

Consolidated Disability Findings from the 2010 U.S. State Department Country Reports on Human Rights Practices

Introduction to the State Department Report on Disability Human Rights

The State Department's 2010 Country Reports on Human Rights Practices, released April 2011, represent the culmination of the U.S. State Department's review of the human rights records and situation in 194 countries around the world. The reports are supplied to Congress in accordance with law to assist in matters of foreign affairs.

USICD has consolidated the disability references from the 194 Country Reports into a 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. overlap with the section on children, 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 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 perspectives 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.

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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.

Persons with Disabilities

The law prohibits discrimination against persons with disabilities in employment, education, and access to health care or other state services, but the government did not effectively enforce these prohibitions. The constitution mentions persons with disabilities in articles 23 (principle of equality), 77 (health and social protection), 80 (childhood), 83 (disabled citizens), and 84 (ex-combatants and veterans). Article 83 of the constitution grants persons with disabilities full rights without restrictions. The constitution permits the state to adopt a national policy to prevent, treat, rehabilitate, and integrate persons with disabilities, provide support for their families, remove obstacles to mobility, raise awareness in society, and foster special education and training opportunities. A law to address specific issues for persons with disabilities was drafted in 2004, but never passed. The law would have included access to essential services, social protection, and physical access to buildings.

Persons with disabilities included more than 80,000 land mine victims. Persons with albinism were common victims of discrimination, although church groups worked to eliminate the abuse. The NGO Handicap International estimated that persons with disabilities constituted 10 percent of the population. However, an August study estimated that 2.6 percent of the population had a physical or mental disability. According to government statistics in 2005, there were 170,000 persons with disabilities, most of them between the ages of 25 to 44, and 56 percent were male. Only 30 percent of persons with disabilities were able to take advantage of state-provided services such as physical rehabilitation, schooling, training, or counseling.

There is no legislation mandating accessibility for persons with disabilities to public or private facilities, and it was difficult for such persons to find employment or participate in the education system. MINARS maintained an office to address problems facing persons with disabilities, including veterans with

disabilities, and several government entities supported programs to assist individuals disabled by land mine incidents. During the 2008 election, the government provided voting assistance to persons with disabilities. The country had not signed the United Nations Convention on the Rights of Persons with Disabilities by year's end.

Other Relevant References

Violence and discrimination against women, child abuse, child prostitution, trafficking in persons, and discrimination against persons with disabilities and indigenous persons were problems.

The Convention on the Rights of Persons with Disabilities

Angola has not signed the Convention.

Benin

Constitution and Laws

The constitution and laws prohibit discrimination based on race, gender, disability, language, and social status; however, societal discrimination against women continued. Persons with disabilities were disadvantaged. The government did not take concrete measures to address those abuses.

Persons with Disabilities

Discrimination against persons with physical and mental disabilities is not prohibited by law; however, the law provides that the government should care for persons with disabilities. There were no legal requirements for the construction or alteration of buildings to permit access for persons with disabilities. The government operated few institutions to assist persons with disabilities, and many such individuals were forced to beg to support themselves. The Office for the Rehabilitation and the Insertion of Persons with Disabilities under the jurisdiction of the Ministry of Family coordinated assistance to disabled people through the Aid Fund for the Rehabilitation and Insertion of Persons with Disabilities (Fonds Ariph).

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

The Convention on the Rights of Persons with Disabilities

Benin signed the Convention and the Optional Protocol on 8/2/2008.

Botswana

Constitution and Laws

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

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 government has an effective national policy that provides for integrating the needs of persons with disabilities into all aspects of government policymaking. The government mandated access to public buildings or transportation for persons with disabilities. There was some discrimination against persons with disabilities, and employment opportunities remained limited. The government did not restrict persons with disabilities from voting or participating in civil affairs, and some accommodations were made during elections to allow for persons with disabilities to vote. Although new government buildings were being constructed to assure access by persons with disabilities, most older government office buildings remained inaccessible. There is a Department of Disability Coordination in the Office of the President to care for persons with disabilities.

The Department of Labor is responsible for protecting the rights of persons with disabilities and investigating claims of discrimination. Individuals can 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.

Other Relevant References

Some human rights problems remained, including [...] discrimination against persons with disabilities, gays and lesbians, persons with HIV/AIDS, and persons with albinism.

While persons with albinism were subject to some social discrimination, individuals were generally able to exercise their rights in practice.

The Convention on the Rights of Persons with Disabilities

Botswana has not signed the Convention.

Burkina Faso

Constitution and Laws

The constitution and law prohibit discrimination based on race, gender, disability, language, or social status; however, 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, the provision of other state services, or other areas; however, the government did not effectively enforce these provisions. There was no government mandate or legislation concerning access to buildings, information, or communication for persons with disabilities. Advocates reported that persons with disabilities often faced societal and economic discrimination. Such persons who were able to work found it difficult to find employment, including in government service, because of deeply entrenched societal attitudes that persons with disabilities should be under the care of their families and not in the workforce.

Programs to aid persons with disabilities were limited. In 2009 and during the year, the National Committee for the Reintegration of Persons with Disabilities conducted sensitizing campaigns and implemented reintegration programs and capacity-building programs to manage income-generating activities better. 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 schooled and provided vocational training to children with disabilities.

Other Relevant References

Human rights problems included [...] societal violence and discrimination against women and children, including female genital mutilation; trafficking in persons; discrimination against persons with disabilities; and child labor.

The Convention on the Rights of Persons with Disabilities

Burkina Faso signed the Convention and Optional Protocol on 23/5/2007, and ratified the Convention and Optional Protocol on 23/7/2009.

Burundi

Constitution and Laws

The constitution provides equal status and protection for all citizens, without distinction based on sex, origin, ethnicity, disability, language, or social status; however, the government failed to implement these provisions effectively, and discrimination and societal abuses continued.

Persons with Disabilities

The constitution prohibits discrimination against persons with physical or mental disabilities; however, the government does not have the resources to protect the rights of persons with disabilities with regard to employment, education, or access to healthcare. Although persons with disabilities were eligible for free healthcare services through social programs targeting vulnerable groups, the benefits were not widely publicized or provided. The employment practice of requiring health certification from the ministry of public health sometimes led to discrimination against persons with disabilities.

The Ministry of Solidarity is the government agency in charge of coordinating assistance and protecting the rights of persons with disabilities. The ministry reported an increase from 500 million francs to one billion francs (\$402,252 to \$804,505) in its budget for disability programs for the year after President Nkurunziza proposed the increase in his December 2009 remarks on the International Day for the Disabled. Despite increased funding for assistance, 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 to assist individuals with physical disabilities. Handicap International reported 14 other institutions for persons with disabilities sponsored by religious institutions and NGOs, including four schools for children with sensory disabilities and two for children with mental disabilities. Many schools for children with sensory or mental disabilities were not recognized by the Ministry of Education, making it impossible for students to progress in the educational system. Local and international NGOs expressed concern that persons with disabilities were more vulnerable to rape, assault, and other forms of exploitation than other groups within their communities.

While there were no government restrictions on voting by persons with disabilities, most such individuals could not participate in elections during the year due to issues of access. In February the National Independent Electoral Commission denied a request to make polling stations more accessible, claiming limitations in funding and time.

Other Relevant References

Human rights abuses during the year included [...] discrimination against gays and lesbians and persons with albinism; and restrictions on labor rights.

Sporadic killings of persons with albinism, in which the victims' body parts were removed for use in witchcraft, continued.

On May 2, in Cendajuru, Cankuzo Province, approximately 10 persons armed with guns, grenades, and machetes attacked the household of a Mr. Vyegura, who lived with his daughter and grandson, both of whom were persons with albinism. The attackers went directly to the daughter and grandson's room, shooting Vyegura when he tried to protect his family. The attackers then killed the daughter and grandson, dismembered their bodies, and took the body parts. On May 3, nine suspects--eight Burundians and one Tanzanian--were arrested in connection with the killings. Following their trial two of the nine received life sentences; the others received sentences of 12, 10, and three years' imprisonment. All nine appealed. They remained in prison at year's end.

On September 30, five attackers raided the home of a widow in Nyamurenza, Ngozi Province, killed her eight-year-old son, and severed his hands and legs. At year's end one Burundian suspect was detained in the Ngozi prison and the investigation continued. Four Rwandan nationals remained at large; the country's authorities were working with their Rwandan counterparts on the case.

During the night of December 30, four unidentified assailants armed with rifles and machetes attacked a family with three children with albinism in Gahweza colline in Kiganda, Muramvya Province. According to the local official, the bandits cut off the left arm of the family's 12-year-old son, Ephraim Havyarimana, before they were forced to flee by the family's screams. Ephraim died before he could reach a hospital. No arrests were made by the end of the year.

During the night of December 31, a five-month-old girl with albinism was kidnapped from her family in Vumwe colline in Kinyinya, Ruyigi Province. Police arrested the girl's father and two other individuals; they remained in detention at year's end. According to the authorities, the father had never accepted his paternity of the girl with albinism.

Children with albinism sometimes faced discrimination in school and within their families. For example, three students with albinism reportedly abandoned their schooling in Makamba Province after their teacher discriminated against them. Officials of Albinos Without Borders (ASF) mediated the conflict between the teacher and students, convincing the students to reenroll. Fathers sometimes sent away women who gave birth to children with albinism.

The Convention on the Rights of Persons with Disabilities

Burundi signed the Convention and the Optional Protocol on 26/4/2007.

Cameroon

Persons with Disabilities

In April the president promulgated a new law to protect and promote the rights of persons with disabilities due in part to the scarcity of facilities for persons with disabilities and lack of public assistance. The new law provides that both new and existing government and private buildings be designed to facilitate access by persons with disabilities. While all children were entitled to tuition-free primary school, the new law also provides for free secondary public education for persons with disabilities and children born of parents with disabilities. The law also provides for initial vocational training, medical treatment, employment "when possible," and public assistance "when needed."

On February 1, the Ministry of Social Affairs released a guide to educate persons with disabilities on their legal rights and the services available to them. The UN provided some of the financing for a new guide that was released in November.

Society largely treated those with disabilities as outcasts, and many felt that providing assistance was the responsibility of churches or foreign NGOs.

The Convention on the Rights of Persons with Disabilities

Cameroon signed the Convention and the Optional Protocol on 1/10/2008.

Cape Verde

Constitution and Laws

The law prohibits discrimination based on race, gender, religion, disability, language, or social status; however, the government did not enforce these provisions effectively, and violence and discrimination against women and abuse of children were serious problems.

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, and the government effectively enforced these provisions. There are no laws or programs to provide for access to buildings, information, and communications for persons with disabilities. Several NGOs, including an association for the blind, actively advocated for the rights of persons with disabilities. The government did not restrict the right of persons with disabilities to vote or participate in civic affairs.

The Ministry of Labor, Family, and Social Solidarity (MTSS) is the government agency responsible for protecting the rights of persons with disabilities. The National Council for Persons with Disabilities works under the MTSS as a consulting body and has the role of proposing and overseeing the implementation of the government's policies.

The Convention on the Rights of Persons with Disabilities

Cape Verde signed the Convention on 30/3/2007.

Central African Republic

Constitution and Laws

The constitution stipulates that all persons are equal before the law without regard to wealth, race, disability, language, or gender. However, the government did not enforce these provisions effectively, and significant discrimination existed.

Persons with Disabilities

The law prohibits discrimination against persons with both mental and physical disabilities. It also requires that for any company employing at least 25 persons, at least 5 percent of its staff must consist of sufficiently qualified persons with disabilities, if they are available.

In addition the law states that each time the government recruits new personnel into the civil service, at least 10 percent of the total number of newly recruited personnel should be persons with disabilities. According to the Ministry of Family and Social Affairs, the provision was not automatic and depended on the availability of applications from persons with disabilities at the time of the recruitment decision by the interested ministry.

There was no societal discrimination against persons with disabilities. However, there were no legislated or mandated accessibility provisions for persons with disabilities, and such access was not provided in practice. Approximately 10 percent of the country's population had disabilities, mostly due to polio, according to the 2003 census. The government had no national policy or strategy for providing

assistance to persons with disabilities, but there were several one-of-a-kind government and NGO-initiated programs designed to assist persons with disabilities, including handicraft training for persons with visual disabilities and the distribution of wheelchairs and carts by the Ministry of Family and Social Affairs.

The Ministry of Family and Social Affairs continued to work with the NGO Handicap International during the year to provide treatment, surgeons, and prostheses to persons with disabilities.

The Convention on the Rights of Persons with Disabilities

The Central African Republic signed the Convention and the Optional Protocol on 9/5/2007.

Chad

Persons with Disabilities

The law prohibits discrimination against persons with disabilities, and while the government made efforts to enforce this prohibition in N'Djamena, it was unable to do so throughout the country. There were no laws or programs to assure access to buildings for persons with disabilities; however, the government operated a few education, employment, or therapy programs for such persons.

The country had numerous persons with disabilities related to polio, and many such persons held ranking positions in the government.

The government, in conjunction with NGOs, continued to sponsor an annual day of activities to raise awareness of the rights of persons with disabilities. The Ministry of Social Action and Family is responsible for protecting the rights of persons with disabilities.

The Convention on the Rights of Persons with Disabilities

Chad has not signed the Convention.

Comoros

Constitution and Laws

The law prohibits discrimination based on race, gender, disability, language, or social status; however, there was discrimination against women.

Persons with Disabilities

The constitution and laws do not prohibit discrimination in employment and public services or mandate access to buildings, information, and communication for persons with disabilities.

Handicap Comoros, the country's center for persons with disabilities on Grande Comore, was run by a local NGO called Chiwe, or "pillar." The center imported wheelchairs and prostheses.

There is no restriction on the right of persons with disabilities to participate in civic affairs.

The Convention on the Rights of Persons with Disabilities

Comoros signed the Convention on 26/7/2007.

Congo, Democratic Republic of the

Persons with Disabilities

The law prohibits discrimination against persons with disabilities; however, the government did not effectively enforce this provision, and persons with disabilities often found it difficult to obtain employment, education, or government services.

The law does not mandate access to buildings or government services for persons with disabilities. Some schools for persons with disabilities, including persons with visual disabilities, received private funds and limited public funds to provide education and vocational training.

During the year children with disabilities were accused of witchcraft and subjected to abuse and abandonment.

Other Relevant References

Discrimination against persons with albinism was widespread and limited their ability to obtain employment, health care, and education, or to marry. Persons with albinism were frequently ostracized by their families and communities. According to a 2007 survey conducted in Kisangani by the UN Development Program, 83 percent of parents of albinos stated that their children were successful in school, but 47 percent said they felt humiliated by having albino children.

According to UNICEF, there was a practice of branding as witches children with disabilities or even speech impediments and learning disabilities; this practice sometimes resulted in parents abandoning their children. According to UNICEF, as many as 70 percent of the street children they assisted claimed to have been accused of witchcraft.

The Convention on the Rights of Persons with Disabilities

The Democratic Republic of the Congo has not signed the Convention.

Congo, Republic of the

Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, intellectual, or mental disabilities in employment, education, access to health care, or in the provision of other state services, although the government generally did not enforce the law.

There were no laws mandating access for persons with disabilities. The Ministry of Social Affairs is the lead ministry responsible for these issues.

The Convention on the Rights of Persons with Disabilities

The Republic of the Congo signed the Convention and the Optional Protocol on 30/3/2007.

Cote d'Ivoire

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. However, wheelchair-accessible facilities for persons with disabilities were not common, and there were few training and job assistance programs for persons with disabilities. The law also prohibits

acts of violence against persons with disabilities and the abandonment of such persons; however, there were no reports that the government enforced these laws during the year.

There were no reports during the year that persons with disabilities were specific targets of abuse, but they encountered serious discrimination in employment and education. The government created an additional 300 civil service jobs for persons with disabilities in 2009, bringing the total of civil service jobs for persons with disabilities to 800. No new positions were added during the year. However, in practice government employees sometimes refused to employ persons with disabilities.

The government financially supported special schools, associations, and artisans' cooperatives for persons with disabilities, but many persons with physical disabilities begged on urban streets and in commercial zones for lack of other economic opportunities. Persons with mental disabilities often lived on the street.

The Ministry of Family and Social Affairs and the Federation of the Handicapped were responsible for protecting the rights of persons with disabilities.

The Convention on the Rights of Persons with Disabilities

Cote d'Ivoire signed the Convention and the Optional Protocol on 7/6/2007.

Djibouti

Constitution and Laws

The constitution and law prohibit discrimination on the basis of race, gender, or language; however, government enforcement of such laws was ineffective. The constitution and law do not directly address discrimination based on disability or social status.

Persons with Disabilities

The constitution does not prohibit discrimination against persons with disabilities. The labor code prohibits discrimination in employment against such persons. The government did not mandate accessibility to buildings or government services for persons with disabilities. Such persons had access to education and public health services. There was societal discrimination against persons with disabilities. No government agency was charged specifically with protecting the rights of such persons. 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.

Other Relevant References

Significant human rights abuses in the country included [...] discrimination against persons with disabilities.

The Convention on the Rights of Persons with Disabilities

Djibouti has not signed the Convention.

Equatorial Guinea

Constitution and Laws

The constitution and law prohibit discrimination based on race, gender, religion, disability, language, or social status; however, the government did not enforce these provisions effectively. Nonetheless, numerous public outreach efforts were undertaken to improve public awareness of the issues associated with violence and discrimination against women and children, discrimination against ethnic minorities, and discrimination against those with HIV/AIDS.

Persons with Disabilities

The law does not provide persons with disabilities with protection from discrimination in employment, education, or the provision of other state services, nor does it mandate access to buildings for persons with disabilities.

Educational services for persons with mental or physical disabilities were limited. The local Red Cross, with financial support from the government, managed the country's school for deaf children. The government, through the Ministry of Social Affairs, and the Catholic Church worked together to provide care for the mentally handicapped in the Virgin Madre Maria Africa facility. The country's first lady gave several highly publicized donations to help the handicapped.

The Ministries of Education and Health have primary responsibility for protecting the rights of persons with disabilities. Public service announcements regarding rights of persons with disabilities continued to be broadcast.

The Convention on the Rights of Persons with Disabilities

Equatorial Guinea has not signed the Convention.

Eritrea

Constitution and Laws

The law and unimplemented constitution prohibit discrimination against women, persons with disabilities, and discrimination based on race, language, and social status, but the government did not enforce these provisions.

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. Unlike previous years, there were some reports of discrimination against persons with disabilities, especially in rural areas. Schools involved with the education of persons with disabilities reported that job discrimination was common. The government dedicated substantial resources to support and train the thousands of men and women with physical disabilities that resulted from the war for independence and the conflict with Ethiopia. There are no laws mandating access for persons with disabilities to public thoroughfares or public or private buildings, but many newly constructed buildings provided such access. The Ministry of Labor and Human Welfare was responsible for the rights of persons with disabilities.

Other Relevant References

Societal abuse and discrimination against women, members of the Kunama ethnic group, gays and lesbians, members of certain religious groups, persons with disabilities, and persons with HIV/AIDS remained areas of concern

Of the remaining 20 prison inmates of the group still alive at the Era-Ero prison, nine have reportedly become disabled physically or mentally.

The Convention on the Rights of Persons with Disabilities

Eritrea has not signed the Convention.

Ethiopia

Persons with Disabilities

The constitution does not mandate equal rights for persons with disabilities. However, two laws prohibit discrimination against persons with physical and mental disabilities in employment and mandate access to buildings.

The Right to Employment of Persons with Disabilities Proclamation, gazetted in 2008, prohibits employment discrimination on the basis of disability. It also states that employers are 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, the government assigned interpreters for hearing-impaired civil service employees.

The Ethiopian Building Proclamation, gazetted in May 2009, contains an article that mandates building accessibility and accessible toilet facilities for persons with physical disabilities. In addition landlords are required to give persons with disabilities preference for ground-floor apartments, and this was respected in practice.

Women with disabilities were more disadvantaged than men in education and employment. An Addis Ababa University study showed that female students with disabilities were subjected to a heavier burden of domestic work than their male peers. The enrollment rate for girls with disabilities was lower than for boys at the primary school level, and this gap increased at higher levels of education. Girls with disabilities also were much more likely to suffer physical and sexual abuse than able-bodied girls.

There were approximately seven million persons with disabilities, according to the Ethiopian Federation of Persons with Disabilities. There was one mental hospital and an estimated 10 psychiatrists in the country. 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 CSO law that went into effect in February prohibits organizations receiving more than 10 percent of their funding from foreign sources from promoting the rights of persons with disabilities. Several domestic associations, such as the Ethiopian National Association of the Blind, Ethiopian National Association of the Deaf, and Ethiopian National Association of the Physically Handicapped, were negatively affected by the legislation.

Other Relevant References

Human rights abuses reported during the year included [...] societal discrimination against persons with disabilities and religious and ethnic minorities.

The Convention on the Rights of Persons with Disabilities

Ethiopia signed the Convention on 30/3/2007, and ratified the Convention on 7/7/2010.

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.

Persons with Disabilities

There are no laws that prohibit discrimination against persons with disabilities or provide for access to buildings or services; however, there were no reports of official discrimination against persons with disabilities. Societal discrimination against persons with disabilities occurred, and employment opportunities and treatment facilities for persons with disabilities were limited.

The Convention on the Rights of Persons with Disabilities

Gabon signed the Convention on 30/3/2007 and the Optional Protocol on 25/9/2007. Gabon ratified the Convention on 1/10/2007.

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.

Persons with Disabilities

The constitution protects persons with disabilities--specifically stating "disabled or handicapped" persons--against exploitation and discrimination, in particular as regards access to health services, education, and employment. The law also provides that in any judicial proceedings in which a disabled person is a party, the procedure shall take into account his or her condition. The Department of Social Welfare is responsible for ensuring that persons with disabilities are not denied these rights. There were no reports of persons with disabilities being involved in any judicial proceedings. The department also worked with international donors to supply wheelchairs to some persons with disabilities. However, there was some societal discrimination. Persons with severe disabilities subsisted primarily through private charity. Persons with less severe disabilities were accepted fully in society, and they encountered little discrimination in employment for which they were physically capable. There were no laws to ensure access to buildings for persons with disabilities, and very few buildings in the country were accessible to them. The Department of Social Welfare worked with the Gambia Organization for the Visually Impaired and the School for the Deaf and Blind to help educate handicapped children and to promote relevant skills. There are no laws or specific programs to ensure that persons with disabilities have access to information and communications.

On June 18, police arrested an unknown number of beggars and mentally disabled persons loitering the streets of Banjul. They were loaded onto a police truck and driven away. The government issued no statement; the action is assumed to be a continuation of the government's efforts to end street begging, which it views as a public nuisance. Leaders of the Gambia Federation of the Disabled urged authorities to review their policy regarding persons with disabilities. They were instrumental in obtaining the release of several detained beggars with disabilities.

The media continued to report on the rights of persons with disabilities, and several NGOs sought to improve awareness of these rights, including by encouraging the participation of persons with disabilities in sports and 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.

The Convention on the Rights of Persons with Disabilities

The Gambia has not signed the Convention.

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 specifically to order enforcement of these prohibitions.

Persons with Disabilities

The law provides for the rights of persons with disabilities, including protection against exploitation and discrimination in employment, health care, and other domains. The National Council on Disability, mandated by law, was inaugurated in April 2009. While the government did not systematically or overtly discriminate against persons with disabilities, such persons often experienced societal discrimination. The law provides persons with disabilities access to public buildings "as far as is practical." Activists supporting the rights of persons with disabilities complained of the slow implementation of the Persons with Disability Act, especially the lack of legislative instruments to implement the new law. Despite the legal protection provided in the law, discrimination against disabled persons in employment and the inaccessibility of public buildings continued to be problems.

Persons with mental and physical disabilities were frequently subjected to abuse and intolerance; however, unlike in the previous year, there were no reports of persons with disabilities being killed for ritual purposes.

In March 2009 four persons appeared in court on murder charges in connection with the July 2008 killing of Yakubu Busanga, a hunchback. The attack may have been motivated by a desire to obtain body parts for use in ritual practices. At year's end there was no new information on this case.

In July 2009 a two-year-old albino boy was stolen from his mother for ritual purposes. An 18-year-old woman was arrested for the kidnapping and detained in prison custody. She claimed that she was hired to steal the child. At year's end there was no new information on the case.

Some religious groups believed that persons with mental disabilities were afflicted by demons that should be exorcised. The abuse of children with disabilities was common. In previous years there were reports that children with disabilities were tied to trees or under market stalls and caned regularly and of family members killing children with disabilities.

Human rights activists expressed concerns about "prayer camps" in which individuals believed to be possessed by evil spirits were chained for weeks, physically assaulted, and denied food and water. The camps targeted persons with mental illnesses. Camp supervisors diagnosed mental illness as a "demonic affliction" and prevented patients from consuming food or water, often for seven consecutive days, to cleanse victims of their evil spirits. Some victims were estimated to be as young as six years old. Families sent these victims to be exorcised of evil spirits or cured of their physical or mental illnesses. Victims were held at the camps until they were considered healed. Reports indicated that these practices occurred in the Greater Accra, Eastern, Central, Western, Ashanti, and Brong-Ahafo regions. The Commonwealth Human Rights Initiative (CHRI) released a report in May 2009 on prayer camps based on interviews with current and former inmates. The report found that some families caring for mentally ill members had insufficient financial resources and viewed prayer camps as an available option. The CHRI urged regulation of prayer camps; however, no regulations were implemented by year's end.

Several government agencies and NGOs were involved in addressing discrimination against persons with disabilities, including the Ministry of Health, the Ministry of Employment and Social (MESW), the Ministry of Education, and the Center for Democratic Development.

Other Relevant References

Human rights problems included the following: [...] societal discrimination against women, persons with disabilities, gays and lesbians, and persons with HIV/AIDS.

The Convention on the Rights of Persons with Disabilities

Ghana signed the Convention and Optional Protocol on 30/3/2007.

Guinea

Persons with Disabilities

The law does not prohibit discrimination against persons with disabilities in employment, education, access to health care, or in the provision of other state services. There were no official reports of societal or governmental discrimination against persons with disabilities. The transition government had not mandated accessibility for persons with disabilities, and buildings and vehicles remained inaccessible. Few persons with disabilities worked in the formal sector; some worked in the informal sector in small family businesses, and many lived by begging on the streets. The Ministry of Social Affairs is responsible for protecting the rights of persons with disabilities, but it was ineffective.

The Convention on the Rights of Persons with Disabilities

Guinea signed the Convention on 16/5/2007 and signed the Optional Protocol on 31/8/2007. Guinea ratified the Convention and Optional Protocol on 8/2/2008.

Guinea-Bissau

Persons with Disabilities

The law does not specifically prohibit discrimination against persons with disabilities, mandate building access for them, or provide for equal access to employment and education. There were no government efforts to mitigate discrimination against persons with disabilities or ensure their access to buildings or streets. However, there were no reports of overt societal discrimination. 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.

The Convention on the Rights of Persons with Disabilities

Guinea-Bissau has not signed the Convention.

Kenya

Constitution and Laws

The new constitution provides for the representation in parliament of women, youth, persons with disabilities, ethnic minorities, and marginalized communities. The constitution and law prohibit discrimination based on race, sex, pregnancy, marital status, health status, ethnic or social origin, color, age, disability, religion,

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 Ministry of Health is the lead ministry responsible for implementing the law, but implementation was slow. The government equipped some public buildings

with wheelchair ramps, and wheelchair-accessible elevators and sanitary facilities. The government assigned each region a sign-language interpreter for court proceedings.

Provisions for persons with disability existed but not in all polling stations. During the most recent by-elections the Kenya Society for the Mentally Handicapped (KSMH) and the Disabled Voters of Kenya Alliance worked closely with the IIEC to ensure that all persons were able to cast their votes.

In 2008 the KNCHR ordered the Kenya Commercial Bank (KCB) to reinstate an employee who had been terminated due to mental illness. The KCB filed a suit objecting to the judicial powers held by the KNCHR; the Attorney General's Office supported the KCB's claims. The court issued an injunction against further intervention which barred future action from the KNCHR in employee rights matters.

NGOs reported that persons with disabilities were affected disproportionately by postelection violence, especially in IDP camps. However, NGOs reported that camp administrators often failed to recognize those with mental disabilities.

The education ministry permanent secretary stated that only 35,000 of the 147,000 children with special needs were enrolled in school, while the KNCHR commissioner contended that fewer than 10 percent of children with special needs were enrolled in school.

The KNCHR also stated that the Kenya National Examination Council (KNEC) failed to provide adequate testing facilities and resources for students with disabilities. The KNEC claimed that it provided special accommodations, such as exams in Braille and in large print for visually impaired candidates, and extra time to complete exams. The government was developing disability-specific curricula, but the process was slow because the government failed to allocate sufficient resources and staff.

The Convention on the Rights of Persons with Disabilities

Kenya signed the Convention on 30/3/2007 and ratified the Convention on 19/5/2008.

Lesotho

Constitution and Laws

The constitution and the formal legal code prohibit discrimination based on race, gender, disability, language, or social status. However, the constitution recognizes customary law as a parallel legal system, and under it women remained disadvantaged with regard to property rights, inheritance, contracts, and succession rights.

Persons with Disabilities

The constitution and law prohibit discrimination against persons with sensory and intellectual disabilities in employment, education, access to healthcare, or the provision of other state services. The government enforced these laws within its limited ability. Although societal discrimination was common, the tradition of hiding children with disabilities from the public was no longer commonly accepted. The Association of the Disabled actively promoted the rights and needs of persons with disabilities.

Laws and regulations stipulate that persons with disabilities should have access to public buildings. Buildings completed after 1995 generally complied with the law. According to John Motloko, executive director of the Lesotho National Federation of Organizations of the Disabled, government efforts to modify buildings were hampered by the lack of a national disability and rehabilitation policy, which has been in draft form since 2000. The Ministry of Health and Social Welfare is responsible for the bill.

Information for the blind in the form of Braille and JAWS (a computer software used by visually impaired persons) was not widely available. Sign language was not provided by service providers in the

government or private sector, so signing individuals could not access many services. There were limited facilities for training deaf persons.

The government did not effectively implement laws to ensure that persons with disabilities had access to information and communications. Media reports indicated that persons with disabilities experienced societal abuse; however, there were no reports of such abuse in prisons, educational facilities, or mental health facilities.

Election law provides for assisted voting for persons with disabilities, which was respected in practice. They are allowed to have anyone of their choosing assist them with voting, including the presiding officer at a polling station; there should also be a third person to verify that the voter's choices are respected.

The Ministry of Health and Social Welfare is responsible for protecting the rights of persons with disabilities. In partnership with the NGO Skillshare International, the government provided leadership-training workshops for persons with disabilities and community-based rehabilitation (training community members to provide services to persons with disabilities). The community-based training assisted teachers in working with students with disabilities. The Skillshare-government partnership supported 20 income-generating projects with a minimum starting capital of 10,000 maloti (\$1,428). There was also advocacy and awareness training about the rights of persons with disabilities. These events usually centered on international events, such as Sign Language Day, White Cane Day, and Braille Day. The partnership also provided aids such as prescription eyeglasses, wheelchairs, and canes.

Other Relevant References

The following human rights abuses were reported including [...] stigmatization of persons with disabilities and HIV/AIDS;

The Convention on the Rights of Persons with Disabilities

Lesotho ratified the Convention on 2/12/2008.

Liberia

Constitution and Laws

The constitution prohibits discrimination based on ethnic background, sex, creed, place of origin, disability, ethnic origin, or political opinion; however, the government did not enforce these provisions effectively.

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. No laws mandate access to public buildings. Streets, schools, public buildings, and other facilities were generally in poor condition and inaccessible to persons with disabilities. Many citizens had permanent disabilities as a result of the civil war. Persons with disabilities faced societal discrimination, particularly in rural areas.

The National Commission on Disabilities and the Ministry of Health and Social Welfare were responsible for protecting the rights of persons with disabilities; however, they did not do so effectively. During the year the commission and ministry conducted a series of sensitization programs about persons with disabilities. NGOs provided some services to persons with disabilities.

The Convention on the Rights of Persons with Disabilities

Liberia signed the Convention and the Optional Protocol on 30/3/2007.

Madagascar

Constitution and Laws

The constitution and law prohibit all forms of discrimination, including on the basis of race, gender, disability, language, and social status; however, no specific government institutions were designated to enforce these provisions.

Persons with Disabilities

The law prohibits discrimination against persons with physical and mental disabilities, broadly defines their rights, and provides for a national commission and regional subcommissions to promote the rights of persons with disabilities. In practice, however, these rights were rarely enforced, and the legal framework for promoting accessibility remained perfunctory. A 2005 study conducted by the NGO Handicap International found that persons with disabilities seldom had access to health care, education, employment, or accommodation for communication or other basic services, and women and girls with disabilities were often victims of physical violence. The Association Sembana Mijoro, advocating for rights of persons with disabilities, reported that children with disabilities represent only 0.5 percent of children attending school. In general, access to education for persons with disabilities was limited due to lack of adequate infrastructure, specialized institutions, and teachers.

The Ministry of Health is responsible for protecting the rights of persons with disabilities. Isolated projects at the community level had some success. In 2008 a public market in the city of Majunga gained special handicapped access; a health and transportation benefits program with identity cards was developed in the city of Fianarantsoa; and persons with disabilities had been successfully integrated into public schools in some areas where they previously had no access. With international funding in 2008, the city of Antsiranana worked to make city hall, health centers, and other administrative buildings accessible. However, reports continued that schools often rejected students with disabilities, claiming their facilities were not adequate. Local NGOs also provided evidence that persons with disabilities were routinely refused access and verbally abused by teachers throughout the education system, from primary school to university. In June 2009 a study on the integration of children with disabilities in the educational system found that their attendance rate was only 0.26 percent in 631 schools surveyed, due to the lack of specialized programs, poor understanding of the children's needs, and insufficient resources.

The Convention on the Rights of Persons with Disabilities

Madagascar signed the Convention and the Optional Protocol on 25/9/2007.

Malawi

Constitution and Laws

The law specifically provides for equal rights for women, forbids discrimination based on language or culture, race, disability, or social status, and provides for equality and recognition before the law for every citizen. However, the capacity of government institutions to ensure equal rights for all citizens was limited.

Persons with Disabilities

The Employment Act prohibits discrimination in employment; however, there is no comprehensive law governing discrimination against persons with disabilities. The law provides for the support of persons with disabilities through greater access to public places, fair opportunities in employment, and full participation in all spheres of society; however, extremely limited resources prevented the government

from protecting these rights in practice. Reported violations were taken seriously, and the president publicly declared that students with disabilities should have equal access to education and other government services. The government had not mandated accessibility to buildings and services for persons with disabilities.

The Ministry of Persons with Disabilities and the Elderly is responsible for protecting the rights of persons with disabilities. There were both public and privately supported schools and training centers that assisted persons with disabilities. There also were several self-supporting businesses run by and for persons with disabilities. The Malawi Rural Development Fund provided loans to persons with disabilities to support these activities.

The Convention on the Rights of Persons with Disabilities

Malawi signed the Convention on 27/9/2007 and ratified the Convention on 27/8/2009.

Mali

Constitution and Laws

The constitution and law prohibit discrimination based on social origin and status, color, language, gender, or race, but not disability. In spite of relevant legislation, 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

There is no specific law protecting the rights of persons with physical, sensory, intellectual, or mental disabilities in employment, education, access to health care, or in the provision of other state services. There is no law mandating accessibility to public buildings. The Ministry of Social Development, Solidarity, and the Elderly is charged with the protection of the rights of persons with disabilities. The ministry sponsored activities to promote opportunities for persons with disabilities to generate income and also worked with NGOs, such as the Malian Federation of Associations for Handicapped Persons, which provided basic services. There was a school for the deaf in Bamako that ostensibly falls under government responsibility, but support and resources were practically nonexistent.

The Convention on the Rights of Persons with Disabilities

Mali signed the Convention and Optional Protocol on 15/5/2007 and ratified the Convention and the Optional Protocol on 7/4/2008.

