to increase the number of jobs filled. Private sector employment of persons with disabilities remained low, despite governmental incentives that private companies establish a workforce with more than 5 percent with disabilities.

Child Abuse
The law prohibits child abuse, but it remained common, including in school and institutional settings. The government failed to educate the public adequately against child abuse or to enforce the law. Although corporal punishment is banned, teachers often used it. According to the Ministry of Home Affairs' 2013-14 annual report, there were 38,172 cases of crimes reported against children in 2012, an increase from 33,098 cases in 2011. In January a teacher and administrator at Sharadchandra Pawar Deaf and Dumb school in Hingoli, Maharashtra, allegedly raped a seven-year-old mentally disabled, deaf, and nonvocalizing girl. The police made no arrests.

Discrimination with Respect to Employment or Occupation
The law and regulations prohibited discrimination regarding race, sex, gender, disability, language, sexual orientation, and/or gender identity, or social status. The law does not prohibit discrimination against individuals with HIV/AIDS. The government effectively enforced those laws and regulations within the formal sector. The law and regulations, however, do not protect those working within the informal sector, who made up 90 percent of the workforce.

Discrimination occurred in the informal sector with respect to Dalits and those with disabilities. Legal protections are the same for all, but gender discrimination with respect to wages was prevalent. Foreign migrant workers were largely undocumented and typically do not enjoy the protection of labor laws available to domestic workers.
Discrimination, Societal Abuses, and Trafficking of Persons

The law prohibits discrimination on the basis of race, gender, disability, language, place of birth, caste, or social status. The government worked with varying degrees of success to enforce these provisions.

Pretrial Detention

There were reported cases in which police denied suspects the right to meet with legal counsel, as well as cases in which police unlawfully monitored suspects’ conversations and denied their right to confidentiality. The constitution mandates that defendants with “economic or other disabilities” will be provided free legal counsel, but need is not assessed systematically. By law authorities must allow family members access to detainees, but this was not always observed. Arraignment of detainees must occur within 24 hours unless the suspect is held under a preventive detention law.

The HRLN in Kochi, Kerala, noted that certain prisoners with mental disabilities in the Kerala central prison who were considered “not fit for trial” had been awaiting trial for 10 to 26 years. According to the NGO, the prisoners had been in detention far longer than their potential sentences. In June 2013 the HRLN filed a writ petition with the Kerala High Court for the release of those prisoners. The court responded by issuing an order directing the state government to provide adequate medical treatment to the accused in order to render them fit for trial.

Reproductive Rights

In community health centers, 69.7 percent of gynecologist positions remained unfilled, according to a 2012 report by the Ministry of Health and Family Welfare on rural health statistics. Only 13 percent of the centers had the requisite number of specialists. Poor health infrastructure disproportionately affected marginalized women, including homeless women, tribal women, women working on tea estates or in the informal labor sector, Dalit women, and women with disabilities.

Convention on the Rights of Persons with Disabilities

India signed the CRPD on 30 March 2007. India ratified the CRPD on 10 October 2007.

Kazakhstan

Persons with Disabilities

According to the Committee for Statistics, in 2013 there were 626,740 persons with disabilities (3.6 percent of the total population) in the country, although analysts argued the real number was higher. The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, and access to health care, and in the provision of other state services, but significant discrimination existed in the areas of employment, education, and access to government services.

The law provides for access to information for persons with disabilities. The government produced periodicals, scientific journals, reference literature, and fictional works that were
recorded either on disk or in Braille. The law requires one national television channel to broadcast news programs with sign-language interpretation. NGOs stated implementation of the law on disability was lacking, and the Nur Otan Party's Institute of Parliamentary Development concluded access for disabled persons to information and communications was insufficient.

The law requires companies to set aside 3 percent of their jobs for persons with disabilities. International and local observers noted some improvement regarding the rights of persons with disabilities. During the year the government showed commitment to addressing the rights of persons with disabilities, including high-level enforcement of measures to enhance economic opportunities for the disabled. Nevertheless, there were reports persons with disabilities faced difficulty integrating into society and finding employment. According to the Ministry of Healthcare and Social Development, in July only 95,642 persons with disabilities were employed, an increase of 9,727 people from the end of 2013. The law mandates access to buildings for persons with disabilities, but implementation remained poor. As of August the Ministry of Healthcare and Social Development reported 22,000 of 54,000 public buildings had provided access to persons with disabilities. The vice minister of labor and social protection identified the two biggest problems facing persons with disabilities as poor infrastructure and lack of access to education. Such persons had difficulty accessing public transportation. The government had enacted high-level enforcement of measures to enhance economic opportunities for citizens with disabilities, part of the president's Strategy 2050.

Citizens with mental disabilities could be committed to state-run institutions without their consent or judicial review, and the government committed persons at a young age with the permission of their families. Institutions were poorly managed and inadequately funded. There are no regulations regarding the rights of patients in mental hospitals. Human rights observers believed this led to widespread abuse of patients' rights. NGOs reported that patients often were drugged and isolated for minor infractions, and experienced poor conditions and a complete lack of privacy. NGOs reported that orphanages for children with physical and mental disabilities were overcrowded and unsanitary, with insufficient staff to care adequately for children's needs. Members of NPM may visit mental hospitals to monitor conditions and signs of torture of patients, but orphanages were not on the list of institutions NPM members can visit.

The government did not legally restrict the right of persons with disabilities to vote and arranged home voting for individuals who could not travel to polling places inaccessible to them.

The Ministry of Healthcare and Social Development was the primary government agency responsible for protecting the rights of persons with disabilities.

**Discrimination with Respect to Employment or Occupation**

Law and regulations prohibit discrimination regarding origin, social, official, and property status, gender, race, ethnicity, language, religion, convictions, place of residence, or any other circumstances. The government effectively enforced those laws and regulations.
Discrimination, however, occurred based on the above categories with respect to employment and occupation for disabled persons, orphans, and former convicts. In Aktau young people raised in orphanages stated they could not find jobs in the specialties they had studied and were only offered low-paid jobs as loaders and cleaners. Disability NGOs reported despite government’s efforts, it was hard to obtain employment.

**Discrimination, Societal Abuses, and Trafficking of Persons**

While the law prohibits discrimination based on race, gender, disability, language, or social status, the government did not effectively enforce the law. Violence against women, trafficking in persons, and discrimination against persons with disabilities and LGBT persons were reported.

**Arrest Procedures and Treatment of Detainees**

The law states that the government must provide an attorney for an indigent suspect or defendant when the suspect is a minor, has physical or mental disabilities, or faces serious criminal charges, but public defenders often lacked the necessary experience and training to assist defendants. Defendants are barred from freely choosing their defense counsel if the cases against them involve state secrets; the law allows only lawyers who have special clearance to work on such cases.

**Trial Procedures**

Indigent defendants in criminal cases have the right to counsel and to a government-provided attorney. Under the criminal procedure code, a defendant must be represented by an attorney when the defendant is a minor, has mental or physical disabilities, does not speak the language of the court, or faces 10 or more years of imprisonment. Defense attorneys, however, reportedly participated in only one-half of criminal cases, in part because the government failed to pay them.

**Convention on the Rights of Persons with Disabilities**

Kazakhstan signed the CRPD and the Optional Protocol on 11 December 2008. Kazakhstan ratified the CRPD on 21 April 2015.

**Kyrgyz Republic**

**Persons with Disabilities**

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities, but such persons faced discrimination in employment, education, air travel and other transportation, access to health care, and the provision of other state services. The law mandates access to buildings for persons with disabilities, requires access to public transportation and parking, and authorizes subsidies to make mass media available to persons with hearing or vision disabilities, and free plots of land for the construction of a home. The government generally did not ensure proper implementation of the law. In addition, persons with disabilities often had difficulty finding employment
because of negative societal attitudes and high unemployment among the general population.

A lack of resources made it difficult for persons with disabilities to receive adequate education. Although children with disabilities have the right to an education, the Association of Parents of Children with Disabilities stated schools often denied them entry. Parents sometimes established special educational centers for their children, but they did not receive government assistance. The government continued to fund programs to provide school supplies and textbooks to children with mental or physical disabilities.

Serious problems continued within psychiatric hospitals. The government did not adequately provide for basic needs, such as food, water, clothing, heating, and health care, and facilities were often overcrowded. Inadequate funding played a critical factor.

Authorities usually placed children with mental disabilities in psychiatric hospitals rather than integrating them with other children. Other residents were also committed involuntarily, including children without mental disabilities who were too old to remain in orphanages. The Youth Human Rights Group monitored the protection of children’s rights in institutions for children with mental and physical disabilities. The group noted gross violations by staff at several institutions, including depriving young residents of sufficient nourishment and physically abusing them.

The Office of the Prosecutor General is responsible for protecting the rights of psychiatric patients and persons with disabilities. According to local NGO lawyers, members of the Prosecutor General’s Office had no training and little knowledge of the protection of these rights and were ineffective in assisting citizens with disabilities. Most judges lacked the experience and training to make determinations as to whether it was appropriate to mandate committing people to psychiatric hospitals, and authorities continued the practice of institutionalizing individuals against their will.

The country does not have centralized statistics on persons with disabilities, but authorities estimated their number at between 20,000 and 30,000 in a population of 5.5 million persons. Several activists noted authorities have not implemented the 2008 law requiring employers to provide special hiring quotas (approximately 5 percent of work positions) for persons with disabilities.

**Discrimination, Societal Abuses, and Trafficking of Persons**

The constitution prohibits discrimination based on race, gender, disability, language, ethnic origin, creed, age, political or other beliefs, education, background, property, or other status. The government did not effectively enforce these prohibitions. Although women were active in government, education, civil society, the media, and small business, they encountered gender-based discrimination. Rights activists claimed authorities failed to investigate or punish perpetrators of crimes of discrimination during the year. Members of the LGBT community have reported systematic-police led harassment and beatings. NGOs reported ethnic Uzbeks were attacked by ethnic Kyrgyz because of their ethnicity.
Prohibition of Child Labor and Minimum Age for Employment
The law sets the minimum legal age for basic employment at 16 years, except for work considered to be “light,” such as selling newspapers. Children as young as 14 years old may work with the permission of a parent or guardian. The law prohibits employment of persons under the age of 18 years at night, underground, or in difficult or dangerous conditions, including in the metal, oil, and gas industries; mining and prospecting; the food industry; entertainment; and machine building. Children who are 14 or 15 years old may work up to five hours a day; children who are 16 to 18 years old may work up to seven hours a day. These laws also apply to children with disabilities.

Convention on the Rights of Persons with Disabilities
Kyrgyz Republic signed CRPD on 21 September 2011.

Maldives

Persons with Disabilities
The constitution and law provide for the rights and freedom from discrimination of persons with disabilities. The purpose of the 2010 Disabilities Act is to protect the rights of persons with disabilities and to provide financial assistance. A National Registry of People with Disabilities was established in 2011. Since its establishment, 5,476 people had been registered as of the end of October. The act mandates the state to provide a monthly financial benefit of not less than Maldivian Rufiyaa (MVR) 2,300 ($150) to each registered individual.

The Ministry of Law and Gender published regulations in October 2013 detailing the standards to be maintained at facilities serving persons with disabilities. The regulations cover health service providers (hospitals, health centers, health posts, public and private clinics and pharmacies); public and private institutions providing education, training, and therapy for persons with disabilities; institutions for children; and other care facilities. These institutions were given until July to implement the standards, while institutions established after the implementation date must be built to the standards. Most of the institutions had implemented the standards, according to the ministry.

Government services for persons with disabilities included special educational programs for those with sensory disabilities. Inadequate facilities made it difficult for persons with disabilities to participate in the workforce. In October the Ministry of Law and Gender endorsed the National Disability Policy.

Multiple NGOs, including Hand in Hand, Handicap International, and the Care Society, worked to increase awareness and improve support for persons with disabilities.

The government integrated students with physical disabilities into mainstream educational programs. Nevertheless, a report in 2010 by the HRCM and the UN Development Program found that most schools accepted only children with very limited to moderate disabilities
and not those with more serious disabilities. Children with disabilities had virtually no
access or transition to secondary-level education. Only three psychiatrists, two of them
foreign, worked in the country, and they worked primarily on drug rehabilitation. No
mental health care was available in Male. There also was a lack of quality residential care.
At year’s end four persons with disabilities waited for a place at the Home for People with
Special Needs.

The government did not fund any awareness and empowerment programs, although the
Ministry of Law and Gender appointed a director from the NGO Care Society as a deputy
minister to enhance focus on disability issues. A disability unit was established with
mechanisms to train on disability issues, including media, advocacy, and awareness
programs.

Families usually cared for persons with disabilities. When family care was unavailable,
individuals with disabilities lived in the health ministry’s Home for People with Special
Needs, which during the year housed 160. The home accepted elderly persons as well. The
government also provided assistance devices, such as wheelchairs, crutches, spectacles,
hearing aids, and special seats for children with cerebral palsy. In September a disability
awards program recognized contributions of people with disabilities.

**Discrimination with Respect to Employment or Occupation**
The law and regulations prohibit discrimination regarding race, sex, gender, disability,
language, sexual orientation, and/or gender identity, HIV-positive status or other
communicable diseases, or social status. The government effectively enforced those laws
and regulations. There was no evidence that discrimination occurred based on the above
categories with respect to employment and occupation. In September-October the air
traffic controllers filed a complaint with the LRA and Employment Tribunal on
discrimination over salary and promotion structure. They won the case.

**Sexual Harassment**
The law bans sexual harassment in the workplace, but there were allegations of sexual
harassment in government ministries and the private sector. The Ministry of Law and
Gender reported no filed cases of sexual harassment.

To streamline the process of reporting abuse against women and children, there were
family and children’s centers on every atoll. According to the HRCM, these centers also
provided services for neglected children, support for families unable to take of their
children, and women with mental illness or disabilities. The centers had a shortage of
trained staff and faced legal challenges, such as collecting evidence about abuse cases.

**Convention on the Rights of Persons with Disabilities**
Maldives signed the CRPD on 2 October 2007. Maldives ratified the CRPD on 5 April 2010.
**Nepal**

**Persons with Disabilities**
The 2007 interim constitution addresses the rights of persons with disabilities, but government efforts to enforce laws and regulations to improve rights and benefits for persons with disabilities were not effective. In 2012 the Supreme Court ordered the government to do more for persons with physical and mental disabilities, such as providing a monthly stipend, building shelters, and appointing one social welfare worker in each district. In July the government extended disability allowances to persons with a broader array of disabilities. The government also used a mandatory 5 percent public employment quota to hire 175 persons with disabilities as teachers.

The Ministry of Women, Children, and Social Welfare was responsible for the protection of persons with disabilities. Additionally, the Ministry of Education provided scholarships for 62,000 children with disabilities to attend public or private schools at the primary level. Far fewer attended at successive levels of education, largely due to accessibility problems, school locations, and financial burdens on parents. Although incidents of abuse of children with disabilities reportedly occurred in schools, no incidents were filed in the courts or with the relevant agencies during the year.

The Ministry of Local Development allocated 5 percent of the budget of local development agencies for disability programs. Some NGOs working with persons with disabilities received funding from the government, but most individuals with physical or mental disabilities relied almost exclusively on family members for assistance.

There are no restrictions in law on the rights of persons with disabilities to vote and participate in civic affairs. According to the Ministry of Women, Children, and Social Welfare, however, there were obstacles to exercising these rights, especially the lack of accessibility to public facilities.

The NHRC received 37 complaints of discrimination based on mental illness. Access to mental health services was available in larger cities, and the Ministry of Women, Children, and Social Welfare doubled its allocation for mental health organizations during the year from 500,000 rupees to one million rupees ($5,000 to $10,000).

**Discrimination with Respect to Employment or Occupation**
The 2007 interim constitution prohibits discrimination on the basis of religion, race, sex, caste, tribe, original language, or ideological conviction. The interim constitution also stipulates that the government may make special provisions for the protection, empowerment or advancement of women, Dalits, indigenous peoples, persons with disabilities, and those “who belong to a class which is economically, socially or culturally backward.” Labor regulations prohibit discrimination in payment or remuneration based on gender. There are no provisions in the interim constitution, law, or regulations explicitly prohibiting discrimination, including labor discrimination, regarding sexual orientation or gender identity, HIV-positive status, or other communicable disease.
Despite these legal protections, discrimination in employment and occupation occurred with respect to gender, caste, ethnicity, disability, sexual orientation, and gender identity, as well as with respect to HIV-positive status (see section 6). Such discrimination was most common in the informal sector, where monitoring by the government and human rights organizations was weak or absent, and those in disadvantaged categories had little leverage or recourse. In the formal sector, labor discrimination generally took the form of upper-caste, able-bodied men being favored in hiring and promotions.

**Discrimination, Societal Abuses and Trafficking of Persons**

The law prohibits discrimination based on race, caste, gender, disability, language, and social status, but the government did not effectively enforce these prohibitions. Despite passage of the Caste Discrimination and Untouchability Act in 2011, a rigid caste system continued to operate throughout the country in many areas of religious, professional, and daily life. Societal discrimination against lower castes, women, and persons with disabilities remained common, especially in rural areas.

Human trafficking persisted.

**Rape and Domestic Violence**

Violence against women remained a problem. Under the civil code, prison sentences for rape vary between five and 15 years, depending on the victim’s age. The law also mandates five years’ additional imprisonment in the case of gang rape, rape of pregnant women, or rape of a woman with disabilities. The victim’s compensation depends on the degree of mental and physical abuse. The legal definition of rape includes marital rape for which the husband can be jailed for three to six months. The statute of limitations for filing rape charges is 35 days. Human rights groups highlighted concerns with the statute and implications for addressing sexual violence committed during the country’s 10-year conflict.

**Convention on the Rights of Persons with Disabilities**


**Pakistan**

**Persons with Disabilities**

The law provides for equality of the rights of persons with disabilities, but provisions were not always implemented. After dissolution of the former Ministry of Social Welfare and Special Education in 2011, its affiliated departments – including the Directorate General for Special Education, National Council for the Rehabilitation of the Disabled, and National Trust for the Disabled – were handed over to the Capital Administration and Development Division. The special education and social welfare offices, which devolved to the provinces, are responsible for protecting the rights of persons with disabilities.
In the provinces social welfare departments worked for the welfare and education of persons with disabilities. In Sindh the minister for bonded labor and special education is mandated to address the educational needs of persons with disabilities. According to the Leonard Cheshire Foundation, most children with disabilities did not attend school; at the primary level, 50 percent of girls and 28 percent of boys with disabilities were out of school. At the higher education level, Llama Iqbal Open University, the University of the Punjab, and Karachi University had departments that provided special education.

The government’s 2003 National Disability Policy declared the federal capital and provincial capitals as disability-friendly cities and granted permission to persons with disabilities to take central superior service exams to compete for entry to the civil service. It also established 127 special education centers in main cities. Employment quotas at the federal and provincial levels require public and private organizations to reserve at least 2 percent of jobs for qualified persons with disabilities. This right was only partially implemented due to a lack of adequate enforcement mechanisms. Families cared for most individuals with physical and mental disabilities.

Organizations that refused to hire persons with disabilities could choose to pay a fine to a disability assistance fund. This obligation was rarely enforced. The National Council for the Rehabilitation of the Disabled provided job placement and loan facilities, as well as subsistence funding. There were no legal restrictions on the rights of persons with disabilities to vote or participate in civil affairs. Voting was challenging for persons with disabilities, however, because of severe difficulties in obtaining transportation and access to polling stations.

**Discrimination with Respect to Employment or Occupation**

While regulations prohibit discrimination regarding race, sex, gender, disability, language, sexual orientation and/or gender identity, HIV-positive status or other communicable diseases, or social status, the government did not effectively enforce those laws and regulations.

Discrimination with respect to employment and occupation occurred based on these factors.

**Infanticide or Infanticide of Children with Disabilities**

According to the Edhi Foundation, its staff recovered more than 1,300 dead infants in 2013. By law anyone found to have abandoned an infant may be jailed for seven years, while anyone guilty of secretly burying a child may be imprisoned for two years. Murder is punishable by life imprisonment, but the crime of infanticide was rarely prosecuted.

**Convention on the Rights of Persons with Disabilities**

Pakistan signed the CRPD on 25 September 2008. Pakistan ratified the CRPD on 5 July 2011.
**Sri Lanka**

**Persons with Disabilities**
The law forbids discrimination against any person with physical, sensory, intellectual, or mental disabilities in employment, education, air travel and other public transportation, and access to health care. In practical terms, however, discrimination occurred in employment, education, and provision of state services, including public transportation. Authorities generally permitted children with disabilities to attend mainstream schools, but due to societal stigma against persons with disabilities, many parents of children with disabilities chose to keep their children out of school. There were regulations on accessibility, but accommodation for access to buildings and public transportation for persons with disabilities was rare. The government supported participation by persons with disabilities in civic affairs.

Persons with disabilities faced difficulties due to negative attitudes and societal discrimination. In some rural areas, the belief of many residents that physical and mental disabilities were contagious led to long-term isolation of persons with disabilities, some of whom rarely or never left their homes.

According to independent aid organizations, government restrictions on implementing aid projects, particularly in the north, affected persons with disabilities. They also reported a lack of inclusion of persons with disabilities in mainstream development initiatives and a lack of coordination between disability rights and general human rights.

**Discrimination with Respect to Employment or Occupation**
The constitution has provisions that prohibit discrimination regarding race, religion, language, caste, sex, political opinion, place of birth, or any one of such grounds. These are considered fundamental rights and justifiable in the Supreme Court. Such conditions, however, would not prevent special provisions being made by law for the advancement of women, children, or disabled persons. In addition, the penal code provides for protection from sexual harassment in the workplace; it could apply equally to male or female employees. The Protection of Disabled Persons Law addresses the protection of disabled workers in the workplace. Wage boards have equal minimum wages for male and female workers. In the white-collar categories, wages are largely set for the job irrespective of sex. Legal provisions relating to leave and holidays apply equally to men and women other than for one or two minor exceptions. Employment in government service may require a person to acquire proficiency in any language within a reasonable period of time. While the government effectively enforced these laws and regulations, discrimination occurred based on the above categories with respect to employment and occupation. Some institutions would regularly specify particular positions as requiring male or female recruits.

There were reports of discrimination based on HIV/AIDS status where a person lost his job. There were two national policies on HIV/AIDS, but there were no laws to protect HIV/AIDS-affected persons in the workplace. Several private-sector companies jointly established the Lanka Business Coalition of HIV/AIDS and AIDS (LBCH). Workplace policies among LBCH members included nondiscrimination against HIV/AIDS-affected persons.
Allegations that some workplaces did not recruit women of reproductive age who might potentially request maternity leave emerged, but the claims were difficult to prove.

**Discrimination, Societal Abuses, and Trafficking of Persons**
The law prohibits discrimination based on race, sex, gender, disability, language, or social status, and the government generally respected these rights in practice.

There were instances, however, in which gender, religious, and ethnic-based discrimination occurred.

**Convention on the Rights of Persons with Disabilities**
Sri Lanka signed the CRPD on 30 March 2007. Sri Lanka ratified the CRPD on 8 February 2016.

**Tajikistan**

**Persons with Disabilities**
The law on social protection of persons with disabilities applies to individuals having either physical or mental disabilities, including sensory and developmental disabilities. The law prohibits discrimination against persons with disabilities in employment, education, access to health care, and provision of other state services, but public and private institutions generally did not commit resources to implement the law. It requires government buildings, schools, hospitals, and transportation, including air travel, to be accessible to persons with disabilities, but the government did not enforce these provisions.

Many children with disabilities were not able to attend school because doctors must first deem them “medically fit,” and they were not so considered. Children deemed medically unfit had the chance to attend special state-run schools specifically for persons with physical and mental disabilities. Observers noted that the capacity of these institutions probably did not meet demand. Mainstream schools and state-run schools for persons with physical and mental disabilities use the same curriculum. Doctors decide which subjects students are capable of studying, and directors of state-run schools may change the requirements for students to pass to the next grade at their discretion. Some children with Down syndrome and autism are allowed to attend mainstream schools. Up to 10 percent of families kept children with disabilities at home and provided home education or tutors.

The government charges the Commission on Fulfillment of International Human Rights, the Society of Invalids, and local and regional governmental structures with protecting the rights of persons with disabilities. Although the government maintained group living and medical facilities for persons with disabilities, funding was limited, and facilities were in poor condition.
Discrimination, Societal Abuses, and Trafficking of Persons

The law provides for the rights and freedoms of every person regardless of race, gender, disability, language, or social status, but there was discrimination against women and persons with disabilities. Trafficking in persons for sexual and labor exploitation remained a problem.

Discrimination with Respect to Employment or Occupation

The law and regulations prohibit discrimination based on race, sex, gender, disability, language, sexual orientation, gender identity, HIV-positive status, other communicable diseases, or social status. There were no official complaints of such discrimination with respect to employment and occupation. Nevertheless, employers discriminated against individuals based on sexual orientation and HIV-positive status, and police generally did not enforce these laws. LGBT persons and HIV-positive individuals opted not to file complaints due to fear of harassment from law enforcement and the belief that police would not take action.

Amnesty

On October 30, President Rahmon signed a new amnesty law that would make prisoners with disabilities, World War II veterans, military deserters, convicts older than 55, women and minors, those suffering from cancer or other serious illnesses, foreign nationals, and participants of political and armed conflicts in Tajikistan eligible for release. The law reportedly does not grant amnesty to those convicted of murder, rape, terrorism, espionage, or treason.

Convention on the Rights of Persons with Disabilities

Tajikistan has not signed or ratified the CRPD or the Optional Protocol.

Turkmenistan

Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, access to health care, and the provision of state services in other areas. Despite the law persons with disabilities encountered discrimination and denial of work, education, and access to health care and other state services because of strong cultural biases (see section 7.d.).

The government provided subsidies and pensions for persons with disabilities, but the assistance was inadequate to meet basic needs. The government considered persons with disabilities who received subsidies as being employed and therefore ineligible to compete for jobs in the government, the country’s largest employer.

Some students with disabilities were unable to obtain education because there were no qualified teachers, and facilities were not accessible for persons with disabilities. Although the law requires universities to provide specialized entrance exams to applicants with
disabilities, students with disabilities experienced difficulties in gaining admission to universities. The government placed children with disabilities, including those with mental disabilities, in boarding schools where they were to receive education and, if able to work, employment. In practice, however, the schools provided neither. Special schools for those with sensory disabilities existed in the larger cities. Boarding schools with rehabilitation centers for persons with disabilities existed in each province and in Ashgabat. In September and October, the government opened six combined education and rehabilitation centers, one in each of the five provinces and one in the capital. Each center was designed to serve 420 students with disabilities.

Although the law requires new construction projects to include facilities that allow access by persons with disabilities, compliance was inconsistent and older buildings remained inaccessible. A lack of consistent accessibility standards resulted in some new buildings with inappropriately designed access ramps. The Ministry of Social Welfare is responsible for protecting the rights of persons with disabilities. The ministry provided venues and organizational support for activities conducted by NGOs that assist persons with disabilities. The law provides for the right to vote for all, including for persons with disabilities.

**Discrimination with Respect to Employment or Occupation**
The law prohibits discrimination regarding nationality, race, gender, language, disability, HIV status, and social status. The law does not prohibit discrimination regarding sexual orientation. The government did not always successfully enforce the law; certain government positions required language exams and a family background check going back three generations.

Discrimination in employment and occupation occurred with respect to gender, language, and disability (see section 6). There was no information on discrimination against internal migrant workers.

**Acceptable Conditions of Work**
The minimum monthly wage for all sectors was 485 manat ($170). An official estimate of the poverty-level income was not available. The standard legal workweek is 40 hours with weekends off. The law states that overtime or holiday pay should be double the regular wage. Maximum overtime in a year is 120 hours and cannot exceed four hours in two consecutive days. The law prohibits pregnant women, women that have children up to age three, women with disabled children under age 16, and single parents with two or more children from working overtime.

**Discrimination, Societal Abuses, and Trafficking of Persons**
Although the law prohibits discrimination based on race, gender, disability, language, ethnic minority status, or social status, discrimination continued to be a problem, as did violence against women.

**Convention on the Rights of Persons with Disabilities**
Turkmenistan ratified the CRPD on 4 September 2008. Turkmenistan ratified the Optional Protocol on 10 November 2010.
Uzbekistan

Persons with Disabilities
The law prohibits discrimination against persons with disabilities, but there was societal discrimination against those with disabilities.

According to official statistics, there were 550,000 persons with disabilities, but activists believed the actual number may be more than three million. The government continued efforts to confirm the disability levels of citizens who received government disability benefits. Officially, authorities did so to ensure the legitimacy of disability payments, but unconfirmed reports suggested that, in the process, authorities unfairly reduced benefits to some persons with disabilities.

The law allows for fines if buildings, including private shops and restaurants, are not accessible, and activists reported that authorities fined individuals or organizations in approximately 2,500 cases during the year. A 2013 law reduced the fine for failing to create the necessary conditions for persons with disabilities from 6.4 to 9.2 million soum ($2,680 to $3,830) to 2.2 million soum ($920).

Disability activists reported that accessibility remained inadequate, noting, for example, that many of the high schools constructed in recent years had exterior ramps but no interior modifications to facilitate access by wheelchair users. The Ministry of Health controlled access to health care for persons with disabilities, and the Ministry of Labor and Social Protection facilitated employment of persons with disabilities. No information was available regarding patterns of abuse in educational and mental health facilities.

The labor law states that all citizens enjoy equal employment rights, but disability rights activists reported that discrimination occurred (see section 7.d.) and estimated that 90 percent of persons with disabilities were unemployed. The government indicated 17,000 jobs were set aside for persons with disabilities. There were no government programs to ensure access to buildings, information, and communications, and activists reported particular difficulties with access. Activists also reported instances in which persons with disabilities were not provided sign language interpreters during police investigations and court hearings.