Mauritania

Persons with Disabilities

The law prohibits discrimination against persons with physical disabilities in education, employment, or the provision of other state services, and there were no reports of governmental or societal discrimination against persons with disabilities. Persons with disabilities generally did not have access to buildings, and there were no government programs to provide such access. The government did not mandate preference in employment, education, or public accessibility for persons with disabilities, although it did provide some rehabilitation and other assistance for such persons. The MASEF oversees social reinsertion programs for persons with disabilities. On June 10, the Council of Ministers approved a decree on the organization and function of the National Multisectoral Commission for the Promotion of Handicapped People. The commission was not operational by year's end.

The Convention on the Rights of Persons with Disabilities

Mauritania has not signed the Convention.

Mauritius

Constitution and Laws

The constitution and law specifically prohibit discrimination on the basis of race, caste, place of origin, political opinion, color, gender, disability, or language. While the government generally enforced these provisions, some societal discrimination occurred.

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. The Training and Employment of Disabled Persons Board effectively enforced the law. The law requires that buildings be accessible for persons with disabilities; however, many older buildings remained inaccessible. The law requires organizations employing more than 35 persons to set aside at least 3 percent of their positions for persons with disabilities, and the government enforced this law. The government effectively implemented programs to ensure that persons with disabilities had access to information and communications. The state-run television station aired a weekly news program for persons with disabilities. The government does not restrict the right of persons with disabilities to vote or participate in civic activities; however, during the May 5 legislative elections, private radio stations reported that a few such persons were not able to vote because the polling stations were not accessible.

Other Relevant References

Problems noted by international observers in the May 5 election included [...] lack of accommodation to facilitate voting for persons with disabilities; and lack of legal authority to provide domestic election observers.

The Convention on the Rights of Persons with Disabilities

Mauritius signed the Convention and Optional Protocol on 25/9/2007 and ratified the Convention on 8/1/2010.

Mozambique

Constitution and Laws

The constitution and law prohibit discrimination based on race, gender, disability, language, or social status, but in practice discrimination persisted against women and persons with HIV/AIDS.

Persons with Disabilities

The constitution and law stipulate that citizens with disabilities shall fully enjoy the same rights as all other citizens. However, the government provided few resources to implement this provision, and persons with disabilities frequently could be seen begging at traffic intersections, often accompanied by able-bodied persons. Discrimination was common against persons with disabilities in employment, education, access to health care, and the provision of other state services. The law does not mandate access to buildings for persons with disabilities, but the Ministry of Public Works and Habitation worked to ensure that public buildings in Maputo city provided access for persons with disabilities. Electoral law provides for the needs of voters with disabilities in the polling booths.

Concerns of persons with disabilities included lack of access to socioeconomic opportunities and employment, limited access to buildings and transportation, and a lack of wheelchairs. Facilities with special access were rare. There were few job opportunities for persons with disabilities in the formal sector.

The country's only psychiatric hospital was overwhelmed with patients and lacked the means to guarantee basic nutrition, medicine, or shelter. Doctors at the hospital also reported that many families abandoned members with disabilities.

Veterans with disabilities continued to complain about not receiving pensions.

The Ministry of Women and Social Action is responsible for protecting the rights of persons with disabilities. The four-year National Action Plan in the Area of Disabilities announced in 2006 had not received any financing for implementation by year's end.

The city of Maputo offered free bus passes to persons with disabilities.

Other Relevant References

Because some traditional healers assert that their body parts contained special curative or sexual strength, persons with albinism were the subject of violent attacks that resulted in mutilation or death. LDH researchers reported that attacks had increased and that children were frequent victims of these mutilations.

The Convention on the Rights of Persons with Disabilities

Mozambique signed the Convention on 30/3/2007.

Namibia

Constitution and Laws

The constitution and law prohibit discrimination based on race, creed, gender, language, disability, social status, or religion, and specifically prohibit "the practice and ideology of apartheid"; however, the government did not effectively enforce these prohibitions.

Persons with Disabilities

While discrimination on the basis of disability is not addressed in the constitution, the law prohibits discrimination against persons with physical and mental disabilities in employment, health care, education, or the provision of any state services. Enforcement in this area was ineffective, and societal discrimination persisted.

The government does not require special access to public buildings, and some ministries remained inaccessible. However, during the year the government continued to require that all new government buildings include ramps. In addition, some street corners in the capital were outfitted with special signal crossings for the visually impaired. In September the chief executive officer of the City of Windhoek toured the city in a wheelchair to test the city's accessibility for persons with disabilities. While he found that most establishments catered sufficiently to persons with special needs, he recommended some changes, such as lowering the height of customer counters.

The Office of the Prime Minister's Disability Advisory Unit was responsible for assisting persons with disabilities.

During the year there were reports that two albino persons were killed and that their body parts were missing or mutilated, factors consistent with ritual killings. No arrests had been made by year's end.

Other Relevant References

During the year there were reports that two albino persons were killed and that their body parts were missing or mutilated, factors consistent with ritual killings. No arrests had been made by year's end.

The Convention on the Rights of Persons with Disabilities

Namibia signed the Convention and the Optional Protocol on 25/4/2007 and ratified the Convention and Optional Protocol on 4/12/2007.

Niger

Constitution and Laws

The constitution and statutes prohibit discrimination based on race, gender, disability, language, or social status, and the government generally effectively enforced these prohibitions.

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, and the government generally enforced these provisions. The law mandates that the state provide for such individuals, but there were no specific regulations mandating accessibility to buildings, transportation, and education for persons with disabilities. The government provides limited health care to persons with disabilities. Societal discrimination existed against persons with disabilities, particularly mental disabilities and leprosy. 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.

There were no reports of abuse of persons with disabilities in educational facilities. In May the country adopted a law determining regulations for the social protection of persons with disabilities.

The Convention on the Rights of Persons with Disabilities

Niger signed the Convention on 30/3/2007 and the Optional Protocol on 2/8/2007. Niger ratified the Convention and Optional Protocol on 24/6/2008.

Nigeria

Constitution and Laws

The constitution and law prohibit discrimination based on community, place of origin, ethnic group, sex, religion, or political opinion; however, the government did not enforce the law effectively. The constitution prohibits discrimination based on the circumstances of a person's birth. However, the constitution does not explicitly prohibit discrimination based on disability.

Persons with Disabilities

The constitution does not prohibit explicitly discrimination based on disability; however, it does prohibit discrimination based on the circumstances of one's birth. No laws prohibit discrimination against persons with physical, sensory, intellectual, or mental disabilities in employment, education, access to health care, or the provision of other state services. There were no laws requiring physical accessibility, or access to information or communications for persons with disabilities. Mental health facilities were almost nonexistent. All disabled prisoners were kept 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 they were often regarded by their families 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.

The government ran vocational training centers in Abuja and Lagos to train indigent persons with disabilities. Individual states also provided facilities to assist 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, the Kano Polio Victims Trust Association, the Joint National Association of Persons with Disabilities, the Albino Foundation, and Comprehensive Empowerment of Nigerians with Disabilities.

Other Relevant References

Prisoners with mental disabilities were incarcerated with the general prison population, and no mental health care was provided.

Human rights problems included [...] discrimination against persons with disabilities.

The Convention on the Rights of Persons with Disabilities

Nigeria signed the Convention and Optional Protocol on 30/3/2007, and ratified the Convention and Optional Protocol on 24/9/2010.

Rwanda

Constitution and Laws

The constitution provides that all citizens are equal before the law, without discrimination on the basis of [...] physical or mental disability. The government generally enforced these provisions; however, problems remained.

Persons with Disabilities

The law specifically prohibits discrimination against persons with disabilities in regard to employment, education, and access to social services, and the government generally enforced these provisions. The constitution prohibits discrimination on the basis of physical or mental disability. The law also mandates access to public facilities, accommodations for taking national exams, provision of medical care by the government, and monitoring of implementation by the NHRC; the government generally implemented these provisions. The National Federation for People with Disabilities (FENAPH) appointed one member of the chamber of deputies. The legislature passed an amendment to the constitution on June 17 to establish a national council for persons with disabilities to assist in coordination of government efforts to provide for the rights of persons with disabilities. Some persons view disability as a curse or punishment, which can result in social exclusion and sometimes abandonment or hiding of children from the community. FENAPH has held several conferences to sensitize teachers and communities to these abuses.

There is one government psychiatric referral hospital in Kigali; all other mental health facilities are nongovernmental. In general facilities are underequipped and understaffed. Individuals can be committed to mental health facilities involuntarily with no hearing. There have been no claims of employment discrimination against persons with disabilities.

The National University of Rwanda and the Kigali Institute of Education admit students with visual disabilities.

The Convention on the Rights of Persons with Disabilities

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

Sao Tome and Principe

Constitution and Laws

The constitution provides for the equality of all citizens regardless of gender, race, social origin or status, political views, creed, philosophical convictions, disability, or language; nevertheless, women faced discrimination.

Persons with Disabilities

The law does not prohibit discrimination against persons with physical or mental disabilities; however, there were no reports of discrimination against such persons. The law does not mandate access to buildings, transportation, or services for persons with disabilities. Local NGOs that criticized the government in the past for not implementing accessibility programs for such persons were not active during the year.

The Convention on the Rights of Persons with Disabilities

Sao Tome and Principe has not signed the Convention.

Senegal

Persons with Disabilities

The law prohibits discrimination against persons with disabilities in employment, education, access to health care, and the provision of other state services, and the government somewhat effectively enforced it. The law also mandates accessibility for persons with disabilities; however, there was a lack of infrastructure to assist them. The Ministry of National Solidarity is responsible for protecting the rights of persons with disabilities.

The law reserves 15 percent of new civil service positions for persons with disabilities. However, according to the Senegalese National Association of People with Physical Disabilities, as of year's end, the government had not issued an executive decree required to make the law operational. The government operated schools for children with disabilities, provided grants for persons with disabilities to receive vocational training, and managed regional centers for persons with disabilities to receive training and funding for establishing businesses.

Several government programs that appeared to be earmarked for persons with disabilities offered services to other vulnerable populations, reducing resources for persons with disabilities. Due to a lack of special education training for teachers and facilities accessible to children with disabilities, only 40 percent of such children were enrolled in primary school.

On May 26, the National Assembly passed a law to protect the rights of persons with disabilities. The law offers more possibilities for persons with disabilities to seek legal redress in case of discrimination. It also grants rights in education, health, access to public buildings, and employment. The government has submitted three decrees relating to the establishment of commissions on special education, equal opportunity, and financial support; these are necessary for the provisions of the law to take effect. A fourth decree concerning the establishment of a high commissioner for the rights of persons with disabilities was pending at year's end.

The Convention on the Rights of Persons with Disabilities

Senegal signed the Convention and Optional Protocol on 25/4/2007. Senegal ratified the Convention on 7/9/2010.

Seychelles

Constitution and Laws

The constitution and law affirm the right to be free from all types of discrimination but do not prohibit discrimination based on specific factors. In practice there was no overt discrimination in housing, employment, education, or other social services based on race, gender, ethnicity, nationality, or disability.

Persons with Disabilities

The constitution and law provide for the right of persons with disabilities to special protection, including reasonable provisions for improving the quality of life; however, there are no laws providing for access to public buildings, transportation, or state services, and the government did not provide such access for persons with disabilities. There was no discrimination reported against persons with disabilities in housing, employment, education, or in the provision of other state services. The National Council for Disabled, a government agency under the Ministry of Social Development and Culture, developed work placement programs for persons with disabilities.

The Convention on the Rights of Persons with Disabilities

Seychelles signed the Convention and Optional Protocol on 30/3/2007. Seychelles ratified the Convention on 2/10/2009.

Sierra Leone

Persons with Disabilities

The law does not prohibit discrimination against persons with physical and mental disabilities, and offers no specific protections for such persons. The law does not mandate accessibility of buildings or assistance to disabled persons. There was no government policy or program to assist persons with disabilities; public facility access and discrimination against persons with disabilities were not considered public policy priorities.

Although there was no formal discrimination against persons with disabilities in employment, education, access to health care, or in the provision of other state services, an April survey by a UK-based NGO found in practice persons with disabilities had less access to such services. In addition given the high rate of general unemployment, work opportunities for persons with disabilities were few, and begging by persons with disabilities was commonplace. Children with disabilities were also less likely to attend school than other children due to the lack of an official inclusive education policy. There is considerable stigma associated with and discrimination against persons with mental health issues. The Sierra Leone Psychiatric Hospital in Kissy, the country's only in-patient psychiatric institution, had beds for 400 patients but housed only 100 patients due to staff and resource constraints, as the hospital was poorly funded by the government and received only small donations from private charities. Patients were generally released to their families or communities as soon as possible, and received follow-up counseling on a regular basis. The hospital estimated that 550,000 citizens needed some form of psychiatric care due to posttraumatic stress disorder arising from the 1991-2002 civil war, depression due to socio-economic problems, and drug abuse. Men and women were housed in separate wards, and there was no mingling between the sexes. The hospital lacked adequate beds and mattresses which are easily destroyed by the patients and could not provide sufficient food to sustain them. Patient restraints were primitive due to lack of resources. The hospital did not have running water and only sporadic electricity due to lack of funds to buy fuel for the facility's generator. Basic medications were available, although the hospital suffered from a lack of a variety of drugs targeted at specific problems.

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. However, these services were not provided 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, amputees complained that they did not receive sufficient assistance compared to former combatants, who received aid through the demobilization process. In response to TRC's recommendations, the government accepted in principle the need to develop an aid program for war wounded, amputees, and victims of sexual violence; however, assistance to these groups remained limited and mostly funded by outside entities.

The Convention on the Rights of Persons with Disabilities

Sierra Leone signed the Convention and Optional Protocol on 30/3/2007. Sierra Leone ratified the Convention on 4/10/2010.

Somalia

Persons with Disabilities

The TFC, Somaliland constitution, and Puntland interim constitution all prohibit discrimination on the basis of intellectual or physical disabilities. None of the three administrations restrict the right of people with disabilities to vote or participate in civic affairs.

The TFC reads that the state is responsible for the welfare of persons with disabilities, along with orphans, widows, heroes who contributed to and fought in defense of the country, and the elderly.

The Somaliland constitution notes that the state is responsible for the health, care, development, and education of mothers, children, the disabled, persons who have no one to care for them, and mentally handicapped persons. The Puntland interim constitution safeguards and advocates for the rights of orphans, disabled persons, and whoever needs the protection of the law. There are no laws in any of the three areas to ensure building access. In the absence of functioning governing institutions, the needs of most persons with disabilities were not addressed. Several local NGOs in Somaliland provided services for persons with disabilities. Associations of persons with disabilities reported numerous cases of discrimination.

There was widespread abuse of persons with mental illness. Without a public health infrastructure, there were no specialized institutions to provide care or education for the mentally ill. It was common for such persons to be chained to a tree or restrained within their homes.

The Convention on the Rights of Persons with Disabilities

Somalia has not signed the Convention.

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. However, entrenched attitudes and practices often resulted in the denial of these rights in practice.

Persons with Disabilities

The law prohibits discrimination on the basis of physical, sensory, intellectual, and mental disability; however, government and private-sector discrimination in employment existed. The law mandates access to buildings for persons with disabilities, but such regulations were rarely enforced, and public awareness of them remained minimal.

There were more than 100,000 students with disabilities in mainstream schools, and the Department of Basic Education allocated part of its budget for assistive devices, material resources, and assistive technology. To date, eight schools had been fully converted to full-service, inclusive schools, with 20 more identified for future conversion.

The law provides persons with disabilities protection from harassment and, in conjunction with the Employment Equity Act, also provides guidelines on the recruitment and selection of persons with disabilities, reasonable accommodation for persons with disabilities, and guidelines on proper handling of employee 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 for achieving employment equity for persons with disabilities. Persons with disabilities constituted 7.9 percent of the general population, but only an estimated 0.9 percent of the public service workforce and 1 percent of the private sector workforce. The Ministry for Women, Children and Persons with Disabilities launched a Web site linking persons with disabilities with civil service positions, but the government did not meet its target of 2 percent of government positions occupied by persons with disabilities.

The law does not allow persons with mental disabilities to vote.

The Ministry for Women, Children, and Persons with Disabilities is charged with protecting the rights of persons with disabilities, enhancing their development opportunities, and monitoring government departments to ensure that disability issues are addressed in policies, hiring practices, building plans, and other matters.

NGOs also advocated for the rights of persons with specific disabilities such as blindness.

Other Relevant References

The Department of Trade and Industry (DTI) provided incentive grants to promote the development of small- and medium-size businesses and microenterprises for women, young persons, and persons with disabilities.

A number of governmental bodies, particularly the Gender Commission and the Ministry for Women, Children and Persons with Disabilities, and numerous NGOs monitored and promoted women's rights.

Principal human rights problems included [...] societal discrimination against women, persons with disabilities, and the lesbian, gay, bisexual, and transgender (LGBT) community; trafficking in persons; violence resulting from racial and ethnic tensions and conflicts with foreigners; and child labor, including forced child labor and child prostitution.

Under certain circumstances--such as multiple rapes, gang rapes, or the rape of a minor or a person with disabilities--conviction results in a minimum sentence of life imprisonment (25 years), unless substantial and compelling circumstances exist to justify a lesser sentence.

The Convention on the Rights of Persons with Disabilities

South Africa signed the Convention and Optional Protocol on 30/3/2007. South Africa ratified the Convention and Optional Protocol on 30/11/2007.

Sudan

Constitution and Laws

The interim national constitution prohibits discrimination based on race and gender, but the government did not effectively enforce these provisions. The law does not address discrimination based on disability, language, or social status.

The interim constitution of Southern Sudan prohibits discrimination on race, gender, language, and social status. It does not address discrimination based on disability.

Persons with Disabilities

While the law does not specifically prohibit discrimination against persons with disabilities, it stipulates that "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, employment, and full participation in society." The government has not enacted laws or implemented effective programs to ensure access to buildings for persons with disabilities. Credible sources noted that prisoners with mental disabilities were chained 24 hours a day, and mentally disabled prisoners were not exempted from trial. In the South there were no mental health hospitals or institutions, and persons with mental illnesses were held in prisons.

The Convention on the Rights of Persons with Disabilities

Sudan signed the Convention on 30/3/2007. Sudan ratified the Convention and Optional Protocol on 24/4/2009.

Swaziland

Constitution and Laws

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

Persons with Disabilities

The constitution provides protection for persons with disabilities, but does not differentiate between physical and mental disabilities and requires parliament to enact relevant implementing legislation. The deputy prime minister is responsible for upholding the law. However, parliament had not passed laws to prohibit discrimination against persons with disabilities in employment or to provide access to health care or other state services by year's end. Persons with disabilities have complained of government neglect. There are no laws that mandate accessibility for persons with disabilities to buildings, transportation, or government services, although government buildings under construction included some improvements for those with disabilities, including access ramps. Public transport was not user friendly to disabled persons, and the government does not provide any means of alternative accessible transport.

The Deputy Prime Minister's Office and its Social Welfare section are responsible for protecting the rights of persons with disabilities. In 2008 a visually impaired man was appointed as a senator, marking the first time a person with disabilities served in parliament. In August the government purchased

computer equipment, which included a text scanner, Braille printer, control panel unit tower, keyboard, and speakers to assist the senator to perform his parliamentary duties.

There is one school for the deaf and one special education alternative school for children with physical or mental disabilities. Only 25 percent of adults with disabilities were employed, mostly in the private sector, according to a 2006 study conducted by the Ministry of Health and Social Welfare. In 2006 the minister for enterprise and employment found that of 10,600 visually impaired persons in the country, only three were employed. Despite the former minister's 2006 pledge to introduce a bill compelling employers to create specific jobs for the visually impaired, no bill had been introduced by year's end. The hospital for persons with mental disabilities, located in Manzini, was overcrowded and understaffed.

The Convention on the Rights of Persons with Disabilities

Swaziland signed the Convention and Optional Protocol on 25/9/2007.

Tanzania

Constitution and Laws

The constitution prohibits discrimination based on nationality, ethnicity, political affiliation, race, social status, or religion. Discrimination based on gender, age, or disability was not explicitly prohibited by law but was discouraged publicly in official statements and by government policies. Discrimination against women, refugees, minorities, and persons with HIV/AIDS and disabilities persisted, and ethnic tensions continued in some parts of the country.

Persons with Disabilities

The constitution prohibits discrimination against persons with disabilities. During the year the government passed the Persons with Disability Act, although implementing regulations had not been promulgated by year's end. Approximately

10 percent of the total population consisted of persons with some disability, and persons with physical disabilities were effectively restricted in employment, education, access to health care, and other state services by physical barriers and inadequate financial resources. 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.

There were five members of the mainland parliament with disabilities, including one elected member of parliament from Lindi who has albinism.

The Ministries of Education, Justice, and Labor are responsible for enforcing the protection of rights of persons with disabilities for education, legal claims, and labor rights, respectively. The Department of Social Welfare has responsibility for coordinating matters related to persons with disabilities.

In 2009 the government started an education initiative to integrate students with disabilities into mainstream schools; however, the program lacked adequate funding. For example, braille paper and tape recorders were generally not available for blind students.

Other Relevant References

The Zanzibar House of Representatives has 50 elected seats, 20 women's special seats, and eight appointed at-large seats. Two of the eight appointed seats were held by women. There are two women ministers and four deputy ministers. There were three persons with disabilities in the Zanzibar House of Representatives.

The Convention on the Rights of Persons with Disabilities

Tanzania signed the Convention on 30/3/2007, and the Optional Protocol on 29/9/2008. Tanzania ratified the Convention and Optional Protocol on 10/11/2009.

Togo

Constitution and Laws

The constitution and law prohibit discrimination based on race, gender, religion, disability, language, or social status; however, the government did not enforce these provisions effectively.

Persons with Disabilities

The law prohibits discrimination against persons with physical, mental, and sensory disabilities in employment, education, access to health care, or in the provision of other state services, but the government did not effectively enforce these provisions. 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. The government does not mandate accessibility to public or private facilities for persons with disabilities, although some public buildings had ramps. While the law nominally obliges the government to aid persons with disabilities and shelter them from social injustice, the government provided only limited assistance.

The Agency for Handicapped Persons, under the Ministry of Social Action and National Solidarity, is responsible for protecting the rights of persons with disabilities. During the year the ministry held awareness campaigns against discrimination and to promote equality. It distributed food and clothing and provided some skills training to persons with disabilities.

Other Relevant References

Human rights problems in the country included: [...] societal discrimination against persons with disabilities; official and societal discrimination against homosexual persons; societal discrimination against persons with HIV; and forced labor, including by children.

The Convention on the Rights of Persons with Disabilities

Togo signed the Convention and the Optional Protocol on 23/9/2008. Togo ratified the Convention and Optional Protocol on 1/3/2011.

Uganda

Constitution and Laws

The law prohibits discrimination based on race, gender, disability, language, or social status; however, 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 or mental disabilities in employment, education, access to health care, and the provision of other state services; however, the government did not enforce the law effectively. Persons with disabilities also faced societal discrimination and limited job and educational opportunities. There was no statutory requirement that buildings be accessible to persons with disabilities; however, the law requires that children with disabilities be given necessary special facilities.

The UHRC continued to receive complaints of discrimination in employment and access to transport, cell phone, and other public services from persons with disabilities. Most schools in the country did not accommodate persons with disabilities.

No action was taken to assist the 40 prison inmates with impaired hearing who had been denied a trial, health services, and education because they could not communicate.

The government supported the right of persons with disabilities to vote and participate in civic affairs. Five seats in parliament were reserved for representatives of persons with disabilities; however, a government-sponsored NGO managed election to these five seats in a process that was not transparent.

Government agencies responsible for protecting the rights of persons with disabilities included the Ministry of State for Disabled Persons and the Ministry of Gender, Labor and Social Development, but both agencies lacked sufficient funding to undertake or support any significant initiatives. In August 2009 President Museveni appointed members to the Equal Opportunities Commission, which is responsible for enforcing laws that protect persons with disabilities and ensuring that they have equal access to public office. In April the government released 1.5 billion shillings (\$647,388) to accelerate ongoing projects being undertaken to increase incomes and improve livelihoods of persons with disabilities in 48 districts.

Other Relevant References

The law requires elections through electoral colleges for the seats reserved for special-interest groups in parliament: 80 seats were reserved for women; five for organized labor; five for persons with disabilities; and five for youth. However, the UPDF High Command and President Museveni selected the 10 army representatives, and the five persons with disabilities were selected by an electoral college organized by a single government-supported NGO.

Serious human rights problems in the country included [...] violence and discrimination against persons with disabilities and homosexual persons; restrictions on labor rights; and forced labor, including child labor.

The Convention on the Rights of Persons with Disabilities

Uganda signed the Convention and Optional Protocol on 30/3/2007. Uganda ratified the Convention and Optional Protocol on 25/9/2008.

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, or creed. However, the government did not effectively enforce the law, and violence and discrimination against women and children, discrimination based on sexual orientation, trafficking in persons, and discrimination against persons with disabilities remained problems.

Persons with Disabilities

The law prohibits discrimination in general, but there is no law that specifically prohibits Discrimination against persons with physical, sensory, intellectual, or mental disabilities in employment, education, access to health care, or the provision of other state services or in other areas. Although the government did not impose restrictions on persons with physical or mental disabilities from voting or 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.

The MCDSS has responsibility for ensuring the welfare of persons with disabilities. Public buildings, schools, and hospitals rarely had facilities to accommodate persons with disabilities. The government did not mandate accessibility to public buildings and services for persons with disabilities. In September 2009 The Post reported that conditions at the country's only mental health facility, Chainama Hills Mental Hospital, were generally good. No patterns of abuse of persons with disabilities in prisons were reported.

Other Relevant References

Human rights problems included [...] discrimination based on sexual orientation and against persons with disabilities; restrictions on labor rights; forced labor; and child labor.

The Convention on the Rights of Persons with Disabilities

Zambia signed the Convention on 9/5/2008 and the Optional Protocol on 29/9/2008. Zambia ratified the Convention on 1/2/2010.

Zimbabwe

Constitution and Laws

The constitution and law provide that no person can be deprived of fundamental rights, such as the right to life, liberty, and security of person, based on one's race, tribe, place of origin, political opinions, color, creed, gender, or disability; however, the constitution allows for discrimination, primarily against women, on the grounds of "customary law." Discrimination against women and persons with disabilities persisted.

Persons with Disabilities

The constitution and law prohibit discrimination against persons with disabilities in employment, access to public places, and the provision of services; however, the law was not widely known or implemented by government institutions. 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. NGOs continued to lobby to include persons with albinism in the definition of "disabled" under the law. Persons with disabilities faced harsh societal discrimination. Traditional belief viewed persons with disabilities as bewitched and, consequently, as persons who should be locked away; children with disabilities often were hidden when visitors arrived.

Children with disabilities were discriminated against in educational institutions. The unavailability of essential services, including sign language interpreters, Braille materials, and ramps prevented children with disabilities from attending school. Many schools refused to accept children with certain disabilities.

According to the National Association of Societies for the Care of the Handicapped, persons with disabilities continued to be a forgotten and invisible group in society. For example, although an estimated 10 percent of citizens had disabilities, they were marginalized from HIV/AIDS intervention programs. The organization also reported that only 33 percent of children with disabilities had access to education.

Persons with mental disabilities also suffered from inadequate medical care and general provision of health services. There were eight centralized mental health institutions in the country with a holding capacity of more than 1,300 patients. The eight institutions were allocated approximately 1 percent of the Ministry of Health's budget. Inpatients received cursory screening, and most waited for at least one 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 fewer

than 10 certified psychiatrists working in public and private clinics and teaching in the country. There was a 50 percent vacancy rate for psychiatric-trained nurses; more than 90 percent of the available psychiatric services were provided at the mental institution in Bulawayo. NGOs reported patients being subjected to deplorable living condition in terms of food, water, clothing, and sanitation. Budgetary constraints and low holding capacity at these institutions resulted in persons with mental disabilities being kept at home and cared for by family, normally under chains and without treatment. No social workers worked on the issue of reintegration for recovering patients.

The amendments to electoral laws changed voting procedures for persons with disabilities. In 2008 the ZEC issued a notice explaining that "only the presiding officer and two other electoral officers or employees of the commission will assist any voter who requests to be assisted." Some groups complained that this ruling violated persons with disabilities' right to cast their votes in secret. Ahead of the June 2008 run-off election, there were widespread reports that ZANU-PF militias and war veterans instructed voters to claim blindness at the polling place in order to be assisted to vote for Mugabe. In 2009 the National Association of Societies for the Care of the Handicapped launched a five-year program to provide civic education to persons with disabilities with the goal of encouraging greater civic participation. The government broadcast a regular, prime-time program on state radio to promote awareness of the rights of persons with disabilities.

Other Relevant References

The following human rights violations also continued: [...] violence and discrimination against women; trafficking of women and children; discrimination against persons with disabilities, ethnic minorities, the lesbian, gay, bisexual, and transgender (LGBT) community, and persons with HIV/AIDS; harassment and interference with labor organizations critical of government policies; child labor; and forced labor, including by children.

The mentally disabled were the most affected by the collapsed medical infrastructure within the ZPS. Inmates with psychiatric conditions were examined by two doctors, who must both confirm a mental disability and recommend that a patient either be released or returned to a prison facility. However, prisoners with mental disabilities routinely faced long waiting periods, as much as three years, before being evaluated. It also became more common for prisoners with mental disabilities to be sent to prison instead of mental institutions.

The criminal code defines sexual offenses as rape, sodomy, incest, indecent assault, or immoral or indecent acts with a child or person with mental disabilities and provides for penalties up to life in prison for sexual crimes.

The rights of an accused person apply to all citizens, including women, indigenous groups, and persons with disabilities.

The Convention on the Rights of Persons with Disabilities

Zimbabwe has not signed the Convention.

East Asia and the Pacific

Australia

Constitution and Laws

Federal laws prohibit discrimination based on sex, disability, race, color, descent or national or ethnic origin, marital status, or age. An independent judiciary and a network of federal, state, and territorial equal opportunity offices effectively enforced the law.

Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, intellectual, or mental disabilities in employment; education; access to premises; 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, who is part of the HREOC, 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 HREOC of discrimination complaints, authorizes fines against violators, and awards damages to victims of discrimination.

The HREOC's July 2009 to June 2010 annual report stated that 1,057 complaints citing 2,354 alleged grounds of discrimination were filed under the Disability Discrimination Act during that period. Of these, 36 percent were employment related, and 37 percent involved the provision of goods and services. The HREOC resolved 978 complaints during the period, 486 of them through conciliation.

Other Relevant References

Federal and various state laws prohibit discrimination on the grounds of HIV-positive status. The HREOC reviews complaints of discrimination on the grounds of HIV/AIDS status under the category of disability-related complaints, but a specific breakdown of HIV/AIDS-related cases was not available. There were no reports of violence against persons based on HIV/AIDS status.

The Convention on the Rights of Persons with Disabilities

Australia signed the Convention on 30/3/2007. Australia ratified the Convention on 17/7/2008 and the Optional Protocol on 21/8/2009.

Brunei Darussalam

Constitution and Laws

The law does not contain specific provisions prohibiting discrimination based on race, sex, disability, language, or social status.

Persons with Disabilities

The law does not mandate accessibility or other assistance for persons with disabilities. The government provided educational services for children with disabilities, but the level of services available was uneven. The Department for Community Development conducted several programs targeted at promoting awareness of the needs of persons with disabilities.

The Convention on the Rights of Persons with Disabilities

Brunei Darussalam signed the Convention on 18/12/2007.

Burma

Persons with Disabilities

There is no law providing for equal treatment before the law and for general protection against discrimination, including discrimination against persons with disabilities. Under the constitution all citizens have the right to education and health care. The government did not actively discriminate against persons with disabilities in employment, access to healthcare, education, or the provision of other state services or other areas, but there were few official resources to assist persons with disabilities. There are no laws mandating accessibility to buildings, public transportation, or government facilities.

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. However, the government provided inadequate funds for its schools and programs for persons with disabilities.

Military veterans with disabilities received benefits on a priority basis, usually a civil service job at equivalent pay. 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; however, the government did not provide job protection for private-sector workers who became disabled.

Other Relevant References

The State Peace and Development Council continued to rule by decree and was not bound by any constitutional or statutory provisions concerning discrimination based on race, gender, disability, language, or social status.

The government did not permit media or other independent groups to monitor prison conditions. The government continued to deny the International Committee of the Red Cross (ICRC) unfettered access to prisons. As a result the ICRC could not follow the cases of more than 4,000 detainees, including prisoners of conscience, minors, foreigners, and sick and elderly prisoners. The government limited the ICRC's activities to supporting family visits to detainees and providing physical rehabilitation for landmine victims and other persons with disabilities. There was no ombudsman to serve on behalf of prisoners and detainees.

The Convention on the Rights of Persons with Disabilities

Burma has not signed the Convention.

Cambodia

Constitution and Laws

The constitution prohibits discrimination based on race, gender, disability, language, or social status; however, the government did not generally protect these rights.

Persons with Disabilities

The 2009 Law on the Protection and Promotion of the Rights of Persons with Disabilities 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 Ministry of Social Affairs holds 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 that all television channels adopt sign language interpretation for programming; as of year's end, two major television stations 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. By year's end, the Council of Ministers had approved three of four subdecrees to support the law and was reviewing the fourth.

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.

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.

The Convention on the Rights of Persons with Disabilities

Cambodia signed the Convention and Optional Protocol on 1/10/2007.

China (includes Tibet, Hong Kong, and Macau)

Constitution and Laws

There were laws designed to protect women, children, persons with disabilities, and minorities. However, some discrimination based on ethnicity, sex, and disability persisted.

Persons with Disabilities

The law protects the rights of persons with disabilities and prohibits discrimination; however, conditions for such persons lagged far behind legal dictates, failing to provide persons with disabilities access to programs designed to assist them.

The MCA and the China Disabled Persons Federation, a government-organized civil association, were the main entities responsible for persons with disabilities. In September 2009 government officials confirmed that there were 83 million persons with disabilities living in the country. According to government statistics, in 2008 there were 3,731 vocational education and training facilities, which provided training and job-placement services for 774,000 persons with disabilities. More than 4.5 million persons with disabilities were employed in cities and towns; 17.2 million were employed in rural areas. Government statistics stated that 7.4 million persons with disabilities enjoyed the minimum life guarantee; nearly three million had social insurance.

The law prohibits discrimination against minors with disabilities and codifies a variety of judicial protections for juvenile offenders. 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 special education that could meet their needs. In 2008 there were 419,000 children with disabilities in schools. NGOs claimed that while the overall school enrollment rate was 99 percent, only 75 percent of children with disabilities were enrolled in school. Nationwide, 243,000 school-age children with disabilities did not attend school. 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.

The physical abuse of children can be grounds for criminal prosecution. However, 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 remained a serious problem. Under the Employment Promotion Law, local governments were required to offer incentives to enterprises that hired persons with disabilities. Regulations in some parts of the country also required employers to pay into a national fund for the disabled when the employees with disabilities did not make up the statutory minimum percentage of the total workforce.

Standards adopted for making roads and buildings accessible to persons with disabilities were subject to the Law on the Handicapped, which calls for their "gradual" implementation; however, compliance with the law was lax. Students with disabilities were discriminated against in access to education. The law permits universities legally to exclude otherwise qualified candidates from higher education.

The law forbids the marriage of persons with certain acute mental illnesses, such as schizophrenia. If doctors find that a couple is at risk of transmitting disabling congenital defects 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 healthy births.

Other Relevant References (China)

Principal human rights problems during the year included [...] discrimination against women, minorities, and persons with disabilities; a coercive birth limitation policy, which in some cases resulted in forced abortion or forced sterilization.

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.

The government denied that children in orphanages were mistreated or refused medical care but acknowledged that the system often was unable to provide adequately for some children, particularly those with serious medical problems.

Persons with Disabilities (Hong Kong)

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, access to health care, or the provision of other state services, and the government effectively enforced these provisions. The government effectively implemented laws and programs to ensure that persons with disabilities have access to buildings, information, and communications.

The Social Welfare Department, directly or in coordination with NGOs and employers, provided a range of services and training to assist persons with disabilities in finding work commensurate with their abilities. As of March a total of 15,158 persons were participating in these various programs.

As of March the government employed 3,316 civil servants with disabilities, including 17 at the senior directorate grade, in a total workforce of 156,573. Persons with disabilities filled 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 Disability Discrimination Ordinance calls for improved building access and sanctions against those who discriminate. As of September 30, the EOC had received 396 complaints under the ordinance and handled 560 cases (including cases carried over from the previous year).

Despite inspections and the occasional closure of noncompliant businesses under the Buildings Ordinance, access to public buildings (including public schools) and transportation remained a serious problem for persons with disabilities.

On September 9, EOC commissioner Lam Woon-kwong called on the government to lead the way in addressing access for people with disabilities. He cited an EOC study of 60 government buildings that he contended "were doing a far from satisfactory job" in providing barrier-free facilities. He specifically cited the lack of access for persons with disabilities at 15 percent of polling stations used in the LegCo by-election. He also criticized one of Hong Kong's largest owners of shopping centers and carparks for failing to address access issues.

The media, legislators, and activists championed the cause of injured worker Lee Shing-leung, who lost his leg in an industrial accident in 2007. Because the government ruled he was only "60 percent disabled," Lee did not qualify for a disability allowance. On September 20, the High Court ruled against Lee in a judicial review, but the judge expressed sympathy for his case and urged greater flexibility in the welfare system.

Other Relevant References (Hong Kong)

There is an Office of the Ombudsman and an Equal Opportunity Commission (EOC), both appointed by the government but independent in their operations. Both organizations operated without interference from the government and published critical findings in their areas of responsibility. In a change welcomed by activists, the new EOC commissioner, Lam Woon-kwong, was 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.

The law provides that all residents are equal, and the government enforced this in practice. The EOC is responsible for implementing the Sex Discrimination Ordinance (SDO), the Disability Discrimination Ordinance, the Family Status Discrimination Ordinance, and the Race Discrimination Ordinance.

Persons with Disabilities (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 in practice. The law mandates access to buildings, information, and communications for persons with disabilities. The government enforced the law effectively. 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.

The Convention on the Rights of Persons with Disabilities

China signed the Convention on 30/3/2007 and ratified the Convention on 1/8/2008.

Fiji

Constitution and Laws

The constitution prohibits discrimination based on race, sex, place of origin, ethnicity, sexual orientation, color, primary language, economic status, age, or disability. The government generally enforced these provisions effectively, although there were problems in some areas. After the constitution's abrogation, only the 2007 Employment Relations Promulgation (ERP), which came into force in 2008, had similar provisions, but these are limited to workers and industrial relations matters.

Persons with Disabilities

Under the constitution abrogated in 2009, all persons are considered equal under the law, and discrimination against persons with disabilities in employment, education, provision of housing and land, or provision of other state services is illegal. Since the constitution's abrogation, no new decree has addressed specifically the rights of persons with disabilities; however, existing statutes provide for the right of access to places and all modes of transport generally open to the public. Public health regulations provide penalties for noncompliance; however, 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. Under the Health and Safety at Work Act, all new office spaces must be accessible to persons with disabilities. There were only a small number of disabled-accessible vehicles in the country. The Fiji Disabled People's Association, an NGO, reported that most persons with disabilities were unemployed due to lack of sufficient education and training and negative attitudes of employers. There were no programs to improve access to information and communications for persons with disabilities, and persons with disabilities, in particular persons with hearing or vision impairments, had difficulty accessing public information. There were a number of community organizations to assist those with disabilities, particularly children.

Most persons with mental and intellectual disabilities were separated from society and typically were supported at home by their families. The September Mental Health Decree stipulates that treatment should be provided for persons with mental and intellectual disabilities in the community, public health, and general health systems. Institutionalization of persons with severe mental disabilities was in a single underfunded public facility in Suva. There were a number of special schools offering primary education for persons with physical, intellectual, and sensory disabilities; however, cost and location limited access. Opportunities for a secondary school education for those with disabilities were very limited.

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.

The Convention on the Rights of Persons with Disabilities

Fiji signed and ratified the Convention on 2/6/2010.

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. However, in practice the government sometimes failed to defend these rights.

Persons with Disabilities

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 law prohibits discrimination against persons with physical and mental disabilities in employment, education, access to health care, or the provision of other state services. The law also mandates accessibility to public facilities for persons with disabilities; however, the government did not enforce this provision. The government estimated that approximately 3.7 percent of the population had a disability. However, one NGO found 16.8 percent of the population in West Java had a significant hearing deficiency.

The government restricts the rights of persons to vote or participate in civil affairs by not enforcing accessibility laws.

Few buildings and virtually no public transportation facilities were accessible to persons with disabilities. The law requires companies that employ more than 100 workers to set aside 1 percent of positions for persons with disabilities. However, the government did not enforce the law, and persons with disabilities faced considerable discrimination.

In urban areas only a few city buses offered wheelchair access, and many of those had their hydraulic lifts vandalized, rendering them unusable. Few companies provided facilities for persons with disabilities, and fewer companies employed such persons. Surabaya's airport opened in 2006 and was not accessible for persons with disabilities. Lack of funds was generally cited as the primary reason for not improving accessibility.

Access to information and communications technology for persons with disabilities is limited. The government taxes hearing aids as electronics, rather than medical equipment, making them prohibitively expensive.

On September 15, Garuda Indonesia Airlines blocked Irwan Subena, a blind passenger, from boarding his return flight from Makassar to Denpasar.

In 2003 the government stated the country was home to 1.3 million children with disabilities; the actual number was believed to be much higher. The law provides children with disabilities with the right to an education and rehabilitative treatment. A government official alleged many parents chose to keep children with disabilities at home; however, many schools refused to accommodate such children, stating they lacked the resources to do so. 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. Children with disabilities were sent to separate schools, and mainstream education was extremely rare. The country's universities did not offer a degree in special education.

During the year NGOs reported that people with disabilities were housed in care facilities in unsafe, dirty conditions throughout Riau Province. The government has taken no action.

The Ministry of Social Affairs is responsible for protecting the rights of persons with disabilities. To date, they have taken no actions to improve respect for the rights of persons with disabilities.

The Convention on the Rights of Persons with Disabilities

Indonesia signed the Convention on 30/3/2007.

Japan

Constitution and Laws

The law prohibits discrimination on the basis of race, gender, disability, language, and social status. Although the government generally enforced these provisions, discrimination against women, ethnic minority groups, and foreigners remained problems.

Persons with Disabilities

The law prohibits discrimination against persons with physical and mental disabilities in employment, education, and access to health care, and the government generally enforced these provisions; however, the Federation of Bar Associations complained that discrimination is undefined and thus not enforceable through judicial remedies. In December 2009 the government established an advisory committee to help develop domestic laws to enable the country to ratify the UN Convention on the Rights of Persons with Disabilities.

Persons with disabilities generally were not subject to overt discrimination in employment, education, or provision of other state services; however, in practice they faced limited access to these services.

The law mandates that the government and private companies hire minimum proportions of persons with disabilities (including mental disabilities). Companies with more than 300 employees that do not comply must pay a fine of 50,000 yen (approximately \$600) per vacant position per month. Public employment of persons with disabilities exceeded the minimum. According to MHLW statistics, the private sector lagged, despite increases over previous years. In a 2009 survey of private companies with more than 56 workers, 1.6 percent of their employees had disabilities.

Accessibility laws mandate that new construction projects for public use must include provisions for persons with disabilities. In addition, the government grants 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.

According to NGOs there were an estimated 20,000 homeless persons who could not receive old-age pensions, disability pensions, and livelihood protection allowances because they were considered to be without residence. NGOs reported that, due to inadequate protection by the social safety net and the social stigma against homelessness, a significant number of elderly citizens and homeless individuals committed petty crimes to obtain the food and shelter provided by life in prison. Surveys showed that persons with mental disabilities may have accounted for up to 60 percent of the repeat-offender population in some prisons. Surveys also showed a significant percentage of repeat offenders were homeless persons who were not receiving social services. Police and prison authorities were particularly slow providing treatment of mental illness and had no protocol for offering psychiatric therapy.

According to NGOs and physicians, persons with mental illnesses also faced stigmatization and both educational and occupational barriers. Mental health professionals stated that insufficient efforts were being made to reduce the stigma of mental illness and to inform the public that depression and other mental illnesses were treatable, biologically based illnesses.

The Convention on the Rights of Persons with Disabilities

Japan signed the Convention on 28/9/2007.

Kiribati

Persons with Disabilities

The law does not specifically prohibit discrimination against persons with disabilities; however, there were no formal complaints of discrimination in employment, education, or the provision of other state services for persons with physical, sensory, intellectual, or mental disabilities. Accessibility of buildings, communications, and information for persons with disabilities is not mandated, and there were no special accommodations for persons with disabilities. There were two main nongovernmental organizations that 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 years. 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.

There was no government agency specifically responsible for protecting the rights of persons with disabilities.

The Convention on the Rights of Persons with Disabilities

Kiribati has not signed the Convention.

Korea, Democratic People's Republic of

Persons with Disabilities

A 2003 law mandates equal access for persons with disabilities to public services; however, implementing legislation has not been passed. Traditional social norms condone discrimination against persons with physical disabilities. Although veterans with disabilities were treated well, other persons with physical and mental disabilities have been reportedly sent out of Pyongyang into internal exile, quarantined within camps, and forcibly sterilized. According to a report released in 2006 by the World Association of Milal, an international disability NGO, persons with disabilities constituted approximately 3.4 percent of the population, more than 64 percent of whom lived in urban areas. A domestic organization known as the Korean Federation for the Protection of the Disabled (KFDP) has endorsed this number. A foreign NGO reported that the KFDP allowed them to operate in North Korea. The NGO was allowed to provide support and training at an orthopedic hospital, a school for hearing-impaired children, a coal mine hospital, and a home for elderly persons with disabilities. It was not known whether the government restricted the right of persons with disabilities to vote or participate in civic affairs.

The KFDP was founded in 1999 to coordinate the work with disabled population countrywide. In 2008 KFPD formed a partnership with the World Federation for the Deaf (WFD). According to WFD, North Korea reported that it had eight schools for the deaf, founded following Kim Il-Sung's instruction to build several schools for deaf children in 1959.

UNICEF has noted that very high levels of malnutrition indicate serious problems for both the physical growth and psychosocial development of young children. The UN Food and Agriculture Organization (FAO) estimated that 7.8 million, or 33 percent of the population was undernourished. FAO estimated 37 percent of children suffered from stunting.

Other Relevant References

Although disabled veterans were treated well, other persons with physical and mental disabilities, as well as those judged to be politically unreliable, were sent out of Pyongyang into internal exile.

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

The Convention on the Rights of Persons with Disabilities

The Democratic People's Republic of Korea has not signed the Convention.

Korea, Republic of

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 or other areas, and the government effectively enforced the law. The government effectively implemented laws and programs to ensure that persons with disabilities have access to buildings, information, and communications. The law establishes penalties for deliberate discrimination of up to three years in prison and 30 million won (\$26,535). The government, through 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 a national rehabilitation research center to increase opportunities and access for persons with disabilities.

Firms with more than 50 employees are required by law to hire persons with disabilities, and firms with more than 100 employees are required to contribute to funds used to promote the employment of persons with disabilities if they fail to hire persons with disabilities up to a certain percentage of their workforce. In July the government began providing financial assistance to low-income persons with severe disabilities. In 2009 the government raised the target percentage of the workforce at relevant public institutions from 2 to 3 percent and at relevant private companies from 2 to 2.3 percent. At the end of 2009, the percentage of the workforce composed of persons with disabilities was at 1.86 percent at firms with more than 50 employees, compared with 1.35 percent in 2006.

The Convention on the Rights of Persons with Disabilities

The Republic of Korea signed the Convention on 30/3/2007 and ratified the Convention on 11/12/2008.

Laos

Persons with Disabilities

The constitution provides citizens protection against discrimination but does not specify that these protections apply to persons with disabilities. The Ministry of Health has primary responsibility for protecting the rights of persons with disabilities. Because of the large number of disabilities resulting from unexploded ordnance accidents, the ministry works extensively on this issue, especially in coordination with the international NGO COPE. Regulations promulgated by the MLSW and the Lao National Commission for the Disabled protect such persons against discrimination; however, the regulations lack the force of law. The law does not mandate accessibility to buildings or government services for persons with disabilities, but the MLSW has established regulations regarding building access and built some sidewalk ramps in Vientiane. While there was some progress on accessibility, lack of resources for infrastructure slowed the retrofitting of most buildings. There were no reports of discrimination in the workplace.

The Lao Disabled People's Association operated a care center for children with cerebral palsy; the cost was covered by foreign assistance. The Ministry of Health in conjunction with international NGOs

operated the Cooperative Orthotic and Prosthetic Enterprise to supply prosthetic limbs, correct club feet, and provide education to deaf and blind persons.

Other Relevant References

The law also mandates extensive employer responsibility for those disabled at work, and this provision appeared effectively enforced.

The Convention on the Rights of Persons with Disabilities

Laos signed the Convention on 15/1/2008 and ratified the Convention on 25/9/2009.

Malaysia

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 government did not discriminate against persons with disabilities in employment, education, access to health care, or in the provision of other state services. A public sector regulation reserves 1 percent of all public-sector jobs for persons with disabilities. The government did not mandate accessibility to transportation for persons with disabilities, and few older public facilities were adapted for such persons. New government buildings were generally outfitted with a full range of facilities for persons with disabilities.

A code of practice serves as a guideline for all government agencies, employers, employee associations, employees, and others to place suitable persons with disabilities in private sector jobs.

Special education schools existed but were not sufficient to meet the needs of the population with disabilities.

The government undertook initiatives to promote public acceptance of persons with disabilities, make public facilities more accessible to such persons, and increase budgetary allotments for programs aimed at aiding them. Recognizing that 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. The Ministry of Human Resources was responsible for safeguarding the rights of the disabled.

The 2008 Persons with Disabilities Act recognizes the rights of persons with disabilities to enjoy the benefits of public transport, housing, education, employment, and health care. However, there is no penalty for those who do not comply with its provisions. For example, there are by-laws to compel new buildings to provide access for persons with disabilities but also loopholes that allow local authorities to exempt compliance. Critics called the act a "toothless tiger."

The Convention on the Rights of Persons with Disabilities

Malaysia signed the Convention on 8/4/2008 and ratified the Convention on 19/7/2010.

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 practice 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, public transport, education, communications, or information. There were no building codes, and in practice most buildings were not accessible to persons with disabilities. Hospitals and two major grocery stores had ramps for persons with disabilities.

The government provided minimal support for persons with mental disabilities.

There were no psychiatric facilities in the country. Persons whom the police deemed as exhibiting psychotic behavior were held with the general prison population and visited by a doctor. When prison officials protested the disruptions caused by this practice, other arrangements, such as house arrest, were made.

There is no government agency specifically charged with protecting the rights of persons with disabilities in general. The Ministry of Health is charged with treating mental and physical disabilities, and the Ministry of Education is responsible for supporting special education for children with disabilities. In practice there were no special education classes for children with disabilities, except for a small foreign-funded class providing three months of instruction for the hearing impaired at Ebeye on Kwajalein Atoll. The attorney general is responsible for handling court cases involving complaints of discrimination against persons with disabilities, but no such cases were brought during the year. Authorities declared November 21-27 as "Disability Week," and a large event was held on a field across from the capitol to spread awareness of the rights and concerns of persons with disabilities.

The Convention on the Rights of Persons with Disabilities

Marshall Islands has not signed the Convention.

Micronesia, Federated States of

Persons with Disabilities

The law prohibits discrimination in public service employment against persons with physical disabilities. There were no reports of discrimination against persons with physical, sensory, intellectual, or mental disabilities in employment, access to health care, or provision of other state services; however, persons with disabilities usually did not seek employment outside the home. Children with disabilities, including learning disabilities, were provided with special education, including instruction at home if necessary; however, such classes were dependent on foreign funding. Neither laws nor regulations mandate accessibility to public buildings or services for persons with disabilities. In practice many buildings had ramps and/or were only one story. There was one elevator in the two-story Pohnpei State government building--the only elevator in the country. There were no policies or programs to ensure access to information and communications for persons with disabilities.

Due to a lack of facilities for treating mentally ill persons, some persons with mental illnesses but no criminal background were housed in jails. The authorities provided separate rooms in jails for persons suffering from mental illness, and state health departments provided medication as part of their programs to provide free treatment to all mentally ill residents.

The national Health Services Department is responsible for protecting the rights of persons with disabilities.

Other Relevant References

In July the national government held a National Women's Conference that addressed various gender-based issues, including women's health, women in decision making, self employment of women, improving women's education, problems of women with disabilities, and domestic violence.

The Convention on the Rights of Persons with Disabilities

The Federated States of Micronesia signed the Convention on 23/9/2011.

Mongolia

Persons with Disabilities

The labor law prohibits discrimination in employment and education against persons with disabilities. At year's end the NHRC was investigating whether laws discriminate against persons with disabilities in health care or in the provision of other state services. The law defines the types of disabilities as including those concerning physical, sensory, and mental but not intellectual attributes. The Law on Social Protection of the Disabled gives provincial governors and the Ulaanbaatar governor the responsibility to implement measures to protect the rights of persons with disabilities. However, the government did little to execute such measures, and in practice most persons with disabilities faced significant barriers to employment, education, and participation in public life.

According to the Mongolian National Federation of Disabled Persons' Organizations (MNFDPPO), there were an estimated 81,500 persons with disabilities over the age of 16 in the country, of whom 20 percent were employed. The government provided tax benefits to enterprises that hired persons with disabilities. The law requires workplaces to hire one person with disabilities for every 25 employees or pay a fine. However, the law requires that disabled persons may work a maximum of 36 hours a week before overtime, thus creating a disincentive for companies to employ them. Companies often chose to pay the small fine rather than fill the legal quota for disabled individuals. Furthermore, the government itself failed to employ disabled individuals in the ratio required of employers.

Persons injured in industrial accidents have the right to reemployment when ready to resume work, and the government offered free retraining at a central technical school. The reemployment right was generally enforced in practice.

In February a new law took effect mandating standards of physical access for persons with disabilities to newly constructed public buildings; however, by year's end the law had not been applied. One school newly constructed in Songino-Khairkhan District failed to meet the new regulations. Government buildings remained largely inaccessible to persons with disabilities. Public transportation was also largely inaccessible to such persons. Despite a new law introducing standards for road construction under which some textured sidewalks meant to aid visually impaired pedestrians were installed, the persistence of open manholes, protruding obstacles, and unheeded crosswalks prevented many persons with disabilities from moving freely.

There were several specialized schools for youth with disabilities, but these students could also attend regular schools. However, in practice children with disabilities had limited access to education. The MNFDPO estimated that of 33,000 children with disabilities, 60 percent failed to complete secondary education. Schools for individuals with disabilities could accommodate only 2,200 children.

The law requires the government to provide benefits according to the nature and severity 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. The MNFDPO stated that benefits were provided in an ad hoc manner, often failing to meet the actual demands of the recipients. According to the MNFDPO, of the 97,000 government-registered persons with disabilities, during the year approximately 42,000 received an allowance from the government's Social Welfare Fund, and 46,000 persons received allowances from the Social Insurance Fund. The MNFDPO alleged that the employment support fund, a program targeted at persons with disabilities through local governments, was often misappropriated at the provincial level.

Persons with disabilities could not fully participate in the political process. Little accommodation was made for such persons at polling stations, and there were no such representatives in the parliament. The MNFDPO estimated that in the 2009 presidential election, only 34 percent of the electorate with disabilities cast a ballot. Persons with sight and hearing disabilities had difficulty remaining informed about public affairs due to a lack of accessible broadcast media. The MNFDPO stated that less than 15 percent of broadcasting on the state-owned television channel had simultaneous sign language.

The MNFDPO worked with the government to encourage vocational education centers to work with children with disabilities so that they could eventually be capable of running small businesses. The Ulaanbaatar city government sponsored one factory staffed with approximately 70 blind individuals.

Other Relevant References

The standard legal workweek is 40 hours, and there is a minimum rest period of 48 hours between workweeks. For persons 14 and 15 years of age, the workweek is 30 hours; for individuals with disabilities and those 16 and 17 years of age, it is 36 hours.

The Convention on the Rights of Persons with Disabilities

Mongolia ratified the Convention and the Optional Protocol on 13/5/2009.

Nauru

Constitution and Laws

The constitution prohibits discrimination on the basis of race, place of origin, color, creed, or sex, and the government generally observed these provisions.

Persons with Disabilities

The law does not specifically prohibit discrimination against persons with disabilities. Nonetheless, there was no reported discrimination against persons with disabilities in employment, education, access to health care, or the provision of other state services. No legislation mandates services for persons with disabilities or access to public buildings. Department of Education teachers provided rudimentary classes for a small group of students with disabilities, which were held at a teacher's home, as no classroom was available.

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.

Other Relevant References

Department of Education teachers provided rudimentary classes for a small group of students with disabilities, which were held at a teacher's home, as no classroom was available.

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.

The Convention on the Rights of Persons with Disabilities

Nauru has not signed the Convention.

New Zealand

Constitution and Laws

The law prohibits discrimination on the basis of race, sex, 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; and the provision of goods, services, housing, and accommodation. During the year the HRC received 357 disability related complaints which represented 27 percent of the total complaints received. Compliance with access laws varied. The government is prohibited from discriminating on the basis of physical, sensory, intellectual, or mental disability, unless such discrimination can be "demonstrably justified." The government supported equal access for persons with disabilities to polling facilities.

The government's Office for Disability Issues worked to protect and promote the rights of persons with disabilities. In addition, during the year both the HRC and the Mental Health Commission continued to address mental health problems in their antidiscrimination efforts.

In its December report, the HRC identified areas in which the government made progress in implementing the Convention on the Rights of Persons with Disabilities. One highlighted area receiving complaints was public land transport; an HRC inquiry found it to be "significantly less available, less accessible, less affordable, and less acceptable" to persons with disabilities than to others. During the year the government undertook initiatives to improve accessibility to public land transport, although the government stated that gaps remained.

The Convention on the Rights of Persons with Disabilities

New Zealand signed the Convention on 30/3/2007 and ratified the Convention on 25/9/2008.

Palau

Constitution and Laws

The law prohibits discrimination based on race, gender, disability, language, or social status, and the government generally observed these provisions.

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 both persons with mental disabilities and persons with physical disabilities, and the government enforced the provisions of these acts. No discrimination was reported against persons with disabilities in employment, education, access to health care, or the provision of other state services. The government provides a monthly stipend of \$50 for persons with disabilities. The law mandates access to buildings for persons with disabilities, and the government generally enforced these provisions in practice. The public schools had special education programs to address problems encountered by persons with disabilities. The government agency Ngak Mak Tang (Everyone Matters) is responsible for protecting the rights of persons with disabilities.

The Convention on the Rights of Persons with Disabilities

Palau signed the Convention on 20/9/2011.

Papua New Guinea

Persons with Disabilities

The constitution prohibits discrimination against persons with physical or mental disabilities; however, there are no antidiscrimination laws. Persons with physical, sensory, intellectual, and mental disabilities faced discrimination in education, training, and employment. No legislation mandates accessibility to

buildings, and most buildings were not accessible. There were no policies or programs to assist persons with disabilities in obtaining access to communications and information.

Through the National Board for the Disabled, the government granted funds to a number of nongovernmental organizations that provided services to persons with disabilities. The government provided 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.

Other Relevant References

Human rights abuses during the year included [...] discrimination against persons with disabilities.

The Convention on the Rights of Persons with Disabilities

Papua New Guinea has not signed the Convention.

Philippines

Persons with Disabilities

The constitution prohibits discrimination against persons with physical, sensory, intellectual and mental disabilities in employment, education, access to health care, and other social services. The law provides for equal physical access for persons with both physical and mental disabilities to all public buildings and establishments, but in practice many barriers remained.

The National Council for the Welfare of Disabled Persons formulates policies and coordinates 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. The DOLE's Bureau of Local Employment maintained registers of persons with disabilities indicating their skills and abilities. The bureau monitored private and public places of employment for violations of labor standards regarding persons with disabilities and also promoted the establishment of cooperatives and self-employment projects for persons with disabilities. One NGO reported that the government had limited means to assist persons with disabilities in finding employment, and such persons had limited recourse when their rights were violated because of the financial barriers to filing a lawsuit.

The DSWD operated two assisted living centers in Metro Manila and five community-based vocational centers for persons with disabilities nationwide. Assisted-living centers were understaffed and underfunded. During the year, the DSWD provided services to 3,886 persons with disabilities. Advocates for persons with disabilities contended that equal-access laws were ineffective due to weak implementing regulations, insufficient funding, and government programs that were inadequately focused on integration. Many public buildings, particularly older ones, lacked functioning elevators. Many schools had architectural barriers that made attendance difficult for persons 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; however, many stops had unrepaired, out-of-service elevators. Buses lacked wheelchair lifts, and one NGO claimed that private transportation providers, such as taxis, often overcharged persons with disabilities or refused service. A small number of sidewalks had wheelchair ramps, which were often blocked, crumbling, or too steep. The situation was worse in many smaller cities and towns.

The constitution provides for the right of persons with physical disabilities to vote; however, persons with mental disabilities are disqualified from voting. Persons with physical disabilities are allowed to

vote with the assistance of a person of their choice. In practice, many persons with disabilities did not vote because of the physical barriers described above.

The Convention on the Rights of Persons with Disabilities

The Philippines signed the Convention on 25/9/2007 and ratified the Convention on 15/4/2008.

Samoa

Constitution and Laws

The constitution prohibits discrimination based on race, gender, disability, language, or social status, and the government generally respected these provisions in practice.

Persons with Disabilities

There is no law pertaining specifically to the status of persons with disabilities or regarding accessibility for them. Tradition dictates that families care for persons with disabilities, and this custom was observed widely in practice. There were no reports of discrimination against persons with disabilities, including physical, sensory, intellectual, and mental disabilities, in the areas of employment, education, access to health care, or the provision of other state services. 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 multistory buildings.

The Ministry of Women, Community, and Social Development has responsibility for protecting the rights of persons with disabilities.

The Convention on the Rights of Persons with Disabilities

Samoa has not signed the Convention.

Singapore

Persons with Disabilities

The MCYS is responsible for protecting the rights of persons with disabilities. MCYS' Enabling Masterplan 2007-11 outlined a five-year policy roadmap for the programs and services in the disability sector.

Electoral law allows those voters who, incapacitated by blindness or other physical cause, are unable to vote in the manner described by law to receive voter assistance by other authorized citizens 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. There was no comprehensive legislation addressing equal opportunities for persons with disabilities in education or employment; however, 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 (approximately \$76,500) was available to employers to defray the expense of building modifications to benefit employees with disabilities. The country allows guide dogs for the blind into public places and on trains, but the laws do not cover buses and taxis. During the year 100 percent of public trains and 37 percent of buses were wheelchair accessible. All major pedestrian thoroughfares have curb cuts.

Informal provisions in education permit university matriculation for the visually impaired, those hard of hearing, and students with other physical disabilities.

Approximately 8,200 children with intellectual disabilities attended mainstream schools during the year. There were 20 special education schools that enrolled approximately 4,900 students. All primary and secondary schools were equipped with basic handicap facilities such as handicap toilets and first-level wheelchair ramps. Approximately 20 percent of all primary and secondary schools (68 schools) were equipped with full-handicap facilities.

The government provided funds for two distinct types of early education programs for children with special needs. The Early Intervention Program for Infants and Children (EIPIC) provides educational and therapy services for children up to six years of age who have handicaps or special needs. During the year there were 1,225 children enrolled in the 12 EIPIC programs. At the 18 Integrated Child Care Centers (ICCP), special needs children engage in the same group activities as the other children while also receiving enhancements of the normal childcare curriculum. During the year 97 special needs children were enrolled in the ICCPs.

The government allows a tax deduction of up to S\$3,500 (approximately \$2,700) per individual for families caring for a sibling or spouse with a disability. For families caring for a child who is disabled, they received a tax deduction of up to S\$5,500 (approximately \$4,200) per child. Mental and physical disabilities are treated in the same way. Every child under EIPIC received a S\$300 (approximately \$234) monthly subsidy. The state-mandated health insurance program specifically excludes coverage for mental illnesses and personality disorders.

Press coverage of the activities and achievements of persons with disabilities was extensive, and discrimination or abuse of persons with disabilities did not appear to be a problem.

Other Relevant References

The Children and Young Persons Act created a juvenile court system and established protective services for children orphaned, abused, "troubled," or with disabilities. The Ministry of Community Development, Youth, and Sports (MCYS) worked closely with the National Council for Social Services to oversee children's welfare cases. Voluntary organizations operated most of the homes for children, while the government funded a substantial portion of living expenses and overhead, as well as expenses for special schooling, health care, and supervisory needs.

The Convention on the Rights of Persons with Disabilities

Singapore has not signed the Convention.

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

There is no law or national policy on persons with physical, sensory, intellectual, or mental disabilities, and no legislation mandates access to buildings for such individuals. In practice very few buildings were accessible to persons with disabilities. There were no special accommodations for persons with disabilities to ensure access to information and communications. Their protection and care were left to the extended family and NGOs. The country had one educational facility for children with disabilities,

which was supported almost entirely by the ICRC. A disability center in Honiara assisted persons with disabilities in finding employment; however, with high unemployment countrywide and few jobs available in the formal sector, most persons with disabilities, particularly those in rural areas, did not find work outside of the family structure.

Persons with mental disabilities were cared for within the family structure; there were very limited government facilities 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.

The Ministry of Home Affairs is responsible for protecting the rights of persons with disabilities.

The Convention on the Rights of Persons with Disabilities

Solomon Islands signed the Convention on 23/9/2008 and the Optional Protocol on 24/9/2009.

Taiwan

Constitution and Laws

The constitution provides for equality of citizens before the law irrespective of sex, religion, race, class, or party affiliation. It also provides for the rights of persons with disabilities. The authorities enforced these provisions effectively.

Persons with Disabilities

The law prohibits discrimination against persons with disabilities and sets minimum fines for violations.

The MOI and the CLA are responsible for protecting the rights of persons with disabilities. The law stipulates that the authorities must provide services and programs to members of the population with disabilities. Free universal medical care was provided to persons with disabilities. NGOs continued to assert that more public nursing homes were needed and that current programs, such as home care services, needed to be expanded to meet the growing needs of those with disabilities, including the growing number of elderly persons.

From July 2009 a public agency with 34 or more employees must hire at least 3 percent of its workforce from among those with physical or mental disabilities. Private sector enterprises that have a work force of 67 or more are required to have at least 1 percent of the payroll filled by employees with disabilities. The new employment regulations were expected to provide approximately 4,400 job opportunities for persons with disabilities. The authorities provided subsidies ranging from NT\$3,000 to 7,000 (approximately \$107 to \$250) to persons with disabilities. As of September, subsidies amounting to NT\$12.1 billion (\$432 million) had been allocated. In 2009 a total of NT\$15.65 billion (\$559 million) was distributed.

By law new public buildings, facilities, and transportation equipment must be accessible to persons with disabilities, and this requirement was generally met. Violations resulted in fines ranging from NT\$60,000 to NT\$300,000 (approximately \$2,140 to \$10,700).

The Convention on the Rights of Persons with Disabilities

Taiwan has not signed the Convention.

Thailand

Constitution and Laws

The constitution provides for equal treatment without respect to race, gender, religion, disability, language, or social status; however, in practice some discrimination existed, and government enforcement of equal protection statutes was uneven.

Persons with Disabilities

The constitution prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in education, access to health care, or the provision of other state services; however, government enforcement was not effective. The law also mandates that persons with disabilities have access to information, communications, and newly constructed buildings, but these provisions were not uniformly enforced. Activists continued to work to amend laws that allow employment discrimination against persons with disabilities.

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 remained active in all provinces. The Community Learning Center for People with Disabilities project expanded to 30 provinces. A National People with Disabilities Day is recognized annually on The government maintained 43 special schools for students with disabilities. The Ministry of Education reported that there were 76 centers nationwide offering special education programs for preschool-age children, one in each province. All state schools nationwide, approximately 30,000, are required by law to accept students with disabilities. There also were 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 111 state 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. There were 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 such students.

Some persons with disabilities who found employment were subjected to wage discrimination.

Government regulations require private firms either to hire one person with a disability for every 200 other workers or contribute to a fund that benefits persons with disabilities, but this provision was not uniformly enforced. Government officials estimated that as many as 50 percent of firms complied with the law; the chairman of the Council of Disabled People of Thailand believed the number to be 35 to 45 percent, mostly due to inadequate government follow-up with companies. Some state enterprises had discriminatory hiring policies.

Other Relevant References

During 2009 there were 149,436 reported incidents of diseases and injuries from industrial accidents. This included 106,598 minor disabilities (resulting in no more than three days of missed work) and 42,838 disabilities resulting in more than three days of missed work (including permanent disabilities and deaths). However, the rate of incidents occurring in the informal and agricultural sectors and among migrant workers was believed to be higher. Occupational diseases rarely were diagnosed or compensated, and few doctors or clinics specialized in them. Many of the young migrant women employed along the Burma border had limited and substandard medical care options. In medium-sized and large factories, government health and safety standards often were applied, but overall enforcement of safety standards was lax. In the informal sector, health and safety protections were substandard.

Irregular migrant workers that complete the new amnesty and related nationality verification process have access to the Workmen's Compensation Fund (WCF) and Social Security Office (SSO) funds. However, migrant workers faced discrimination by an SSO policy that denies migrants registered but with disabilities access to the WCF.

The Convention on the Rights of Persons with Disabilities

Thailand signed the Convention on 30/3/2007 and ratified the Convention on 29/7/2008.

Timor-Leste

Government regulations prohibit all forms of discrimination. Nonetheless, violence against women was a problem, and discrimination against women, persons with disabilities, and members of minority groups occurred.

Persons with Disabilities

Although the constitution protects the rights of persons with disabilities, the government has not enacted legislation or otherwise mandated accessibility to buildings for persons with disabilities, nor does the law prohibit discrimination against persons with physical, sensory, intellectual, and mental disabilities. There were no reports of discrimination against persons with disabilities in employment, education, or the provision of other state services; however, in many districts children with disabilities were unable to attend school due to accessibility problems.

Training and vocational initiatives did not address the needs of persons with disabilities. In the past some persons with mental disabilities faced discriminatory or degrading treatment due in part to a lack of appropriate treatment resources or lack of referral to existing resources; it was not clear whether this situation had improved. Mentally ill persons were imprisoned with the general prison population and were denied needed psychiatric care. An office in the Ministry of Social Solidarity was responsible for protecting the rights of persons with disabilities. Persons with disabilities are eligible for monthly special monetary stipends through the Ministry of Social Solidarity.

Other Relevant References

On May 3, the parliament passed the Law against Domestic Violence. The law was enacted to provide 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.

The Convention on the Rights of Persons with Disabilities

Timor-Leste has not signed the Convention.

Tonga

Persons with Disabilities

There are no legally mandated provisions for services for persons with physical, sensory, intellectual, or mental disabilities. There were no formal complaints of discrimination in employment, education, and provision of other government services. However, there were no programs to ensure access to buildings for persons with disabilities, and in practice 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 operated a school for children with disabilities and conducted occasional home visits. A Ministry of Education pilot program, which began in 2007, continued during the year to assimilate children with disabilities into primary schools. The queen mother ran a center providing accommodation

and meals for adults with disabilities. There was an NGO advocating on behalf of persons with disabilities.

There was no specific government agency with responsibility for protecting the rights of persons with disabilities.

The Convention on the Rights of Persons with Disabilities

Tonga signed the Convention on 15/11/2007.

Tuvalu

Persons with Disabilities

The law does not prohibit discrimination on the basis of physical, sensory, intellectual, or mental disability. There were no known reports of discrimination against persons with disabilities in employment, education, or the provision of other state services. However, 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. Although the one multi-story government building had elevators, they were not operational, 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 to advocate for such persons. The Fusi Alofa Association ran basic education classes in Funafuti for children with disabilities who were not able to attend school.

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

The Convention on the Rights of Persons with Disabilities

Tuvalu has not signed the Convention.