According to the government, of the 78,964 children with disabilities in the country, 9,739 attended public schools, 17,328 attended 84 specialized schools, 10,064 were home schooled, and 21,291 attended one of 195 specialized preschool centers. Students studied braille books published during Soviet times. There were computers adapted for people with vision disabilities.
Discrimination with Respect to Employment or Occupation
The law and regulations prohibit discrimination based on race, gender, and language. The labor code states that differences in the treatment of individuals deserving of the state’s protection or requiring special accommodation, including women, children, and the disabled, are not to be considered discriminatory. Laws do not prohibit discrimination on the basis of sexual orientation or gender identity. HIV-positive individuals are legally prohibited from being employed in certain occupations, including those in the medical field that require direct contact with patients, with blood or blood products, as well as in cosmetology or haircutting. The government generally did not effectively enforce those laws and regulations.

Discrimination, Societal Abuses, and Trafficking of Persons
The law and constitution prohibit discrimination on the basis of race, gender, disability, language, and social status. Nonetheless, societal discrimination against women and persons with disabilities existed, and child abuse persisted.

Arrest Procedures and Treatment of Detainees
Amnesty: In December the Senate approved the annual prisoner amnesty. According to its terms, women, underage offenders, men over 60, foreign citizens, and persons with disabilities or documented serious illnesses were eligible for amnesty. The bill also included first-time offenders convicted of participation in banned organizations and the commission of crimes against peace or public security who “have firmly stood on the path to recovery.” As in previous years, the amnesty foresaw (with some exceptions) reducing sentences by one-third for all convicts sentenced to up to 10 years’ imprisonment and by one-fourth for those sentenced to more than 10 years. The resolution excludes from the amnesty persons sentenced to life and “lengthy” terms in prison, repeat offenders, and those who “systemically have violated the terms of incarceration.” Amnesty options included release from prison, transfer to a work camp. Courts were also permitted to dismiss criminal cases at the pretrial or trial stage. Amnesty for those eligible would actually be implemented in the coming year, subject to official, case-by-case review.

Convention on the Rights of Persons with Disabilities
Uzbekistan signed the CRPD on 27 February 2009.
Western Hemisphere

Antigua and Barbuda

Persons with Disabilities
The constitution contains antidiscrimination provisions, but no specific laws prohibit discrimination against, or mandate accessibility for, persons with disabilities. There were anecdotal cases of children with disabilities unable to take themselves to the restroom and thus were denied entry to school. Additionally, anecdotal evidence suggested support for persons with mental disabilities was lacking. It was alleged that those affected were often left on the street, as there were few alternatives to the one overcrowded and poorly maintained outpatient mental health facility. Public areas often lacked wheelchair accessibility.

Employment
The law prohibits discrimination in respect to employment or occupation regarding race, sex, age, or political beliefs. In general the government effectively enforced these laws and regulations. The law does not prohibit employment discrimination on the basis of disability, language, sexual orientation and/or gender identity, HIV-positive status or other communicable diseases, or social status. There were anecdotal reports of employment discrimination against employees with HIV/AIDS (see section 6, HIV and AIDS Social Stigma).

Convention on the Rights of Persons with Disabilities
Antigua and Barbuda signed the CRPD and Optional Protocol on 30/03/2007. Antigua and Barbuda ratified the CRPD on 7 January 2016.

Argentina

Persons with Disabilities
The constitution and laws prohibit discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, or the provision of other state services. A specific law also mandates access to buildings by persons with disabilities. While the federal government has protective laws, many provinces had not adopted the laws and had no mechanisms to ensure enforcement. For example, the city of Buenos Aires passed a resolution that allows the city to approve the opening of shops that do not meet accessibility requirements for persons with disabilities, and a court upheld the law; the NGO Access Now appealed the court’s decision.

An employment-quota law reserves four percent of federal government jobs for persons with disabilities, but NGOs and advocacy groups claimed the quota often was not respected. A pattern of inadequate facilities and poor conditions continued in some mental institutions.
A 2013 regulation issued by the Buenos Aires City education ministry allows children with disabilities to attend schools with their therapists and healthcare companions. The effort aimed to promote the inclusion of children with disabilities in mainstream schools.

The National Advisory Committee for the Integration of People with Disabilities under the National Council for Coordination of Social Policies has formal responsibility for actions to accommodate persons with disabilities.

On April 16, the UN Committee on the Rights of Persons with Disabilities found government authorities failed to ensure a prisoner with disabilities was able to use prison facilities and services on an equal basis with other detainees. The report stemmed from a complaint by a life-term prisoner arguing prison conditions affected his physical and mental health. While it concluded the prisoner had not established sufficiently his rights to health care and rehabilitation were being violated, the committee said Argentina was obliged to ensure he had equal access to facilities and that lack of accessibility did not cause physical or psychological suffering that might constitute cruel, inhuman, or degrading treatment.

**Convention on the Rights of Persons with Disabilities**
Argentina signed the CRPD on 30/03/2007. The government ratified the CRPD and Optional Protocol on 2/09/2008.

**Bahamas, The**

**Constitution and Laws**
The constitution prohibits discrimination on the basis of race, place of origin, political opinion, or creed, and the law prohibits discrimination based on disability. The government did not always effectively enforce these prohibitions, and the constitution and the law contain provisions that discriminate on the basis of gender. Neither the constitution nor the law addresses discrimination based on language, sexual orientation and/or gender identity, or social status.

The country consists of 700 islands and cays, 12 of which were significantly inhabited. Information in this report reflects the situation in the highly populated areas on New Providence and Grand Bahama. Limited information was available from other less-populated islands.

**Persons with Disabilities**
In July the government passed the Persons with Disabilities Act, which provides for the fundamental human rights of persons with disabilities as defined in the UN Convention on Persons with Disabilities. The new law addresses issues of employment, education, and access. Under the new law, businesses and public buildings have two years to make improvements to access once implementing regulations are approved. Provisions in other legislation address the
rights of persons with disabilities, including a prohibition of discrimination on the basis of
disability. Although the previous law mandated access for persons with physical disabilities in
new public buildings, authorities rarely enforced this requirement, and very few buildings and
public facilities were accessible to persons with disabilities.

The Education Act affords equal access for students, but only as resources permit, with this
decision made by individual schools. On less-populated islands, children with learning
disabilities often sat disengaged in the back of classrooms because resources were not
available.

The Disability Division within the Ministry of Labor and Social Development reported providing
the following services during the year: disability allowances to persons with disabilities;
financial assistance to procure prosthetics, wheelchairs, hearing aids, and other assistive
devices; regular meetings for the prosthetic committee; annual government grants to NGOs
serving the community of persons with disabilities; crisis intervention counseling; and Braille
classes.

A mix of government and private residential and nonresidential institutions provided education,
training, counseling, and job placement services for adults and children with physical or mental
disabilities.

Children
The Department of Social Services is responsible for abandoned children up to age 18 but had
very limited resources at its disposal. There is an extensive screening process for prospective
foster parents, including relatives. The government found foster homes for some children, and
the government hospital or Nazareth Center housed children with physical disabilities when
authorities could not find foster homes or the children needed care beyond their parents’
resources. Independent human rights observers reported that the government did not
consistently approve access requests to the various foster care facilities. Many of these facilities
were privately run with government support.

Employment
The law prohibits discrimination in employment based on race, creed, sex, marital status,
political opinion, age, HIV status, or disability, but not in regard to language, sexual orientation
and/or gender identity, or social status. The government did not effectively enforce the law.

Discrimination in employment and occupation occurred with respect to persons living with
HIV/AIDS (see section 6). Foreign migrant workers were not consistently afforded legal
protections.

Convention on the Rights of Persons with Disabilities
The Bahamas signed the CRPD on 24/09/2013. The government ratified the CRPD on
28/09/2015.
Barbados

Persons with Disabilities
No laws specifically prohibit discrimination against persons with disabilities in employment, education, or the provision of other state services, other than constitutional provisions asserting equality for all. Persons with disabilities experienced discrimination. The Ministry of Social Care, Constituency Empowerment, and Community Development operated a disabilities unit to address the concerns of persons with disabilities, but parents complained of added fees and transport difficulties for children with disabilities at public schools. Although persons with disabilities continued to face social stigma preventing them from fully participating in society, attitudes were slowly evolving. Persons with disabilities generally experienced hiring discrimination as well as difficulty in achieving economic independence (see section 7.d.).

The Barbados Council for the Disabled (BCD), the Barbados National Organization for the Disabled, and other NGOs indicated that access and transportation remained the primary challenges facing persons with disabilities. Many public areas lacked the necessary ramps, railings, parking, and bathroom adjustments to accommodate such persons, and affordable, reliable transportation for them remained elusive. Private transportation providers addressed some transportation concerns.

While no legislation mandates provision of accessibility to public thoroughfares or public or private buildings, the Town and Country Planning Department set provisions for all public buildings to include accessibility to persons with disabilities. As a result, most new buildings had ramps, reserved parking, and accessible bathrooms for persons with disabilities. The BCD and other NGOs promoted and implemented sensitization and accessibility programs designed to improve inclusion and services for persons with disabilities.

The disabilities unit continued numerous programs for persons with disabilities, including Call-a-Ride and Dial-a-Ride public transportation programs, sensitization workshops for public transportation operators, inspections of public transportation vehicles, sign language education programs, integrated summer camps, and accessibility programs.

Employment
Labor laws do not prohibit discrimination on grounds of race, sex, gender, disability, sexual orientation, or HIV/AIDS status, although such legislation has been proposed.

There were occasional press reports alleging migrant workers received less than the minimum wage. Foreign workers in high-risk sectors, such as domestic service, agriculture, or construction, were sometimes not aware of their rights and protections under the law, and unions expressed concern domestic workers were occasionally forced to work in unacceptable conditions. Persons with disabilities generally experienced hiring discrimination, as well as
difficulty in achieving economic independence (see section 6, Persons with Disabilities).

**Convention on the Rights of Persons with Disabilities**
Barbados signed the CRPD on 19/07/2007. The government ratified the CRPD on 27/02/2013.

**Belize**

**Constitution and Laws**
The constitution prohibits discrimination based on race, gender, disability, language, or social status, and the government generally enforced these prohibitions.

**Persons with Disabilities**
The law does not expressly prohibit discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air or other transportation, access to health care, or the provision of other state services. The constitution provides for the protection of all citizens from any type of discrimination. The law does not provide for accessibility to persons with disabilities, and most public and private buildings and transportation were not accessible to them. There were no policies to encourage hiring of persons with disabilities in the private or public sectors.

In general, mental health provisions and protections in the country were poor. Informal government-organized committees for persons with disabilities were tasked with public education and advocating for protections against discrimination. Private companies and NGOs provided services to persons with disabilities. The Ministry of Education maintained an educational unit offering limited special education programs within the regular school system. There were two schools and four special education centers for children with disabilities.

The special envoy for women and children, First Lady Kim Simplis Barrow, continued advocacy campaigns on behalf of persons with disabilities and supported efforts to promote schools that made efforts to create inclusive environments for persons with disabilities. In March First Lady Barrow launched the Inspiration Center, an NGO that aimed to offer basic medical care and therapies for children with disabilities, as well as assistance for at-risk youth.

**Employment**
The law and regulations prohibit discrimination on the basis of race, sex, gender, language, HIV-positive status or other communicable diseases, or social status. The government did not effectively enforce those laws and regulations. The law does not explicitly prohibit discrimination in employment with respect to disability or to sexual or orientation and/or gender identity.

**Prison and Detention Centers**
In September the prison held 1,527 inmates, including 44 women (plus one minor), 50 male juveniles, 539 on remand, 199 foreigners, and 68 persons with disabilities. Prison capacity was approximately 1,750, with an average population of 1,550 inmates.
The prison had one full-time doctor, one nurse, and seven emergency medical technicians to perform medical referrals to a local hospital. Two counselors were available on a daily basis. A psychologist visited the prison on Saturdays to see patients referred by the medical staff. Two counselors and two social workers from the Ministry of Human Development and Social Transformation visited inmates of the Wagner’s Youth Facility three times a week. Prisoners with disabilities were housed separately and were visited twice a month by a psychiatric team.

**Convention on the Rights of Persons with Disabilities**
Belize signed the CRPD on 9/05/2011. The government ratified the CRPD on 2/06/2011.

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**Bolivia**

**Constitution and Laws**
The constitution and the law prohibit discrimination based on race, gender, disability, language, sexual orientation, gender identity, and social status, but the government did not effectively enforce these provisions to protect all populations.

**Persons with Disabilities**
The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, or the provision of other government services. The law requires access for wheelchair users to all public and private buildings, duty-free import of orthopedic devices, and a 50 percent reduction in public transportation fares for persons with disabilities. The constitution and law also require communication outlets and government agencies to offer services and publications in sign language and Braille.

The government did not effectively enforce these provisions. In the October national elections, voters with disabilities were in some instances unable to vote due to inadequate facilities for wheelchairs or other physical barriers. In addition, societal discrimination kept many persons with disabilities at home from an early age, limiting their integration into society and restricting their right to participate in civic affairs. The Research Center for Socioeconomic Development reported that only an estimated 13,000 children with disabilities, or 6 percent of the population of youth with disabilities, had regular access to education. There was no information available regarding patterns of abuse in educational and mental health facilities. The National Committee for Persons with Disabilities, directed by the Ministry of Health, is responsible for protecting the rights of persons with disabilities.

The government provides an annual pension of 1,000 bolivianos ($146) to persons with “serious or very serious” disabilities.
Employment
Labor laws and regulations prohibit discrimination regarding race, sex, gender, disability, language, sexual orientation and/or gender identity, HIV positive status or other communicable diseases, or social status.

Despite these legal protections, discrimination with respect to employment and occupation occurred. Civil society leaders reported credible instances of employment discrimination against indigenous peoples, Afro-Bolivians, and members of the LGBT community (see section 6).

Convention on the Rights of Persons with Disabilities

Brazil

Constitution and Laws
The law prohibits and penalizes discrimination on the basis of race, gender, disability, or social status, but discrimination continued against women and girls, Afro-Brazilians, indigenous persons, and LGBT persons.

Persons with Disabilities
The law prohibits discrimination against persons with physical and mental disabilities in employment, air travel and other transportation, education, and access to health care, and the federal government generally enforced these provisions. An estimated 10 percent of the population had some form of disability. While federal and state laws mandate access to buildings for persons with disabilities, states did not enforce them effectively. A 1991 federal law requires private companies with more than 100 employees to hire persons with disabilities at a minimum level of 2 to 5 percent of their workforce, but authorities did not effectively enforce this quota.

The National Council for the Rights of Persons with Disabilities and the National Council for the Rights of the Elderly, both within the SDH, have primary responsibility for promoting the rights of persons with disabilities. According to the SDH, specific problems included the short supply of affordable and up-to-date orthotics and prosthetics, scarcity of affordable housing with special adaptations, and a need for greater accessibility to public transport. Children with disabilities attended school (primary, secondary, and higher education), but there existed a shortage of schools with support for such persons. The absence of accessible infrastructure and schools had a significant impact within the workforce, however, and only an estimated 6 percent of the population with disabilities participated in the workforce.