Vanuatu

Persons with Disabilities

There is no law specifically prohibiting discrimination against persons with physical, sensory, intellectual, or mental disabilities. There is a national policy designed to protect the rights of persons with disabilities, but the government did not implement it effectively. There were no special programs to assist persons with disabilities and no legislation mandating access to buildings, information, and communications for them. Their protection and care were left to the traditional extended family and NGOs. In practice most buildings were not accessible to persons with disabilities. Due to a high rate of unemployment, few jobs were available for persons with disabilities. Persons with mental illness generally did not receive specialized care; members of their extended families usually attended to them.

The Ministry of Justice and Social Welfare is responsible for overseeing the implementation of the country's obligations under the UN Convention on the Rights of Persons with Disabilities.

The Convention on the Rights of Persons with Disabilities

Vanuatu signed the Convention on 17/5/2007 and ratified the Convention on 23/10/2008.

Vietnam

Constitution and Laws

The law prohibits discrimination based on race, gender, disability, language, or social status; however, enforcement of these prohibitions was uneven.

Persons with Disabilities

Articles 59 and 67 of the constitution provide for the protection of persons with disabilities. The Law on Disabled Persons prohibits discrimination against or maltreatment of persons with disabilities. The law also encourages the employment of persons with disabilities. In June the National Assembly enacted a national law providing for the rights of people with physical, sensory, intellectual, and mental disabilities. The new law requires equality for people with disabilities through accommodation, access to education, employment, health care, rehabilitation, transportation, and vocational training.

The provision of services to persons with disabilities, although limited, improved during the year. The Ministry of Transportation continued to implement accessibility codes for public transportation facilities and trained transportation agency officials and students on use of the codes. Construction or major renovation of new government and large public buildings must include access for persons with disabilities. The Ministry of Construction maintained enforcement units in Hanoi, Ho Chi Minh City, Danang, Quang Nam, and Ninh Binh to enforce the barrier-free codes.

Access to education for children with disabilities, including blindness, deafness, and mobility restrictions, was extremely limited. The law provides for preferential treatment for firms that recruit persons with disabilities and for fines on firms that do not meet minimum quotas that reserve 2 to 3 percent of their workforce for workers with disabilities; however, the government enforced these provisions unevenly. Firms that have 51 percent of their employees with disabilities can qualify for special government-subsidized loans.

The government respected the political and civil rights of persons with disabilities. Under the election law, ballot boxes may be brought to the homes of individuals unable to go to a polling station.

The government supported the establishment of organizations aiding persons with disabilities. Such persons were consulted 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 ministry members worked with domestic and foreign organizations to provide protection, support, physical access, education, and employment. 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 those with disabilities

The Convention on the Rights of Persons with Disabilities

Vietnam signed the Convention on 22/10/2007.

Europe and Eurasia

Albania

Constitution and Laws

The law prohibits discrimination based on race, gender, ethnicity, disability, language, or social status; however, the government did not effectively enforce these prohibitions, and discrimination persisted. On February 4, parliament approved a new law on antidiscrimination. The law created the Office of the

Commissioner for Protection from Discrimination, which is to receive and process complaints of discrimination. In May parliament named a commissioner; however, the new institution suffered from inadequate funding and staffing.

Persons with Disabilities

The constitution and law prohibit discrimination against persons with physical, sensory, intellectual, and mental disabilities; however, employers, schools, health care providers, and providers of other state services sometimes discriminated against persons with disabilities. The law mandates that new public buildings be accessible to persons with disabilities, but the government only sporadically enforced the law. Widespread poverty, unregulated working conditions, and poor medical care posed significant problems for many persons with disabilities.

During the year the ombudsman continued to inspect mental health institutions and found that while physical conditions in facilities in Vlora and Shkoder had improved, they were not in compliance with standards and remained understaffed. Inspections of the Tirana Psychiatric Hospital found that specific windows and doors needed to be replaced for safety reasons. The ombudsman regularly conducts inspections throughout Albania and recommended a major legal, organizational, and budgetary review of the country's mental health care system. The admission and release of patients at mental health institutions was a problem due to lack of sufficient financial resources to provide adequate psychiatric evaluations.

The Convention on the Rights of Persons with Disabilities

Albania signed the Convention on 22/12/2009.

Andorra

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 other state services, and the government enforced it effectively. Nevertheless, societal discrimination against persons with disabilities existed on a small scale in the form of social and cultural barriers. Persons with disabilities also faced disadvantages in the labor market. The law mandates access to public buildings for persons with disabilities, and the government generally enforced this provision.

According to the Ministry of Health, Welfare, and Labor, there were approximately 400 persons with disabilities, of whom 99 were minors. Schools continued to implement the law to adapt infrastructure to the needs of children with disabilities. During the year approximately 99 children with disabilities attended modified schools. An association for persons with disabilities operates in the principality.

The Convention on the Rights of Persons with Disabilities

Andorra signed the Convention and Optional Protocol on 27/4/2007.

Armenia

Constitution and Laws

The constitution and law prohibit discrimination based on race, gender, disability, language, or social status; however, the government did not effectively enforce these prohibitions in practice.

Persons with Disabilities

The law prohibits discrimination against persons with disabilities in employment, education, access to health care, and the provision of other state services; however, discrimination remained a problem. The law and a special government decree provide for accessibility to buildings, including schools, for persons with disabilities, but in practice very few buildings and other facilities were accessible to these persons. The Ministry of Labor and Social Affairs is responsible for protecting the rights of persons with disabilities but failed to do so effectively.

In spite of the large number of officially registered persons with disabilities in the country, disabled persons are seldom seen outside the home due to the social stigma associated with disabilities. In extreme cases the social stigma sometimes prompts families to hide their disabled children completely from public view, depriving them in the process from access to education and integration into society.

Persons with all types of disabilities experienced problems in virtually all spheres of life, including health care, social and psychological rehabilitation, education, transportation, communication, access to employment, and social protection. Access to information and communications was a particularly significant problem for persons with sensory disabilities. Hospitals, residential care, and other facilities for persons with serious disabilities remained substandard. According to official data, more than 90 percent of persons with disabilities who were able to work were unemployed.

In its monitoring of mental health facilities in the Syunik and Shirak regions during 2009, the domestic NGO Helsinki Citizens Assembly of Vanadzor (HCAV) reported numerous deficiencies, including poor hygienic conditions, poor nutrition, inappropriate buildings, outdated and ineffective medications, lack of professionally trained staff, instances of physical violence, and use of patient labor in health facilities. HCAV expressed the view that the entire operation of mental health facilities was deficient. It noted the absence of a state policy on mental health, the lack of appropriate legislation for the proper implementation of legislation regulating the work of psychological clinics, the lack of standards and norms for staff conduct, and insufficient funding of facilities.

In a May 10 letter to the Ministry of Health, the ombudsman called attention to violations his office discovered in the Nubarashen Psychological Clinic during an April 13 visit. The ombudsman's staff encountered a number of patients who were being kept involuntarily in the clinic after the conclusion of their treatment under the pretext that their "relatives would not come for them." The ombudsman noted this was unacceptable. The ombudsman highlighted other inappropriate practices including denying pretrial detainees, who were in the clinic for psychological evaluations, the right to recreational walks and telephone use. The ombudsman called on the ministry to conduct an internal investigation to address these problems. The ministry responded to the ombudsman's letter by creating on May 25 a special commission to review the problems. The commission confirmed some of the findings and reported the clinic would resolve those problems, including by purchasing new bedding and ensuring that pretrial detainees had walking space. In reference to the patients who were kept involuntarily, the ministry responded that those were legally incapable persons who were undergoing treatment based on the request of their legal representatives.

There were widespread reports about corruption and arbitrary rulings in the body that determines a person's disability status, the Medical-Social Expertise Commission (MSEC) under the Ministry of Labor and Social Affairs. On May 3, the ombudsman informed the head of the commission by letter the number of complaints his office received about the arbitrary decisions of MSEC continued to grow annually. Citizens complained to the ombudsman that MSEC would arbitrarily deprive them of disability status despite their worsening health condition. According to the letter, the ombudsman's office had never managed to achieve redress for any of the grievances against the commission, which, according to the ombudsman, placed it alongside police in terms of unanswered complaints.

In 2008 an online news agency published a HCAV survey of patients at the Vanadzor Neurological and Psychiatric Clinic. Patients reported physical abuse, torture, and abusive narcotic sedation by clinic personnel and medical staff. Patients also complained of deprivation of privileges and insufficient food. According to the domestic NGO Unison, which monitored the May 2009 Yerevan municipal elections, many persons with physical disabilities did not have access to the polls during the vote, and very few participated in the vote.

Other References

There were widespread reports about corruption in the Medical-Social Expertise Commission (MSEC) under the Ministry of Labor and Social Affairs, the body that determines a person's disability status (see section 6).

The Convention on the Rights of Persons with Disabilities

Armenia signed the Convention and Optional Protocol on 30/3/2007 and ratified the Convention on 22/9/2010.

Austria

Constitution and Laws

The law provides for protection against discrimination based on race, gender, disability, language, or social status, and the government generally enforced these protections.

Persons with Disabilities

The law protects persons with physical, sensory, intellectual, and mental disabilities from discrimination in housing, education, employment, and access to health care and other government services. The government's performance in enforcing these provisions was mixed.

Federal law mandates access to public buildings for persons with physical disabilities; however, 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.

The law provides for involuntary sterilization of adults with mental disabilities in cases where a pregnancy would be considered life-threatening. However, authorities have not performed any involuntary sterilization in recent years. The law prohibits the sterilization of minors.

The Ministry of Labor, Social Affairs, and Consumer Protection handles problems for persons with disabilities. The government funded a wide range of programs for persons with disabilities, including provision of transportation and assistance for integrating schoolchildren with disabilities into regular classes and for integrating employees with disabilities into the work place.

The Convention on the Rights of Persons with Disabilities

Austria signed the Convention and Optional Protocol on 30/3/2007. Austria ratified the Convention and the Optional Protocol on 26/9/2008.

Azerbaijan

Constitution and Laws

The law prohibits discrimination based on race, gender, disability, language, or social status, but the government did not always respect these prohibitions in practice or effectively enforce them.

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 other state services, but the government did not enforce these provisions effectively. Discrimination in employment was a problem. It was commonly believed that children with disabilities were ill and needed to be separated from other children and institutionalized. Several international and local NGOs developed educational campaigns to change social perceptions and reintegrate disabled children.

There are no laws mandating access to public or other buildings, information, and communications for persons with disabilities, and most buildings were not accessible.

Care in facilities for the mentally ill and persons with disabilities varied; some provided adequate care while others lacked qualified caregivers, equipment, and supplies to maintain sanitary conditions and provide a proper diet.

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

The Convention on the Rights of Persons with Disabilities

Azerbaijan signed the Convention and Optional Protocol on 9/1/2008. Azerbaijan ratified the Convention and the Optional Protocol on 28/1/2009.

Belarus

Constitution and Laws

The law prohibits discrimination based on race, gender, disability, language, or social status. In practice the government did not always enforce these prohibitions. Problems included violence against women and children; trafficking in persons; and discrimination against persons with disabilities, Roma, ethnic minorities, and members of the lesbian, gay, bisexual and transgender (LGBT) community.

Persons with Disabilities

The law does not specifically prohibit discrimination against persons with physical, sensory, intellectual, or mental disabilities in employment, education, access to health care, and other government services, and such discrimination was common in practice.

The Ministry of Labor and Social Security is the main government agency responsible for protecting the rights of persons with disabilities. The law mandates that transport, residences, and businesses be accessible to persons with disabilities. However, in practice few public areas were wheelchair accessible. The National Association of Disabled Wheelchair Users estimated that more than 75 percent of persons with disabilities were unable to leave their own homes without assistance.

Authorities provided minimal, reportedly ineffectual, benefits for persons with disabilities. For example, persons with disabilities who lived alone were entitled to a 50-percent discount on rent and utilities. Since few residences were accessible, persons with disabilities had to live with friends or family and thus were ineligible for the discount. Public transportation was free to persons with disabilities, but neither the subway in Minsk nor the bus system was wheelchair accessible. A government prohibition against workdays longer than seven hours for persons with disabilities reportedly made companies reluctant to hire them.

On March 24, a court in Hrodna upheld a suit filed by wheelchair user Syarhey Feshchanka against local traffic police seeking 7 million rubles (\$2,330) in damages. The court ordered police to pay Feshchanka 1.3 million rubles (\$430). In August 2009 Feshchanka fell down the stairs of the traffic police building and was injured. The building contained no ramp. Police reportedly took no steps to install a ramp and

suggested wheelchair users either call officers from their homes or use a stationary phone on the first floor of the building to contact an officer. According to local authorities in Hrodna, no secondary schools and few grocery stores were accessible for wheelchair users.

Other Relevant References

There was discrimination against persons with disabilities, Roma, ethnic and sexual minorities, persons with HIV/AIDS, and those who sought to use the Belarusian language.

Women's groups 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, and rural and older women.

The Convention on the Rights of Persons with Disabilities

Belarus has not signed the Convention.

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 identifies 18 grounds of possible discrimination subject to legal penalty: age, sexual orientation, civil status, birth, financial situation, religious belief, philosophical orientation, physical condition, disability, physical characteristics, genetic characteristics, social status, nationality, race, color of skin, descent, national origin, and ethnic origin.

Persons with Disabilities

The law provides for the protection of persons with physical, sensory, intellectual, and mental disabilities from discrimination in employment, education, and access to health care and other state services. In 2009 the CEOCR received 255 complaints regarding discrimination against persons with disabilities. Most were employment-related and concerned access to private and public buildings and services, including public transport, and access to banks, bars, and restaurants. While the government mandated that public buildings erected after 1970 must be accessible to such persons, many older buildings were still inaccessible because of preservation orders.

Other Relevant References

The government-sponsored Center for Equal Opportunity and the Combat Against Racism (CEOCR) is tasked with promoting equal opportunity and with combating all forms of discrimination, exclusion, or preferential treatment based on [...] disability, or physical characteristics.

Landlords were convicted for discriminating against foreigners and persons with disabilities.

The Convention on the Rights of Persons with Disabilities

Belgium signed the Convention and Optional Protocol on 30/3/2007. Belgium ratified the Convention and the Optional Protocol on 2/7/2009.

Bosnia and Herzegovina

Constitution and Laws

The law prohibits discrimination based on race, gender, disability, language, or other social status; however, the government did not enforce these prohibitions effectively.

Persons with Disabilities

The law in both entities prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities; however, there was discrimination against persons with disabilities in employment, education, and access to health care and other state services. Children with disabilities lacked sufficient medical care and educational opportunities. Policies toward persons with similar disabilities differed between entities in part due to structural differences between the entities' institutions. In the federation, the Institute for Medical Disability Status Classification, staffed by medical professionals and overseen by five relevant federation ministries in cooperation with an advisory NGO, determined the severity of each person's specific disability and level of assistance needed. In the Republika Srpska, the government social workers in the Center for Social Welfare under the entity Ministry of Health and Social Welfare evaluated persons for disabilities and assistance.

In the federation, the law mandates that all public buildings must be retrofitted to provide access to persons with disabilities, and new buildings must also be accessible by the end of the year. However, buildings were rarely accessible to persons with disabilities in practice. Several government buildings, including the federation government and parliament buildings, were not in compliance with the law. The Republika Srpska had comparable laws for public access, but few older public buildings were accessible.

There was clear discrimination between different categories of persons with disabilities, although the vast majority of such persons were unemployed. Persons with disabilities resulting from service during the 1992-95 conflict were given a privileged status above civilian war victims and persons who were born with disabilities. The Republika Srpska government paid 40 convertible marks (\$27) monthly to upwards of 5,000 persons recognized by its Center for Social Welfare as disabled. In the federation, some 35,000 persons, using standards adopted by the government in 2009, were officially recognized as "90 percent" or "100 percent" disabled and received 440 convertible marks (\$372) in assistance each month. Veterans and civilian war victims with disabilities received an estimated 1,000 convertible marks (\$680).

Many individuals with disabilities lived in institutions, although a growing number of programs for children with disabilities were available in schools. During the year an estimated 30 percent of persons with disabilities residing in institutions were capable of independent living if housing and resources were available. At year's end, an estimated 1,900 persons with varying degrees of intellectual disabilities were institutionalized. During the year the federation government began a pilot program for assisted living in Tuzla which included 20 persons with intellectual disabilities. As of year's end, no such programs existed in the Republika Srpska.

Other Relevant References

The following human rights problems were reported: [...] discrimination against persons with disabilities; trafficking in persons; and limits on employment rights.

The Convention on the Rights of Persons with Disabilities

Bosnia and Herzegovina signed the Convention and Optional Protocol on 29/7/2009. Bosnia and Herzegovina ratified the Convention and the Optional Protocol on 12/3/2010.

Bulgaria

Constitution and Laws

The law prohibits discrimination on the grounds of race, gender, disability, social status, and sexual orientation; however, the law does not prohibit discrimination on the basis of language. Societal discrimination continued, particularly against ethnic minorities, sexual minorities, and persons with disabilities. Trafficking in persons continued to be a problem.

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 or other areas; however, the government did not effectively enforce these provisions in practice. Societal discrimination against persons with disabilities persisted.

The law requires improved access to buildings for persons with disabilities, and some new public works projects took this requirement into account; however, enforcement of this law lagged in existing, non-renovated buildings. The law promotes the employment of disabled persons; however, enforcement was poor, and most persons with disabilities were unemployed primarily due to lack of access to adequate education and skills. For the most part, employers did not equip workplaces to accommodate persons with disabilities, and many were not able to find accessible transportation.

Persons with mental and physical disabilities, including very young children, were often in institutions separated from the rest of society. The majority of these institutions were located in remote rural areas, which prevented hiring of qualified staff and hampered access to timely medical assistance. Despite some incremental improvements, conditions in institutions for persons with disabilities remained poor. The government operated 26 institutions for children and youth with disabilities.

The government continued to lack a policy with regard to children with disabilities, resulting in their receiving inadequate access to education, healthcare, and social services. Children with varying types and degrees of disability were placed in the same institution. In 2009 there were 2,906 children with disabilities in public institutions.

NGOs criticized the government for continuing to isolate persons with disabilities in a costly parallel system of education, socialization, and health care. Critics maintained that the government lacked both institutional capacity and the will to move from the old model to an inclusive, community-oriented model.

The constitution provides the right of all citizens to vote, and the law provides specific provisions to ensure that persons with disabilities have access to the polls. However, authorities rarely enforced these provisions in practice, and the majority of polling stations were not wheelchair accessible.

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 disabled persons and worked with government-supported national representative organizations for persons with disabilities. However, human rights groups remained concerned about the lack of vision and transparency regarding financial and other support to the national representative organizations as well as the poor capacity of the agency to implement any reforms.

Other Relevant References

Societal discrimination continued, particularly against ethnic minorities, sexual minorities, and persons with disabilities.

Human rights problems included[...] and discrimination against persons with disabilities, Roma, other members of minority groups, and lesbian, gay, bisexual, and transgender (LGBT) persons.

A defense attorney is mandatory if the alleged crime carries a punishment of 10 or more years in prison for juveniles, foreigners, persons with mental or physical disabilities, or for trials conducted in the absence of the accused.

The government lacked a policy on children with disabilities, resulting in their receiving inadequate access to education, healthcare, and social services (see section 6.).

Problems in state-run institutions for children, including incidents involving the exploitation of children, continued to receive media attention during the year. In September the BHC and the prosecution service conducted a joint inspection of institutions for disabled children that uncovered 238 deaths in the preceding decade as a result of poor treatment, lack of supervision, and unsanitary conditions as well as violence.

In 2009 there were 6,920 children, including children with disabilities, in 137 specialized institutions. This was a decrease from 7,466 children in 140 institutions in 2008 and a 45 percent decrease from 12,609 children in 165 institutions in 2001. The majority of children in institutions were Roma. Most children in state institutions were not orphans; courts institutionalized children when they determined that their families were unable to provide adequate care.

The Convention on the Rights of Persons with Disabilities

Bulgaria signed the Convention on 27/9/2007 and the Optional Protocol on 18/12/2008.

Croatia

Persons with Disabilities

The law prohibits discrimination against persons with disabilities in employment, education, access to health care, and in the provision of other state services; however, discrimination occurred.

The government maintained 10 counseling centers offering assistance to persons with physical, sensory, intellectual, and mental disabilities and their families. A total of 943 persons with disabilities were employed during the year, while there were 6,207 disabled persons who were unemployed. An estimated 68 percent of unemployed persons with disabilities were unemployed for more than a year.

In a report covering the second half of 2009, the ombudsman for disabilities noted the majority of complaints received by her office involved welfare and pension payments, followed by complaints involving accessibility and legal matters. The office actively cooperated with NGOs dealing with persons with disabilities.

During the year there were several legal changes affecting the lives of persons with disabilities. On June 16, the constitution was changed to remove the word "invalid" and replace it with "persons with disabilities." In July a new law on checks and bonds was passed that allows blind persons to sign their own checks without a lengthy bureaucratic procedure, as had previously been the case.

During the year the ombudsman criticized a new law on public roads that limited free-of-charge use of the highway for persons with disabilities; under the previous law, the definition of disability was broadly construed, resulting in overuse of the benefit. While intended to correct the overuse, the tougher standards of the new law, according to some observers, disadvantaged many who should have benefited from the provision.

The number of persons with mental disabilities in institutions did not decrease, despite some efforts to develop community-based alternatives to institutionalization. On September 23, Human Rights Watch released a report criticizing the country for doing little to deinstitutionalize persons with intellectual or mental disabilities. According to the report, more than 4,000 persons with mental disabilities and 5,000 persons with intellectual disabilities remained in institutions, while only 16 from the former group and

250 from the latter moved to alternative community living programs allowing for a better quality of life. The law provides that unemployed parents of children with disabilities be granted 2,200 kunas (\$390) in monthly compensation. The law also provides compensation to foster-care families.

The law mandates access to buildings for persons with disabilities; however, the government did not always enforce this provision, and the law did not mandate that existing facilities be retrofitted. As a result, access to public facilities for persons with disabilities remained limited.

Other Relevant References

The law provides longer sentences for sexual violence against persons with disabilities.

The Convention on the Rights of Persons with Disabilities

Croatia signed the Convention and Optional Protocol on 30/3/2007. Croatia ratified the Convention and the Optional Protocol on 15/8/2007.

Cyprus

Constitution and Laws

The law prohibits discrimination based on race, gender, disability, language, 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 employment, education, access to health care, or in the provision of other state services, and in practice the government generally enforced these provisions. The law mandates that public buildings and tourist facilities built after 1999 be accessible to all; government enforcement of the law was ineffective, however, and older buildings frequently lacked access for persons with disabilities. There were no appropriate institutions for adults suffering from mental disabilities who were in need of long-term care.

The amended People with Disabilities Law, which extended the ombudsman's authority to cover discrimination based on disabilities in both the private and public sectors, had not been fully implemented by year's end. Problems facing persons with disabilities included narrow or nonexistent sidewalks and lack of transport, parking spaces, accessible toilets, and elevators. During the year the ombudsman examined 26 complaints of discrimination against persons with disabilities. While many of the cases were still under investigation, the ombudsman reported full compliance of private and government organizations with her recommendations in the cases that were completed.

There were no long-term care facilities specifically for persons with mental disabilities, but many such persons were housed at the Athalassa Psychiatric Hospital. In 2007 an association representing approximately 300 families with children with Down syndrome complained that the government did not respond to its repeated calls for the creation of a specialized center for the treatment of such children, particularly those in need of temporary hospitalization. Some were housed at the hospital, where they allegedly received inadequate care. The parents claimed that the children were left naked, locked in their wards for excessive amounts of time, and placed under the influence of sedative medication. In December 2009 the same association complained that the government rejected its request for a subsidy to cover its operating expenses, and as a result it had to close its office.

According to a study presented at a meeting of the House Committee on Human Rights in May, one in three patients discharged from Athalassa Psychiatric Hospital were living in retirement homes and were experiencing difficulties integrating into society. Ten percent of these former patients were under the

age of 30. Members of the committee noted that there is no infrastructure to support mental health patients with the result that, when they leave the psychiatric hospital, their medication is stopped and there are no programs for their social integration or aftercare in general, a situation that could lead to serious problems.

On August 27, the Paraplegics Association complained that the new public buses, introduced in June as part of the overhaul of the public transport system, did not meet the needs of wheelchair users as they only had space for one wheelchair instead of two. After a meeting with the minister of communications and works on September 2, the Paraplegics Association said that the government agreed to satisfy the demand for two wheelchair spaces in all buses ordered from now on. The government also agreed to modify current buses if demand showed that there was a need for two wheelchair spaces.

In 2008 the president of the Cyprus Mental Health Commission, Christodoulos Messis, stated that, in order to reduce numbers, patients in the Athalassa psychiatric unit were being released into nursing homes for the elderly regardless of their age, with no plan for their rehabilitation within the community. He criticized the mental health services for not creating appropriate halfway houses and boarding schools to host psychiatric patients wishing to reintegrate into society and return to active employment.

The Ministry of Labor and Social Insurance's Service for the Care and Rehabilitation of the Disabled was responsible for protecting the rights of persons with disabilities. In addition 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. The council monitored actions that affected the protection of the rights of persons with disabilities and served as a forum for persons with disabilities to contribute to public policy.

The Convention on the Rights of Persons with Disabilities

Cyprus signed the Convention and Optional Protocol on 30/3/2007. Cyprus ratified the Convention and the Optional Protocol on 27/6/2011.

Czech Republic

Constitution and Laws

The law prohibits discrimination based on gender, age, disability, race, ethnic origin, nationality, sexual orientation, religious faith, or personal belief. However, the government did not effectively enforce these provisions, and significant societal discrimination against Roma and women persisted. Trafficking in persons also remained a problem.

In June 2009 parliament overrode the president's 2008 veto of antidiscrimination legislation and adopted a comprehensive antidiscrimination act that harmonized the country's law with EU requirements.

In November following a country visit, Council of Europe's Commissioner for Human Rights Thomas Hammarberg stated, "There has been virtually no change on the ground in the Czech Republic since the European Court of Human Rights found three years ago that the country had discriminated against Roma children by educating them in schools for children with mental disabilities."

Persons with Disabilities

The law prohibits discrimination against persons with disabilities in employment, education, access to health care, and the provision of other state services, and the government generally enforced these provisions. However, persons with disabilities faced a shortage of public accommodations and were unemployed at disproportionately high rates.

The ombudsman is required to make regular visits to all governmental and private workplaces of persons with physical restrictions to examine conditions, ensure that fundamental rights are respected, and advocate for improved protection against mistreatment. His office made these visits throughout the year.

In 2009 through its program to aid persons with disabilities, Mobility for All, the government provided 112.5 million korunas (approximately \$6.25 million) to cosponsor 56 projects in towns and cities throughout the country, building barrier-free sidewalks, crossings, crossroads, and handicapped elevators in government institutions; purchasing barrier-free buses; and providing barrier-free access to government institutions, schools, libraries, galleries, and museums.

Approximately 60 percent of Prague's metro stations were accessible to persons with disabilities, and most buses and new tramcars were configured to accommodate them. However, of 15 major metro stations in the city center, only five were barrier free. There were 294 barrier-free high schools in the country as well as 50 barrier-free institutions of higher learning, including universities.

In prior years, media reports and the UN Human Rights Council sharply criticized the use in several social care homes of "cage beds" for young persons with severe mental and physical disabilities. During unannounced visits in 2009 to 25 psychiatric institutions, the ombudsman found that restraint beds were used in most geriatric psychiatric units. He found that net beds, enclosed areas, and sedatives administered without a physician present were often used to restrict patients' freedom of movement. In his report the ombudsman cited the lack of personnel as a major cause for the use of these beds.

The Convention on the Rights of Persons with Disabilities

The Czech Republic signed the Convention and Optional Protocol on 30/3/2007. Czech Republic ratified the Convention on 28/9/2009.

Denmark

Constitution and Laws

The constitution and law prohibit discrimination based on race, gender, disability, language, or social status, and the government generally enforced the law effectively. However, there were incidents of violence against women, child abuse, and trafficking in persons.

Persons with Disabilities

The law prohibits discrimination against persons with physical and mental disabilities in employment, education, access to health care or other state services, and other areas, and the government effectively enforced these provisions in practice. The law mandates access to buildings, education, information, and communications for persons with disabilities, and the government generally enforced these provisions in practice.

The Ministry of Social Affairs has responsibility for protecting the rights of persons with disabilities, and implementation is the responsibility of municipal governments. The Danish Disability Council, a government-funded organization, monitored the status of persons with disabilities and advised the government and the parliament on issues relating to disability policy. The Equal Opportunities Center for Disabled Persons is a government-funded entity that documented and alerted the government to inequalities in society that affected persons with disabilities. The Danish Institute for Human Rights and the parliamentary ombudsman were also involved in monitoring the treatment of disabled persons. Each year, the ombudsman receives a significant number of complaints related to discrimination against persons with disabilities.

In April 2009 the government reported that more than 16,000 adults were in state-sponsored, long-term or temporary, special-care facilities for the persons with physical or mental disabilities.. The state also provided protected employment for approximately 9,000 persons with disabilities and offered 22,500 such individuals special state-sponsored activities to assist in their well-being. This was a part of the state's effort to move care for persons with disabilities from institutions to a home environment to promote greater individual self-reliance and reduced dependence on the public sector.

The Convention on the Rights of Persons with Disabilities

Denmark signed the Convention on 30/3/2007. Denmark ratified the Convention on 24/7/2009.

Estonia

Constitution and Laws

The constitution prohibits discrimination based on race, gender, disability, language, or social status, and the government generally enforced the prohibitions. However, violence against women and child abuse were problems.

Persons with Disabilities

The law prohibits discrimination against persons with physical and mental disabilities in employment, education, access to health care, or the provision of other state services. The government generally enforced these provisions. The law does not mandate access to buildings for persons with disabilities; most older buildings were inaccessible, although new or renovated buildings generally were. 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. The government focused on developing rehabilitation services to improve the ability of persons with disabilities to cope independently and increase their social inclusion. Children, adults, and elderly persons with disabilities necessitating prosthetics and orthopedic or other technical aids are compensated by the state for 50 to 90 percent of the cost of the device.

Other Relevant References

The legal chancellor, an independent official with a staff of 30 persons, performs the role of human rights ombudsman. The legal chancellor reviews legislation for compliance with the constitution and oversees observance by authorities of fundamental rights and freedoms and the principles of good governance. The legal chancellor also helps resolve accusations of discrimination based on gender, race, nationality (ethnic origin), color, language, religion, social status, age, disability, and sexual orientation. The legal chancellor makes recommendations to ministries and local governments, requests responses, and has the authority to appeal to the Supreme Court. The legal chancellor compiles an annual report for parliament. Public trust in the office was high, and the government was responsive to the reports and decisions issued by this office.

Authorities have adopted policies, such as funding citizenship and language courses and simplifying the process for persons with disabilities, to facilitate acquisition of citizenship by those stateless persons who wish it.

The Convention on the Rights of Persons with Disabilities

Estonia signed the Convention on 25/9/2007.

Finland

Constitution and Laws

The constitution and law prohibit discrimination based on race, gender, disability, language, or social status, and the government effectively enforced these prohibitions. However, there were reports of violence against women and children, trafficking in persons, and societal discrimination against foreign-born residents and Roma.

Persons with Disabilities

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

Laws mandating access to buildings for persons with disabilities were generally enforced, although many older buildings remained inaccessible. 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 do so effectively.

The Convention on the Rights of Persons with Disabilities

Finland signed the Convention and Optional Protocol on 30/3/2007.

France

Constitution and Laws

The constitution and law prohibit discrimination based on race, gender, disability, language, or social status, 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, access to health care, and the provision of other government services. The government generally enforced these provisions effectively.

During the year according to the Observatory for Inequalities, 19 percent of persons with disabilities were unemployed, twice the national unemployment rate. The law requires companies with more than 20 employees to provide that persons with disabilities make up 6 percent of the company work force. Noncompliant companies could face criminal fines that benefit the National Association for the Professional Integration of the Disabled, an organization of workers and employers unions that funds training for professionals with disabilities. However, many companies admitted to being unaware of their legal obligations. On average persons with disabilities made up approximately 5 percent of the work force of companies that were subject to the law.

The law provides for government compensation to persons for the consequences of a disability and requires that buildings, education, and employment be accessible to them. The law requires that any new building with public or community space and any existing public building be accessible for persons with disabilities. Many existing buildings as well as transportation systems did not yet meet these requirements. The law also requires the establishment of centers in each administrative department to assist disabled persons with receiving compensation and employment assistance.

On September 13, the president announced that social security payments to adults with disabilities would continue to increase by 5 percent per year until 2012. The increases, which began in 2007, would

total 25 percent by 2012. During the year the government paid adults with disabilities 696.63 euros (\$933.48) per month.

The Convention on the Rights of Persons with Disabilities

France signed the Convention on 30/3/2007 and Optional Protocol on 23/9/2008. France ratified the Convention and the Optional Protocol on 18/2/2010.

Georgia

Constitution and Laws

The constitution and law prohibit discrimination based on race, gender, religion, disability, language, or social status; however, the government did not always enforce these prohibitions effectively.

Persons with Disabilities

The constitution and 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 or other areas; however, the government was not effective in enforcing these provisions. Enforcement was a low priority for the government. Discrimination, including social discrimination, against persons with disabilities was a problem.

During the year 138,614 persons with disabilities were registered compared with 139,354 in 2009. This number included 10,134 children, compared with 8,034 in 2009. These numbers included only those officially registered; the actual number could be higher.

The law mandates access to buildings for persons with disabilities and stipulates fines for noncompliance. However, very few public facilities or buildings were accessible, although notably the newly constructed presidential residence and the Ministry of Internal Affairs building were. During the May 30 elections, ballots in Braille were available for voters with visual disabilities.

The CPT noted in a September 21 report that at the institution for persons with mental and physical disabilities in Dzevri, there were no allegations of mistreatment of residents by staff, and that it had a generally positive impression of residents' living conditions.

In the 2009 National Preventive Mechanism Report (released during the year), the PDO drew the same conclusions as the CPT. The PDO noted, however, that living conditions were poor, including poor ventilation; lack of heat; lack of access to hygiene products, and poor nutrition. Patients who were admitted voluntarily were not allowed to leave of their own free will.

The Ministry of Labor, Health, and Social Affairs was the lead government agency responsible for policy regarding persons with disabilities. Other ministries were also involved, including the Ministry of Education and Science, which has an inclusive education program, and the Ministry of Sport and Youth Affairs, which runs the Special Olympics program. The PDO monitors the treatment of persons with disabilities through its Center for Disability Rights.

The government took some steps to address the needs of persons with disabilities. On December 3, the International Day of Persons with Disabilities, a forum was held in Tbilisi to raise public awareness on the problems and needs of persons with disabilities. In December 2009 the government approved a national action plan for activities for persons with disabilities, mandating clearly increased budgets and diversified activities across many ministries. The national action plan prioritizes disability classification, access to information, healthcare, access to buildings, education, habilitation and rehabilitation, employment, culture and sports, social protection, data, and legislative improvement. During the year work on the following elements of the action began, including revision of disability classification,

creation of a new data system for persons with disabilities, and creation of an inclusive education program. State agencies provided protected work places for persons with disabilities, including the civil registry that employs dozens of persons with disabilities who work from home.

There were nine major committees in the country that evaluated children and assisted with their inclusion, or integration, in schools; approximately 200 schools became inclusive during the year by providing access ramps and other facilities and specialized teachers with individual approaches to teaching and assessment. During the year standards for day care centers for children with disabilities were developed. All existing day care centers were evaluated based on these standards, and state vouchers were granted to individuals with disabilities, permitting them to be enrolled in quality daycare facilities.

The Convention on the Rights of Persons with Disabilities

Georgia signed the Convention and Optional Protocol on 10/7/2009.

Germany

Constitution and Laws

The constitution prohibits the denial of access to housing, health care, or education on the basis of race, ethnicity, gender, religious affiliation, age, sexual orientation, disability, language, or social status, and the government effectively enforced these provisions in practice.