The government improved access for persons with disabilities in its infrastructure development and in retrofitting public sports venues to prepare for sporting events such as the World Cup and the 2016 Paralympics games.
Employment
Labor laws and regulations prohibit discrimination regarding race, sex, gender, disability, and sexual orientation or gender identity, and HIV-positive status or other communicable diseases. The government generally enforced these laws and regulations, although discrimination in employment and occupation continued to occur with respect to women, persons with disabilities, and transgender individuals (see section 6).

Governmental Human Rights Bodies
The Secretariat for Human Rights is a ministerial-level office under the presidency. The secretariat has jurisdiction over issues regarding persons with disabilities, LGBT persons, the elderly, children, and government representation in international and regional human rights forums in conjunction with the Ministry of External Relations. The Chamber of Deputies and the Senate had human rights committees that operated without interference and participated in several activities nationwide in coordination with domestic and international human rights organizations. Most states had police ombudsmen, but their accomplishments varied, depending on such factors as funding and outside political pressure.

Convention on the Rights of Persons with Disabilities
Brazil signed the CRPD and Optional Protocol on 30/03/2007. The government ratified the CRPD and Optional Protocol on 1/08/2008.

Canada

Constitution and Laws
The constitution and law prohibit discrimination based on race, gender, disability, language, social status, and sexual orientation. Provincial or territorial statutes in three provinces and one territory prohibit discrimination on the basis of gender identity. The government enforced these laws effectively.

Persons with Disabilities
The constitution and law prohibit discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care or the provision of other state services, and the government effectively enforced these prohibitions. Although the government effectively implemented laws and programs mandating access to buildings, information, and communications for persons with disabilities, the absence of uniform standards across the country created disparities in standards of access between provinces.

Children with disabilities attended primary, secondary, and higher education, and the majority attended classes with nondisabled peers or a combination of nondisabled and special education classes with parental consent. Disparities in educational access for students with disabilities existed between provinces and among school boards within provinces. Policy differences
included type of services, criteria to determine eligibility, allocation of resources, access to inclusive versus segregated classes or facilities, and the number of teachers, teacher's aides, and therapists. Ontario offered the greatest access, with 48.7 percent of children with disabilities ages five to 14 years in the province receiving some form of special education service, while only 21.8 percent received services on Prince Edward Island, according to a 2006 study by the government’s statistical agency. The proportion of such children receiving a special education service nationwide was 43.1 percent.

Disability rights NGOs reported that persons with disabilities experienced higher rates of unemployment and underemployment, lower rates of job retention, and higher rates of poverty and economic marginalization than their nondisabled peers. Federal and provincial human rights commissions protected and promoted respect for the rights of persons with disabilities. The government provided services and monetary benefits, but disability groups noted a lack of coordination among services. Facilities existed to provide support for those with mental health disabilities, but mental health advocates asserted that the prison system was not sufficiently equipped or staffed to provide the care necessary for those in the criminal justice system, resulting in cases of segregation and self-harm.

In June the Ontario human rights commission issued the country’s first comprehensive policy guidelines for accommodating persons with mental health disabilities and addictions. The policy sets out the obligations of landlords, employers, service providers, and others under the provincial human rights code as well as informs persons with disabilities of their legal rights.

Also in June the Quebec human and youth rights commission launched a series of informational videos in Quebec and American sign languages to inform persons with hearing disabilities of their rights.

Employment
The law and regulations prohibit discrimination with respect to employment or occupation on the basis of race, gender, disability, language, sexual orientation and/or gender identity, HIV-positive status or other communicable diseases, or social status. Some provinces, including Quebec, New Brunswick, and Newfoundland and Labrador, as well as the Northwest Territories, prohibit employment discrimination on the grounds of social origin, “social condition,” and political opinion. Federal law requires equal pay for equal work for four designated groups in federally regulated industries enforced through the Canadian Human Rights Commission on a complaint basis: women, persons with disabilities, Aboriginal people, and visible minorities. Ontario and Quebec have pay equity laws that cover both the public and private sectors, and other provinces require pay equity only in the public sector.

Authorities encouraged individuals to resolve employment-related discrimination complaints through internal workplace dispute resolution processes as a first recourse, but federal and provincial human rights commissions investigated and mediated complaints and enforced the law and regulations. The government enforced the law effectively, but some critics complained that the process was complex and failed to issue rulings in a timely manner. Foreign migrant
workers have the same labor rights as citizens and permanent residents, although NGOs alleged that discrimination occurred against migrant workers.

**Societal Violence**
There were no known reports of societal violence or discrimination against persons with HIV/AIDS. Courts generally interpreted prohibitions against discrimination on the basis of disability in federal and provincial human rights statutes to include discrimination against persons with HIV/AIDS.

**Convention on the Rights of Persons with Disabilities**
Canada signed the CRPD on 30/03/2007. The government ratified the CRPD on 11/03/2010.

**Chile**

**Constitution and Laws**
The constitution states that all persons are born free and are equal in terms of the law and dignity; however, it does not specifically identify groups protected from discrimination. The 2012 antidiscrimination law provides civil legal remedies to victims of discrimination based on race, ethnicity, nationality, socioeconomic situation, language, ideology or political opinion, religion or belief, association or participation in union organizations or lack thereof, gender, sexual orientation, gender identification, marriage status, age, affiliation, personal appearance, and sickness or physical disability. The law also increases criminal penalties for acts of violence based on discrimination.

**Persons with Disabilities**
The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, and the provision of other state services, and the government effectively enforced these provisions. Nevertheless, persons with disabilities suffered forms of *de facto* discrimination. The law provides for universal and equal access to buildings, information, and communications. Most public buildings did not comply with legal accessibility mandates. The public transportation system, particularly outside Santiago, did not adequately provide accessibility for persons with disabilities. In recent years, however, TranSantiago, the main system of public transportation within Santiago, instituted changes to improve compliance with the law, including new ramp systems and elevators at certain metro stations, although many stations remained inaccessible to persons with physical disabilities.

The National Service for the Disabled (SENADIS) reported that children with disabilities attended school (primary and secondary) but noted difficulties in ensuring equal access to schooling at private institutions. SENADIS also reported that persons with disabilities had fewer opportunities to continue their education following secondary school. Persons with disabilities often faced discrimination in hiring; they constituted approximately 7.6 percent of the population but only 0.5 percent of the workforce.
SENADIS operates under the jurisdiction of the Ministry of Planning, has responsibility for protecting the rights of persons with disabilities, and advocates and promotes integration and protection policies throughout all government agencies.

**Employment**
The law and regulations prohibit discrimination based on race, sex, gender, disability, language, sexual orientation, and/or gender identity, HIV-positive status or other communicable diseases, or social status. The law also provides civil legal remedies to victims of discrimination based on race, ethnicity, nationality, socioeconomic situation, language, ideology or political opinion, religion or belief, association or participation in union organizations or lack thereof, gender, sexual orientation, gender identification, marriage status, age, affiliation, personal appearance, and sickness or physical disability. Nevertheless, discrimination in employment and occupation continued to occur with respect to these groups (see section 6).

**Convention on the Rights of Persons with Disabilities**
Chile signed the CRPD and Optional Protocol on 30/03/2007. The government ratified the CRPD and Optional Protocol on 29/07/2008.

**Colombia**

**Constitution and Laws**
The 2011 antidiscrimination law specifically prohibits discrimination based on race, gender, disability, language, sexual orientation, gender identity, or social status, but many of these prohibitions were not universally enforced.

**Persons with Disabilities**
The law prohibits discrimination against persons with physical and mental disabilities in employment, education, access to public buildings, air travel and other transportation, access to health care, or the provision of other state services. Somos Defensores and other NGOs claimed these laws were seldom enforced. There is no law mandating access to information and telecommunications for persons with disabilities. The Office of the Presidential Advisor for Human Rights under the Minister Counselor for Post-Conflict, Public Security, and Human Rights, along with the Human Rights Directorate at the Ministry of Interior, is responsible for protecting the rights of persons with disabilities.

The constitution establishes education as a fundamental right. Although children with disabilities attended school at all levels, advocates noted the vast majority of teachers and schools were neither trained nor equipped to educate children with disabilities successfully. Advocacy groups also stated children with disabilities entered the education system later and dropped out at higher rates than children without disabilities. Advocates also noted that children with disabilities were more vulnerable to sexual and other forms of abuse and that citizens with disabilities were hampered in their ability to vote and participate in civic affairs.
due to lack of adequate transportation or adequate access to voting facilities in numerous locations throughout the country. Persons with disabilities were unemployed at a much higher rate than the general population (see section 7.d.).

On March 11, the Constitutional Court issued a decision upholding the legality of forced surgical sterilization of children with cognitive and psychosocial disabilities in certain cases. The court’s decision stated, “In cases in which it has been proven that it is impossible for the child to develop the necessary understanding to decide about sterilization in the future, the parents or legal guardian may request authorization from a judge to utilize surgical contraception...A person who does not have the capacity to understand what sterilization consists of or what its consequences are would have difficulty understanding the responsibilities of parenthood and the implications of procreating.” The ruling went on to state, “The decision to submit to surgical contraception assures a more dignified life condition for those who cannot make decisions related to the exercise of their reproductive rights and could be in risk of forced pregnancies that would violate their personal dignity.”

In 2013 the State Council ordered all public offices to make facilities accessible to persons with disabilities and asked public officials to include requirements for accessibility when granting licenses for construction and occupancy. The State Council also asked every municipality to enforce rules that would make all public offices accessible to persons with disabilities “in a short amount of time.” No information was available on how many public offices and facilities had complied with the order and undertaken accessibility reconstruction projects during the year. No information was available on fines or other penalties assessed against public offices that had not complied with the order.

Statutory Law 1618 passed in 2013 established a deadline of February 27, 2015, for public offices to comply with new accessibility requirements. The law stipulates that the National Council on Disability would be charged with monitoring compliance with the law.

During the year the municipal government of Bogota issued Decree 324, which adopts measures to guarantee effective access for persons with disabilities to the integrated public transportation system in the capital city.

**Employment**

The law prohibits discrimination in respect to employment or occupation regarding race, sex, gender, disability, language, sexual orientation and/or gender identity, HIV-positive status or other communicable diseases, or social status. Complaints of quid pro quo sexual harassment are filed not with the Ministry of Labor but with the criminal courts; however, the government reported in 2012 that a system to follow up cases of sexual harassment at the workplace had been developed to enable labor inspectors to intervene, together with a protocol for receiving sexual harassment complaints for the purpose of providing legal advice and informing labor inspectors and public prosecutors. The government did not effectively enforce the law in all cases.
According to the UN resident coordinator, persons with disabilities were unemployed at a much higher rate than the general population, and unemployment among women was double that of men. The UN resident coordinator also stated that employment differences further highlighted societal discrimination based on race, noting that a black woman in the country earned on average 50 percent less than a man who is neither black nor indigenous.

**Women**

In March the Constitutional Court validated the practice of surgical sterilization of minors with intellectual and psychosocial disabilities (see section 6, Persons with Disabilities).

**Convention on the Rights of Persons with Disabilities**

Colombia signed the CRPD on 30/03/2007. The government ratified the CRPD on 10/05/2011.

**Costa Rica**

**Constitution and Laws**

The constitution prohibits discrimination based on race, sex, gender, disability, language, sexual orientation and gender identity, or social status, and the government effectively enforced these prohibitions.

**Persons with Disabilities**

The constitution prohibits discrimination against persons with physical, sensory, intellectual, or mental disabilities in employment, education, and access to health care or other state services. Discriminatory practices were reported in access to education, employment, information, public buildings, and transportation. The National Rehabilitation and Special Education Council (CNREE) is the government body responsible for protecting the rights of persons with disabilities and for coordinating interagency efforts. The law establishes a clear right to employment for persons with disabilities, but the government did not implement it. According to the 2011 INEC survey, 54 percent of individuals with disabilities between the ages of 15 and 65 were unemployed (see section 7.d.). In August the government launched an employment strategy that included policies to favor persons with disabilities. The government implemented the “empleate plus” program, a public-private partnership to promote employment among youth with a component for persons with disabilities.

From January to June, the Ombudsman’s Office reported receiving 269 complaints of discrimination against persons with disabilities, including 179 cases of restrictions on access to health services. During the first six months of 2013, the CNREE received 25 complaints for violations of the law regarding protection of equal opportunities for persons with disabilities. All 25 cases were investigated, and 23 remained under investigation as of August 2013. Although the law mandates access to buildings for persons with disabilities, the government did not enforce this provision, and many buildings remained inaccessible to persons with disabilities. Persons with disabilities did not have access to all public transportation. The CNREE also reported the education system required a comprehensive reform, especially in
rural areas, to improve physical access to facilities, technical assistance and training, interagency coordination, and support services in secondary schools.

Both the government policy on education and the national plan for higher education establish the right to education for students with special needs. The Ministry of Education operated a program for persons with disabilities that provided support services to students with special needs in both regular and special education systems. In 2012, the most recent year for which information available, there were 22 special education centers serving 4,286 students with disabilities. The government supported adults with disabilities through 28 attention centers. A political party, Accessibility without Exclusion, represented the interests of persons with disabilities and held one seat in the legislative assembly. The Supreme Elections Tribunal took measures (voting procedures, facilities, materials, and trained personnel) to provide for fully accessible elections for all persons with disabilities.

**Employment**

The laws and regulations prohibit discrimination regarding race, sex, gender, disability, language, sexual orientation and/or gender identity, HIV-positive status or other communicable diseases, or social status. The government effectively enforced these laws and regulations. The Labor Ministry reported three cases of discrimination, including one in the northern area of the country; as of October, the three cases were under investigation.

Discrimination in employment and occupation occurred with respect to persons with disabilities and the LGBT population (see section 6). Discrimination against migrant workers occurred (see section 7.e.).

The government continued to implement the campaign for minimum wage compliance launched in 2010. During the first six months of the year, the Ministry of Labor conducted 8,880 visits to business establishments (6,920 of which were to microbusinesses and 1,607 to small businesses) to assess compliance with minimum wage laws According to the ministry, 30.6 percent of the economically active population in the nonagricultural sector was in the informal economy. On August 14, the government launched a national strategy for employment and production that aimed at expanding decent work opportunities—particularly for working mothers and persons with disabilities—and creating 217,000 formal sector jobs in four years.

**Convention on the Rights of Persons with Disabilities**

Costa Rica signed the CRPD and Optional Protocol on 30/03/2007. The government ratified the CRPD and Optional Protocol on 1/10/2008.
Cuba

Constitution and Laws
The constitution prohibits discrimination based on race, gender, disability, or social status. Racial discrimination, however, occurred frequently in all levels of society, mostly directed at the Afro-Cuban population.

Persons with Disabilities
There is no known law prohibiting discrimination against persons with disabilities in employment, education, access to health care, or the provision of other state services. A Ministry of Labor and Social Security resolution accords persons with disabilities the right to equal employment opportunities and equal pay for equal work. There was no information available, however, on compliance with this resolution. There are laws recommending that buildings, communications facilities, air travel, and other transportation services accommodate persons with disabilities, but these facilities and services were rarely accessible to persons with disabilities, and information for persons with disabilities was limited.

The Special Education Division of the Ministry of Education is responsible for the education and training of children with disabilities. Children with disabilities attended school; there were no known patterns of discriminatory abuse in educational facilities or in mental health facilities during the year. The Ministry of Labor and Social Security is in charge of the Employment Program for Persons with Disabilities.

Convention on the Rights of Persons with Disabilities

Dominica

Persons with Disabilities
Although the government ratified the UN Convention on the Rights of Persons with Disabilities, it has not enacted provisions of the convention, nor does the law specifically prohibit discrimination against persons with disabilities. There is no legal requirement mandating access to buildings for such persons. Although disabled persons share the right to vote, in practice polling stations were often inaccessible. There is no state agency specifically responsible for protecting the rights of persons with disabilities or an official number of persons with disabilities who were unemployed. Civil society stated that unemployment numbers were very high, in part, because employers refused to hire persons with disabilities (see section 7.d.)

The government funded two special schools for children with intellectual or mental disabilities. Children with physical disabilities and those with hearing and vision impairments were integrated into mainstream schools. For the past three years, under an Education Enhancement Project, the government worked to increase the human resource capacity at schools to provide further services to students with disabilities, such as providing the services of a clinical
psychologist and speech and language therapist. Primary and secondary schools established special education programs during the year.

**Government and Nongovernmental Relationships**
A number of domestic human rights and advocacy organizations operated without government restrictions. Several of these groups, such as the Association of Disabled People, the Dominica National Council of Women (DNCW), and a women and children’s self-help organization, operated freely and without government interference.

**Employment**
The law does not prohibit discrimination regarding race, gender, disability, language, sexual orientation and/or gender identity, HIV-positive status or other communicable diseases, or social status. Discrimination in employment and occupation occurred with respect to women and persons with disabilities (see section 6).

Labor laws provide that the labor commissioner may authorize the employment of a person with disabilities at a wage lower than the minimum rate to enable that person to be employed gainfully. The labor commissioner has not authorized subminimum wages for the last few years.

**Convention on the Rights of Persons with Disabilities**
Dominica signed the CRPD on 30/03/2007. The government ratified the CRPD and Optional Protocol on 1/10/2012.

**Dominican Republic**

**Constitution and Laws**
Although the constitution prohibits discrimination based on race, gender, disability, language, and social status, such discrimination existed. The government seldom acknowledged that discrimination occurred or made efforts to address the problem.

**Persons with Disabilities**
Although the law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities, these individuals encountered discrimination in employment and in obtaining other services. The law provides for physical access for persons with disabilities to all new public and private buildings and access to basic services. It also specifies that each ministry should collaborate with the National Disability Council to implement these provisions. Authorities worked to enforce these provisions, but a gap in implementation persisted. Very few public buildings were fully accessible.

In July the Ministry of Public Works and Communications constructed a curb and sidewalk along a major street, which received negative press coverage. The 10-inch-high, three-mile-long curb made it difficult for persons with mobility disabilities to navigate and included only five wheelchair-accessible ramps, primarily intended for vehicle use. The ministry explained the
curb’s significant height was designed to prevent vehicles from parking on the sidewalk, with little consideration given to the individuals the project would affect.

The Dominican Association for Rehabilitation received support from the Secretariat of Public Health and from the presidency to provide rehabilitation assistance to persons with physical and learning disabilities as well as to run schools for children with physical and mental disabilities. The association cited the lack of accessible public transportation for persons with disabilities as a major impediment.

The law states that the government should ensure that persons with disabilities have access to the labor market as well as cultural, recreational, and religious activities, but it was not consistently enforced (see section 7.d.). Persons with disabilities attended school at all levels; however, resources to meet their specific needs were often not sufficient both in terms of infrastructure and accessible materials. A 2012 UNESCO study reported that 70 percent of children with disabilities were not in school. The Santo Domingo Center for Integrated Care for Children, opened in November 2013 by First Lady Candida Montilla de Medina, assisted 200 children during the year. Several other centers remained under construction during the year.

Discrimination against persons with mental disabilities was common across all public and private sectors. Few resources were dedicated to those with mental disabilities.

Prison and Detention Centers
In the case of the CRCs, some prisoners with mental disabilities were separated and received treatment, including therapy, for their illnesses. There were no efforts to provide services to prisoners with mental disabilities in traditional prisons.

Employment
The law prohibits all forms of discrimination, exclusion or preference based on gender, age, race, color, nationality, social origin, political or union affiliation, religious belief, and against persons with HIV/AIDS. The government did not effectively enforce these provisions. There is no law against discrimination based on sexual preference.

Discrimination in employment and occupation occurred with respect to LGBT persons, especially transgender persons, against HIV/AIDS positive persons, against persons with disabilities, persons of darker skin color, and women (also see section 6). For instance, the ILO noted its concern regarding ongoing sexual harassment in the workplace, and urged the government to take specific steps to address existing social and cultural stereotypes contributing to discrimination in the country.

Convention on the Rights of Persons with Disabilities
The Dominican Republic signed the CRPD and Optional Protocol on 30/03/2007. The government ratified the CRPD and Optional Protocol on 18/08/2009.
Ecuador

Constitution and Laws
The constitution and the law prohibit discrimination based on race, gender, disability, language, or social status. The government did not fully enforce these prohibitions. Women, persons with disabilities, indigenous persons, Afro-Ecuadorians, and LGBT persons continued to face discrimination.

Persons with Disabilities
The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, or the provision of other government services. The National Council on Disability Equality oversees government policies regarding persons with disabilities. Although the law mandates access to buildings and promotes equal access to health, education, social security, employment, transport, and communications for persons with disabilities, the government did not fully enforce it. The law requires that 4 percent of employees in all public and private enterprises with more than 25 employees be persons with disabilities.

The law grants persons with disabilities the right to cost and fee reductions from several public and private entities, including utilities, transportation, and taxes. It also stipulates rights to health facilities and insurance coverage, increases access and inclusion in education, and creates a new program for scholarships and student loans for persons with disabilities. The law provides for special job security for those with disabilities or those who care for a person with disabilities, and it entitles employees who acquire a disability to rehabilitation and relocation. The law also creates a new national system intended to evaluate and register persons with disabilities. Many of the benefits in the law are transferable to a parent or primary caregiver. The law also gives the Human Rights Ombudsman’s Office responsibility for following up on alleged violations of the rights of persons with disabilities and lays out a series of fines and punishments for lack of compliance with the law.

Advocates for persons with disabilities reported procedural regulations that went into effect in December 2013 reduce coverage, protection, and the legal recognition of some persons with disabilities. Individuals with disabilities that are considered less inhibitive—those that restrict their capacity to perform less than 40 percent of essential everyday activities—lost access to certain economic benefits, including health care, home loans, special retirement and disability payments, and reduced fees in utility services. On April 17, media outlets reported that these reductions also affected persons with disabilities in the areas of tax refunds and employment. The government continued a campaign to create jobs for persons with disabilities, provide funding to municipalities to improve access to public buildings, and open training and rehabilitation centers. The initiative also monitored the degree of compliance by companies that hire persons with disabilities. The caregivers of persons with severe disabilities received a monthly government subsidy of $240. In December 2013 the Technical Secretariat for Disabilities reported that between 2010 and 2013, the government incorporated 60,758 persons with disabilities into the labor market.
The law directs the electoral authorities to provide access to and facilitate voting for persons with disabilities, and international observers commended the government’s accommodations for persons with disabilities in this year’s local elections. During the year the CNE promoted disability access in the electoral process through public outreach and workshops to train election observers with disabilities. In addition, during the February elections, the CNE initiated a program to allow in-home voting for those with severe disabilities.

**Employment**

The law and regulations prohibit discrimination regarding race, sex, gender, disability, language, sexual orientation, and/or gender identity, HIV-positive status or other communicable diseases, or social status. The law prohibits employers from using discriminatory criteria in hiring, discriminating against unions, and retaliating against striking workers and their leaders. The government did not always effectively enforce those laws and regulations.

**Freedom of Speech**

A new criminal code went into effect on August 10. Article 176 of the new code establishes a prison sentence of up to three years for those who “disseminate, practice, or incite any distinction, restriction, or preference on grounds of nationality, ethnicity, place of birth, age, sex, gender identity or sexual orientation, cultural identity, marital status, language, religion, ideology, socioeconomic status, immigration status, disability, or health status with the aim of nullifying or impairing the recognition, enjoyment, or exercise of equal rights.” According to some legal experts, the article could restrict freedom of speech.

**Prison and Detention Centers**

On June 4, Minister Zuniga reported the new prison centers inaugurated by the government—included spaces for prisoners with disabilities, training workshops, and recreation. Observers noted medical units in prison centers were not fully equipped, which also affected persons with disabilities.

**Convention on the Rights of Persons with Disabilities**


**El Salvador**

**Constitution and Laws**

Although the constitution and other laws provide that all persons are equal before the law and prohibit discrimination based on race, sex, gender, disability, language, sexual orientation, gender identity, or social status, the government did not effectively enforce these prohibitions. There was discrimination against women, persons with disabilities, LGBT persons, and indigenous people.
Persons with Disabilities
The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, and the provision of other state services. According to CONAIPD the government did not allocate sufficient resources to enforce these prohibitions effectively, particularly in education, employment, and transportation. The government did not effectively enforce legal requirements for access to buildings, information, and communications for persons with disabilities. There were almost no access ramps or provisions for the mobility of persons with disabilities. Children with disabilities generally attended school, but at higher levels attendance was more dependent on their parents’ financial resources.

CONAIPD, composed of representatives of multiple government entities, is the government agency responsible for protecting disability rights, but it lacked enforcement power.

Only 5 percent of businesses and no government agency fulfilled the legal requirement of hiring one person with disabilities for every 25 hires.

There were no reported patterns of abuse in educational or mental health facilities, although CONAIPD previously reported isolated incidents, including sexual abuse, in those facilities.

CONAIPD reported employers frequently fired persons who acquired disabilities and would not consider persons with disabilities for work for which they qualified. Some schools would not accept children with disabilities due to lack of facilities and resources. There is no formal system for filing a complaint with the government.

During the year SIS and CONAIPD conducted awareness campaigns, provided sensitivity training, promoted employment of persons with disabilities, and trained doctors and teachers about the rights of persons with disabilities.

On April 4, the president approved the National Policy for the Comprehensive Attention for Persons with Disabilities, which includes an action plan to integrate persons with disabilities fully into society.

Several public and private organizations, including the Telethon Foundation for Disabled Rehabilitation and the National Institute for Comprehensive Rehabilitation (ISRI), promoted the rights of persons with disabilities. The Rehabilitation Foundation, in cooperation with ISRI, continued to operate a treatment center for persons with disabilities. CONAIPD reported that the government provided minimal funding for ISRI.

Employment
The constitution and regulations prohibit discrimination regarding race, sex, gender, disability, language, HIV-positive status or other communicable diseases, or social status. The government did not effectively enforce those laws and regulations. Sexual orientation and/or gender identity are not included in the constitution, although the PDDH and Ministry of Labor actively
sought to protect such rights.

Discrimination in employment and occupation occurred with respect to gender, disability, and sexual orientation and/or gender identity (see sections 6 and 7.e.). According to the Ministry of Labor, migrant workers have the same rights as citizens, but the ministry did not enforce these rights.

**Women**
The law criminalizes rape, and the criminal code’s definition of rape may apply to spousal rape. The law requires the FGR to prosecute rape cases whether or not the victim presses charges, and the law does not permit the victim to nullify the criminal charge. Generally, the penalty for rape is six to 10 years’ imprisonment, but the law provides for a maximum sentence of 20 years for raping certain classes of victims, including children and persons with disabilities.

**Prison and Detention Centers**
Prisoners reportedly conducted criminal activities from their cells, at times with the complicity of prison guards. Smuggling of weapons, drugs, and other contraband such as cell phones and cell-phone SIM cards was a major problem in the prisons. As of September 2, prison authorities removed two guards from prisons for carrying illegal objects and sanctioned 74 guards for misconduct. There were no reported patterns of abuse of persons with disabilities in prisons, although the government’s National Council for Comprehensive Attention to Persons with Disability (CONAIPD) previously reported isolated incidents, including sexual abuse.

**Convention on the Rights of Persons with Disabilities**
El Salvador signed the CRPD and Optional Protocol on 30/03/2007. The government ratified the CRPD and Optional Protocol on 14/12/2007.

**Grenada**

**Persons with Disabilities**
The law prohibits discrimination against persons with disabilities in employment, but the constitution and law do not protect persons with disabilities from discrimination in the provision of state services. Although the law does not mandate access to public buildings or services, building owners increasingly incorporated accessibility features into new construction and premises renovation. The government provided for special education throughout the school system; however, for practical reasons, most parents chose to send their children to three special education schools operating in the country. The government and nongovernmental organizations (NGOs) continued to provide training and work opportunities for such persons. The Ministry of Social Development includes an office responsible for looking after persons with disabilities, as well as a council for the disabled, which reviews disability-related issues.
Employment
The law prohibits discrimination in respect to employment or occupation regarding race, color, national extraction, social origin, religion, political opinion, sex, age, or disability. The law does not prohibit discrimination in respect to employment or occupation regarding language, HIV-positive status or other communicable diseases, sexual orientation and/or gender identity. In general the government effectively enforced these laws and regulations. There were no reports of discrimination with respect to employment and occupation occurred.

Convention on the Rights of Persons with Disabilities
Grenada signed the CRPD on 12/07/2010. The government ratified the CRPD on 28/8/2014.

Guatemala

Constitution and Laws
The constitution and law prohibit discrimination based on race, gender, disability, language, or social status. The government frequently did not enforce these provisions, and there was no protection related to sexual orientation and gender identity discrimination.

Persons with Disabilities
The constitution contains no specific prohibitions against discrimination based on physical, sensory, intellectual, and mental disabilities in employment, education, access to health care, or the provision of other state services. The law, however, mandates equal access to public facilities and provides some other legal protections. In many cases the law was not enforced, and the government devoted few resources to addressing the problem. The law does not mandate that persons with disabilities have access to information or communications. Accessible public transportation was minimal.

The National Council for Persons with Disabilities reported few persons with disabilities attended educational institutions or held jobs. The council, composed of representatives of relevant government ministries and agencies, is the principal government entity responsible for protecting the rights of persons with disabilities. The council met regularly to discuss initiatives and had a budget of 10.6 million quetzales ($1.38 million). There were no reports on what, if any, effect the council had on meeting the needs of persons with disabilities.

There were minimal educational resources for persons with special needs. Most universities did not have accessible facilities for persons with disabilities.

The Frederico Mora National Hospital for Mental Health, the principal health provider for persons with mental illness, lacked basic supplies, equipment, hygienic living conditions, and adequate professional staff. In 2012 Disability Rights International filed a complaint with the Inter-American Commission on Human Rights and documented mistreatment of mentally ill patients. Later that year the commission found the charges credible and ordered preventive measures aimed at protecting all patients, particularly women and children, from physical,
psychological, and sexual violence by other patients, guards, and hospital staff. In 2013 the government agreed to initiate a series of reforms and implement new legal protections for mentally ill persons and those with disabilities. Principal concerns at Frederico Mora remained centered on security, in particular the practice of housing those awaiting criminal proceedings in the same facility as the general population. Additional complaints raised during the year included that patients with serious mental, psychiatric, and physical disabilities were mixed within the general population. As of December disability rights organizations noted no changes had occurred.