Persons with Disabilities

The constitution prohibits discrimination against persons with physical, or mental disabilities in employment, education, access to health care, and the provision of other federal state services, and the government effectively enforced these provisions. The relevant law, enacted in 2006, makes no specific mention of persons with sensory or intellectual disabilities but these are believed to be subsumed under the other headings. However, the federal states of Bavaria, Baden-Wuerttemberg, North Rhine-Westphalia, and Saxony limited the number of children with disabilities attending secondary schools. For example, in Baden-Wuerttemberg 54,200 students with disabilities were required to go to special schools, which often prevented them from attending secondary school. During the year only 15.7 percent of children with disabilities attended regular schools together with children without disabilities. While special schools are often better equipped to take special care of students with disabilities, critics argued that such separation prevented the full integration of children with disabilities into the professional world and society as a whole.

The number of schools and day care facilities that accommodated both children with disabilities and children without disabilities increased from 7,789 in 1998 to 14,143 in 2008, while the number of day care centers and schools exclusively for children with disabilities decreased from 691 in 1998 to 378 by mid-2008.

In July 2009 the government released a report on the status of persons with disabilities which indicated that unemployment among persons with disabilities decreased by more than 14 percent between 2005 and 2008. The proportion of employees with disabilities in the workforce increased from 7.3 percent in 2005 to 8.5 percent in 2006. In 2007-08, 72 percent of all juveniles with disabilities, who were eligible to do so, started professional training.

The government promoted the employment of handicapped persons through a number of measures. For example, employers with a minimum of 20 employees must hire persons with disabilities to fill at least 5 percent of all positions, facing a fine if they do not comply.

The federal government has developed guidelines for barrier-free public buildings and for modifying streets and pedestrian zones to accommodate persons with disabilities. All 16 federal states have incorporated these guidelines into their building codes. Almost all federal buildings (98 percent) complied with the guidelines for a barrier-free environment. The federal government provided payments of 518.2 million euros (\$689 million) per year through 2019 to the states to support barrier-free buildings. Efforts were continuing to improve further barrier-free access in public transportation.

By law the federal government is required to provide barrier-free access to communications, especially in the field of administrative Internet sites and official forms and notifications.

In 2008 there were eight violent right-wing extremist crimes against persons with disabilities; there were 45 such crimes between 2001-08.

Under the law, the federal commissioner for matters relating to persons with disabilities is the principal government contact in all matters related to persons with disabilities and has specific responsibility for protecting the rights of persons with disabilities. 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 responsibility for addressing the needs of persons with disabilities.

Other Relevant References

The FCO defined "politically motivated crimes" as offenses related to the victims' ideology, nationality, ethnicity, race, skin color, religion, world view, ancestry, sexual orientation, disability status, appearance, or social status.

The Convention on the Rights of Persons with Disabilities

Germany signed the Convention and Optional Protocol on 30/3/2007. Germany ratified the Convention and the Optional Protocol on 24/2/2009.

Greece

Constitution and Laws

The constitution and the law prohibit discrimination based on race, gender, disability, language, or social status; however, the government did not protect these rights consistently in practice.

Persons with Disabilities

The law prohibits discrimination against persons with physical and mental disabilities in employment, education, access to health care, or the provision of other government services; in practice government enforcement of these provisions was uneven. The law mandates access to buildings for persons with disabilities and special ramps for the sidewalks and means of public transportation; however, authorities enforced this law poorly. Disabled activists reported that, although special ramps for sidewalks were being constructed throughout the country, sidewalks and special ramps were overwhelmingly occupied by parked vehicles, thus hindering accessibility for disabled persons. The general lack of accessibility forced such persons to remain at home and led to serious social exclusion.

Only 5 percent of public buildings were fully accessible to persons with disabilities, with the majority of these in Athens; most buildings with special ramps did not have accessible elevators or lavatories. The deputy ombudsman for social welfare handled complaints related to persons with disabilities, especially those related to employment, social security, and transportation.

In 2009 the Ministry of Health and Social Solidarity estimated that there were 180,000 children with disabilities with special educational needs. The Teachers' Association estimated in 2009 that only 18,500 of these children attended primary school and of these only 10 percent would attend secondary school,

due either to a lack of local special education schools or a lack of accessibility. In 2009 the National Confederation of Persons with Disabilities reported that the educational system for persons with disabilities fostered discrimination and social exclusion and, therefore, 90 percent of children with disabilities were excluded from the mandatory nine years of education.

The Confederation of the Disabled reiterated during the year that education was not available for persons with serious disabilities and many such persons were forced either to leave school due to lack of accessibility or to accept a low quality education at the special education schools. The confederation stated that only two of the 10 universities in Athens were accessible to persons with disabilities and that 80 percent of children in special schools for children with disabilities were housed in buildings unsuitable to their needs.

The Confederation of the Disabled estimated that the unemployment rate of persons with disabilities was 84 percent in 2009 and constituted the greatest social problem they faced.

Athens was selected to host the Special Olympics World Summer Games in the summer of 2011.

Other Relevant References

Transgender persons were exempt from military service on disability grounds.

The Convention on the Rights of Persons with Disabilities

Greece signed the Convention on 30/3/2007 and Optional Protocol on 27/9/2010.

Hungary

Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, and/or intellectual disabilities in employment, education, access to health care, or the provision of other state services; however, persons with disabilities frequently faced discrimination and prejudice.

Government sources estimated there were 600,000 persons with disabilities, while disability organizations estimated the number to be approximately one million.

NGOs expressed concern about the lack of independent oversight over government-run, long-term-care institutions for persons with mental disabilities. There were sporadic reports that employees of such institutions used inappropriate physical restraints on patients, a problem experts attributed partly to inadequate numbers of qualified staff. NGOs also noted that there was no legal regulation or government strategy for deinstitutionalization of persons.

The international NGO Mental Disability Advocacy Center criticized the government for failing in its obligation to protect the rights of persons with disabilities who were under the legal guardianship of others, particularly in their access to employment, education, and health care services. According to the center, one of the key problems was a lack of alternatives to guardianship for persons with disabilities who needed support in making certain decisions. According to NGOs, almost 80,000 adults were under guardianship. According to the constitution, citizens placed under guardianship by a court immediately lose their right to vote. In addition, NGOs contended that polling places were not accessible for persons with disabilities and the election materials were not available in easy-to-read format.

A government decree requires all companies with more than 20 employees to reserve 5 percent of their jobs for persons with physical or mental disabilities. The decree specifies fines for noncompliance. Employers typically paid the fines rather than employ persons with disabilities. In 2009 approximately 9 percent of working-age persons with mental disabilities were employed.

Both the central government and municipalities continued to update public buildings to make them accessible to persons with disabilities. The law requires that buildings operated by the central government be accessible by 2010; those operated by the municipalities must meet this goal by 2013. There was no data available on the percentage of government buildings that were not accessible, but NGOs contended many public buildings remained inaccessible.

The lead agency for protecting the rights of persons with disabilities is the Ministry of National Resources.

Other Relevant References

On May 20, the ECHR issued a decision favoring a plaintiff who challenged the decision of the authorities denying him the right to vote because he was under partial guardianship for manic depression, a condition the constitution envisages as a possible basis for deprivation of the franchise. However, the ECHR concluded that the indiscriminate removal of voting rights (without an individual judicial evaluation and based solely on a mental disability necessitating partial guardianship) violated the convention and awarded the plaintiff 3,000 euros (\$4,000).

Also on May 20, the ECHR ruled in favor of a plaintiff who claimed he was mistreated due to his physical disability while serving a prison sentence at Szeged Prison in 2005-06. The court awarded him 12,000 euros (\$16,000).

NGOs claimed that the right to public schooling is not honored for children with severe and multiple disabilities because public schools are not obliged to set up classes for those children. NGOs and government officials estimated that one-third of Romani children were educated in segregated classes and that 20 percent were placed without justification in remedial classes for children with mental disabilities, effectively segregating them from other students.

During the year the Chance for Children Foundation (CFCF) initiated a lawsuit against Heves County and the county-operated Expert Committee, which diagnoses and certifies children with disabilities and learning difficulties. The CFCF claimed that the percentage of children certified as having such disabilities was much higher than in other counties, the number of Romani children among them was disproportionately high, and almost all certified children attend segregated remedial schools with substandard curricula. The CFCF asked the court to rule that there was racial bias in the diagnosing and certifying procedure and to ban the county and its institution from the practice. The case was pending at year's end.

The Convention on the Rights of Persons with Disabilities

Hungary signed the Convention and Optional Protocol on 30/3/2007. Hungary ratified the Convention and the Optional Protocol on 20/7/2007.

Iceland

Constitution and Laws

The constitution and law prohibit discrimination based on race, gender, disability, language, and social status. Various laws implement these prohibitions, and the government effectively enforced them.

Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities. There were no reports of official discrimination in employment, education, access to health care, and the provision of other state services. The law also provides that persons with disabilities receive preference for government jobs when they are at least as qualified as other applicants.

However, disability rights advocates asserted that the law was not fully implemented and that persons with disabilities constituted a majority of the country's poor.

The government ensured that persons with disabilities have access to buildings, information, and communications. Building regulations require that public accommodations and government buildings, including elevators, be accessible to persons in wheelchairs, that public property managers reserve 1 percent of parking spaces (a minimum of one space) for persons with disabilities, and that sidewalks outside the main entrance of such buildings be kept clear of ice and snow to the extent possible. Violations of these regulations are punishable by a fine or a jail sentence of up to two years; however, the main association for persons with disabilities complained that authorities rarely, if ever, assessed penalties for noncompliance.

The Ministry of Social Affairs and Social Security was the lead government body responsible for protecting the rights of persons with disabilities. It coordinated the work of six regional offices that provided services and support to persons with disabilities. It also maintained a diagnostic and advisory center in Reykjavik that sought to create conditions allowing persons with disabilities to lead normal lives.

Other Relevant References

The children's ombudsman, who is appointed by the prime minister but acts independently of the government, has a mandate 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 had access to all public and private institutions that housed or otherwise cared for children. The ombudsman was not empowered to intervene in individual cases but could investigate them for indications of a general trend. The ombudsman could also initiate cases at personal discretion. While the ombudsman's recommendations are not binding on authorities, the government generally adopted them.

The Convention on the Rights of Persons with Disabilities

Iceland signed the Convention and Optional Protocol on 30/3/2007.

Ireland

Constitution and Laws

The law prohibits discrimination in employment on the basis of gender, marital status, family status, sexual orientation, religion, age, disability, race, and membership in the Traveller community, and the government sought to enforce the law; however, discrimination against racial and ethnic minorities, including immigrants and Travellers, remained a problem.

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 other state services or other areas; and the government effectively enforced these provisions. The government effectively implemented laws and programs to ensure that persons with disabilities have access to buildings, information, and communications. The government does not restrict the right of persons with disabilities to vote or participate in civic affairs. The National Disability Authority has responsibility for setting and implementing disability standards, as well as directing disability policy.

The Convention on the Rights of Persons with Disabilities

Ireland signed the Convention on 30/3/2007.

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. The government generally enforced these prohibitions; however, some societal discrimination continued against women, persons with disabilities, immigrants, and Roma.

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 other state services. The government effectively enforced these provisions, but there was some societal discrimination. The NGO Antigone claimed there was a pattern of abuse in prisons and mental health facilities, highlighting some cases of death possibly resulting from poor treatment of those detained in such facilities. On June 11, a parliamentary committee visited the largest criminal detention center for those with psychiatric problems, which is in Aversa. The committee criticized the lack of adequate treatment for inmates, whom they described as neglected.

On September 9, a woman in a wheelchair claimed that the driver of a water taxi in Venice refused to transport her because of her disability. The municipality opened an investigation.

Although the law mandates access to government buildings for persons with disabilities, mechanical barriers, particularly in public transport, left such persons at a disadvantage. The Ministry of Labor and Welfare was responsible for protecting the rights of persons with disabilities. Many cities lacked infrastructure (such as elevators at subway and funicular stations and ramps on sidewalks) for persons with limited mobility and those in wheelchairs.

ISTAT estimated there were 2.6 million persons with disabilities in 2004, based on a sample survey of the population. Using a different methodology, an independent research center, Censis, estimated that during the year there were 4.1 million persons with disabilities.

Other Relevant References

During the year there were some reports of police abuse of authority and inadequate care for prisoners with mental disabilities.

Human rights groups continued to criticize understaffing and poor infrastructure at the Central Mental Health Hospital in Dunderum, the country's only secure hospital for prisoners with mental disabilities.

The Convention on the Rights of Persons with Disabilities

Italy signed the Convention and Optional Protocol on 30/3/2007. Italy ratified the Convention and the Optional Protocol on 15/5/2009.

Kosovo

Constitution and Laws

The law specifically prohibits discrimination on the basis of race, gender, ethnic origin, disability, social status, or language. The government did not 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, access to health care, and in the provision of other state services; however, the government did not effectively implement laws and programs to provide that

persons with disabilities have access to buildings, information, and communications. The situation for persons with disabilities remained difficult. Although the law mandates access to official buildings, it was not enforced and such access was rarely available in practice. Even the Office of the Ombudsperson is not accessible for persons with physical disabilities. During the year the country enacted new laws providing for access by deaf and blind persons to all public institutions, but implementation of these laws was poor.

The Ministry of Labor and Social Welfare is the government agency responsible for protecting the rights of persons with disabilities. By law protection and provision of services is offered to all citizens; however, there was considerable discrimination in practice, and ensuring the rights of persons with disabilities was not a government priority.

According to local disability rights NGO HandiKos, existing laws and governmental action plans relating to persons with disabilities were not adequately implemented. As a result, children with disabilities were often excluded from educational opportunities, were not professionally evaluated, and lacked sufficient health and social services.

According to the Ministry of Education, there were seven special residential schools for children with disabilities and 70 special needs classrooms attached to regular schools. The ministry reported that, at year's end, 1,100 pupils were receiving special education.

There were legal protections for children with disabilities. A Law on Material Support for Families of Children with Permanent Disability entered into force in 2008, and a new Law on Material Support for Families of Children with Temporary Incapacity entered into force on January 1. The laws provide definitions of children with disabilities and permit their legal guardians to apply to the Ministry of Labor and Social Welfare for material support. However, the ministry lacked both the funds and personnel to implement the laws.

According to the NGO Kosovo Mental Disability Rights International (K-MDRI), persons with mental disabilities continued to be detained without legal basis in isolated conditions. K-MDRI noted that there is no law to regulate the process of committing persons to psychiatric or social care facilities or to protect their rights within institutions. According to the World Health Organization (WHO), there were an estimated 14,000 persons with mental disabilities; K-MDRI reported an estimated 50,000 persons with mental disabilities living outside institutions. According to K-MDRI, such persons lived isolated and stigmatized lives.

The government-operated Shtime/Stimlje Institute maintained a facility for persons with developmental or intellectual disabilities with 58 residents, run by the Ministry of Labor and Social Welfare, and a separate psychiatric facility with 57 residents, run by the Ministry of Health. Citing insufficient training for staff and a lack of rehabilitative programming for patients and residents, K-MDRI advocated closing the facility, and placing its patients and residents into homes and apartments in urban areas, where they can be integrated with the community.

During the year the Ministry of Health hired a person with special needs to conduct outreach to disabled persons. The ministry operated eight integration and community homes across the country, providing inpatient care for 75 persons with mental disabilities. In addition the Ministry of Labor and Social Welfare operated another nine community homes with approximately 10 to 15 residents in each facility. K-MDRI reported that, while these homes were intended to be transitional, most residents spent years there with little prospect of integration into the community. According to the WHO, there were not enough facilities to provide care for persons with mental disabilities, and employment opportunities for persons with mental disabilities were limited.

The National Council on Disabled Persons, an advisory organization to government authorities and the Assembly, met twice during the year.

Other Relevant References

The Ministry of Labor and Social Welfare reported that there were 258 abandoned children with disabilities, ranging in age from three to 18 years, living in two government-funded community homes receiving 24-hour care.

During the year reported problems and abuses included the following: [...] societal discrimination against persons with disabilities; abuse and discrimination against persons based on their sexual orientation; and child labor in the informal sector.

The Convention on the Rights of Persons with Disabilities

Kosovo has not signed the Convention

Latvia

Constitution and Laws

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

Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, access to healthcare, or the provision of other state services or other areas, and the government generally enforced these provisions. The law mandates access to buildings for persons with disabilities; however, most buildings were not accessible.

A new law which preserves the rights of handicapped children took effect during the year. The law grants additional assistance to children with disabilities, allowing them and their chaperones to use public transportation free of charge. The law also allows families of children who have been diagnosed with a disability to receive state-funded counseling.

The Convention on the Rights of Persons with Disabilities

Latvia signed the Convention on 18/7/2008 and Optional Protocol on 22/1/2010. Latvia ratified the Convention on 1/3/2010 and the Optional Protocol on 31/8/2010.

Liechtenstein

Constitution and Laws

The law prohibits discrimination based on race, gender, disability, language, or social status. The law also prohibits public incitement to violence or public agitation or insult directed against a race, people, or ethnic group. 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, access to health care, or the provision of other state services or other areas.

The government effectively implemented laws and programs to ensure that persons with disabilities have access to buildings, information, and communications, and disabled persons readily had access. The law mandates that all public kindergartens and schools as well as public transportation systems

must be accessible to persons with disabilities by 2012. Recently constructed public buildings must become barrier-free by 2027; older public buildings, by 2019.

The Convention on the Rights of Persons with Disabilities

Liechtenstein has not signed the Convention.

Lithuania

Constitution and Laws

The law prohibits and penalizes discrimination based on race, gender, social status, ethnic background, age, sexual orientation, disability, and religion or beliefs. Despite government programs and efforts at enforcement, discrimination against women and ethnic and sexual minorities persisted.

Persons with Disabilities

The Law on Equal Treatment prohibits discrimination against persons with disabilities, although it does not specify what kind of disabilities. During the year, the equal opportunities ombudsman investigated 22 cases of alleged discrimination based on disability. The law mandates accessibility of buildings for persons with disabilities; however, according to 2009 data from the Department of Statistics, 38.2 percent of housing was inaccessible.

Individuals involuntarily declared incapacitated have no right to appeal the decision in court.

The mental health system was widely regarded as inadequate. In 2007 the government approved a National Strategy for Mental Health; however this area remained among the least reformed areas in the health sector.

The Ministry of Social Security and Labor and the Council for the Affairs of the Disabled are the two primary governmental organizations 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.

The Convention on the Rights of Persons with Disabilities

Lithuania signed the Convention and Optional Protocol on 30/3/2007. Lithuania ratified the Convention and the Optional Protocol on 18/8/2010.

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 disabilities in employment, education, access to health care, or in the provision of other state services or other areas, and the government effectively 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 "disabled friendly" structures. The NGO Aid for Handicapped Children advocated for the protection of the rights of persons with disabilities. The government and Info Handicap, an NGO, organized a campaign entitled "For Mobile People with Handicaps" in which representatives of the national railway company met with persons with disabilities with the goal of improving access to public transportation.

The law establishes quotas requiring businesses that employ more than 25 persons to hire unspecified number of workers with disabilities and pay them prevailing wages, but the government acknowledged that these laws were not applied or enforced consistently.

The Convention on the Rights of Persons with Disabilities

Luxembourg signed the Convention and Optional Protocol on 30/3/2007. Luxembourg ratified the Convention and Optional Protocol on 26/9/2011.

Macedonia

Constitution and Laws

The constitution and law prohibit discrimination based on gender, race, disability, , religion, or national, social, or political affiliation, and the government generally enforced these prohibitions. In April parliament passed a new antidiscrimination law, scheduled to be implemented at the beginning of 2011 that protects against most forms of discrimination. The new law provides for a seven-member commission to review discrimination complaints, to issue recommendations, and to promote the implementation of the law; however, the commission has no power to punish offenders. The law provides for fines ranging from 400 to 1,000 euros (\$530 to \$1,325), which courts can issue against individuals or legal entities found guilty of discrimination.

Persons with Disabilities

Persons with disabilities faced discrimination in employment, education, and access to health care and other state services. The law requires persons with physical or mental disabilities to obtain approval from a medical commission of the government to serve in supervisory positions in both the private sector and the government. The law does offer incentives to certain "shelter companies" to provide employment for persons with disabilities, but NGOs reported that restrictions on which companies qualified limited employment opportunities for persons with disabilities. The new antidiscrimination law, which passed in April, allows for those who allege discrimination to submit their complaints to the Commission for Protection Against Discrimination.

The law requires only that new buildings be made accessible to persons with disabilities. Many public buildings remained inaccessible. Inconsistent inspection resulted in construction of new facilities that were not accessible for persons with disabilities.

Advocates stated that employers were reluctant to hire persons with disabilities and that the difficulty of accessing educational and other opportunities prevented the full integration into society of persons with disabilities.

The Ministry of Labor and Social Policy is responsible for integrating persons with disabilities into economic life and for the payment of benefits. In practice disability benefits did not cover the cost of living. Advocates indicated that employment and life-skills training programs for persons with mental and physical disabilities were very limited and did not contribute significantly to economic integration.

Other Relevant References

On July 16, the prosecutor indicted 36 of 40 medical doctors and officials of the Health Fund whom police arrested in April on bribery and fraud charges related to disability pensions.

On December 2009 parliament passed a law that provides for free legal aid to citizens seeking legal assistance. The law designates those who qualify for assistance including recipients of social or disability welfare, single parents, certain pension recipients, and asylum seekers. The Office of the UN High

Commissioner for Refugees (UNHCR) reported that in practice there has been no access to state-funded free legal aid for asylum seekers due to the manner in which the provisions of the law were interpreted.

The Convention on the Rights of Persons with Disabilities

Macedonia signed the Convention on 30/3/2007 and Optional Protocol on 29/7/2009.

Malta

Constitution and Laws

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

Persons with Disabilities

The law prohibits both the public and private sectors from discriminating against persons with disabilities in employment, education, health care, access to goods and services, housing, and insurance, and the government effectively enforced these provisions. As of the end of September, the National Commission for Persons with Disabilities (NCPD), the agency responsible for enforcement of this law, was working on 113 discrimination complaints pending from previous years. During the year ending in September 2009, the NCPD opened investigations into 130 new cases and satisfactorily concluded 137.

The Convention on the Rights of Persons with Disabilities

Malta signed the Convention and Optional Protocol on 30/3/2007.

Moldova

Constitution and Laws

The law prohibits discrimination based on race, gender, disability, ethnicity, or social status; however, the government did not always enforce these prohibitions effectively.

Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, access to public facilities, healthcare, or the provision of other state services, but the law was rarely enforced. Local NGO Gaudeamus reported continued widespread discrimination against students with disabilities.

On August 25, shortly after the country's ratification of the UN Convention on the Rights of Persons with Disabilities, the Ministry of Education issued an order ensuring the inclusion of orphans and children with disabilities and special educational needs into the educational system.

During the year there were over 170,000 persons with disabilities in the country. While national strategies for reforming the residential childcare system and rehabilitating and integrating persons with disabilities existed, the government did not provide funding to implement them. Persons with disabilities faced discrimination, social exclusion, poverty, unemployment, low quality education, and lack of access to social protection. The director of the Center for Services for Students with Disabilities noted that the structure of educational institutions and the lack of materials for teaching persons who are deaf or blind were illustrative of the government's general failure to meet the needs of persons with disabilities.

Official regulations mandate access to buildings for persons with disabilities, and most government buildings provided such access. While most newly built or reconstructed private buildings were accessible, older buildings often were not. The government provided few resources to training persons

with disabilities. The Social Assistance Division in the Ministry of Labor, Social Protection, and Family and the National Labor Force Agency are responsible for protecting the rights of persons with disabilities.

On October 6, authorities approved a framework regulation on organization, operation, and quality standards of "community houses" for persons with mental disabilities. Such community houses were designed to take the place of boarding facilities for children with mental disabilities.

According to the Association of the Blind, there were 9,000 persons nationwide with visual impairment, of which 3,500 were fully blind. The 2009 ombudsman report noted problems involving persons with visual impairment exercising their right to vote. According to the election law, voters unable to complete a ballot on their own have the right to invite another person to help them vote. However, this procedure jeopardizes the voter's right to a secret ballot. The ombudsman urged the government to make ballots available in Braille.

During the November 28 parliamentary election, at one polling station in Chisinau, authorities piloted a new method of direct, secret voting for persons with visual impairments.

In Transnistria children with disabilities and special educational requirements rarely attended school and lacked access to specialized resources.

Although the law provides for equal employment opportunities and prohibits discrimination against persons with disabilities (with the exception of jobs where certain health conditions are required), in practice many employers failed to provide accommodation to persons with disabilities and avoided employing persons with disabilities.

Other Relevant References

On March 23, Transnistrian leader Igor Smirnov signed a decree granting a mass pardon, commutation, or amnesty to hundreds of inmates. More than 900 persons benefitted from the amnesty, including those who had served in the 1990-92 conflict with Moldova, persons convicted of lesser crimes, disabled and ill inmates (including those suffering from tuberculosis, HIV, and cancer), mothers, and single parents.

On July 1, acting president Mihai Ghimpu pardoned a group of convicts condemned for various offences, including two with disabilities. When examining the pardon requests, the reviewers and pardoning officials took into consideration the character and extent of the social threat of committed crimes; the offender's behavior and attitude towards work in prison, as well as participation in social activities within detention facilities; family status; and the term of punishment.

Transnistrian authorities also continued to control and intimidate NGOs by inviting their representatives to meetings where security officials were present and pressuring landlords not to renew leases for office space. Authorities restricted NGOs from providing legal advice and other assistance on political programs, such as domestic disputes, access for persons with disabilities, and property and pension rights. Transnistrian authorities encouraged NGOs operating in the region to cooperate with Russian, Abkhazian, and South Ossetian organizations rather than Western NGOs and those that operated in Moldova proper.

The Ministry of Labor, Social Protection, and Family maintained two boarding schools with a population of 675 children with disabilities and three asylums providing temporary shelter (for up to one year), counseling, and other assistance to up to 110 children from socially vulnerable families. The Ministry of Education oversaw 19 boarding schools with 5,932 students, and two orphanages with 137 children. The ministry reported that 35 percent of the children in its care were orphans or abandoned. The other 65 percent came from socially vulnerable families in which parents were unable to maintain even basic living conditions. The ministry also supervised 42 institutions for children with disabilities, housing up to 5,487 children.

The Convention on the Rights of Persons with Disabilities

Moldova signed the Convention on 30/3/2007 and ratified the Convention on 21/9/2010.

Monaco

Constitution and Laws

The constitution provides that all nationals are equal before the law. It differentiates between rights accorded to nationals (including preference in employment, free education, and assistance to the ill or unemployed) and those accorded to all residents (including inviolability of the home). The law prohibits discrimination based on race, gender, disability, language, or social status, and the government generally enforced it.

Persons with Disabilities

The constitution and the law prohibit discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, access to health care, and the provision of other state services. The government effectively enforced these provisions. There was no reported governmental or societal discrimination against persons with disabilities. The government through the Ministry of Health and Social Affairs has largely fulfilled the legal requirement to provide access to public buildings for persons with disabilities. According to government statistics, approximately 2 percent of minors (persons under 18) were considered either to have disabilities or to be in danger and therefore in need of assistance from the Social Welfare Services.

The Convention on the Rights of Persons with Disabilities

Monaco signed the Convention on 23/9/2009.

Montenegro

Constitution and Laws

The constitution and laws prohibit discrimination based on race, gender, disability, language, or social status; however, the government did not effectively enforce these prohibitions in practice. On July 27, the Assembly adopted an antidiscrimination statute containing comprehensive prohibitions of discrimination on the basis of race, religion, sexual orientation, gender identity, and other grounds. However, the Office of the Ombudsman, which is responsible for the law's implementation, lacked the human, technical, and financial resources for its enforcement.

Persons with Disabilities

The constitution and law prohibit discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, access to health care, pensions, allowances, family care and support, buildings, information and communication. The constitution also provides persons with mental disabilities with the right to be placed in an adequate residential institution and the right to foster care and support or other state services; however, societal discrimination against persons with disabilities effectively limited their access to these benefits, and authorities did not actively prosecute infractions. While laws mandating that new public buildings have access for persons with disabilities were generally enforced, lack of access to older public buildings, hospitals, and public transportation was a problem. A 2008 Law on Spatial Planning and Construction regulates the accessibility of public facilities and mandates that all public facilities must be made accessible to persons with disabilities by 2013. Facilities at polling stations were inadequate for persons with disabilities, although authorities provided mobile voting for voters who could not come to polling stations because of illness or disability.

Education for children with disabilities, including the implementation of the strategy for inclusive education, was insufficient.

Society often stigmatized persons with disabilities, and such persons depended greatly on government disability allowances, which were not adequate.

The Ministries of Health, Labor and Social Welfare, Education and Sports, Science, Culture, and Human and Minority rights were responsible for protecting the rights of persons with disabilities.

Unemployment remained a serious problem for persons with disabilities. While the law provides incentives and tax breaks to employers who hired them, employers rarely chose to hire persons with disabilities. Only 2 percent of the approximately 63,000 persons with disabilities in the country had employment during the year. In August the Employment Agency reported that 2,297 persons with disabilities were registered. To enhance the employment prospects of persons with disabilities, the Ministry of Labor and Social Welfare, the Employment Agency, trade unions, local governments, and associations of persons with disabilities signed a memorandum of understanding to monitor and evaluate the employment process and create a data base.

Mid-2009 estimates of the number of children with special needs ranged between 6,000 and 7,000. NGOs stated that the ambitious government action plan for implementing its strategy for integration of persons with disabilities for 2008-16 was significantly behind schedule. A study conducted in 2008 by the UN Development Program (UNDP) and the Strategic Studies and Prognosis Institute cited estimates of the number of persons with disabilities in the education system that varied from 2 to 10 percent. Although they were entitled to receive healthcare from the state, the numerous obstacles they faced, including the physical inaccessibility of most health institutions, unequal access to various medical treatment, and the limited availability of prosthetics, blocked full access.

Mental health care was inadequate in terms of service and capacity. Facilities for treating persons with mental disorders were out of date and underfunded. Institutional isolation perpetuated stigmatization and discrimination against the mentally ill. Institutionalized persons often became wards of the state and often lived in isolation.

On March 9, the CPT released a report on its 2008 visit to the country that characterized as "appalling" conditions for disabled persons deprived of their liberty in the Kaminski Most Institution for Persons with Special Needs. In describing Ward B of the institution, the CPT took note of "totally bare and malodorous rooms" and residents (some of whom were physically handicapped or blind, as well as mentally disabled)" were seen to lie alone, occasionally with their heads covered with a blanket, some naked, with flies crawling on them. In a locked "baby room," the delegation saw five bedridden residents, aged between three and 19, lying in cots. There was also a locked dayroom where approximately 25 residents (men, women and children together) were left wandering alone. In an unstaffed and locked part of the ward, where residents appeared to be left alone, the delegation found a dayroom in which seven residents were physically attached to furniture. The CPT report emphasized the importance of safeguards when committing persons to institutions, particularly when these decisions are made by committees of officials.

The Law on Social and Child Protection provides for the right of accommodation and education of persons with physical, mental, and sensual deficiencies in an institution for persons with special needs. The law provides that the initial decision on whether a particular individual needs this type of accommodation is made by the social welfare center commission, while the Ministry of Education is responsible for deciding on the applicant's special educational needs. The decisions of these bodies can be appealed to the Ministry of Labor and Social Welfare Center and then to the Administrative Court. Family Law regulates the area of guardianship.

On September 17, the Podgorica Basic Court fined the Podgorica municipal government 500 euros (\$665) for failing to implement its July 2009 decision, that city employee Marijana Mugosa was entitled to come to her office with a guide dog. The Podgorica government appealed, and the superior court, on October 22, delayed the execution of the basic court's decision. While the ombudsman criticized the Podgorica mayor for failing to implement the court decision, the mayor blamed the ombudsman for overstepping his authority by meddling in the court decision. The city of Podgorica accepted Mugosa's return to work but assigned her to an isolated location, explaining that the presence of her guide dog in the office harmed the health of her two colleagues. The basic court initiated an investigation of the adequacy of the new office location.

On September 22, Andrija Samardzic and his guide dog were expelled from the Carine restaurant in Podgorica where he was having dinner. Following a meeting with the Association of Handicapped Youth, the owner of the restaurant apologized and said that persons with disabilities who use guide dogs would be welcome in his restaurants; however, on November 5, Andrija Samardzic was expelled from the restaurant. The NGO Antidiscrimination Center Equista filed charges with the Podgorica basic court against the owner of the restaurant.

Local residents in the Gorica district near Danilovgrad protested against the construction of a day care center for children with special needs and signed a petition against it. The NGO YIHR criticized the petition and called on the competent authorities to ignore the protests and proceed with the construction.

Other Relevant References

The government provided books for children without parents, the disabled, special social cases, and Romani children.

A deputy ombudsman investigated complaints of violations of children's rights. His office received 32 complaints during the first nine months of the year, mainly involving contact with parents after divorce, protection from violence, the rights of children with disabilities, children's right to education, and access to social benefits.

Children with disabilities faced numerous obstacles in education and other social services. Some children with mental disabilities were confined in institutions under substandard conditions. In its March 9 report on its 2008 visit to the country, the CPT described the treatment of 15 children in the Komanski Most Institution for Persons with Special Needs, where mentally disabled children were held together with adults in unsanitary circumstances and without sufficient supervision to prevent their mistreatment by adults.

Principal human rights problems included [...] discrimination against persons with disabilities; discrimination against ethnic minorities, particularly Roma; intolerance based on sexual identity; and infringement on the rights of workers.

The Convention on the Rights of Persons with Disabilities

Montenegro signed the Convention and Optional Protocol on 27/9/2007. Montenegro ratified the Convention and the Optional Protocol on 2/11/2009.

Netherlands

Constitution and Laws

The law prohibits discrimination based on age, race, gender, disability, language, political preference, sexual orientation, and social status, and the government generally enforced these prohibitions.

Persons with Disabilities

Discrimination against persons with disabilities is illegal in all parts of the kingdom, but government enforcement was inadequate, and there were some reports that such discrimination occurred. The penal code provides penalties for discrimination in employment, education, access to health care, and the provision of state services. In 2009 the CGB received 473 complaints of discrimination, 17 percent of which related to persons with disabilities. Although CGB rulings are not binding, they usually were implemented. The law requires that persons with disabilities have access to public buildings, information, and communications, but public buildings and public transport often were not easily accessible in practice.

Other Relevant References

It is a crime to engage in public speech that incites hatred, discrimination, or violence against persons because of their race, religion, convictions, gender, sexual orientation, or disability.

The Convention on the Rights of Persons with Disabilities

Netherlands signed the Convention on 30/3/2007.

Norway

Constitution and Laws

The law prohibits discrimination based on race, gender, disability, language, or social status, and the government generally enforced this prohibition in practice, although racial profiling, violence against women, and trafficking in persons were problems.

Persons with Disabilities

The constitution and law prohibit discrimination against persons with disabilities in employment, education, access to health care, and the provision of other state services, and the government effectively enforced these provisions. The law applies generally to all persons with disabilities without enumerating specific types of disabilities. It mandates access to public buildings, information, and communications for persons with disabilities, and the government generally enforced this provision in practice. The MCEI and the State Council on Disability divide the responsibility to protect the rights of persons with disabilities. The State Council served as an advisory body for the MCEI, which coordinated national policy and managed the social benefits system for persons with disabilities. All educational institutions are required to have an appointed contact person for disabled students as well as a plan of action to include this group of students.

The Convention on the Rights of Persons with Disabilities

Norway signed the Convention on 30/3/2007.

Poland

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

Article 32 of the constitution and the 1997 Charter of Persons with Disabilities prohibit discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, access to health care or the provision of other state services. The government effectively enforced these

provisions; however, there were reports of some societal discrimination against persons with disabilities. The government restricts 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. Public buildings and transportation generally were accessible.

The Ministry of Labor and Social Policy is responsible for disability-related matters. During the year 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 state fund for rehabilitation of persons with disabilities continued a nationwide campaign encouraging companies to employ them. The fund granted money to NGOs to organize media campaigns on the rights of disabled persons.