**Employment**
The law explicitly prohibits discrimination with respect to employment or occupation regarding race, sex, religion, and disability. The government did not effectively enforce these laws and regulations. The law does not explicitly prohibit employment discrimination based on language, sexual orientation or gender identity, HIV-positive status or other communicable diseases, or social status.

**Convention on the Rights of Persons with Disabilities**
Guatemala signed the CRPD and Optional Protocol on 30/03/2007. The government ratified the CRPD and Optional Protocol on 7/04/2009.

**Guyana**

**Constitution and Laws**
The constitution and law prohibit discrimination based on race, gender, disability, language, social status, religion, or national origin.

**Persons with Disabilities**
The constitution mandates the state to “take legislative and other measures” designed to protect disadvantaged persons and persons with disabilities. The law provides for equal protection and for a National Commission on Disabilities (NCD) to advise the government, coordinate actions on problems affecting persons with disabilities, and implement and monitor the law. The NCD focused its attention on sensitizing the public about the law and on compliance, as well as performing sensitization workshops with the Ministries of Labor, Human Services and Social Security, Education, and Health.

There were specialized schools for the blind and special schools for persons with disabilities in regions four and six, the most populous regions of the country. Non-specialized schools lacked the curriculum and infrastructure necessary to accommodate children with disabilities. Lack of appropriate transportation and infrastructure to provide access to both public and private facilities made it difficult for persons with disabilities to be employed outside their homes. The NCD received very few complaints from persons who experienced discrimination.
Employment
The law prohibits discrimination based on race, sex, gender, disability, language, HIV positive status or other communicable diseases, social status, and nationality. The government did not effectively enforce the law. The law does not prohibit discrimination based on sexual orientation or gender identity. Discrimination in employment and occupation occurred with respect to women and to persons based on their sexual orientation or gender identity (see section 6).

Convention on the Rights of Persons with Disabilities
Guyana signed the CRPD on 11/04/2007. The government ratified the CRPD on 10/09/2014.

Haiti
Persons with Disabilities
The constitution stipulates for persons with disabilities the means to provide for their autonomy, education, and independence. The law prohibits any discrimination in employment practices against persons with disabilities, requires the government to integrate such persons into the state’s public services, and imposes a 2 percent quota for persons with disabilities in the workforces of private sector companies. There was no information available on the extent of government enforcement of these legal protection mechanisms. Government officials also took steps to include protections for persons with disabilities to vote.

The 2010 earthquake substantially increased the size of the community of persons with disabilities and focused international attention on the need to bolster support mechanisms for this group. Because of widespread and chronic poverty, a shortage of public services, and limited educational opportunities, persons with disabilities remained disadvantaged.

Additionally, individuals with disabilities faced significant social stigma because of their condition. As a group, persons with mental or developmental disabilities were consistently marginalized, neglected, and abused in society. While information about the number of persons with disabilities was scarce at the national level, the Office of the Secretary of State for the Integration of Handicapped Persons (BSEIPH), which falls under the Labor Ministry, estimated that 10 percent of citizens had disabilities. The BSEIPH is the lead government agency responsible for providing assistance to persons with disabilities and ensuring their civil, political, and social inclusion. International and local NGOs continued to provide most direct services to persons with disabilities. Access to quality medical care posed a significant challenge for persons with disabilities. Hospitals and clinics in Port-au-Prince did not have sufficient space, human resources, or public funds to treat such individuals. Where facilities existed to treat and rehabilitate them, the conditions were below international standards.

The BSEIPH has several departmental offices outside the capital and continued to refine a strategic development plan to guide the institution’s efforts. The BSEIPH also offered scholarships and grants to students with disabilities and initiated a program to help fund the
study of disabilities-related issues at the Haitian State University. In June, in partnership with international donors, the BSEIPH renovated two schools in Jacmel to make them accessible to children with disabilities. The government continued to hold public awareness campaigns to change the societal norms of weakness associated with being physically or mentally disabled.

The BSEIPH continued to ensure that existing efforts to craft or reform legislation took into account the needs of persons with disabilities. The BSEIPH continued to provide technical assistance to governmental efforts to harmonize the labor code to the law on the integration of persons with disability, reform domestic adoptions framework, and conform the building code (in partnership with representatives from the Labor Ministry, IBESR, and Ministry of Public Works, Transport, and Communications) to standards of universal accessibility. Similarly, the BSEIPH worked with international NGO Handicap International and the Ministry of Public Health to develop standardized training protocols for physical therapists and other health practitioners.

**Employment**

The constitution provides for freedom of work for all citizens and prohibits discrimination based on sex, origin, religion, opinion, or marital status. For public sector employment, the constitution sets a minimum quota of 30 percent for women. The labor code does not define employment discrimination, although it sets out specific provisions with respect to the rights and obligations of foreigners and women such as the conditions to obtain a work permit, foreign worker quotas, and provisions related to maternity leave. The law does not prohibit discrimination based on disability, language, sexual orientation and/or gender identity, social status, and HIV-positive status. There are also no penalties provided for by law sanctioning discrimination with respect to employment or occupation.

The government took some steps to enforce the laws through administrative methods, through the Ministry of Women’s Conditions and the Secretary of State for the Integration of the Disabled. In the private sector, several work areas, which used to be predominantly male-oriented, began engaging female workers at the same pay scale, including the public transportation and construction industries. Despite these improvements discrimination related to gender remained a major concern, although there was no governmental assessment or report of work abuses. In the garment industry, the April ILO Better Work Haiti report found incidences of sexual harassment of workers in their workplace.

**Convention on the Rights of Persons with Disabilities**

Haiti ratified the CCRPD and Optional Protocol on 23/07/2009.

**Honduras**

**Constitution and Laws**

The law prohibits discrimination based on race, gender, disability, language, or social status. In 2013 the National Congress reformed the penal code to include sexual orientation and gender
identity as classes protected from discrimination. Authorities did not effectively enforce these laws.

**Persons with Disabilities**
The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, or the provision of other state services. Although enforcement in employment is the responsibility of the Secretariat of State of Labor and Social Security (STSS), enforcement was not effective due to the secretariat’s focus on workplace safety and pay problems. Enforcement of the laws in other areas is the responsibility of the Public Ministry. The law requires access to buildings for persons with disabilities, but few buildings were accessible, and the national government did not effectively implement laws or programs to provide access.

Some students with disabilities attended school (primary, secondary, and higher education). The Ministry of Education created special classrooms for children with reading and writing disabilities and managed pilot projects for children with severe disabilities. The law includes provisions for inclusive education for students with special needs. The ministry promulgated regulations to implement the law and created a separate division to manage special education. According to the ministry, the national education system served 49,981 students with special needs in 2013. Patterns of abuse were reported in mental health facilities, including degrading treatment, arbitrary commitment, inappropriate use of physical restraints, unhygienic conditions, inadequate or dangerous medical care, and sexual or other violence.

The government did not implement its policy on persons with disabilities. The government had a disabilities unit in the Secretariat of State of Development and Social Inclusion. In the postelection government restructuring, the government eliminated the office of the special commissioner for disabilities of the Secretariat of State of the Presidency.

**Employment**
The law prohibits discrimination with respect to access to employment on the basis of age, sex, disability, nationality, race, religion, political opinion, language, sexual orientation and/or gender identity, HIV-positive status, or social status. The law prohibits employers from requiring pregnancy tests as a prerequisite to employment. The government did not effectively enforce these laws and regulations.

Persons with disabilities, women, indigenous and Afro-Honduran persons, LGBT persons, and persons with HIV/AIDS faced discrimination in employment and occupation (also see section 6).

**Freedom of Speech**
The law prohibits discrimination based on race, gender, disability, language, or social status. In 2013 the National Congress reformed the penal code to include sexual orientation and gender identity as classes protected from discrimination. Authorities did not effectively enforce these laws.
Prison and Detention Centers
Authorities held prisoners with mental disabilities with the general prison population. They also held persons with mental illnesses, as well as those with tuberculosis and other infectious diseases, with the general prison population. Authorities at the National Penitentiary in Tamara reported their facility was the only prison with an antiretroviral treatment program, but it did not have necessary materials to test for or diagnose HIV/AIDS, tuberculosis, or diabetes. In addition the surgical unit lacked anesthesia, surgical gloves, and needles.

Convention on the Rights of Persons with Disabilities
Honduras signed the CRPD and Optional Protocol on 30/03/2007. The government ratified the CRPD on 14/04/2008 and Optional Protocol on 16/08/2010.

Jamaica

Constitution and Laws

Persons with Disabilities
While the law prohibits discrimination against persons with disabilities, it does not mandate accessibility standards. Persons with disabilities encountered discrimination in employment and access to schools--usually due to the state of the infrastructure, which limited access to buildings and provided few special facilities. In 2013 Senator Floyd Morris was sworn in as the first blind president of the senate; he promoted rights of persons with disabilities and began advocating with local businesses and organizations to help fund projects to improve access to sidewalks and buildings by persons with disabilities.

Limitations in access to education were particularly pronounced at the primary level due to insufficient facilities and access for persons with disabilities. The deficiencies were due primarily to lack of funding to install access ramps, renovate classrooms, and widen doors and restroom facilities in older schools, or to construct newer, accessible schools. There was also a lack of suitably trained faculty to properly care for and instruct students with disabilities. This resulted in students with disabilities not being able to attend school as regularly as their peers. There were fewer reports of problems in secondary schools. Tertiary institutions, including community colleges, increasingly drafted policies to promote full inclusion of persons with disabilities. The Disabilities Act, passed in October, provides for the “full and effective participation and inclusion in the society for persons with disabilities on an equal basis with others” and establishes a Disabilities Rights Tribunal to hear complaints. The Jamaica Council for Persons with Disability conducted a nationwide survey to determine the full scope of the problem in the schools. Health care reportedly was universally available.

The Ministry of Labor has responsibility for the Jamaica Council for Persons with Disabilities. The council distributes economic empowerment grants of up to $50,000 JMD ($446) to persons with disabilities to help them embark on small entrepreneurial ventures, such as vending or furniture making, or to provide them with assistive aids, such as prosthetics or hearing aids.
Smaller rehabilitation grants of up to $15,000 JMD ($134) were available for similar purposes. The Ministry of Labor also has responsibility for the Early Stimulation Project, an education program for children with disabilities, as well as the Abilities Foundation, a vocational program for older persons with disabilities.

**Employment**

Laws and regulations prohibit discrimination on the grounds of race, sex, gender, place of origin, social status, color, disability, religion, or political opinions. The law does not prohibit discrimination on the basis of sexual orientation and/or gender identity or HIV-positive status. The Disabilities Act, passed in October, addresses issues not specifically or adequately addressed by prior legislation.

There were no reports of cases filed for discrimination in employment or occupation during the year; however, anecdotal evidence from NGOs indicated that certain groups, especially members of the LGBT community, experienced discrimination when seeking or maintaining employment. Individuals may file legal complaints against employers in such cases, but observers noted that fear of social stigma and lack of confidence in the inefficient legal system probably discouraged the victims from actively pursuing their complaints. Employment discrimination also occurred with respect to disability and HIV-positive status (see section 6).

**Convention on the Rights of Persons with Disabilities**

Jamaica signed the CRPD and Optional Protocol on 30/03/2007. The government ratified the CRPD on 30/03/2007.

**Mexico**

**Persons with Disabilities**

Council for Development and Inclusion of Persons with Disabilities, CNDH, and National Council to Prevent Discrimination, worked in support of the country’s efforts to carry out its obligations under the UN Convention on the Rights of Persons with Disabilities.

Although the Law for the Inclusion of People with Disabilities attempts to bring the country into compliance with the Convention on the Rights of Persons with Disabilities, the DRI claimed the law fails to establish new opportunities for community integration. The DRI noted under the law the ministry of health is required to promote the creation of long-term institutions for persons with disabilities in distress, and the ministry of social development must establish specialized institutions to care for, protect, and house persons with disabilities in poverty, neglect, or marginalization. As such, the DRI noted the law does not recognize the right of a person with disabilities to live in the community.

A January 2013 government decree regarding various mental health provisions of the general health law directs mental health care be “provided with a focus on community and psychosocial rehabilitation as well as strict respect for human rights.” The decree requires mental health-
care treatment to include “the reintegration of the person through the creation of social and welfare programs such as protected homes and workshops for the proper care of these patients.” The DRI noted the changes represented positive signs that the country’s mental health services were moving from an institution-based to a community-based mental health system. For the first time in law, there is a provision for independent monitoring of health establishments, in which independent experts monitor human rights conditions for persons with mental and behavioral disabilities treated in health facilities. The DRI reported no changes in the mental health system to create community services nor any efforts by authorities to have independent experts monitor human rights violations in psychiatric institutions.

Public buildings and facilities continued to be in noncompliance with the law requiring access for persons with disabilities. The education system provided special education for students with disabilities nationwide. Children with disabilities attended at a lower rate than those without disabilities.

Human rights abuses in mental health institutions and care facilities across the country, including those for children, continued to be a problem. Abuses of persons with disabilities included lack of access to justice, the use of physical and chemical restraints, physical and sexual abuse, disappearances, and illegal adoption of institutionalized children. Institutionalized persons with disabilities often lacked adequate privacy and clothing and often ate, slept, and bathed in unhygienic conditions. They were vulnerable to abuse from staff members, other patients, or guests at facilities where there was inadequate supervision. Documentation supporting the person’s identity and origin was lacking, and there were instances of disappearances.

In August, for instance, observers noted poor conditions at a center of social assistance and integration in the Federal District for men with psychosocial disabilities.

A supreme court ruling remained pending in the 2013 case of Ricardo Adair, a 25-year-old with Asperger syndrome who a judicial review determined was unable to make decisions on his own. In an amicus curiae brief, the DRI and other human rights entities urged the court to recognize the right of persons with psychosocial disabilities to make decisions for their own care.

Persons with disabilities have the right to vote and participate in civic affairs. Voting centers for federal elections are generally accessible for persons with disabilities, and ballots are available with a braille overlay for federal elections. In Mexico City voting centers were also reportedly accessible for local elections and braille overlays were available, but in local elections elsewhere in the country, the accessibility for voting centers and the availability of braille ballots or overlays was inconsistent.

**Children**
The NGO Disability Rights International (DRI) continued to express grave concerns regarding violations of the rights of children with mental and physical disabilities in orphanages and care facilities.

**Employment**
The law prohibits discrimination with respect to employment or occupation regarding ethnic origin, gender, age, disability, health, social and migratory conditions, religion, opinion, sexual orientation, or social status. The government effectively enforced these laws and regulations. Nevertheless, discrimination in employment or occupation occurred against women, indigenous groups, persons with disabilities, LGBT persons, and migrant workers (also see section 6).