Other Relevant References

A government ombudsman for children's rights issued periodic reports on problems affecting children, such as pedophilia on the Internet, improving access to public schools for children with disabilities, and providing better medical care for children with chronic diseases.

In its November 2009 report, the UN Committee on Economic, Social, and Cultural Rights expressed concern that, despite the existence of a ministerial-level position for equal treatment within the Prime Minister's Chancellery, discrimination continued against women and minorities, including ethnic minorities, persons with disabilities, and LGBT persons.

The Convention on the Rights of Persons with Disabilities

Poland signed the Convention on 30/3/2007.

Portugal

Constitution and Laws

The constitution and law prohibit discrimination based on race, gender, disability, language, 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 employment, education, access to health care, and the provision of other state services or other areas. The government effectively enforced the law. The law also mandates access to public buildings for persons with disabilities, and the government implemented these provisions in practice; however, no such legislation covers private businesses or other facilities.

The Ministry of Labor and Social Solidarity 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.

The Convention on the Rights of Persons with Disabilities

Portugal signed the Convention and Optional Protocol on 30/3/2007. Portugal ratified the Convention and the Optional Protocol on 23/9/2009.

Romania

Constitution and Laws

The law forbids discrimination based on race, gender, disability, ethnicity, language, or social status, among other categories. However, the government did not enforce these prohibitions effectively, and women as well as Roma and other minorities were often subjected to discrimination and violence.

Persons with Disabilities

The law prohibits discrimination against all persons in employment, education, access to health care, or the provision of other services. However, the government did not fully implement the law, and discrimination against persons with disabilities remained a problem.

The law mandates accessibility for persons with disabilities to buildings and public transportation. In practice the country had few 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. However, the number of buildings with facilities for persons with disabilities did increase during the year.

According to reports by human rights NGOs, the procedures for commitment, the living conditions, and the treatment of patients in many psychiatric wards and hospitals did not meet international human rights standards and were below professional norms.

In August the CPT issued a report on its follow-up visit to the Nucet Social- Medical Center and Oradea Psychiatric Hospital. At Nucet the delegation found a lower death rate among patients than in 2006 during their last visit, but also continuing indications of neglect such as apparently underweight patients and the lack of inquests into the deaths of some of them. It recommended that patients be given more private space for their possessions and more opportunity to walk around outside. At Oradea the CPT delegation found significant improvements in the juveniles' section but continued poor maintenance, poor sanitary conditions, and understaffing in the adult section.

In October the CRJ expressed concern about the government's failure to consult with the representatives of persons with disabilities on matters that could have an impact on their right to life and dignity. The CRJ urged the prime minister to consult on draft legislation involving persons with disabilities.

Twice during 2009 the CRJ visited 16 state institutions for persons with mental disabilities (psychiatric wards and hospitals) to assess whether human rights were being observed. In most such institutions the CRJ found overcrowding; underqualified staff; inadequate staff knowledge of the legal requirements regarding such institutions; shortages of staff and medicines; insufficient food; violation of patient privacy; patient neglect; failure to observe patients' human dignity; failure to implement the procedures to resolve the patient complaints; failure to implement regulations regarding involuntary institutionalization and informed consent; patients unaware of their rights; disregard for the legal regulations governing the detention and isolation of patients (for example, patients were tied to their beds for long periods of time); excessive sedation of patients; poor hygienic conditions; and lack of activities and recreational programs. There was no information regarding the government's response to these findings.

In September 2009 the media reported that a patient in the psychiatric ward in Poiana Mare died following the alleged ingestion of a disinfectant. The hospital was known for its particularly poor conditions and the fact that more than 150 patients died there in 2002-2004. In May, after repeated complaints by 13 psychiatric doctors at the institution who accused its director of poor management of the hospital's funds, lack of interest in procuring equipment and medication, and failure to punish the

auxiliary staff for inadequately treating patients, the hospital fired the director. The facility continued to operate at full capacity at the end of the year.

During the year there were no reports that the government took action to close or to improve the situation of patients in several state institutions for persons with disabilities where harsh conditions were the subject of a BBC documentary in December 2009.

During the year the government, through the DGPC, started a project to implement good practices to assist children and young persons with special needs in state institutions.

Some minors were sent to psychiatric hospitals without the consent of their legal guardians. According to human rights NGOs, there was no system to ensure that government-run care institutions observed the rights of children with mental disabilities.

Other Relevant References

Government agencies provided inadequate assistance to persons with disabilities and neglected persons with disabilities who were institutionalized.

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.

The Convention on the Rights of Persons with Disabilities

Romania signed the Convention on 26/9/2007 and Optional Protocol on 25/9/2008. Romania ratified the Convention on 31/1/2011

Russia

Persons with Disabilities

Several laws prohibit discrimination against persons with disabilities or mandate their equal treatment; however, the government generally did not enforce these laws. Citizens with disabilities continued to face discrimination and denial of equal access to education, employment, and social institutions. The situation for persons with disabilities reportedly worsened following the replacement of government in-kind subsidies for such items as transportation and medicine with cash payments in 2004. Some affluent regions, such as Moscow, preserved benefits for persons with disabilities at preexisting levels, while most other regions provided a limited number of benefits, such as free transportation. According to information provided by a leading NGO working on disability rights, persons with mental disabilities were severely discriminated against in both education and employment. In addition, the conditions of guardianship imposed upon them by courts deprived them of practically all personal rights.

In May 2009, the daily *Moskovskiy Komsomolets* reported that there were 13 million persons with disabilities. In 2006 the human rights ombudsman stated that in the previous 10 years more than 120,000 persons have become disabled as a result of military actions and war injuries, and according to the NGO *Perspektiva*, the number continued to grow as a result of new conflicts. Persons with disabilities generally were excluded from the social and political life of their communities and isolated from mainstream society. However, there were several Duma deputies with disabilities, and lobbying in favor of persons with disabilities to improve legislation occurred. A joint study released in May 2009 by the Public Chamber and EU representatives found that 20 percent of respondents considered persons with disabilities to be burdens on society. Forty percent of the disabled surveyed reported that they experienced social problems, in particular insults and hostility. At the same time, disability rights activists believe that some attitudes were changing for the better. An August 27 rally in Moscow, in which many wheelchair users and celebrities participated, attracted three times as many participants as

the same rally did in 2009; the rally was supported by many officials and was covered by all major television and radio stations, newspapers, and blogs.

Conditions in institutions for adults with disabilities were often poor, with unqualified staff and overcrowding. The residents were mainly "graduates" of similar institutions for children. Institutions rarely attempted to develop the abilities of residents, who were frequently confined to the institutions and sometimes restricted in their movement within the institutions themselves.

Federal law on the protection of persons with disabilities requires that buildings be made accessible to persons with disabilities, but authorities did not enforce the law, and in practice most buildings were not accessible. A reporter for *Noviye Izvestiye* estimated in a September 2009 article that 10 to 30 percent of Moscow's buildings were inaccessible to persons with disabilities. Likewise, only 8 percent of the city's 36,000 street crossings were completely equipped for the disabled. Although accessibility requirements were imposed in 1995, efforts to realize them have been undertaken in earnest only in the last three to five years.

There are laws establishing employment quotas for persons with disabilities at the federal and local levels; however, some local authorities and private employers continued to discourage such persons from working, and there was no penalty for failure to honor quotas. Human rights NGOs made some progress in persuading foreign companies in larger cities, including Moscow, to consider persons with disabilities as potential employees, and the Moscow city government reportedly encouraged employers to hire persons with disabilities. In September the NGO *Perspektiva* reported that the onset of the economic crisis had worsened employment prospects for persons with disabilities; however, *Perspektiva* had no statistics on the scope of the problem. In 2008 the ombudsman's office reported that approximately 640,000 of the country's persons with disabilities were children. Authorities generally segregated such children from mainstream society through a system that institutionalized them until adulthood. Observers concluded that issues of children's welfare often were ignored, and there were few means of addressing systemic problems of abuse. Human rights groups alleged that children with disabilities in state institutions were poorly provided for and, in some cases, physically abused by staff members. "Graduates" of state institutions also often lacked the necessary social, educational, and vocational skills to function in society. According to a 2006 report by the Prosecutor General's Office, half of the more than 600,000 children with disabilities in state care lacked medicines, hearing aids, and wheelchairs. The NGO *Children's Rights* confirmed in September 2009 that this situation had not changed. There appeared to be no legal mechanism by which individuals could contest their commitment to a facility for persons with disabilities. The assignment of categories of disability to children with mental disabilities often followed them through their lives. The labels "imbecile" and "idiot," which were assigned by a commission that assesses children with developmental problems at the age of three and signifies that a child is uneducable, were almost always irrevocable. Even the label "debil" (slightly retarded) followed an individual on official documents, creating barriers to employment and housing after graduation from state institutions. This designation was increasingly challenged in the case of children with parents or individual caregivers, but there were few advocates for the rights of institutionalized children.

Youths with disabilities not in institutions faced significant barriers to education, including a lack of access to schools. According to the May 2009 Public Chamber study, only 3 percent of children studied under conditions analogous to mainstream students, and 87 percent of higher education institutions did not accept students with disabilities. Education authorities often tried to keep youths with disabilities out of school due to lack of special programs. Parents of children without disabilities often were averse to their children studying with children with disabilities. Rights activists stated, however, that attitudes toward including disabled children in mainstream schools were changing, with such children being admitted to schools in many places around the country, although the numbers are still small.

There have been mixed results in attempts to accommodate children with disabilities in educational facilities. According to Perspektiva, part of the problem is due to the absence of a formal federal-level definition of inclusive education for persons with disabilities and the fact that the law does not contain a clear mechanism to ensure inclusiveness in education. On April 28, the Moscow City Duma passed a law on The Education of Persons with Disabilities in Moscow, which observers contended created some improvements in education for persons with disabilities.

Perspektiva noted that rather than provide special equipment that would allow a visually impaired child to attend class, the school administration in Stavropol recommended that the child receive education at home. In response to a complaint filed by lawyers on behalf of the student's family, the school revoked its initial recommendation and provided the needed equipment as well as a staff member to escort the child to classes.

The mother of a student wheelchair user appealed to the education department in Nizhny Novgorod to provide a wheelchair-accessible environment at the State University. After being denied her request, during the following two years, the parent unsuccessfully petitioned the governor, the Nizhny Novgorod Department of Education, and the regional ministry of education for wheel-chair access at the university before abandoning her efforts, reportedly for fear of attracting harm to her son.

The mother of an 11-year-old wheelchair user was initially unsuccessful in her campaign in Butovo to have the student's new school accommodate his special mobility needs for his classes on the third and fourth floor of the school. It was primarily due to the public appeal and rally organized by the NGO Perspektiva and coverage by the media that authorities eventually built a chair lift in the school.

According to government reports, of approximately 450,000 school-age children with disabilities, an estimated 200,000 did not receive any education. Of the 250,000 who received an education, 140,000 attended regular schools, 40,000 studied at home, and 70,000 attended special education schools. Because special education schools constituted only 3 percent of all schools, most children with disabilities could not study in the communities where they lived and were isolated from other members of the community.

The election laws contain no special provisions concerning the accessibility of polling places, and the majority of polling places were not accessible to persons with disabilities. However, the law provides for mobile ballot boxes to be brought to the homes of the disabled.

The mandates of government bodies charged with protecting human rights included the protection of persons with disabilities. These bodies carried out a number of inspections in response to complaints from disability organizations and, in some cases, appealed to the responsible agencies to remedy individual situations. Inspections by the Ombudsman's Office of Homes for Children with Mental Disabilities continued to disclose severe violations of children's rights and substandard conditions. According to the Moscow Department of Education, there are approximately 26,000 children with disabilities in Moscow, but only the special needs of 100 children with disabilities in secondary level education have been accommodated. According to Perspektiva, federal funding for social support of the disabled from 2006-10 was 310 million rubles (\$10 million), and a subprogram for rehabilitation of those disabled due to violent conflict was 9.58 million rubles (\$333,000). Federal grants to non-governmental organizations serving the disabled in 2010 alone totaled 800 million rubles (\$27.8 million), and the Moscow government reportedly spent 36.5 billion rubles (\$1.27 billion) between 2007 and 2009 on its Social Integration of Disabled Persons and Other Persons with Disabilities program. The federal government plans to spend 46 billion rubles (\$1.6 billion) over five years through its Accessible Environment program to improve access for the disabled.

Other Relevant References

There were several dozen large NGO umbrella organizations, as well as thousands of small grassroots NGOs. In the regions, NGO coalitions continued to focus their advocacy on such causes as the rights of the disabled [...].

In March 2007 the government implemented its flagship child welfare program, Children of Russia. During the year this program continued the construction and renovation of orphanages and centers for disabled children and detention centers for juvenile offenders. The program also focused on the comprehensive rehabilitation and social integration of disabled children in a family environment and supplied children's rehabilitation centers with equipment.

There continued to be some governmental and widespread social discrimination against persons with disabilities, ethnic minorities, and dark-skinned immigrants.

The Convention on the Rights of Persons with Disabilities

Russia signed the Convention on 24/9/2008.

San Marino

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 disabilities in employment, education, access to health care, and in the provision of other state services, and the government effectively enforced these provisions. There were no reports of societal discrimination against persons with disabilities. 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.

Other Relevant References

The minimum age of consent is 18 years, and the penalty for sexual acts with a minor is imprisonment from six months to three years. The penalty increases to two to six years if the act involves a child under 14 years of age or a child under 18 with physical or mental disabilities.

The law punishes anyone distributing information aimed at enticing or sexually exploiting children under the age of 18. The penalty for this type of crime is imprisonment from two to six years, which is increased to four to 10 years if the act involves sexual intercourse or if it has been committed to the detriment of a child under 14 years of age or a child under 18 with physical or mental disabilities.

The Convention on the Rights of Persons with Disabilities

San Marino signed the Convention and Optional Protocol on 30/3/2007. San Marino ratified the Convention and the Optional Protocol on 22/2/2008.

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.

Persons with Disabilities

The constitution prohibits discrimination against persons with disabilities in employment, education, access to health care, and the provision of other state services. The government generally enforced the law. However, lack of access to older public buildings and public transportation was a problem. The law mandates access for persons with disabilities to new public buildings, and the government generally enforced this provision in practice.

The law prohibits physical, emotional, and verbal abuse in all schools, and there were no reports of abuse in special education facilities.

The Center for Independent Living (CIL), a disability rights NGO, reported that most persons with disabilities lived isolated from their communities and that facilities for their education and care were nonexistent or inadequate.

Unemployment remained a serious problem for persons with disabilities; in April it was reported to be 87 percent. A lack of workplace accommodations combined with overall high unemployment made it difficult for persons with disabilities to obtain work. While there were no reports of overt discrimination against persons with mental or physical disabilities, the CIL reported that it was difficult to detect discrimination because employers usually gave other reasons for not hiring persons with disabilities.

On May 23, the Law on Employment of Persons with Disabilities went into effect, requiring companies with more than 20 employees to hire persons with disabilities.

The Ministries of Labor and Social Policy, Education, and Health all had sections with responsibilities to protect persons with disabilities. The Ministry of Labor and Social Policy had a broad mandate to conduct liaison with NGOs, distribute social assistance, and monitor laws to provide that the rights of disabilities were protected in new legislation. The Ministries of Health and Education offered assistance and protection in their respective spheres.

The Convention on the Rights of Persons with Disabilities

Serbia signed the Convention and Optional Protocol on 17/12/2007. Serbia ratified the Convention and the Optional Protocol on 31/7/2009.

Slovakia

Constitution and Laws

The constitution and the law prohibit discrimination based on race, gender, disability, language, or social status; the government made efforts to enforce these prohibitions in practice. All government agencies are required to create special favorable conditions for groups who are victims of discrimination, including but not limited to, employment, education, and vocational training.

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. Persons with disabilities were able to vote and participate in civic affairs. In practice, however, experts reported that access to buildings and higher education remained a problem, and laws to provide assistance to students with disabilities have not been implemented with regard to school facilities or educational materials. There were reports that persons with severe physical disabilities received less than the minimum wage in some instances. NGOs reported limited resources for psychiatric care outside of Bratislava, a lack of community-based psychiatric care, and mechanisms to monitor human rights violations against persons with such disabilities. Psychiatric institutions and hospitals, which fall under the purview of the Ministry of Health, continued to use 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. Several NGOs conducted public education campaigns on mental illness and worked cooperatively with the health ministry.

NGOs have operated a project on patient advocacy in selected psychiatric wards throughout the country since 2007. They have reported no complaints from patients regarding the use of cage beds in the facilities. A patient in a psychiatric facility in Pezinok was reportedly chained to his bed from February to July 2009. The Ministry of Health believed the physical restraint was lawful and necessary to protect facility staff, although several international NGOs expressed concern and dissatisfaction with this treatment.

While the government enacted legislation in 2007 requiring television stations to provide "voiceover broadcasting" for blind viewers, this provision has not been implemented by any Slovak broadcaster. While the law defines mandatory standards for access to buildings, NGOs noted that they had not been fully implemented, although access to privately owned buildings improved more rapidly than access to state buildings.

The Council for Citizens with Disabilities, cochaired by the deputy prime minister and the minister of labor, social affairs, and family, served as a governmental advisory body regarding persons with disabilities. NGO representatives also participate in the council.

Other Relevant References

[Amnesty International (AI)] also found that Romani parents were offered cultural and financial incentives regardless of the presence of a mental disability to send their children to what was locally known as the "gypsy" school. AI's investigation found that authorities lacked proper assessment procedures for enrolling students in special schools.

A number of children's foundations operated programs for abused or disabled children (or both).

NGOs reported that most Romani victims, including children with disabilities, were exploited by family members or other Roma.

Although Romani children comprised only 15 percent of the total number of children under the age of 16, they were disproportionately enrolled in "special" schools for children with mental disabilities, despite diagnostic scores that were often within the average range of intellectual capacity.

The Convention on the Rights of Persons with Disabilities

Slovakia signed the Convention and Optional Protocol on 26/9/2007. Slovakia ratified the Convention and the Optional Protocol on 26/5/2010.

Slovenia

Constitution and Laws

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

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 government services, and the government generally enforced these provisions in practice. The law mandates access to buildings for persons with disabilities. The government implemented laws and programs to ensure that persons with disabilities have access to buildings, information, and communications, but modification of public and private structures to improve access continued at a slow pace, and many

buildings were not accessible in practice. The Ministry of Labor, Family, and Social Affairs has primary responsibility for protecting the rights of persons with disabilities.

The Convention on the Rights of Persons with Disabilities

Slovenia signed the Convention and Optional Protocol on 30/3/2007. Slovenia ratified the Convention and the Optional Protocol on 24/4/2008.

Spain

Constitution and Laws

The law prohibits discrimination based on race, gender, disability, language, or social status, and the government generally enforced it effectively.

Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, access to health care, access to information technology and communication, including social media, and the provision of other state services, and the government effectively enforced these provisions. The law mandates access to buildings for persons with disabilities, and the government generally enforced these provisions; however, levels of assistance and accessibility differed between regions. The Ministry of Labor and Social Affairs is responsible for protecting the rights of persons with disabilities.

The law provides for fines for discrimination against disabled persons of up to one million euros (\$1.3 million). In July 2009 the government adopted its third plan of action for persons with disabilities. The program has a 2.5 billion euro (\$3.4 billion) budget, and the funds are used to provide tax-free pensions and job training for disabled persons, as well as to maintain services and build centers for the disabled. The plan was intended to further promote the autonomy of persons with disabilities and supplement the plan of action for women with disabilities (2005-2008) and the first national accessibility plan (2004-2012).

Other Relevant References

Penalties for recruiting children or persons with disabilities into prostitution is imprisonment from one to five years (previously it was one to four years); if the child is under the age of 13, the term of imprisonment is four to six years.

The Convention on the Rights of Persons with Disabilities

Spain signed the Convention and Optional Protocol on 30/3/2007. Spain ratified the Convention and the Optional Protocol on 3/12/2007.

Sweden

Constitution and Laws

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

On September 30, after the government amended the country's antidiscrimination laws, the European Commission ended legal proceedings against the country for incorrectly implementing EU rules on equal treatment in employment on the basis of religion, belief, disability, age, and sexual orientation. The new law against discrimination merges a scattered number of discrimination laws into one. It also establishes new grounds for financial compensation.

Persons with Disabilities

The law prohibits employers from discriminating against persons with physical, sensory, intellectual, and mental disabilities in hiring decisions and prohibits universities from discriminating against students with disabilities in making admissions 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 on discrimination does not cover accessibility. Regulations for new buildings require full accessibility. Similar requirements exist for some, but not all, public facilities; many buildings and some means of public transportation remained inaccessible.

The number of reports of discrimination against persons with disabilities increased during the year. There were 965 reports of governmental discrimination against persons with disabilities in employment, education, access to health care, or the provision of other state services; most of the cases involved lack of access to public buildings. Difficulty in accessing apartments, restaurants, and bars generated the most frequent reports of societal discrimination against persons with disabilities. Many cases were handled by mediation procedures rather than through formal court hearings.

Other Relevant References

At the national level, the country has seven ombudsmen: [...] disabilities. On September 30, after the government amended the country's antidiscrimination laws, the European Commission ended legal proceedings against the country for incorrectly implementing EU rules on equal treatment in employment on the basis of [...] disability [...]. The new law against discrimination merges a scattered number of discrimination laws into one. It also establishes new grounds for financial compensation.

The Convention on the Rights of Persons with Disabilities

Sweden signed the Convention and Optional Protocol on 30/3/2007. Sweden ratified the Convention and the Optional Protocol on 15/12/2008.

Switzerland

Constitution and Laws

The constitution prohibits discrimination based on [...] disability [...]. The government generally enforced these prohibitions effectively. The constitution and federal law prohibit discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, access to health care, or the provision of other state services or other areas, and the government generally enforced the prohibition.

Persons with Disabilities

The constitution and federal law prohibit discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, access to health care, or the provision of other state services or other areas, 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 in practice. The Federal Equal Opportunity Office for Persons with Disabilities promoted awareness of the law and respect for the rights of the disabled through counseling and financial support for projects to facilitate their integration in society and the labor market. The government continued a pilot project to empower persons with severe disabilities to live on their own by providing them with additional funding to pay for assistance in their daily lives. On the fifth anniversary of the country's Disability Discrimination Law in December 2009, Egalite Handicap, a local NGO acting on behalf of persons with disabilities, published a report noting that important steps toward equality for persons with disabilities had been taken since the entry into force of the law. At the same time, the report criticized a number of defects in the fields of construction, transport, school, professional training, and state services; in particular, it criticized cantonal differences in access to inclusive education for children with disabilities. On September 8, Egalite Handicap filed a complaint against the low-cost air carrier Easyjet at the Federal Office of Civil Aviation and the Geneva Civil Court for refusing to transport a man in a wheelchair without an escort on a flight from Geneva to Berlin in late 2009.

The Convention on the Rights of Persons with Disabilities

Switzerland has not signed the Convention.

Turkey

Constitution and Laws

The law prohibits discrimination based on race, gender, religion, disability, language, or social status; however, the government did not enforce these prohibitions effectively. The September 12 constitutional amendments allow measures to be taken 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. The government maintained hotlines to prevent the exploitation of women, children, persons with disabilities, and senior citizens, although some human rights groups questioned their effectiveness.

Persons with Disabilities

The September 12 constitutional amendments allow positive discrimination based on disability status. The law prohibits discrimination against persons with disabilities in employment, education, access to health care, and in the provision of other state services; the government generally enforced the law effectively. The law does not mandate access to buildings and public transportation for persons with disabilities, and access in most cities was extremely limited. The

Administration for Disabled People under the Prime Ministry was responsible for protecting the rights of persons with disabilities. The Ministry of Transport and Communication announced in May that 38,192 persons with disabilities would be employed by the state by year's end.

There was no movement on the investigation into Duchess of York Sarah Ferguson's documentary about the abuse of children with disabilities in two care centers. Prosecutors accused Ferguson of breaking privacy laws, and according to press reports, the government's request to the United Kingdom to extradite Ferguson to stand trial remained pending at year's end.

According to the EC, mental health hospitals and rehabilitation centers did not provide sufficient medical care or treatment. In November 2009 the Initiative for Human Rights in Mental Health reported a need to increase the number of professional care staff, improve hygienic conditions, vary treatment beyond only antipsychotic drugs and antidepressants, and allow for greater freedom of movement.

The Convention on the Rights of Persons with Disabilities

Turkey signed the Convention on 30/3/2007 and Optional Protocol on 28/9/2009. Turkey ratified the Convention on 28/9/2009.

Ukraine

Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, access to health care, and other state services; however, the government generally did not enforce these laws.

The government estimated the number of persons with disabilities at between 2.4 and 2.7 million; however, NGOs working on disability rights asserted that the real number of disabled was twice the government's estimate. The government did not track the number of children with disabilities. NGOs complained that the lack of official data limited their ability to lobby for more government assistance to children with disabilities.

According to the law employers must allocate 4 percent of employment opportunities to persons with disabilities. NGOs noted that many of those employed to fill these positions received a nominal salary to meet the requirement but did not really work at their companies. During the first six months of the year, 4,233 persons with disabilities received jobs through government employment placement services, according to the Ministry of Labor and Social Policy. The Ministry of Education confirmed that there were 398 specialized secondary schools and boarding schools with a total of 46,480 children, including 54 specialized secondary schools in which 5,608 children with disabilities studied while staying with their families. In addition the Ministry of Education confirmed that there were 484 classes for children with disabilities in general secondary schools. These classes served 5,652 children.

Advocacy groups maintained that, despite existing legal guarantees, most public buildings remained inaccessible to persons with disabilities. As a result, access to essential services and activities such as employment, education, health care, transportation, and financial services remained difficult. NGOs expressed concern over the lack of programs to promote the integration of students with disabilities into the general student population and noted that the lack of needs assessment programs by state-funded employment centers led to the placement of graduates with disabilities in inappropriate jobs.

Other Relevant References

According to Semen Gluzman of the Ukrainian Psychiatric Association (UAHRB), patients in mental health facilities remained at risk for abuse, and many psychiatric hospitals continued to use outdated methods and medicines. According to the UAHRB, insufficient funding, the absence of public watchdog councils at psychiatric hospitals, patients' lack of access to legal counsel, and poor enforcement of legal protections deprived patients with disabilities of their right to adequate medical care.

In April, Andriy Fedosov reported that an investigation by his group, Uzer (Ukrainian Organization of Users of Psychiatric Care), had uncovered poor living conditions and physical abuse in psychiatric hospitals in Crimea. Some women with small children and persons with disabilities were trafficked abroad for begging.

The Convention on the Rights of Persons with Disabilities

Ukraine signed the Convention and Optional Protocol on 24/9/2008. Ukraine ratified the Convention and the Optional Protocol on 4/2/2010.

United Kingdom

Constitution and Laws

The law prohibits discrimination based on race, nationality, gender, sexual orientation, or disability, and the government generally enforced the law effectively. The EHRC has a mandate to combat discrimination based on race, sex, religion and belief, sexual orientation, and age.

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 or areas. It mandates access to buildings for persons with disabilities, and the government effectively enforced this requirement in practice.

The law requires that all public service providers (except in the transportation sector) make "reasonable adjustments" to ensure their services are available to persons with disabilities. The law forbids employers from harassing or discriminating against job applicants or employees with disabilities.

The mandate of the EHRC included work on behalf of persons with disabilities to stop discrimination and promote equality of opportunity. The commission 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 to adopt action plans to ensure compliance with the law, and apply for injunctions to prevent acts of unlawful discrimination.

A briefing paper produced by the UK Learning Disabilities Observatory suggested that persons with learning disabilities face many health inequalities and have a disproportionately higher risk of health disorders. The group noted the need for promoting "health literacy" among persons with learning disabilities by increasing access to information, appointment times, and the number of regular health checks.

Other Relevant References

The law requires that all public service providers (except in the transportation sector) make "reasonable adjustments" to ensure their services are available to persons with disabilities. The law forbids employers from harassing or discriminating against job applicants or employees with disabilities.

The Convention on the Rights of Persons with Disabilities

The United Kingdom signed the Convention on 30/3/2007 and Optional Protocol on 26/2/2009. The United Kingdom ratified the Convention on 8/6/2009 and the Optional Protocol on 7/8/2009.

Near East and North Africa

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 in practice the government did not

effectively enforce these provisions. The law provides services, including free medical care, for persons with disabilities; however, there was widespread social discrimination against persons with disabilities. Few government buildings were accessible to persons with disabilities. Public enterprises, in downsizing their work forces, generally ignored a requirement that they reserve one percent of jobs for persons with disabilities. Social security provided payments for orthopedic equipment. The Ministry of National Solidarity (MNS) provided some financial support to health-care-oriented NGOs; however, for many NGOs this financial support represented approximately 2 percent of their budgets.

The MNS maintained that there were two million persons with disabilities in the country, of whom the largest percentages were classified as "chronically ill" or "other" (38 and 30 percent, respectively). However, according to the Algerian Federation of Wheelchair Associations, there were three million persons with disabilities living in the country. The government estimated that approximately 44 percent of disabled citizens had some form of motor disability, 32 percent had communication difficulties, and 24 percent suffered from a visual disability. The government classified approximately 193,000 individuals as "fully disabled" and claimed during the year to have appropriated 9.54 billion dinars (approximately \$129 million) for their welfare.

Other Relevant References

On June 2, a mentally disabled man, Nouradine Nadri, died in police custody in Saida province, according to the Algerian League for the Defense of Human Rights' (LADDH) Saida province office. Police arrested Nadri following an altercation with the driver of a vehicle that accidentally struck him. According to LADDH, police brought Nadri to the province's security headquarters instead of transporting him to the hospital as stipulated by article 51 of the code of criminal procedures, which requires a medical examination before placing a suspect in custody. Nadri's family reported to LADDH that their son died following abuse by police.

The government provides free education for children through high school. Education is compulsory until the age of 16 years. The government provided free medical care for all citizens, including children with disabilities, albeit in generally rudimentary facilities, and to both sexes equally.

The Convention on the Rights of Persons with Disabilities

Algeria signed the Convention and Optional Protocol on 30/3/2007. Algeria ratified the Convention on 12/4/2009.

Bahrain

Persons with Disabilities

The law protects the rights of persons with disabilities, and a variety of governmental, quasigovernmental, and religious institutions are mandated to support and protect persons with disabilities. In June the Ministry of Social Development announced a partnership with the UN Development Program (UNDP) to develop and implement a National Strategy for Persons with Disabilities.

New public buildings in the central municipality must include facilities for persons with disabilities. The law does not mandate access to nonresidential buildings for persons with disabilities.

There were no official reports of discrimination against persons with disabilities in employment, education, or access to health care, but according to anecdotal evidence, persons with disabilities routinely suffered lack of access to education and employment. The one government school for children with hearing disabilities did not operate past the 10th grade. Certain public schools had specialized education programs for children with learning disabilities, physical handicaps, speech impediments, and

Down syndrome, but the government did not fund private programs for children with disabilities who could not find appropriate programs in public schools.

The law requires the government to provide vocational training for persons with disabilities who wish to work. The law also requires any employer of more than 100 persons to hire at least 2 percent of its employees from the government's list of workers with disabilities; however, the government did not monitor compliance. The government placed persons with disabilities in some public-sector jobs.

There were no restrictions on participation in political and electoral processes for persons with disabilities.

The Convention on the Rights of Persons with Disabilities

Bahrain signed the Convention on 25/6/2007 and ratified the Convention on 2/6/2011.

Egypt

Persons with Disabilities

The law provides that all businesses must designate 5 percent of their positions for persons with physical or mental disabilities; however, there are no laws prohibiting discrimination against persons with disabilities in education, access to health care, or the provision of other state services, nor are there laws mandating access to buildings or transportation. Widespread societal discrimination continued against persons with disabilities, particularly mental disabilities, resulting in a lack of acceptance into mainstream society. Government-operated treatment centers for persons with disabilities, especially children, were poor.

The ministries of education and social solidarity share responsibility for protecting rights of persons with disabilities. Persons with disabilities rode government-owned mass transit buses free of charge and 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. The government also worked closely with UN agencies and other international aid donors to design job-training programs.

Other Relevant References

In November 2009 the Alexandria Criminal Court convicted police officer Akram Soliman of assaulting a mentally disabled man, Ragai Sultan, and sentenced Soliman to five years in prison. On July 4, an appeals court upheld the verdict. According to NGO sources, Soliman remained in prison at year's end.

The Convention on the Rights of Persons with Disabilities

Egypt signed the Convention on 4/4/2007. Egypt ratified the Convention on 14/4/2008.

Iran

Constitution and Laws

Although the constitution formally prohibits discrimination based on race, gender, disability, language, and social status "in conformity with Islamic criteria," the government did not effectively enforce these prohibitions.

Persons with Disabilities

The law prohibits discrimination against persons with disabilities. The law also provided for state-funded vocational education for persons with disabilities, but according to domestic news reports, vocational centers were confined to urban areas and were unable to meet the needs of the entire population.

Building accessibility for persons with disabilities remained a widespread problem. The Welfare Organization of Iran is the major governmental agency charged with protecting the rights of persons with disabilities.

The Convention on the Rights of Persons with Disabilities

Iran ratified the Convention 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, religion, or origin. The law prohibits discrimination on the basis of race, disability, or social status. The government did not effectively enforce these provisions.

Persons with Disabilities

The law prohibits discrimination in employment, education, access to health care, and other state services against persons with physical disabilities. The government enforced the law in the government sector but not in the private sector. The government made efforts to ensure access by persons with disabilities during the March 7 election.

The constitution states that the government, through laws and regulations, should care and rehabilitate persons with disabilities and special needs to reintegrate them into society. There are no laws prohibiting discrimination against persons with physical, sensory, intellectual and mental disabilities in employment, education, access to health care, or the provision of other state services. Access for persons with disabilities to buildings remained inconsistent.

The government has programs aimed to help persons with disabilities; however, numerous media reports documented the challenges these programs faced, namely in the lack of qualified, trained personnel and large special needs populations. Amputees, persons with other major physical injuries, and persons suffering from mental/psychological trauma were the focus of most media reports. The Health Ministry provides medical care, benefits, and rehabilitation, when available, and persons with disabilities may qualify for benefits from other agencies, including the Prime Minister's Office. The Ministry of Labor and Social Affairs operates several institutions for children and young adults with disabilities. The Ministry of Health's most recent estimate of the number of persons with physical and mental disabilities was two to three million, approximately 10 percent of the population.

The Convention on the Rights of Persons with Disabilities

Iraq has not signed the Convention.

Israel and the occupied territories

Constitution and Laws

The law prohibits discrimination on the basis of race, gender, marital status, political beliefs, disability, or age, and the government effectively enforced these prohibitions.

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. Legislation mandates access to buildings and transportation, as well as accommodations for persons with disabilities in services and the work place. The government enforced the laws with limited success but did not formulate specific regulations.

Societal discrimination and lack of accessibility persisted in employment and housing. Television channels include subtitles or sign language, and the courts accommodate testimony from persons with intellectual disabilities or mental illness. The law mandates accessibility to urban public transportation, but not interurban buses; as of September 2009, approximately 40 percent of buses did not have such access. Most train stations maintained access for persons with disabilities.

There are an estimated 120,000 to 160,000 persons with severe mental illness, and very few receive rehabilitation services, according to research published by the Myers-JDC-Brookdale Institute.

Various ministries and agencies maintained responsibility for persons with disabilities. The Commission for Equal Rights of People with Disabilities within the Ministry of Justice is responsible for protecting the rights of persons with disabilities. It receives public inquiries, provides legal advice, represents clients, and educates and promotes best practices. It took legal action in the areas of accessibility and employment, and issued regulations to provide access to services and public sites. However, improvements were slow, according to Bizchut, a domestic NGO that advocates for the rights of persons with disabilities. On December 20, the commission released a report which stated that, of approximately 1.5 million citizens who consider themselves disabled, 43 percent of those with severe disabilities and 29 percent with moderate disabilities went without food at some stage over the past year, while more than one-third of those with severe disabilities and 23 percent with moderate disabilities could not afford essential medicine during at least one period in the year. In addition according to the report, 60 percent of persons with severe disabilities and nearly half of those with moderate disabilities could not afford heat, and 41 percent had their phone disconnected in the reporting period.