**Convention on the Rights of Persons with Disabilities**
Mexico signed the CRPD and Optional Protocol on 30/03/2007. The government ratified the CRPD and Optional Protocol on 17/12/2007.

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**Nicaragua**

**Constitution and Laws**
The law prohibits discrimination on the basis of race, gender, disability, language, or social status; however, the government did not regularly enforce these legal prohibitions. Persons thus discriminated against filed few discrimination suits or formal complaints due to a belief their complaints would not be addressed and could lead to negative outcomes for those filing.

**Persons with Disabilities**
The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities, but such discrimination was widespread in employment (see section 7.d.), education, transportation, access to health care, and the provision of state services. Laws related to persons with disabilities did not stipulate penalties for noncompliant companies, although penalties may be issued under the general labor inspection code. MiFamilia, the Ministry of Labor, and the PDDH are among government agencies responsible for the protection and advancement of rights for persons with disabilities. The government did not enforce effectively the law with regard to the protection of such individuals; did not mandate accessibility to buildings, information, and communications; and did not make information available on efforts to improve respect for the rights of persons with disabilities. Independent media reported that less than 1 percent of public sector employees hired were persons with disabilities, although that percentage is mandated by law, and public institutions did not sufficiently coordinate with the Labor Ministry regarding the rights of persons with disabilities.

Persons with disabilities faced severe problems accessing schools, public health facilities, and other public institutions. The law did not restrict persons with disabilities’ right to vote, although many voting facilities were not accessible to persons with disabilities. Complaints
continued regarding the lack of an accessible public transportation system in Managua. While some buses were accessible to persons with disabilities, reports continued that drivers of these equipped buses either refused to stop to allow persons with disabilities to board or intentionally broke lift and ramp equipment on their buses. The press reported the Managua Mayor’s Office sponsored relevant training for bus drivers through transportation cooperatives. The PDDH special prosecutor for disability rights was active throughout the year. Government clinics and hospitals provided care for veterans and other persons with disabilities, but the quality of care generally was poor.

**Employment**

Labor laws and regulations prohibit discrimination regarding race, sex, gender, disability, language, sexual orientation and/or gender identity, HIV-positive status or other communicable diseases, or social status. The government did not effectively enforce these laws and regulations.

Discrimination in employment and occupation occurred with respect to women, persons with disabilities, sexual orientation, and gender identity (see section 6).

**Trial Procedures**

Defendants are presumed innocent until proven guilty. Under the law defendants have the right to be fully informed of the charges against them and the right to a fair trial. Where the law establishes specific time periods for cases to come to trial, most encountered undue delay. Trials are public, but in some cases involving minors or at the victim’s request they may be private. The law provides defendants with the option of a jury trial, but certain types of cases (drugs, organized crime, money laundering) do not have the option for a jury trial and must be decided by a judge. Defendants have the right to legal counsel, and the state provides public defenders for indigent persons. Defendants have the right to adequate time and facilities to prepare a defense and access to all information and evidence registered with the government, as well as the right to know why and how it was obtained, but only during the discovery and trial phases, not during the pretrial period. Defendants can confront and question witnesses and have the right to appeal a conviction. Defendants may present their own witnesses and evidence in their defense; however, some judges refused to admit evidence on behalf of the defense. Defendants cannot be compelled to testify or confess guilt. The law extends these rights to all citizens regardless of gender, ethnicity, disability, or other status.

**Convention on the Rights of Persons with Disabilities**


**Panama**

**Constitution and Laws**

The law prohibits discrimination based on race, sex, gender, disability, language, or social
status, but the government did not always enforce these prohibitions effectively.

**Persons with Disabilities**

The law prohibits discrimination based on physical, sensory, intellectual, or mental disability, but the constitution permits the denial of naturalization to persons with mental or physical disabilities. The law mandates access to new or remodeled public buildings for persons with disabilities and requires that schools integrate children with disabilities. Persons with disabilities experienced substantial discrimination in access to transportation, employment, education, access to health care, and the provision of other state services. Panama City’s fleet of new buses was wheelchair accessible when first introduced in 2011, but the subsequent installation of turnstiles made access difficult for passengers using wheelchairs. The Panama City metro system, inaugurated in April, includes elevators for access for persons with disabilities, yet most of the time the elevators were locked and could not be used. Most businesses had wheelchair ramps and accessible parking spaces as required by law, but in many cases, they did not meet government specifications as to size. Some public schools admitted children with mental and physical disabilities, but most did not have adequate facilities for other children with disabilities. The government installed ramps in some schools and mainstreamed some children with disabilities. Few private schools admitted children with disabilities.

The 2012 Guardian Angel program, which provides a subsidy of 80 balboas ($80) per month for children with significant physical disabilities, continued during the year. To qualify, the parents or guardian of a child must be living in poverty and must submit medical certification as to the degree of the disability and the child’s dependency on another person. A total of 7,286 persons with disabilities received a check for 160 balboas ($160) during the fourth fund disbursement in October.

The new administration allowed relatives of the recipients to find out, via the Ministry of Social Development webpage, where checks were being disbursed.

As of August there was no ruling from the Supreme Court regarding a challenge to Law 35 on grounds of discrimination and the protection of private information. The 2010 law mandates that the National Electoral Tribunal include a person’s disabilities as well as blood type and allergies on his or her national identification card in case of emergency. The law also requires the National Transportation Authority to include the same information on a state-issued driver’s license. Neither the Electoral Tribunal nor the National Transportation Authority enforced this law.

The National Secretariat for the Social Integration of Persons with Disabilities (SENADIS) is the government agency responsible for protecting the rights of persons with disabilities. The Ministries of Education and of Social Development share responsibilities for educating and training minors with disabilities.

In May, together with the National Secretariat for Science and Technology, SENADIS opened the
first “infoplaza,” or free internet cafe, run by an NGO managed by persons with disabilities. The “Colon Club for Blind Persons” was chosen by both government secretariats to run this center. All computers had software installed for users with disabilities.

In June SENADIS inaugurated a new building to host the National Directorate for Certification to comply with the World Health Organization’s mandated Disability Assessment. By August more than 200 applications had been filed by persons with disabilities or their legal mentors to be on the waiting list for their appointments.

The law stipulates a 2 percent quota for persons with disabilities within the workforce. The Ministry of Labor is responsible for referring workers with disabilities to employers for suitable jobs; however, successful hiring by private sector employers remained poor. In August SENADIS, the Ministry of Labor, and the local NGO Sumarse sponsored a career fair with 67 large local companies to offer jobs to persons with disabilities. In August the administrative court within the Supreme Court ruled illegal the 2010 dismissal of a public servant with disabilities by the Ministry of Economy and Finance and ordered his return to service. Although the ministry justified the layoff stating that the employee was in a political appointee position, which allows removal at any time, the court stated that the ministry should have taken into consideration international conventions and local laws promoting equal opportunities for employment (see section 7.d.).

SENADIS continued to operate the Family Businesses Project, which assisted low-income families with disabled members to open microbusinesses. In July the government provided 50 balboas ($50) per month to 115 new beneficiaries. Throughout the year the government also donated rehabilitation equipment to low-income persons with disabilities.

In June SENADIS trained PNP staff on the rights of persons with disabilities. In July it trained COPA Airlines customer service personnel, and in August it trained nurse students from the Latin University on sign language.

**Employment**

Labor laws and regulations prohibit discrimination regarding race, gender, disability, language, and social status but do not do so on the basis of sexual orientation and/or gender identity, HIV-positive status or other communicable diseases, or social status. The government did not effectively enforce these laws and regulations.

Discrimination in employment and occupation occurred with respect to race, sex, gender, disability, sexual orientation and/or gender identity, and HIV-positive status (see section 6). Discrimination against migrant workers also occurred (see section 6).

**Convention on the Rights of Persons with Disabilities**

Panama signed the CRPD and Optional Protocol on 30/03/2007. The government ratified the CRPD and Optional Protocol on 7/08/2007.
Paraguay

Constitution and Laws
The constitution prohibits discrimination based on race, gender, disability, language, or social status, but it was not effectively enforced. Women, LGBT persons, indigenous persons, and persons of African ancestry also faced discrimination. The country has no comprehensive law against discrimination, which undermined enforcement of the constitutional clause against discrimination and the protection and restitution for victims of discrimination and societal abuses.

Persons with Disabilities
The law nominally prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, public transportation, access to health care, or the provision of other state services. The law generally does not mandate accessibility for persons with disabilities, and most of the country’s buildings remained inaccessible.

In 2011 the municipality of Asuncion approved an ordinance establishing architectural requirements for accessibility to buildings and on sidewalks, as well as fines for lack of compliance. Subsequently, Asuncion, San Lorenzo, and the National University of Asuncion began to improve accessibility to public sidewalks and in public buildings. In 2012 the National Directorate for Public Procurement modified its bidding terms to include clauses for public construction projects to provide accessibility to persons with disabilities. In 2013 the Municipality of Asuncion inaugurated some public buildings with ramps and bathrooms accessible to persons with disabilities. The municipality began including ramps in some sidewalks, and traffic police fined drivers whose cars blocked access to them. In 2013 the executive branch signed into law the Physical Accessibility Law.

Many persons with disabilities faced significant discrimination in employment; others were unable to seek employment because of a lack of accessible public transportation. The law mandates the allocation of 5 percent of all available public employee positions, approximately 10,000 positions, to persons with disabilities.

As of 2013 government employees with disabilities constituted less than 1 percent of public sector employees, or approximately 1,000 employees. A 2013 law provides a tax incentive for private companies to hire persons with disabilities.

The Ministry of Education estimated at least half of all children with disabilities did not attend school because public buses could not accommodate them. In 2013 the executive branch signed into a law that mandates inclusion of students with disabilities in both the public and private education systems.

The preliminary results of the DGEEC 2012 national census indicated that 12 percent of the population had some form of disability, a significant increase from 1 percent in previous
censuses.

The National Secretariat for the Rights of Persons with Disabilities is responsible for certifying disability status. No laws provide for access to information and communications.

**Employment**
The labor code specifically prohibits discrimination based on race, color of skin, gender, religion, political affiliation, or social status. Other legislation prohibits discrimination based on disability and HIV status. Laws and regulations mandate that five percent of public employees be persons with disabilities. These laws and regulations were often not enforced. There is no legislation forbidding labor discrimination based on sexual orientation, language, or having a communicable disease.

Employment discrimination mostly occurred in regards to sex, race, disability, language, sexual orientation, HIV-positive status, and for pregnancy.
Discrimination in employment occurred with respect to women, indigenous groups, Afro-Paraguayans, and LGBT persons (see section 6). Testing and discrimination for contagious diseases and HIV was common.

Discrimination against domestic workers was common. Domestic workers had lesser legal protections and wages and poorer working conditions. Undocumented migrant workers from Brazil and other countries working in the service sector in Ciudad del Este suffered discrimination. Transvestite persons faced severe labor discrimination, even from other LGBT individual persons, and many engaged in prostitution as a result.

**Political Participation**
During the 2013 general elections, the TSJE collaborated with a local NGO Saraki Foundation to foster the participation of persons with disabilities. In anticipation of the 2015 municipal elections, the TSJE was promoting accessibility to provide for participation of persons with disabilities. These initiatives included voter registration and physical accessibility to polling stations and voting booths.

**Prison and Detention Centers**
According to a Ministry of Justice report in March, the country’s 16 penitentiaries held 10,843 inmates, 63 percent more than their design capacity of 6,637. The prison in Ciudad del Este, designed to hold 450 inmates, held 1,182, and the prison in Tacumbu, designed to hold 1,687 inmates, held 2,611. Conditions in the Tacumbu, Ciudad del Este, and several other prisons were inadequate, with widespread overcrowding and unsanitary living conditions. In an effort to address this situation, the government stopped putting new prisoners in Tacumbu and Ciudad del Este prisons and transferred existing prisoners to less crowded prisons. The ministry reported the prison population included 124 prisoners with diagnosed mental illness, 102 with tuberculosis, and 44 with HIV. Only the Padre Juan A. de la Vega prison, opened in 2012, was built with adequate temperature controls and reasonable accommodations (such as ramps) for prisoners with physical disabilities. The remaining 15 penitentiaries did not have adequate
accommodations for inmates with physical disabilities.

**Convention on the Rights of Persons with Disabilities**

**Peru**

**Constitution and Laws**
The law prohibits discrimination based on race, gender, disability, language, or social status, but enforcement lagged, and discrimination persisted. The law does not specifically protect individuals from discrimination based on sexual orientation or gender identity.

**Persons with Disabilities**
The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transport, access to health care, and provisions of state services, and it establishes infractions and sanctions for noncompliance with specified norms. The law provides for the protection, care, rehabilitation, security, and social inclusion of persons with disabilities; mandates that public spaces be free of barriers and accessible to persons with disabilities; and provides for the appointment of a disability rights specialist in the Ombudsman’s Office.

In addition the law mandates that internet sites maintained by governmental, institutional, and other service providers be accessible to persons with disabilities and requires accessibility through the inclusion of sign language or subtitles in all educational and cultural programs on public television and in media alternatives in all public libraries. The law establishes employment quotas for persons with disabilities: 3 percent for private businesses with more than 50 employees and 5 percent for public sector organizations. On April 8, the government passed implementing regulations that specify procedures for implementing the quotas and establish fines for companies and government agencies not in compliance with the law. Congress included several individuals with disabilities, including two wheelchair users and one individual with two prosthetic arms.

The National Council for the Integration of Persons with Disabilities oversees compliance with the law. The council supported 14 regional workshops with both public- and private-sector participants, three national workshops with persons with disabilities, and technical multi-sectoral meetings to develop strategies and activities to implement the law. The Ministry of Women and Vulnerable Populations coordinated with the National Assembly of University Rectors to raise awareness of the need for universities to provide reasonable accommodation to support matriculation and graduation of persons with disabilities.

The government devoted limited resources to law enforcement and training, and many persons with disabilities remained economically and socially marginalized. Governments at the national,
regional, and local levels made little effort to provide access to public buildings. There were few
interpreters for deaf persons in government offices and no access to recordings or Braille for
blind persons. The majority of government websites remained inaccessible to persons with
disabilities, and only the congressional television channel offered sign language interpretation.
INEI reported that there were 18 registered sign language interpreters for more than 500,000
deaf persons.

The government failed to enforce laws safeguarding and attending to persons with mental
disabilities in situations of social abandonment. The number of medical personnel providing
services in psychiatric institutions was insufficient to care for all patients.

The ombudsman and NGOs reported that many children with disabilities were unable to attend
public schools due to lack of physical access. The most recent data, from a 2011 Ombudsman’s
Office report, noted that nearly half of public schools had no entrance ramps, and 88 percent
lacked restrooms to accommodate persons with disabilities. Relatively few teachers (39
percent) had received any training in inclusive or special education. More than half of public
schools did not meet basic standards for students with disabilities.

Employment
The law prohibits discrimination with respect to employment based on race,
gender, disability, language, or social status. The law does not specifically identify
discrimination based on sexual orientation and/or gender identity, HIV-positive status, or other
communicable diseases. The government did not effectively enforce the law.

Discrimination in employment and occupation occurred with respect to race, sex, gender,
disability, sexual orientation and/or gender identity, and social status (see section 6). NGOs and
labor rights advocates noted that discrimination cases often went unreported to authorities, in
part due to a lack of confidence in the legal system to effectively address the case and protect
the individuals in question.

Reforms to the Inspection Law provide employers found in violation of labor law a grace period
of three years during which SUNAFIL stipulates actions to “prevent and correct” violations. The
law also specifies that during this three-year grace period, employers are fined no more than 35
percent of the value of the fines levied during this period. Exceptions to this provision include
fines for very serious violations of trade union rights, violations of safety and health norms
when they result in death or permanent disability of the worker, child labor, forced labor,
obstruction of inspections, and recidivist conduct within a six-month period. Labor NGOs
reported concern that these new modifications weaken the enforcement mechanism of the
national labor inspectorate.

Prison and Detention Centers
Basic medical care was available at most prisons, but there was a shortage of doctors, and
inmates complained of having to pay for medical attention. Tuberculosis and HIV/AIDS
reportedly remained at near-epidemic levels; the Ombudsman’s Office reported the incidence
of tuberculosis was 50 times higher than outside the prisons, while the HIV/AIDS rate was more than eight times higher. The Ombudsman’s Office reported insufficient accessibility and inadequate facilities for prisoners with disabilities. Prisons lacked specialized medical equipment needed for disability care, such as wheelchairs and transferrable beds. Low accessibility to adequate psychological care for prisoners with mental health problems was also reported.

**Congressional Human Rights Bodies**

Congressional committees included Justice and Human Rights; Women and the Family; Labor; Andean, Amazonian, Afro-Peruvian Peoples and Environment and Ecology; Health, Population, and Persons with Disabilities; and Women and Social Development.

**Women**

Violence against women and girls – including rape, spousal abuse, and sexual, physical, and mental abuse – remained serious national problems. The Ministry of Women and Vulnerable Populations reported that an average of seven women died per month as a result of domestic violence. As of September the ministry documented more than 21,000 cases of violence against women. Police and judicial authorities were sometimes reluctant to assist female victims, and arrest and prosecute abusers. The government reported 66 actual and 88 attempted femicides as of September. Femicide is incorporated into the criminal code and carries a minimum sentence of 15 years’ imprisonment for those convicted of killing a woman who is an immediate relative, spouse, or partner. The law establishes sentences of up to life in prison when the victim is a minor, pregnant, or disabled.

**Convention on the Rights of Persons with Disabilities**

Peru signed the CRPD and Optional Protocol on 30/03/2007. The government ratified the CRPD and Optional Protocol on 30/01/2008.

**St. Kitts and Nevis**

**Constitution and Laws**

The constitution prohibits discrimination on the basis of race, color, or sex, and the government generally respected these prohibitions. No specific legislation addresses discrimination based on disability, language, sexual orientation or gender identity, or social status.

**Persons with Disabilities**

The law does not prohibit discrimination specifically against persons with physical, sensory, intellectual, and mental disabilities in employment, air travel, transportation, access to healthcare or the provision of others services, and persons with disabilities experienced discrimination. The building code mandates access to buildings for persons with disabilities, but this code was not always followed or enforced. Children with disabilities attended school.
practical reasons there were also separate schools for children with vision and hearing disabilities.

The law allows authorities to declare persons with mental disabilities who commit crimes a menace to society and incarcerate them for life; approximately 32 such persons were incarcerated as of October 2013. The government was unable to provide information on appeal procedures for such menace-to-society declarations. Ministry of Health nurses in the various district health centers provide support services to persons with mental illness, and the general hospital has a wing dedicated to caring for patients with mental illness.

**Employment**
The law and regulations prohibit discrimination regarding race, sex, gender, language, HIV-positive status or other communicable diseases, or social status. The government effectively enforced those laws and regulations. The law does not prohibit discrimination in employment with respect to disability or to sexual orientation and/or gender identity.

Discrimination in employment and occupation did not occur based on the above categories.

**Governmental Attitudes Towards Nongovernmental Organizations**
There were no governmental restrictions on human rights groups, and several organizations worked with marginalized groups such as women, children, the elderly, and persons with mental or physical disabilities. These groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials were somewhat cooperative and responsive to their views.


**Convention on the Rights of Persons with Disabilities**
St. Kitts and Nevis has not signed or ratified the CRPD or Optional Protocol.

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**St. Lucia**

**Constitution and Laws**
The constitution prohibits discrimination on the basis of gender, race, place of origin, or color, but no specific legislation addresses discrimination based on disability, language, sexual orientation or gender identity, or social status.

**Persons with Disabilities**
The law does not prohibit discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, or the provision of other state services. Government regulations require disabled
access to all public buildings, but only a few government buildings had ramps to provide access. The Health Ministry operated a community-based rehabilitation program in residents’ homes. Physically and visually impaired children were mainstreamed into the wider student population and had no special schools. There were separate schools for persons with mental disabilities and hearing impairment, although children with disabilities faced barriers in education, and there were few opportunities for such persons when they became adults. While persons with disabilities share the right to vote, polling stations often were inaccessible. During the year the United Nations collaborated with the government and the National Council for Persons with Disabilities to increase awareness of the needs of and sensitization activities for persons with disabilities.

**Employment**
The law and regulations prohibit discrimination regarding race, sex, disability, or age. The government effectively enforced those laws and regulations.

There were no reports of discrimination in employment and occupation occurring.

**Convention on the Rights of Persons with Disabilities**
St. Lucia has not signed or ratified the CRPD or Optional Protocol.

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**St. Vincent and the Grenadines**

**Constitution and Laws**
The law provides for equal treatment regardless of race or gender, and the government generally enforced this provision. The constitution does not address equal treatment regarding disability, language, sexual orientation, or social status.

**Persons with Disabilities**
The law prohibits discrimination against persons with physical and mental disabilities in employment, access to health care, and the provision of other state services and the government generally observed these prohibitions. The law does not mandate access to buildings for persons with disabilities and access for such persons generally was difficult. The law prohibiting discrimination against persons with disabilities does not mention travel and transportation specifically; however, persons with disabilities traveled freely. Communications were available for persons with disabilities, but the government did not have programs to facilitate communication through technology. There were no restrictions on voting or other civic participation. Education was provided until age 21 for persons with disabilities, and the government partially supported a school for persons with disabilities. Persons with disabilities also could attend public schools. A separate rehabilitation center treated an average of five persons daily. The Ministry of National Mobilization, Social Development, NGO Relations, Family, Gender Affairs, and Persons with Disabilities is responsible for assisting persons with disabilities.
Employment
Labor laws and regulations prohibit discrimination regarding gender and disability, but no laws prohibit discrimination against a person on the basis of sexual orientation, gender identity, or HIV-positive status.

Reportedly, the most common form of employment discrimination occurred with respect to women being underpaid compared with their male counterparts.

Convention on the Rights of Persons with Disabilities
St. Vincent and the Grenadines ratified the CRPD and Optional Protocol on 29/10/2010.

Suriname

Constitution and Laws
The law prohibits discrimination based on race, ethnicity, but it does not address discrimination based on disability, language, sexual orientation and/or gender identity, or social status. Various sectors of the population--such as women, Maroons, Amerindians, persons with HIV/AIDS, and LGBT persons--suffered forms of discrimination.

Persons with Disabilities
No laws prohibit discrimination against persons with physical or mental disabilities in employment, education, air travel and other transportation, access to health care, or the provision of government services. Persons with disabilities suffered from discrimination when applying for jobs and services. Authorities provided some training programs for persons with vision or other disabilities. No laws or programs provide that persons with disabilities have access to buildings. A judge may rule to deny a person with a cognitive disability the right to vote, take part in business transactions, or sign legal agreements. Primary education was available for persons with disabilities, and, depending on the disability, secondary and higher education could be available. There is secondary and technical education for the deaf but not the blind. No information was available regarding abuse in educational or institutional facilities for persons with disabilities. A working group in the Ministry of Social Affairs remained responsible for protecting the rights of persons with disabilities, but it made limited progress.

Employment
The constitution prohibits discrimination regarding race, gender, age, nationality, religion, or political background, but enforcement was selective. No legislation protects against discrimination based on disability, language, sexual orientation or gender identity, or HIV status or other communicable diseases.

Discrimination in employment occurred with regard to disability, gender, sexual orientation, gender identity, and HIV/AIDS status (see section 6). In addition there were reports that the government fired or removed persons from their jobs because of their political background.
Convention on the Rights of Persons with Disabilities
Suriname signed the CRPD on 30/03/2007.

Trinidad and Tobago

Constitution and Law
The government generally respected the constitutional provisions for fundamental human rights and freedoms for all without discrimination based on race, gender, social status, or disability. Laws do not prohibit discrimination based on sexual orientation.

Persons with Disabilities
The law prohibits discrimination on the basis of disability but does not mandate equal access for persons with disabilities to the political process, employment, education, transportation, housing, health care, or other citizen services.

Persons with disabilities (an estimated 16 percent of the population) faced discrimination and denial of opportunities. Such discrimination could be traced to architectural barriers, employers’ reluctance to make necessary accommodations that would enable otherwise qualified job candidates to work, an absence of support services to assist students with disabilities to study, lowered expectations of the abilities of persons with disabilities, condescending attitudes, and disrespect.

The Public Transportation Services Corporation purchased three new buses, which offered some access for persons with disabilities, and the Ministry of Transport formed a committee to provide feedback on a state-owned bus-provider vehicle overhaul, drawing on input from a large disabilities NGO umbrella group. The government improved access to transportation by continuing to implement its free, door-to-door on-call transportation service, supported by 24 buses equipped to transport persons with disabilities. A majority of the traditional bus stops were located on high sidewalks without ramps. Most government buildings and public places were not accessible. There are no legal restrictions on access to information, communications, voting, or participation in civic affairs, although lack of accessibility posed a barrier to the practice of these activities.

Employment
The law and regulations prohibit discrimination regarding sex, race, ethnicity, origin, religion, marital status, and disability. The government effectively enforced those laws and regulations. The law does not prohibit discrimination on the basis of sexual orientation, age, or HIV status. Discrimination in employment occurred with respect to disability.

Convention on the Rights of Persons with Disabilities
Trinidad and Tobago signed the CRPD on 27/09/2007. The government ratified the CRPD on 25/06/2015.
**Uruguay**

**Persons with Disabilities**
The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, or the provision of other state services. The government in general did not monitor compliance and did not effectively enforce provisions or promote programs to provide for access to buildings, information, public transportation, and communications. The National Disabilities Honorary Commission of MIDES oversees implementation of a 2010 law to protect the rights of persons with disabilities.

The law reserves no less than 4 percent of public-sector jobs for persons with physical and mental disabilities. New government decrees established regulations certifying the use of walking sticks and provisions for extending adequate training in their use and granted guide dogs full access to public and private premises and transportation. Most public buses did not have provisions for passengers with disabilities, although airports and ports offered accessibility accommodations. The law also provides for tax benefits to private-sector companies and grants priority benefits to small- and medium-sized companies owned by persons with disabilities. The law grants children with disabilities the right to attend school (primary, secondary, and higher education) and prohibits patterns of abuse in education and mental facilities, including degrading treatment, arbitrary commitment, and abusive use of physical restraints, unhygienic conditions, inadequate or dangerous medical care, and sexual or other violence. The law also grants persons with disabilities the right to vote and participate in civic affairs without restriction.

A 2013 UNICEF report on the estimated 9.2 percent (47,779) of children and adolescents with disabilities stated strong social barriers limited the possibilities of these children. Some parks in Montevideo and Canelones offered wheelchair accessible facilities. The report stated that since 2002, authorities built or adapted public elementary and high school facilities for the use by wheelchair users, allowing 87.3 percent of children and adolescents with disabilities to attend school, including higher-education facilities. The University of the Republic has a program to offer sign language interpreters for deaf students. Some movie theaters and other cultural venues lacked access ramps. The country’s One Laptop per Child program continued to offer specially adapted laptops to children with disabilities.

**Employment**
Labor laws and regulations prohibit discrimination regarding race, sex, gender, disability, language, sexual orientation and/or gender identity, HIV- positive status or other communicable diseases, or social status and the government in general effectively enforced these laws and regulations.
Prison and Detention Centers
The ombudsman’s report noted that 13 out of 28 prisons suffered overcrowding in excess of 120 percent. Prisoners with disabilities faced difficulties in receiving the specialized medical care they needed.

Convention on the Rights of Persons with Disabilities

Venezuela
Constitution and Laws
The law prohibits discrimination based on race, gender, sexual orientation, disability, language, or social status; however, discrimination occurred against women; persons with disabilities; members of the lesbian, gay, bisexual, and transgender (LGBT) community; and indigenous persons.

Persons with Disabilities
The law prohibits discrimination against persons with physical and mental disabilities in education, employment, health care, air travel and other transportation, and the provision of other state services, but the government did not make a significant effort to implement the law, inform the public of it, or combat societal prejudice against persons with disabilities. The law requires that all newly constructed or renovated public parks and buildings provide access, but persons with disabilities had minimal access to public transportation, and ramps were almost nonexistent. Online resources and access to information were generally available to persons with disabilities, although access to close-captioned or audio-described online videos for deaf and blind persons was limited. Separately, leading deaf advocates lamented difficulty accessing public services due to a lack of government-funded interpreters in public courts, health-care facilities, and legal services, as well as lack of other public accommodations. The National Commission for Persons with Disabilities (Conapdis), an independent agency affiliated with the Ministry for Participation and Social Development, and the Mission Jose Gregorio Hernandez advocated for the rights of persons with disabilities and provided medical, legal, occupational, and cultural programs. The national director of the mission reported that since the mission’s inception in 2009, the program had assisted 336,490 persons with disabilities. He added the program had distributed, without charge, 1,000 prosthetic devices and 22,000 hearing aids. The government developed a series of employment fairs to increase the number of persons with disabilities in formal employment sectors, an initiative to help companies meet the legal requirement for 5 percent of employees to be persons with disabilities. According to Conapdis less than 20 percent of persons with disabilities registered with government health programs were fully employed. The Mission for the Children of Venezuela provided monthly subsidies of Bs 600 ($95) to heads of households for each child or adult with disabilities they supported.
Employment
The constitution prohibits employment discrimination for every citizen. Labor law prohibits discrimination based on age, race, sex, social condition, creed, marital status, union affiliation, political views, nationality, disability, or any condition that could be used to lessen the principle of equality before the law.

Protection of Refugees
With the refugee status determination process centralized in Caracas with the National Refugee Commission, asylum seekers could wait up to three years to obtain a final decision. During this period they had to continue renewing their documentation to stay in the country and avoid arrests and deportation. While travelling to the commission, particularly vulnerable groups, such as women with young children, the elderly, and persons with disabilities, faced increased protection risks such as arrest and deportation, extortion, and sexual abuse by authorities at checkpoints and other locations.

Convention on the Rights of Persons with Disabilities
Venezuela ratified the CRPD and Optional Protocol on 24/09/2013.