During the year Bizchut's public inquiries hotline received 2,400 calls from individuals alleging that their rights had been violated due to their disability. The main complaints focused on national insurance, education, housing, hospitalization, and legal assistance.

In response to a petition to the Supreme Court submitted by NGOs including Bizchut, the Ministry of Education began a pilot program in one town to award each child with special needs a personal education budget. Bizchut continued to claim throughout the year that the education system did not provide adequate support to children with special needs.

The Division for Integrating Persons with Disabilities in the Labor Market within the Ministry of Industry examines and promotes employment for persons with disabilities. In August 2009 an amendment to the National Insurance Law came into effect that allows persons who receive a disability pension to earn more by permitting a combination of income and pension, rather than requiring the total forfeiture of the disability pension.

The Ministry of Social Affairs and Social Services provides out-of-home placement and sheltered employment for persons with cognitive, physical, and communication disabilities. It also handles criminal investigations involving persons with certain disabilities, either victims or offenders, when police request assistance.

The National Insurance Agency provides financial benefits and stipends, the Ministry of Health provides mental health and rehabilitation services, and the Ministry of Education provides special education services. However, Bizchut continued to criticize the lack of services provided in practice to mainstreamed pupils, which effectively limited their integration into regular class settings.

An article in Yediot Ahronot on July 25 described a new IDF program to allow persons with disabilities to complete basic army training; 19 persons graduated from an initial course held in July.

Other Relevant References

Principal human rights problems were institutional, legal, and societal discrimination against Arab citizens, Palestinian residents of the West Bank and the Gaza Strip (see annex), non-Orthodox Jews, and

other religious groups; societal discrimination against persons with disabilities; and societal discrimination and domestic violence against women, particularly in Bedouin society.

According to the Ministry of Welfare, there were many cases of children with disabilities who were sexually assaulted that awaited investigation during the year.

There are reduced minimum wages for youths and persons with disabilities.

Domestic abuse of women, societal discrimination against women and persons with disabilities, and child labor remained serious problems.

According to Physicians for Human Rights-Israel (PHR-Israel), isolation of prisoners with mental illness was common.

The Convention on the Rights of Persons with Disabilities

Israel signed the Convention on 30/3/2007.

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. The penal code does not address discrimination, thereby severely limiting judicial remedies.

Persons with Disabilities

The law provides equal rights to persons with disabilities, who numbered around 200,000, according to government and NGO estimates. The Higher Council for the Affairs of People with Disabilities works with government ministries, the private sector, and NGOs to formulate and implement strategies to assist persons with disabilities. In July 2009 the council issued national accreditation standards for rehabilitation centers for persons with disabilities. According to the council there were more than 15,000 students with disabilities attending 255 specialized centers and schools.

Citizens and NGOs universally reported that persons with disabilities faced problems accessing education, transportation, and other services, particularly in rural areas. The Special Buildings Code Department is tasked to enforce accessibility provisions and oversees retrofitting of existing buildings to comply with building codes. Many private and public office buildings continued to have limited or no access for persons with disabilities.

The law mandates that public and private sector establishments with between 25 and 50 workers employ at least one person with disabilities, and establishments with more than 50 workers must reserve 2 percent of their positions for persons with disabilities. However, these requirements were rarely enforced. Local organizations received complaints from persons with disabilities regarding employers who discriminated against them.

In 2009 the government provided monetary assistance to citizens with severe mental and multiple physical disabilities whose families earned less than 250 dinars (\$360) per month, and the higher council and local NGOs operated assistance programs. During the year the higher council discontinued financial assistance previously provided to cover a portion of education, training, or rehabilitation expenses for persons with disabilities due to budget cuts.

In September the government announced that it would allow persons with disabilities to vote with the aid of personal assistants rather than verbally, ensuring them greater ballot secrecy and electoral access. Takafo, an NGO aiming to increase voter participation for persons with disabilities, confirmed that the

government made the necessary changes for the November 9 parliamentary elections to allow voters with disabilities greater accessibility and greater ballot secrecy.

The Convention on the Rights of Persons with Disabilities

Jordan signed the Convention and Optional Protocol on 30/3/2007. Jordan ratified the Convention on 31/3/2008.

Kuwait

Constitution and Laws

The law prohibits discrimination based on race, origin, disability, or language; discrimination based on social status is not addressed. In practice the government did not uniformly or consistently enforce laws against discrimination, and a number of laws and regulations discriminated against women, Bidoon, noncitizens, and domestic and expatriate workers.

Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, and mental disabilities and 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; however, noncitizens with disabilities did not have access to government-operated facilities or receive stipends paid to citizens with disabilities, which covered transportation, housing, job training, and social welfare.

In June the government enacted a new disability law providing larger disability grants, reduced working hours, and improved housing loans for citizens and Bidoon with mental or physical disabilities. The law requires government employers with workforces of 50 persons or more to recruit at least 4 percent of their workforce from vocationally trained persons with special needs. The law also allows citizens with disabilities, or those with disabled children, to receive larger than normal housing grants and earlier pensions. Although Bidoons are not normally entitled to receive housing grants, the new law's provisions included disabled Bidoons, or those with disabled children.

Representatives from ministries, other governmental bodies, Kuwait University, and several NGOs constitute the government's Higher Council for Handicapped Affairs, which makes policy recommendations, provides direct financial aid to persons with disabilities, and facilitates their integration into schools, jobs, and other social institutions. The government supervised and contributed to schools and job and training programs oriented to persons with special needs.

Other Relevant References

The government restricted the operations of domestic and international human rights groups and limits cooperation with them. The law permits the existence of NGOs; however, the government continued to deny licenses to some NGOs. NGOs may not engage in political activity and are prohibited from encouraging sectarianism. They must also demonstrate that their existence is in the public interest. The only local independent NGOs dedicated specifically to human rights were the Kuwait Human Rights Society (KHRS) and the Kuwaiti Society for Fundamental Human Rights. Local licensed NGOs devoted to specific groups, such as women, children, foreign workers, prisoners, and persons with disabilities, were permitted to operate without government interference.

The Convention on the Rights of Persons with Disabilities

Kuwait has not signed the Convention.

Lebanon

Constitution and Laws

The law prohibits discrimination based on race, gender, disability, language, or social status, and it provides for equality among all citizens. In practice some aspects of the law and traditional beliefs discriminated against women. Although the law reserves a percentage of private sector and government jobs for persons with disabilities, there were few accommodations for them. Discrimination based on race, language, or social status is illegal, but foreign domestic employees often were mistreated, sometimes suffered physical abuse, had pay withheld or unfairly reduced, or were forced to remain locked within their employer's home for the duration of their contracts.

Persons with Disabilities

Although prohibited by law, discrimination against persons with disabilities continued. The Civil Service Board, which is in charge of recruiting government employees, continued to refuse applications from persons with disabilities. The law stipulates 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; however, there was no evidence the law was enforced in practice. The law mandates access to buildings by persons with disabilities, but the government failed to amend building codes. Many persons with mental disabilities were cared for in private institutions, several of which the government subsidized.

A study by the UN Development Programme in 1990, just after the end of the civil war, estimated one in 10 citizens--as many as 300,000 individuals--had disabilities, but the Ministry of Social Affairs had registered only 70,000 persons for official disability cards at year's end.

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 been made since the law on disabilities was passed in 2000. Approximately 100 relatively active but poorly funded private organizations made most of the efforts to assist persons with disabilities.

On May 13, the MOI issued a decree to ensure accessibility to polling stations for persons with special needs during the June parliamentary voting. Following the decree the Lebanese Physically Handicapped Union, sponsored by the International Foundation for Election Systems, conducted a study mapping 1,741 polling stations throughout the country and assessed them according to the ministry's six accessibility criteria. The study showed that only six polling stations out of 1,741 satisfied all six criteria.

Other Relevant References

A number of domestic and international human rights groups generally operated without overt government restriction and investigated and published their findings on human rights cases. Domestic human rights groups included: [...] the National Association for the Rights of the Disabled.

The Convention on the Rights of Persons with Disabilities

Lebanon signed the Convention and Optional Protocol on 14/6/2007.

Libya

Constitution and Laws

The law prohibits discrimination based on race, sex, religion, disability, or social status. The government did not enforce these prohibitions effectively, particularly with regard to women and minorities.

Persons with Disabilities

The law provides for the rights of persons with physical, sensory, intellectual and mental disabilities and provides for monetary and other types of social assistance. A number of government-approved organizations cared for persons with disabilities and protected access to employment, education, health care, and other state services. Few public facilities had adequate access for persons with physical disabilities, and there was limited access to information or communications.

The Convention on the Rights of Persons with Disabilities

Libya signed the Convention on 1/5/2008.

Morocco

Constitution and Laws

The constitution prohibits discrimination based on race, gender, disability, language, or social status. In practice societal discrimination against women continued to be a problem, particularly in rural areas.

Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, intellectual and mental disabilities in employment, education, and access to health care; however, the government generally did not effectively enforce these provisions. The law provides for regulations and building codes that assure access for persons with disabilities, but the government did not effectively implement the laws and programs. Although building codes require accessibility for all persons, the codes were rarely enforced. In many cases, builders and building inspectors were unaware of laws requiring accessibility. There is no legislation mandating public accessibility to information and communications. Persons with disabilities had equal access to information and communications; however, special communication devices for the blind and deaf were generally 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 private and public sectors. In 2008 the government created 217 integrated classes for children with disabilities. In practice integration was largely left to private charities. Typically, families supported persons with disabilities, although some survived by begging.

Other Relevant References

The penal code stipulates two types of domestic violence. High-level misdemeanors occur when the victim suffers injuries that result in 20 days of disability from work. Low-level misdemeanors occur for victims who suffer disability for less than 20 days. However, NGOs reported that the courts rarely prosecuted perpetrators of low-level misdemeanors. A local NGO, the Global Women's Institute, reported that often laws are not implemented due to societal concerns regarding breaking up a family and due to the conservative mentality of some police and court officials.

The Convention on the Rights of Persons with Disabilities

Morocco signed the Convention on 30/3/2007. Morocco ratified the Convention and the Optional Protocol on 8/4/2009.

Oman

Persons with Disabilities

The law provides persons with disabilities, including physical, sensory, intellectual, and mental disabilities the same rights prescribed for other citizens in employment, education, access to health care, or the provision of other state services or other areas. However, persons with disabilities continued to face some discrimination. The law mandates access to buildings for persons with disabilities, but many older buildings, including government buildings and schools, were not retrofitted to conform to the law. Law also requires private enterprises employing more than 50 persons to reserve at least 2 percent of positions for persons with disabilities. In practice this regulation was not widely enforced.

There is no protective legislation to provide for equal educational opportunities for persons with disabilities.

The Ministry of Social Development is responsible for protecting the rights of persons with disabilities.

During the year the government partnered with NGOs and the private sector to address the needs of persons with disabilities and combat cultural and societal discrimination against such persons through special seminars and vocational training. The government provided alternative education opportunities for over 500 children with disabilities, including overseas schooling when appropriate; this was largely due to lack of capacity within the country. In addition the Ministry of Education in the past partnered 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.

Other Relevant References

No registered domestic human rights NGOs or fully autonomous domestic human rights groups existed in the country. There were civil society groups, however, that advocated for persons protected under human rights conventions, particularly women and the disabled. In the absence of specific human rights groups, during the year the government took an increasing role in human rights protection and establishing reporting mechanisms.

The law provides for freedom of association "for legitimate objectives and in a proper manner." The Council of Ministers approved the establishment of nongovernmental organizations (NGOs)--officially recognized as associations--to work on issues relating to women, children, the elderly, persons with disabilities, the environment, and other topics approved by the council.

The Convention on the Rights of Persons with Disabilities

Oman signed the Convention on 17/3/2008. Oman ratified the Convention on 6/1/2009.

Qatar

Constitution and Laws

The constitution prohibits discrimination based on nationality, race, language, religion, and disability, but not gender or social status. In practice custom heavily influenced government enforcement of nondiscrimination laws and legal, cultural, and institutional discrimination existed against women, noncitizens, and foreign workers.

Persons with Disabilities

The law requires the allocation of resources for persons with physical, sensory, intellectual, and mental disabilities in employment, education, access to health care, or the provision of other state services or other areas and prohibits discrimination against such persons. There was no underlying pattern of abuse of disabled persons 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 that 2 percent of jobs in government agencies and public institutions are reserved for persons with disabilities. Private sector businesses employing a minimum of 25 persons were required to hire persons with disabilities. Employers who violated these employment provisions were subject to fines. There were no reports of any employer violating this law during the year.

Private and independent schools in general 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 was charged with ensuring compliance with the rights and provisions mandated under the law, but compliance was not effectively enforced.

Other Relevant References

In cases of divorce, young children usually remain with the mother, regardless of her religion, unless she is found to be unfit. Sons remain in the custody of the mother until the age of 13 and daughters until the age of 15. In certain conditions, the court may extend the age of maternal custody to 15 years for sons and to the time of marriage for daughters. In exceptional cases, the mother retains custody of children with disabilities with no age limit stipulated. Women who are granted guardianship over their children by law receive their financial rights and associated right of residence.

The Department of Public Safety oversaw safety training and conditions, and the state-run petroleum company had its own safety standards and procedures. The regulations listed partial and permanent disabilities for which compensation may be awarded, some connected with handling chemicals and petroleum products or construction injuries. The law specifically set rates of payment and compensation. The government provided free medical treatment to workers who suffered work-related sickness or injuries.

The Convention on the Rights of Persons with Disabilities

Qatar signed the Convention and Optional Protocol on 9/7/2007. Qatar ratified the Convention on 13/5/2008

Saudi Arabia

Constitution and Laws

The law prohibits discrimination based on race, and Sharia traditions emphasize human dignity regardless of gender, color, or race. The government generally effectively enforced prohibitions on disability, language, or social status but did not effectively enforce laws prohibiting discrimination based on race.

Persons with Disabilities

The law does not prohibit discrimination against persons with physical, intellectual, sensory, intellectual, and mental disabilities in employment, education, access to health care, or the provision of other state services or other areas. There is no legislation mandating public accessibility to buildings, information, and communications. Newer commercial buildings often included such access, as did some newer government buildings. Persons with disabilities had equal access to information and communications;

however, special communication devices for persons with sensory disabilities were generally not publicly available.

There was NGO and government activity during the year to improve sign language literacy. During the year the Deaf Club of Jeddah concluded sign-language training of 40 media women and social workers and signed an agreement with the government's Human Resources Development Fund to train 1,500 public and private sector employees in sign language. On September 5, the Saudi Gazette reported that the NGO Saudi Society for Hearing Disability launched a campaign to eradicate sign language illiteracy.

Information about patterns of abuse of persons with disabilities in prisons and educational and mental health institutions was not available. The MOSA 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. The government sponsored institutions for the care of paralyzed children in Riyadh and Taif. There were also five houses for vocational rehabilitation, two of which were for girls; three centers for social rehabilitation for those who have severe disabilities; and nine centers for total rehabilitation. The MOSA assisted families who care for relatives with disabilities.

The labor law provides that employers of 25 or more employees allocate 4 percent of positions to persons with disabilities.

The Convention on the Rights of Persons with Disabilities

Saudi Arabia ratified the Convention and the Optional Protocol on 24/6/2008.

Syria

Constitution and Laws

The constitution provides for equal rights and equal opportunity for all citizens, and discrimination based on race, gender, disability, language, or social status is prohibited. The government did not enforce the law effectively. For example, membership in the Ba'ath Party or close familial relations with a prominent party member or powerful government official assisted in economic, social, or educational advancement. Party or government connections made it easier to gain admission into better elementary and secondary schools, to access lucrative employment, and to achieve greater power within the government, the military, and the security services. The government reserved certain prominent positions, such as provincial governorships, solely for Ba'ath Party members.

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, or provision of other state services. Article 7 of Law 50 reserves 4 percent of government jobs for persons with disabilities. Article 136 of Law 17 reserves 2 percent of private business jobs for persons with disabilities. Private businesses are eligible for tax exemptions after hiring persons with disabilities. The MoSAL is responsible for assisting persons with disabilities and worked through dedicated charities and organizations to provide assistance, often to promote self-sufficiency through vocational training. There were no reports of abuse patterns in mental health facilities.

The Convention on the Rights of Persons with Disabilities

Syria signed the Convention on 30/3/2007 and ratified the Convention and Optional Protocol on 10/7/2009.

Tunisia

Persons with Disabilities

The law prohibits discrimination against persons with physical or mental disabilities and mandates that at least 1 percent of public and private sector jobs be reserved for persons who have disabilities; however, NGOs reported that this law was not widely enforced, and many employers were unaware of its existence.

There was some discrimination against persons with disabilities in employment, education, access to health care, and the provision of other state services. The government increased vocational training programs in handicrafts geared toward persons who have disabilities, with the goal of future employment. As of 1991 all new public buildings must be accessible to persons who have physical disabilities, and this was enforced, but persons with disabilities did not have access to most buildings built before 1991. The government issued cards to persons with disabilities for benefits such as unrestricted parking, priority medical services, preferential seating on public transportation, and consumer discounts. The government provided tax incentives to companies to encourage the hiring of persons with physical disabilities, and it strongly supported NGOs working on behalf of persons with disabilities. The Ministry of Social Affairs, Solidarity, and Tunisians Abroad was charged with protecting the rights of persons with disabilities.

There continued to be some social stigma associated with mental disabilities; however, several active NGOs provided educational, vocational, and recreational assistance to children and young adults with such disabilities, and the government and international organizations funded several programs.

The Convention on the Rights of Persons with Disabilities

Tunisia signed the Convention and Optional Protocol on 30/3/2007. Tunisia ratified the Convention and the Optional Protocol on 2/4/2008.

United Arab Emirates

Constitution and Laws

The constitution provides for equality for citizens without regard to race, nationality, or social status, and the law prohibits discrimination based on disability; however, legal and cultural discrimination existed and went unpunished. The constitution does not provide for equality for noncitizens.

Persons with Disabilities

The law prohibits discrimination against persons who have physical and mental disabilities; however, such discrimination occurred in practice. Most public buildings provided some form of access for persons with disabilities in accordance with the law. Health care provided in the Ministry of Labor's five federal rehabilitation centers, as well as those in private centers, reportedly was inadequate.

Various departments within the ministries of labor and education were responsible for protecting the rights of persons with disabilities, and the government effectively enforced these rights. The government reserved 1 percent of all federal government jobs and 2 percent of government jobs in Abu Dhabi for persons with disabilities. On October 25, the Community Development Authority (CDA) in Dubai held a meeting with government and private sector human resource managers in an effort to promote employment opportunities for persons with disabilities. The CDA offers public and private corporations assistance in hiring persons with disabilities through a program called "Elkayt."

The Convention on the Rights of Persons with Disabilities

United Arab Emirates signed the Convention on 8/2/2008 and Optional Protocol on 12/2/2008. United Arab Emirates ratified the Convention on 19/3/2010.

Western Sahara

No disability references found.

The Convention on the Rights of Persons with Disabilities

Western Sahara has not signed the Convention.

Yemen

Constitution and Laws

The law provides for equal rights and equal opportunity for all citizens; however, the government did not effectively enforce the law. Discrimination based on race, gender, and disability remained a serious problem.

Persons with Disabilities

Several laws mandate the rights and care of persons with disabilities, but there was discrimination against such persons. No national law mandates accessibility of buildings, information, and communications for persons with disabilities.

Information about patterns of abuse of persons with disabilities in educational and mental health institutions was not available.

Authorities imprisoned persons with mental disabilities without providing adequate medical care. According to the MOHR, nurses and doctors watched the inmates. In some instances authorities detained without charge persons with mental disabilities and placed them in prisons with criminals. The MOI reported that at times family members brought relatives with mental disabilities to MOI-run prisons, asking officers to imprison the individuals. At year's end MOI-run prisons in Sana'a, Aden, and Taiz operated in conjunction with the Red Crescent semiautonomous units for prisoners with mental disabilities; conditions in these units reportedly were deficient. At year's end neither the MOI nor Ministry of Health had acted on a 2005 MOI initiative to establish centers for persons with mental illness.

The MSAL 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 MSAL, provided limited basic services and supported more than 60 NGOs to assist persons with disabilities.

By law 5 percent of government jobs should be reserved 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. It was unclear to what extent these laws were implemented.

The Convention on the Rights of Persons with Disabilities

Yemen signed the Convention on 30/3/2007 and Optional Protocol on 11/4/2007. Yemen ratified the Convention and the Optional Protocol on 26/3/2009.

South and Central Asia

Afghanistan

Constitution and Laws

The constitution does not explicitly address equal rights based on race, disability, language, or social status.

Persons with Disabilities

The constitution prohibits any kind of discrimination against citizens and requires the state to assist persons who have 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 ensure the active participation in society of persons with disabilities.

One international organization reported that accurate figures on the number of persons with disabilities were not available, but it estimated that there were 800,000 mobility-impaired persons, of whom approximately 40,000 were limb amputees. The MOLSA stated that it provided financial support to 80,000 individuals with disabilities. A survey by HANDICAP reported that there were 800,000 such persons in the country. The MOLSA accorded special treatment to families of those killed in war. The AIHRC reported that of the nearly 200,000 school-age children with disabilities, only 22.4 percent attended school.

In the Meshrano Jirga, two of the presidentially appointed seats were reserved for persons with disabilities.

Other Relevant References

The constitution provides for seats for women and minorities in both houses of parliament. Three women served in the cabinet, heading the women's affairs; public health; and labor, social affairs, martyrs, and disabled ministries. In the upper house, the president appoints one-third of the members, including two members with physical disabilities and two Kuchis.

The labor law sets the minimum age for employment at 18 years old but permits children 15 years and older to do "light work." Children between the ages of 16 and 18 may work only 35 hours per week. Children 14 years old and older may work as apprentices. Children younger than age 13 are prohibited from work under any circumstances, although these laws were not observed in practice. Although the labor law prohibits the employment of children in work likely to threaten their health or cause disability, there is no defined list of hazardous jobs. There was no evidence that authorities in any part of the country enforced child labor laws.

Although it was against the law, corporal punishment in schools, rehabilitation centers, and other public institutions remained common.

The Convention on the Rights of Persons with Disabilities

Afghanistan has not signed the Convention.

Bangladesh

Persons with Disabilities

The law provides for equal treatment and freedom from discrimination for persons with disabilities; in practice persons with disabilities faced social and economic discrimination. The law focuses on

prevention of disability, treatment, education, rehabilitation and employment, transport accessibility, and advocacy.

The Ministry of Social Welfare, the Department of Social Services, and the National Foundation for the Development of the Disabled were the government agencies responsible for protecting the rights of persons with disabilities. Government facilities for treating persons with mental disabilities were inadequate. Several private initiatives existed for medical and vocational rehabilitation, as well as for employment of persons with disabilities. Several NGOs including Handicap International have programs focusing on helping and raising awareness about the persons with disabilities. Persons with disabilities were legally afforded the same access to information rights as those without disabilities; however, family dynamics often influenced whether or not these rights were used.

Other Relevant References

Discrimination against women, and violence against women and children remained serious problems, as did discrimination against persons with disabilities and against persons based on their sexual orientation.

Women, children, minority groups, and persons with disabilities were often confronted with social and economic disadvantages.

According to the Daily Jugantor, on May 17, a health worker raped a mentally disabled woman in the village of Aliyara in Comilla. The local community detained the perpetrator, but police freed him after he paid a 50,000 taka (\$725) fine.

According to Odhikar, on October 18, three or four men raped a mentally disabled teenager from Bhuiyanbagh area in Narayanganj city, while she was on her way to her father's grocery shop. The men, including one named Rassel, raped her and videotaped the incident. After this assault, the criminals demanded 20,000 taka (\$666) from the victim's family.

The Convention on the Rights of Persons with Disabilities

Bangladesh signed the Convention on 9/5/2007. Bangladesh ratified the Convention on 30/11/2007 and the Optional Protocol on 12/5/2008.

Bhutan

Constitution and Laws

The constitution prohibits discrimination on the basis of race, sex, disability, language, or social status.

Persons with Disabilities

The law does not specifically protect the rights of citizens with disabilities, but it does direct the government to try to provide security in the "event of sickness and disability." There was no evidence of official discrimination against persons with disabilities in matters of employment, education, access to health care, or the provision of other state services. The law stipulates that new buildings must be constructed to allow access for persons with disabilities, but the government did not enforce the law consistently. 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 into schools, and foster community awareness and social integration. The approximately 22,000 (3.4 percent of the population according to the most recent estimates released in 2005) persons with physical disabilities living in the country lacked necessary infrastructure. The Royal Government of Bhutan does not have a government agency specifically responsible for protecting the rights of persons with disabilities.

There are three special education institutes for students with disabilities, including the National Institute for the Disabled in Khaling, which educates visually impaired children, and an education resource unit for the hearing impaired in Paro. There also were special education facilities in Thimphu designed to meet the needs of children who have 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 persons with disabilities.

Other Relevant References

All citizens were entitled to free medical care. The government transported persons who could not receive adequate care in the country to other countries (usually India) for treatment. Workers were eligible for compensation in the case of partial or total disability, and in the event of death, their families were entitled to compensation.

The Convention on the Rights of Persons with Disabilities

Bhutan signed the Convention on 21/9/2010.

India

Constitution and Laws

The law prohibits discrimination on the basis of race, gender, disability, language, religion, place of birth, or social status, and the government worked with varying degrees of success to enforce these provisions.

Persons with Disabilities

The constitution does not explicitly mention disability as a prohibited ground for discrimination. The Persons with Disabilities Act (PDA) provides equal rights for persons with the following disabilities: blindness, low vision, leprosy-cured (those cured of leprosy but who still lack sensation in extremities or suffer from deformity), hearing impairment, locomotor disability, mental retardation, and mental illness. The law is weakened by a clause that links implementation of programs to the "economic capacity and development" of the government. There were approximately 200 government-run centers across the country that provided comprehensive, integrated rehabilitation services to persons with disabilities.

During the year the Ministry of Social Justice and Empowerment (MSJE) launched its redesigned accessible Web site and called on states to do the same.

Discrimination against persons with physical and mental disabilities in employment, education, and access to health care was more pervasive in rural areas. Despite legislation that all public buildings and transport be accessible to the disabled, there was limited accessibility. One notable exception was the recently constructed Delhi metro system, designed to be accessible to those with physical disabilities.

On August 8, the Haryana state government announced free travel for persons with 100 percent physical disability on buses traveling on state roadways and on buses to Delhi or Chandigarh if traveling to a hospital for treatment.

The Ministry of Health and Family Welfare estimated that 6 to 7 percent of the population suffered from a mental disorder and that 25 percent of the mentally ill were homeless. Continued lack of awareness about the symptoms of mental illnesses led many patients, particularly in rural areas, to seek treatment from traditional healers before seeking regular medical treatment. Most of the mentally ill were dependent on public health-care facilities, and fewer than half of those who required treatment received it. There was a severe shortage of trained staff; a World Health Organization report released in September estimated that the country had less than one psychiatrist for every 300,000 individuals; most

psychiatrists worked in urban areas in this largely rural nation. In rural areas, the ratio shrank to less than one psychiatrist per one million persons.

The PDA requires 3 percent of public-sector jobs be reserved for persons with physical, hearing, or visual disabilities. The government continued to allocate funds to programs and NGO partners to improve the number of filled jobs. Private-sector employment of persons with disabilities remained low despite PDA benefits to private companies where persons with disabilities constituted more than 5 percent of the workforce.

On November 27, in Lucknow, the Allahabad High Court stayed all the appointments in the state government for three months, until the backlog vacancies of the blind and persons with disabilities were filled.

On December 4, the Karnataka State Commission for Persons with Disabilities announced that persons with disabilities accounted for 3,650 of the estimated 525,000 state government employees.

The law also stipulates that 3 percent of all educational places be reserved for persons with disabilities, but the MSJE stated that students with disabilities made up only an estimated 1 percent of all students. A survey by the NGO Child Relief and You (CRY) of 30 prominent Kolkata schools found that the percentage of children with disabilities was only 0.16 in government schools and 0.31 in private schools. Some schools continued to segregate children with disabilities or deny their enrollment due to lack of infrastructure, equipment, and trained staff. UNICEF estimated that between 6 and 10 percent of all children in the country are born with disabilities.

The MSJE offered 500 scholarships to persons with disabilities to pursue higher education. University enrollment of students with disabilities remained low for reasons including inaccessible infrastructure, limited availability of resource materials, nonimplementation of the 3 percent reservation, and harassment.

The government made efforts to increase enrollment during the year. For example, in January the Central Board of Secondary Education in Delhi issued a notice threatening to disaffiliate schools that used various pretexts to deny admission to children with disabilities, and the Minister of Human Resource Development, Kapil Sibal, announced that the percentage of schools with access ramps increased from 27 percent in 2007 to 40 percent by the end of 2009.

In May 2009 the Delhi High Court noted that 650 New Delhi government schools and 1,800 Municipal Corporation of Delhi schools had not hired any teachers dedicated for the 10,000 students with disabilities. The Delhi High Court directed the state government to develop an action plan to hire teachers and build facilities for students with disabilities. On February 18, the Ministry of Human Resource Development announced that every child with disabilities was entitled to an increased annual allocation of 3,000 rupees (\$65). In February Delhi's Sarva Shiksha Abhiyan (SSA -- Education for All) began training teachers to provide home tutoring for children with disabilities. Fifty teachers were deployed, and more were being hired at year's end. Home tutoring continued in Himachal Pradesh and Tamil Nadu.

The Convention on the Rights of Persons with Disabilities

India signed the Convention on 30/3/2007. India ratified the Convention on 1/10/2007.

Kazakhstan

Constitution and Laws

The law prohibits discrimination based on race, gender, disability, language, or social status; however, the government did not effectively enforce the law. Violence against women, trafficking in persons, and

discrimination against non-Kazakhs in government, persons with disabilities, and those involved with homosexual activity were problems.

Persons with Disabilities

According to the Ministry of Labor and Social Protection, there were 455,600 disabled persons (3 percent of the total population) in the country, although analysts argued that the real number was higher. The law prohibits discrimination against persons with disabilities in employment, education, access to health care, and in the provision of other state services or other areas.

The Law on Social Support to Disabled People protects access to information for persons with disabilities. The government produced periodicals, scientific journals, reference literature, and fictional works that were either recorded on disk or in Braille. The law requires one national television channel to broadcast news programs with sign-language translation. NGOs believed that implementation of the laws on disability was lacking, and the Nur Otan Party's Institute of Parliamentary Development assessed that 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. Nevertheless, there were reports that persons with disabilities faced difficulty integrating into society and finding employment. The law mandates access to buildings for persons with disabilities. Vice Minister of Labor and Social Protection Assel Nusupova identified the two biggest problems facing persons with disabilities as poor infrastructure and lack of access to education. Persons with disabilities had difficulty accessing public transportation. The government did not make a concerted effort to address these problems.

Citizens with mental disabilities could be committed to state-run institutions without their consent or judicial review. In practice the government committed persons at a young age with 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 mass 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 orphanages for children with physical and mental disabilities were overcrowded and unsanitary, with insufficient staff to care adequately for children's needs. The KIBHR observed that the government provided almost no care for persons with mental disabilities.

The government did not restrict the right of persons with disabilities to vote and arranged home voting for individuals who could not travel to polling places as a result of their disability.

The Ministry of Labor and Social Protection was the primary government agency responsible for protecting the rights of persons with disabilities; the Ministries of Health and Education also assisted in their protection. In 2009 the human rights ombudsman received five complaints from patients of mental hospitals who disagreed with their placement in these institutions or with treatment they received; the ombudsman did not report any further developments in the cases.

Other Relevant References

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. In practice public defenders often lacked the necessary experience and training to assist defendants.

Defendants in criminal cases have the right to counsel and to a government-provided attorney if they cannot afford counsel. 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. In practice defense attorneys reportedly participated in only half of all criminal cases, in part because the government did not provide sufficient funds to pay them.

Children's rights are governed by the Law on the Rights of the Child, the Marriage, and Family, the Law on Prevention of Juvenile Delinquency, the Law on Social and Medical Support to Children with Disabilities, and related UN conventions to which the country is a party. In 2006 the government established a Committee on the Protection of Children's Rights within the Ministry of Education and Science.

In June 2009 the courts convicted D. Seytkhanov, a teacher at the Zyrianovsk boarding school for children with mental disabilities, for "inappropriate performance of duties in the education of underage persons related to abusive treatment." The court sentenced Seytkhanov to one year of restricted freedom of movement and a two-year prohibition from teaching.

The Convention on the Rights of Persons with Disabilities

Kazakhstan signed the Convention and Optional Protocol on 11/12/2008.

Kyrgyz Republic

Constitution and Laws

The law prohibits discrimination based on race, gender, disability, language, or social status; however, rights activists claimed authorities failed to apprehend or punish perpetrators of crimes of discrimination during the year.

Persons with Disabilities

The law prohibits discrimination against persons with physical and intellectual disabilities, but in practice such persons faced discrimination in employment, education, access to health care, and the provision of other state services. The law mandates access to buildings for persons with disabilities and requires access to public transportation and parking, and it authorizes subsidies to make mass media available to persons with hearing or visual disabilities and free plots of land for the construction of a home; however, the government generally did not ensure that these provisions of the law were implemented. In addition persons with disabilities often had difficulty finding employment because of negative societal attitudes and high unemployment among the general population.

The lack of resources made it difficult for persons with disabilities to receive adequate education. Although children with disabilities have the right to an education, Gulbara Nurdavletova of the Association of Parents of Children with Disabilities stated that most were denied entry into schools. Parents sometimes established special educational centers for their children, but they did not receive government assistance.

Serious problems continued within psychiatric hospitals. The government did not provide basic needs such as food, water, clothing, heating, and health care, and facilities were often overcrowded. Inadequate funding played a critical factor. In 2008 a parliamentary commission reported violations of patients' rights in a number of mental hospitals, mainly due to lack of funding.

Authorities usually placed children with mental disabilities in psychiatric hospitals rather than integrating them with other children. Other patients 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 patients 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, the members of the Prosecutor'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 determine whether persons should be referred to psychiatric hospitals, and the practice of institutionalizing individuals against their will continued.

Other Relevant References

The following human rights problems were reported [...] discrimination against women, persons with disabilities, ethnic and religious minorities, and other persons based on sexual orientation or gender identity.

Children who are 14 or 15 years old may work up to five hours a day; children who are 16 to 18 may work up to seven hours a day. These laws also apply to children with disabilities.

The government continued to fund two programs that provide school supplies and textbooks to low-income children and children with mental or physical disabilities.

The Convention on the Rights of Persons with Disabilities

The Kyrgyz Republic signed the Convention on 21/9/2011.

Maldives

Constitution and Laws

The law provides for the equality of all citizens, but there is no specific provision to prohibit discrimination based on race, gender, religion, disability, or social status. Women traditionally were disadvantaged, particularly in the application of Sharia in matters such as divorce, education, inheritance, and testimony in legal proceedings.

Persons with Disabilities

The constitution provides for the rights and freedom from discrimination of persons with disabilities and a Special Needs Act was put in place in July. The purpose of the act is to protect the rights of persons with disabilities and to provide them with financial assistance. The president created the Council to Protect the Rights of People with Disabilities in August. As mandated in the act, anyone with disabilities is entitled to Rf 2,000 (\$156) every month. The Ministry of Health and Family maintains a list of persons with disabilities. By December 26, the ministry received 3,384 applications. The ministry planned to start disseminating the allowance in January 2011. Government programs provided services for persons with disabilities, including special educational programs for persons with sensory disabilities. Inadequate facilities made it difficult for persons with disabilities to participate in the workforce.

There were multiple NGOs working to improve the rights of persons with disabilities, including Hand in Hand, the Association of Disability and Development, Handicap International, and the Care Society.

In April the HRCM, in conjunction with the United Nations Development Program, released a report on the rights of persons with disabilities. The report found that most schools only took children with very limited to moderate disabilities and not those with more severe disabilities. There virtually was no access to or transition to secondary-level education for children with disabilities. Additionally there was no mental healthcare available in Male; there were only two psychiatrists working in the country who dealt mostly with drug rehabilitation. There also was a lack of quality residential care. There were more than 31 persons with disabilities waiting for a place at the Home for People with Special Needs as of March.

In July 2009 the Maldives Deaf Association received funding from the Ministry of Human Resources, Youth, and Sports to facilitate arts and crafts courses for persons with auditory disabilities between the ages of 18 and 35 years old.

In October 2009 President Nasheed launched the country's first sign-language dictionary. The objective of the book was to serve as a bridge between persons with auditory disabilities and the rest of society. Handicap International funded the project.

The government established disability awareness and empowerment campaigns on some of the more populous islands. The government integrated students with physical disabilities into mainstream educational programs. Families usually cared for persons with disabilities; when family care was unavailable, persons with disabilities lived in the Ministry of Health and Family's Institute for Needy People, which also assisted elderly persons. When requested the government provided free medication for all persons with mental disabilities on the islands, but follow-up care was infrequent. The government also provided assistive devices, such as wheelchairs, crutches, spectacles, hearing aids, and special seats for children with cerebral palsy.

Other Relevant References

During the year the NPM visited five police custodial centers: Maafushi Prison; the temporary jail that was opened in Gan that has now been closed; a drug rehabilitation center in Himmafushi; a drug rehabilitation center in Villingili; and two centers for persons with disabilities.

The Convention on the Rights of Persons with Disabilities

Maldives signed the Convention on 2/10/2007. Maldives ratified the Convention on 5/4/2010.

Nepal

Constitution and Laws

The law specifies that the government shall not discriminate against citizens on grounds of race, sex, caste, or ideology; however, 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.

Persons with Disabilities

The interim constitution does not address the rights of persons with disabilities. The government's inability to enforce laws and regulations has limited the effectiveness of efforts to improve rights and benefits for persons with disabilities.

According to Handicap International, persons with physical and mental disabilities faced discrimination in employment, education, access to health care, and in the provision of other state services. The law mandates access to buildings, transportation, employment, education, and other state services, but these provisions generally were not enforced. The government did not implement effectively or enforce laws regarding persons with disabilities. The Ministry of Women, Children, and Social Welfare was responsible for the protection of persons with disabilities; the Ministry of Education provides scholarships for children with disabilities; and the Ministry of Local Development was responsible for allocating 5 percent of the budget of local development agencies for disability programs. Some NGOs working with persons with disabilities received funding from the government; however, most persons with physical or mental disabilities relied almost exclusively on family members for assistance.

Other Relevant References

Societal discrimination against women, persons of lower castes, some ethnic groups, and persons with disabilities remained a problem.

Under the civil code, sentencing provisions for rape vary between five and 12 years, depending on the female victim's age. The sentencing provisions also mandate five years' additional imprisonment in the case of gang rape or rape of pregnant women or women with disabilities.

The Convention on the Rights of Persons with Disabilities

Nepal signed the Convention and Optional Protocol on 3/1/2008. Nepal ratified the Convention and the Optional Protocol on 7/5/2010.

Pakistan

Persons with Disabilities

The law provides for equality of the rights of persons with disabilities, but the provisions were not always implemented in practice. The Ministry of Social Welfare and Special Education and its affiliated departments, including the Directorate General for Special Education, National Council for the Rehabilitation of the Disabled (NCRD), and National Trust for the Disabled, 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 education needs of disabled persons.

There are employment quotas at federal and provincial levels that require public and private organizations to reserve at least 2 percent of jobs for qualified persons with disabilities. In practice this right was only partially protected due to a lack of adequate enforcement mechanisms. Families cared for most individuals who had physical and mental disabilities. In some cases criminals forced persons with disabilities into begging and took most of the proceeds they received.

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 NCRD provided job placement and loan facilities as well as subsistence funding. The council also operated the Pakistan Society for the Rehabilitation of the Disabled, which provided rehabilitation, vocational training, and medical support to persons with disabilities.

In August 2009 President Zardari launched the "special persons-special cards" initiative, under which persons with disabilities received reduced prices for a number of services, including transportation and financial services. The initiative also included measures to provide disabled persons with greater physical access to public facilities. On July 7, The News quoted Federal Minister for Social Welfare and Special Education Samina Khalid Ghurki as saying that her ministry had issued 100,000 special identity cards to persons with disabilities that allowed them to receive discounted passenger fares on Pakistan International Airlines and Pakistan Railways.

There were no restrictions on the rights of persons with disabilities to vote or participate in civil affairs.

Other Relevant References

The HRCP invited the government to develop a template for protection and assistance of IDPs. In its report, Internal Displacement in Pakistan: Contemporary Challenges, the commission recommended proactive measures for averting displacement, mainly by early identification of threats, close and continued assessment and monitoring of risks, and adoption of appropriate responses. The report noted that "provisions must be made for individuals who face additional vulnerabilities on account of their age, gender, religious beliefs, health condition and physical and mental disabilities."

The Convention on the Rights of Persons with Disabilities

Pakistan signed the Convention on 25/9/2008 and ratified the Convention on 5/7/2011.

Sri Lanka

Constitution and Law

The law prohibits discrimination based on race, gender, disability, language, or social status, and the government generally respected these rights in practice; however, there were instances wherein which gender and ethnic-based discrimination occurred.

Persons with Disabilities

The law forbids discrimination against any person with physical, sensory, intellectual, or mental disabilities; however, in practice discrimination occurred in employment, education, and provision of state services. The Department of Social Services operated eight vocational training schools for persons with physical and mental disabilities and sponsored a program of job training and placement for graduates. The government provided financial support to NGOs that assisted persons with disabilities, including subsidizing prosthetic devices, making purchases from suppliers with disabilities, and registering 74 NGO-run schools and training institutions for persons with disabilities. Due to a lack of funding, the Department of Social Services reportedly discontinued a program that allowed job placement officers to help the estimated 200,000 work-eligible persons with disabilities find jobs. This program assisted 147 persons with disabilities in finding jobs in 2008. 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 such persons who in some cases rarely or never left their homes.

In October 2009 the Supreme Court directed that steps be taken to provide easy access for persons with disabilities to public buildings, but little progress occurred. There were regulations on accessibility, but in practice accommodation for access to buildings for persons with disabilities was rare. The Department of Social Services provided housing grants, self-employment grants, and medical assistance to persons with disabilities. During the year the department provided a monthly allowance grant of approximately 3,200 rupees (\$29) to approximately 2,100 families of persons with disabilities.

Other Relevant References

Discrimination against persons with disabilities [...] continued, and a disproportionate number of victims of human rights violations were Tamils.

The Convention on the Rights of Persons with Disabilities

Sri Lanka signed the Convention on 30/3/2007.

Tajikistan

Constitution and Law

The law provides for the rights and freedoms of every person regardless of race, gender, disability, language, or social status, but in practice there was discrimination against women and persons with disabilities. Trafficking in persons remained a problem.

Persons with Disabilities

The law on social protection of persons with disabilities applies to individuals having either physical or mental disabilities.

The government's Commission on Fulfillment of International Human Rights, the Society of Invalids, and local and regional governmental structures were charged with protecting the rights of persons with 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 have the resources to provide legal safeguards. The law required government buildings, schools, hospitals, and transportation to be accessible to persons with disabilities, but the government did not enforce these provisions. To attend school, children must be deemed "medically fit" by doctors. Many children with disabilities were not able to attend school because doctors considered them to be not "medically fit." Although the government maintained group living and medical facilities for persons with disabilities, funding was limited, and facilities were in poor condition.

The Convention on the Rights of Persons with Disabilities

Tajikistan has not signed the Convention.

Turkmenistan

Constitution and Law

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.

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 or other areas; however, in practice persons with disabilities encountered discrimination and were regularly denied work, education, and access to health care and other state services because of strong cultural biases.

The government provided subsidies and pensions for persons with disabilities, although 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, which is the country's largest employer.

Some groups of students with disabilities were unable to obtain education because there were no qualified teachers and facilities were not accessible for persons with disabilities. Students with disabilities did not fit the unofficial university student profile and were not admitted to universities. Children with disabilities, including those with mental disabilities, were placed in boarding schools through which they were to be provided with educational and future employment opportunities, if their condition allowed them to work; in practice neither was provided. Special schools for the persons with sensory disabilities existed in the larger cities. The government began construction of boarding schools with rehabilitation centers for persons with disabilities in each province and in Ashgabat.

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 was responsible for protecting the rights of persons with disabilities. This ministry provided venues and organizational support for activities conducted by NGOs that assist persons with disabilities.

The government ratified the UN Convention on the Rights of Persons with Disabilities in 2008 and the Optional Protocol in November.

Other Relevant References

There were isolated reports of child abuse. In 2006 the UN Committee on the Rights of the Child issued recommendations that called on the government to focus efforts on issues of family and alternative care, juvenile justice, child abuse prevention, health and welfare, education, children with disabilities, and special protection measures.

The Convention on the Rights of Persons with Disabilities

Turkmenistan ratified the Convention on 4/9/2008 and the Optional Protocol on 10/11/2010.

Uzbekistan

Constitution and Laws

The law and constitution prohibits discrimination on the bases of race, gender, disability, language, and social status. However, societal discrimination against women and persons with disabilities existed, and child abuse persisted.

Persons with Disabilities

The law prohibits discrimination against persons with disabilities. In 2009 the government signed the UN Convention on the Rights of Persons with Disabilities. The convention clarifies the rights of persons with disabilities and identifies areas where adaptations must be made to allow persons with disabilities to exercise their rights effectively. The government has not yet ratified the convention.

Between January and March, the National Center for Children's Social Adaptation held a series of trainings on inclusive education, with the intention of working toward better integration of children with disabilities into both education and Society.

In April the government began a campaign to confirm the disability levels of citizens who receive government disability benefits. Ostensibly, the confirmations were conducted to ensure the legitimacy of the payments, but there were reports that some persons with disabilities had their benefits unfairly reduced in this process.

There was some societal discrimination against persons with disabilities. The government provided care for persons with mental disabilities in special homes.

The Ministry of Labor and Social Protection continued to participate in the Accessibility, Civic Consciousness, Employment, and Society Support for Persons with Disabilities (ACCESS) project with several international partners, including the UNDP. The purpose of the project is to combat societal discrimination against persons with disabilities and expand social integration, employment, and inclusive educational opportunities, in addition to improving the implementation of national legislation. In July ACCESS coordinators held a two-day training session for professionals of the State Architecture and Construction Committee to ensure the accessibility of newly planned and constructed public buildings; a three-day training for media representatives on understanding and media coverage of disability issues; and a conference on the implementation of the UN Convention on the Rights of Persons with Disabilities. Disability activists report that accessibility remains inadequate, noting that many of the high schools constructed in the last few years have exterior ramps, but no interior modifications that would allow wheelchair accessibility.

During the year there were no reports of fines imposed for facilities being inaccessible to persons with disabilities. In 2008 the government amended the law to include provisions imposing stiff fines for such violations.

Although many public places lacked access for persons with disabilities, there was some wheelchair access throughout the country. The law does not provide effective safeguards against arbitrary or

involuntary institutionalization. There were no reports this year of persons being held at psychiatric hospitals despite showing no signs of mental illness. 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. There were no reports of problems regarding accessibility of information and communications. No information was available regarding patterns of abuse in educational and mental health facilities.

Other Relevant References

On August 28, the senate issued an amnesty decree. According to its terms, women, minors, men over 60 years old, foreign citizens, disabled individuals, and those who had developed serious illnesses in prison could apply for amnesty. Some first-time offenders were also eligible. Amnesty actions included full exemption from further incarceration, transfer to a prison with less severe conditions, or conclusion of a criminal case at the pretrial or trial stage. The government reported that as of October 25, 84 women and 1,101 men were released from their prison sentences as a result of the amnesty decree.

The Convention on the Rights of Persons with Disabilities

Uzbekistan signed the Convention on 27/2/2009.

Western Hemisphere

Antigua and Barbuda

Persons with Disabilities

There was no reported discrimination against persons with disabilities in employment, education, access to health care, or in the provision of other state services. Although the constitution contains antidiscrimination provisions, no specific laws prohibit discrimination against, or mandate accessibility for, persons with disabilities.

The Convention on the Rights of Persons with Disabilities

Antigua and Barbuda signed the Convention and Optional Protocol on 30/3/2007.

Argentina

Constitution and Laws

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

Persons with Disabilities

The constitution and laws prohibit discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, access to health care, or the provision of other state services. A specific law also mandates access to buildings for persons with disabilities. While the federal government has protective laws, many states have not adopted the laws and have no mechanisms to ensure enforcement. While the government does not restrict the right of persons with disabilities to vote or participate in civic affairs, access to a voting location is often not possible for those with disabilities, and the required accommodations are often not met. There are accounts of persons with mental health conditions being denied the right to vote by election officials.

On June 1, the Supreme Court declared unconstitutional an article of a law putting certain limits on the right to travel on buses free of charge between home and places of work, assistance, education, or other social integration. The ruling effectively widened access to public transportation for persons with disabilities.

On November 3, congress unanimously passed a law requiring all government entities to respect international Web site design standards, facilitating equal access to Web information for persons with disabilities. The law gives entities two years to comply with design standards.

On November 25, congress passed the Mental Health Act, which broadens the number of treatment alternatives for persons with mental health conditions. It prohibits the creation of new psychiatric asylums, promotes medical care at general hospitals, and incorporates issues related to addiction into the mental health field. A 2007 CELS report indicated that 25,000 persons were confined to psychiatric asylums and that 80 percent of those persons were confined for more than one year.

An estimated 82 percent of persons with disabilities lacked employment. Due to lengthy procedures for obtaining a certificate of disability, a key document to access services including rehabilitation, only 15 percent of unemployed persons with disabilities received a certificate of disability.

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.

The government took a number of actions to improve respect for the rights of persons with disabilities. Santa Fe Province passed a law that mandates provincial tax forms in Braille be provided upon request to persons with visual disabilities. Chaco Province established a free hotline offering persons with disabilities information regarding their rights and benefits and general assistance.

The government responded to civil society requests to improve respect for the rights of persons with disabilities in education. In Neuquen approximately 1,000 students received approval from the Provincial Education Council to leave a special education school and enter the general public school system upon request of their parents. The National University of Cordoba, in response to requests from blind students, digitized 20,000 pages of text in five different fields of study to make them accessible to the visually impaired.

The government's Secretariat of University Policies signed an agreement in June at the Ministry of Education to finance renovations to make university buildings accessible to persons with disabilities seeking to ensure that the buildings and grounds of all national universities are safe and accessible for all users.

The Convention on the Rights of Persons with Disabilities

Argentina signed the Convention and Optional Protocol on 30/3/2007. Argentina ratified the Convention and the Optional Protocol on 2/9/2008.

Bahamas, The

Persons with Disabilities

There is no specific law protecting persons with physical or mental disabilities from discrimination in employment, education, access to health care, or in the provision of other state services. However, provisions in other legislation address the rights of persons with disabilities, including a prohibition of discrimination on the basis of disability. Although the law mandates access for persons with physical disabilities in new public buildings, the authorities rarely enforced this requirement, and very few buildings and public facilities were accessible to persons with disabilities. Advocates for persons with

disabilities complained of widespread job discrimination and general apathy on the part of private employers and political leaders toward the need for training and equal opportunity.

In its attempt to counter all forms of discrimination against persons with disabilities the government, through its Disability Affairs Division, engaged in several outreach efforts. The division collaborated with disability-related NGOs and the community of persons with disabilities in the formulation of national antidiscrimination legislation, which was in its final stages of preparation. The division also established a national registry for persons with disabilities in order to obtain statistical data that provides the kind of information needed for the creation of inclusive policies and support services necessary for equal participation in all aspects of society. Daily sign language interpretation for national evening news broadcasts was provided.

New measures were taken to provide training, education, and job placement services for adults and children with disabilities. The government provided financial assistance for computer classes and technical skills training at the Bahamas Technical Vocational Institute. A disability allowance was provided to children with disabilities under the age of 16 to assist with caring for a child with special needs. Monthly self-esteem building support groups were held for men and women with disabilities. Free Braille classes were provided for individuals with vision loss as well as free sign language interpretation for individuals with hearing loss. Adaptive technology was provided for children with multiple disabilities at the Bahamas Association for the Physically Disabled (a school for children with multiple disabilities).

In June media reports indicated a patient died, possibly due to neglect, at the Sandilands Psychiatric Hospital. The government conducted a comprehensive investigation which included detailed accounts from medical and support personnel, as well as the submission of closed circuit television footage. The government found that there was no evidence of negligence on the part of staff in this matter.

The Social Development Ministry's Disability Affairs Unit worked with the Bahamas National Council for Disability, an umbrella organization of nongovernmental organizations that offered services for persons with disabilities, to provide a coordinated public and private sector approach to the needs of such persons. A mix of government and private residential and nonresidential institutions provided education, training, counseling, and job placement services for adults and children with both physical and mental disabilities.

Other Relevant References

The Department of Social Services is responsible for abandoned children up to 18 years of age but had very limited resources at its disposal. The government found foster homes for some children, and the government hospital housed abandoned children with physical disabilities when foster homes could not be found.

The Convention on the Rights of Persons with Disabilities

The Bahamas has not signed the Convention.

Barbados

Persons with Disabilities

There are no laws that 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. In practice persons with disabilities faced some 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.

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 special sanitary facilities for such persons.

The government's National 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. In April the unit, along with the Barbados Fire Service, launched a program to install fire detectors in the homes of persons with disabilities.

The Convention on the Rights of Persons with Disabilities

Barbados signed the Convention on 19/7/2007.

Belize

Constitution and Laws

The constitution prohibits discrimination based on race, gender, disability, language, or social status, and the government effectively enforced these prohibitions.

Persons with Disabilities

Although the law does not expressly prohibit discrimination against persons with physical and mental disabilities, the constitution provides for the protection of all citizens from any type of discrimination. The law does not provide for accessibility for persons with disabilities. There were two schools (the Cayo Deaf Institute in Central Farm and the Stella Maris School for disabled children in Belize City) and four special education centers (located in Corozal, Punta Gorda, Orange Walk, and Dangriga) for children with disabilities.

Informal government-organized committees for persons with disabilities were tasked with public education and enforcing protection. Private companies and NGOs, such as the Parents Association for Children with Special Needs and the Belize Council for the Visually Impaired, provided services to persons with disabilities. The Ministry of Education maintained an educational unit offering limited special education programs within the regular school system.

During the year Kim Simplis-Barrow, the prime minister's wife, was named the official spokesperson for persons with disabilities. She launched public announcements, participated in numerous advocacy campaigns on behalf of persons with disabilities, and partnered with CARE-Belize to promote schools that made positive efforts to create inclusive environments for persons with disabilities.

The Convention on the Rights of Persons with Disabilities

Belize signed the Convention on 9/5/2011 and ratified the Convention on 2/6/2011.

Bolivia

Persons with Disabilities

The law prohibits discrimination against persons with disabilities and identifies the rights and benefits afforded them. There was no official discrimination against persons with disabilities in employment,

education, access to health care, or the provision of other state services. The government did not effectively enforce these provisions, however, and societal discrimination kept many persons with disabilities at home from an early age, limiting their integration into society. The Law on Disabilities requires wheelchair access to all public and private buildings, duty-free import of orthopedic devices, a 50 percent reduction in public transportation fares, and expanded teaching of sign language and Braille. The National Committee for Handicapped Persons was responsible for protecting the rights of persons with disabilities.

The Convention on the Rights of Persons with Disabilities

Bolivia signed the Convention and Optional Protocol on 13/8/2007. Bolivia ratified the Convention and the Optional Protocol on 16/11/2009.

Brazil

Constitution and Laws

Although the law prohibits and penalizes discrimination on the basis of race, gender, disability, or social status, discrimination against women, Afro-Brazilians, gays and lesbians, and indigenous persons continued.

Persons with Disabilities

The law prohibits discrimination against persons with physical and mental disabilities in employment, education, and access to health care, and the federal government effectively enforced these provisions. However, state governments failed to meet legally mandated targets for educational opportunities and work placement. While federal and state laws have provisions ensuring access to buildings for persons with disabilities, states did not have programs to enforce them effectively. For instance, while the Sao Paulo State labor code requires that meeting places for more than 100 persons or other facilities for 600 persons or more provide modified entrances and other accommodations for persons with disabilities, such persons had continued difficulty in securing necessary accommodations.

Federal laws establish the basic rights to accessibility and access to information for persons with disabilities. According to the IBGE, 30 million citizens had some form of disability. The 2010 census included improved reporting techniques identifying persons with disabilities for the purpose of creating reliable statistics to be used for the creation of future public policy. The National Council for the Rights of Handicapped Persons and the National Council for the Rights of the Elderly, both within the SEDH, have primary responsibility for promoting the rights of persons with disabilities. According to the Secretariat of Human Rights, specific challenges included the short supply of affordable orthotics and prosthetics for those who could benefit from them but could not afford them; availability of affordable housing with special adaptations to those with special needs; accessibility to public transport able to accommodate the needs of physically disabled persons, (for example, by adapting bus and subway terminals with handicap ramps, elevators); accessibility to schools with facilities (restrooms, classrooms, sidewalks, ramps) for physically challenged persons; combating social exclusion; and raising awareness of the rights of persons with disabilities through the advancement of Internet access and media campaigns.

The Convention on the Rights of Persons with Disabilities

Brazil signed the Convention and Optional Protocol on 30/3/2007. Brazil ratified the Convention and the Optional Protocol on 1/8/2008.

Canada

Constitution and Laws

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

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 or in other areas, and the government effectively enforced these prohibitions. The government effectively implemented laws and programs mandating access to buildings, information, and communications for persons with disabilities.

The federal, provincial, and territorial governments share responsibility for protecting the rights of persons with disabilities. The Office for Disability Issues, the federal government's focal point, funded a range of programs, including programs to enable participation of persons with disabilities in the workforce, to improve physical accessibility infrastructure, to build the capacity of the voluntary sector, and to raise public education and awareness of disability issues.

On July 28, an Ontario court accepted a class-action lawsuit by former residents of the Huronia Regional Centre, a former facility operated by the province of Ontario for persons with developmental disabilities. Former residents and their family members alleged systemic neglect and abuse at the institution over a prolonged period before it closed in 2009. The suit is the first against a government-run residential institution for the developmentally disabled in Ontario.

Other Relevant References

The Charter of the French Language in Quebec makes French the official language of the province; requires the use of French in commerce, the workplace, education, and government; and protects minority language rights. The charter also restricts access to publicly funded English-language education to children who have received or are receiving elementary or secondary instruction in English and whose parents are citizens, and to students who are temporary residents in the province or have serious learning disabilities and who have obtained a waiver.

The Convention on the Rights of Persons with Disabilities

Canada signed the Convention on 30/3/2007. Canada ratified the Convention on 11/3/2010.

Chile

Constitution and Laws

The law prohibits discrimination based on race, gender, disability, language, or social status, and the government enforced these prohibitions. However, such discrimination continued to occur.

Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, access to health care, and access to state services, and the government effectively enforced these provisions. However, such persons suffered forms of de facto discrimination. In 2008 the New Faces Foundation, an NGO that provides attention to impoverished adults with mental or psychological disabilities, reported an estimated 60,000 persons suffered from moderate or severe mental disability, nearly half of whom received no mental health attention.

Approximately 100,000 persons under the age of 27 with disabilities did not receive any special care or education.

The government did not effectively implement laws and programs to ensure that persons with disabilities have access to buildings, information, and communications. A majority of public buildings did not comply with legal accessibility mandates. An improved transportation system in Santiago provided additional, but still limited, accessibility for persons with disabilities. Public transportation outside of the capital remained problematic.

The National Fund for Persons with Disabilities under the jurisdiction of the Ministry of Planning has responsibility for protecting the rights of persons with disabilities and for creating programs to promote their better integration into society.

Other Relevant References

Prisoners with HIV/AIDS and mental disabilities failed to receive adequate medical attention in some prisons.

The Convention on the Rights of Persons with Disabilities

Chile signed the Convention and Optional Protocol on 30/3/2007. Chile ratified the Convention and the Optional Protocol on 29/7/2008.

Colombia

Constitution and Laws

Although the law specifically prohibits discrimination based on race, gender, disability, language, or social status, many of these prohibitions were not enforced in practice.

Persons with Disabilities

The law prohibits discrimination against persons with physical and mental disabilities in employment, education, access to health care, or the provision of other state services, and the government sought to enforce these prohibitions. No law mandates access to public buildings, information, and telecommunications for persons with disabilities, thus limiting the power of the government to penalize those schools or offices without access, but both national and local governments addressed this with programs aimed at improving access. The law provides persons with physical disabilities access to voting stations. The Presidential Program for Human Rights is responsible for protecting the rights of persons with disabilities.

Other Relevant References

In 2004 the Constitutional Court initially found the government's response to displacement an "unconstitutional state of affairs" and ordered the government to reformulate its IDP programs and policies, including improving the IDP registration system. In following years, the court also ordered the government to implement specific protection and assistance programs for displaced indigenous people, Afro-Colombians, women and children, disabled persons, and IDP community leaders. In its July 1 report to the Constitutional Court, Accion Social cited improvements in institutional and territorial coordination, enhanced registration systems, involvement of IDP and community authorities and associations, increased IDP policy and program budget, and improved monitoring and evaluation of assistance and rights.

The Convention on the Rights of Persons with Disabilities

Colombia signed the Convention on 30/3/2007 and ratified on 10/5/2011.

Costa Rica

Constitution and Laws

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

Persons with Disabilities

The constitution prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, health care access, or other state services. There were no reports of such discriminatory practices in education or in the provision of other state services. However, the Ombudsman's Office reported that, although there were some institutional efforts to improve the situation, there were isolated instances where a lack of interagency coordination prevented the implementation of comprehensive strategies to protect the fundamental rights of persons with disabilities. The Ombudsman's Office reported problems in access to employment for persons with disabilities.

Although the law mandates access to buildings for persons with disabilities, the government did not enforce this provision in practice, and many buildings remained inaccessible to persons with disabilities. In 2009 the Supreme Court's Constitutional Chamber upheld an appeal in favor of the right of persons with disabilities to gain access to state-owned or private facilities open to the public. Public transportation services improved access slightly for persons using wheelchairs. During the year the Ombudsman's Office received and investigated 29 complaints about violations of the law that protects equal opportunities for persons with disabilities.

The TSE, with the assistance of the National Council on Disability (CNREE), implemented a program to facilitate the right of persons with disabilities to vote and participate in electoral activities. The TSE provided voting equipment (a Braille template) which enabled blind voters to vote independently and privately.

The Ministry of Education continued to operate a program for persons with disabilities, including a national resource center that provided parents, students, and teachers with advanced counseling, training, and information services. There were 24 special education centers exclusively to assist special education students and those with disabilities, two more inside state hospitals, and an additional institute for the blind. In addition, 2,129 schools had programs to provide some support to students with disabilities, and the ministry provided special education to 14,815 students who registered in 2009.

The CNREE is responsible for protecting the rights of persons with disabilities and for coordinating all organizations working on issues related to persons with disabilities.

A political party, Accessibility without Exclusion, represented the interests of persons with disabilities and held four seats in the Legislative Assembly. In addition, a member of this party was elected mayor of the city of Liberia.

The Convention on the Rights of Persons with Disabilities

Costa Rica signed the Convention and Optional Protocol on 30/3/2007. Costa Rica ratified the Convention and the Optional Protocol on 1/10/2008.

Cuba

Constitution and Laws

The constitution prohibits discrimination based on race, gender, disability, or social status; however, racial discrimination occurred frequently.

Persons with Disabilities

There was no known law prohibiting official discrimination against persons with disabilities in employment, education, access to health care, or in the provision of other state services. However, a Ministry of Labor and Social Security resolution gives persons with disabilities the right to equal employment opportunities and to equal pay for equal work. There was no official discrimination against persons with disabilities. There are no laws mandating accessibility to buildings, communications facilities or information for persons with disabilities, and in practice facilities and services were rarely accessible to persons with disabilities.

The Special Education Division of the Ministry of Education is responsible for the education and training of children with disabilities. The Ministry of Labor and Social Security is in charge of the Job Program for the Handicapped.

In January at least 26 patients died at the government-run "Mazorra" Pyschiatric Hospital in Havana when temperatures dropped to near freezing. Havana residents familiar with the hospital alleged that the deaths were due to negligence, and reported that the patients, many of them elderly, suffered from severe malnutrition, lived in unheated rooms with broken windows, and lacked jackets or blankets. On January 16, the Ministry of Public Health acknowledged the deaths, cited "deficiencies" in the hospital's administration, and stated that responsible officials would face criminal charges. On July 22, President Castro replaced the minister of public health. Unofficial reports at the end of the year indicated that the government was preparing charges against several people involved in the case.

The Convention on the Rights of Persons with Disabilities

Cuba signed the Convention on 26/4/2007. Cuba ratified the Convention on 6/9/2007.

Dominica

Persons with Disabilities

Although the law does not specifically prohibit discrimination against persons with disabilities, there was no reported formal discrimination against them in employment, education, access to health care, or the provision of other state services. However, many employers refused to hire persons with disabilities, and unemployment among them was very high.

There is no legal requirement mandating access to buildings for persons with disabilities.

The government funded a special school for the hearing impaired and partially assisted two other schools for vision impaired and mentally challenged children. One of the public schools also had a program for autistic children. However, the education of children with disabilities remained a serious challenge, as many of the disabled children were in rural areas.

Other Relevant References

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. In practice such persons were generally paid more than the minimum, and the labor commissioner had not authorized subminimum wages for the last few years.

There were no government restrictions on the formation of local human rights organizations, although no such groups existed. Several advocacy groups, such as the Association of Disabled People, the Dominica National Council of Women (DNCW), and a women's and children's self-help organization, operated freely and without government interference.

The Convention on the Rights of Persons with Disabilities

Dominica signed the Convention on 30/3/2007.

Dominican Republic

Constitution and Laws

Although the new constitution prohibits discrimination based on race, gender, disability, language, and social status, such discrimination existed, and the government seldom acknowledged its existence or made efforts to combat it.

Persons with Disabilities

Although the law prohibits discrimination against persons with 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, but the authorities did not enforce this provision. The Dominican Association for Rehabilitation, which had 23 branches around the country, received a large subsidy from the Secretariat of Public Health and from the Presidency to provide rehabilitation assistance to persons with physical and learning disabilities. The association cited the lack of accessible public transportation for persons with disabilities as a major impediment. The 2000 disability law states that the government should ensure that people with disabilities have access to the labor market and cultural, recreational, and religious activities.

Discrimination against persons with mental illness was common across all public and private sectors, and there were few resources dedicated to the mentally ill.

The Convention on the Rights of Persons with Disabilities

The Dominican Republic signed the Convention and Optional Protocol on 30/3/2007. The Dominican Republic ratified the Convention and the Optional Protocol on 18/8/2009.

Ecuador

Constitution and Laws

Although the new constitution prohibits discrimination based on race, gender, disability, language, and social status, such discrimination existed, and the government seldom acknowledged its existence or made efforts to combat it.

Persons with Disabilities

The constitution prohibits discrimination against persons with physical and mental disabilities in employment, education, access to health care, and the provision of other state services. The interagency National Council on Disabilities oversees government policies regarding persons with disabilities. Although the law mandates access to buildings and public transportation for persons with disabilities, the government did not fully enforce it.

The constitution extends benefits to persons with disabilities, particularly in the areas of education, employment, and access to social security. The law requires that percent of employees in all public and private enterprises with more than 25 employees be persons with disabilities. On May 8, Vice President Lenin Moreno stated that government agencies were fully compliant with the law and that private companies would face stiff fines for noncompliance. According to government information, only 35 percent of the 1,532 audited companies complied with this law. Through the beginning of June, nine companies were fined a total of \$600,000 for not complying with the law.

An initiative called Ecuador without Barriers, led by the vice president, helped create an unspecified number of jobs for persons with disabilities, provided funding to more than 200 municipalities to improve access to public buildings, and opened training and rehabilitation centers. The initiative also created a record to show the degree of compliance by companies that hire persons with disabilities. In addition to this program, the government was building centers for those considered intellectually disabled.

The vice president also led an initiative to conduct a census, registry, and survey of living conditions of persons with disabilities. As of early December, the initiative had registered 294,166 persons with disabilities nationwide. In addition, the caregivers of persons with severe disabilities received a government subsidy equivalent to the minimum monthly wage. In 2009 the municipality of Guayaquil, the country's largest city, passed a regulation requiring all businesses and public institutions to improve access for the disabled and the elderly. Also in 2009, seven municipalities located in areas of high risk of natural disasters finished developing guidelines for the rescue and assistance of persons with disabilities during and following a disaster.

The Convention on the Rights of Persons with Disabilities

Ecuador signed the Convention and Optional Protocol on 30/3/2007. Ecuador ratified the Convention and the Optional Protocol on 3/4/2008.

El Salvador

Constitution and Laws

Although the constitution and the legal code provide that all persons are equal before the law and prohibit discrimination regardless of race, gender, disability, language, or social status, in practice the government did not effectively enforce these prohibitions. There was discrimination against women; persons with disabilities; lesbian, gay, bisexual, and transgender persons, and indigenous people. The Secretariat for Social Inclusion, created in June 2009 by President Funes, who named the first lady Vanda Pignato as secretary, made efforts to overcome traditional bias in all these areas.

Persons with Disabilities

The law prohibits discrimination against persons with physical and mental disabilities in employment, education, access to health care, or the provision of other state services. According to the National Council for Disabled Persons (CONAIPD), the government did not allocate sufficient resources to enforce these prohibitions effectively, particularly in education, employment, and transportation, and did not effectively enforce legal requirements for access to buildings, information and communications for persons with disabilities. There are almost no access ramps in the country, nor are provisions made for the mobility of persons with sight and hearing disabilities.

Several public and private organizations promoted the rights of persons with disabilities. CONAIPD is the government agency responsible for protecting those rights. There were no reported patterns of abuse in prisons or in educational or mental health facilities, although CONAIPD reported isolated incidents, including sexual abuse, in such facilities. There are no statistics or formal mechanisms for complaint for abuse of persons with disabilities.

CONAIPD reported that persons were fired after becoming disabled, that persons with disabilities were not considered for work they were qualified for, and that 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.

CONAIPD conducted awareness campaigns, provided sensitivity training to 1,173 persons in 15 institutions from the public and private sectors, promoted the hiring of persons with disabilities, and trained doctors and teachers about the rights of the disabled. The government's Fund for the Protection of Persons with Disabilities assisted financially individuals who were wounded or had a disability as a result of the civil war but had not yet paid some obligations through 2009. President Funes stated the government would pay owed pensions. The Rehabilitation Foundation, in cooperation with the Salvadoran Institute for the Rehabilitation of the Disabled (ISRI), continued to operate a treatment center for persons with disabilities. However, CONAIPD reported that the government provided minimal funding for ISRI. The vast majority of persons with disabilities received care at home by relatives with little or no government support or supervision.

Other Relevant References

The penalty for rape is six to 10 years' imprisonment, but the law provides for a maximum sentence of 20 years for rape of certain classes of victims, including children and persons with disabilities.

The Convention on the Rights of Persons with Disabilities

El Salvador signed the Convention and Optional Protocol on 30/3/2007. El Salvador ratified the Convention and the Optional Protocol on 14/12/2007.

Grenada

Persons with Disabilities

The constitution and law do not protect job seekers with disabilities from discrimination in employment. Although the law does not mandate access to public buildings or services, building owners increasingly incorporated disabled access into new construction and premises renovation. Although public schools accepted special needs children and sought to meet their needs, many parents chose to send their children to three special education schools operating in the country. Persons with disabilities had full access to the health care system and other public services, faced no discrimination in access to information and communication, and suffered no restrictions on the right to vote or to participate fully in civic affairs. The government and NGOs continued to provide training and work opportunities for such persons. The Ministry of Social Services includes an office responsible for looking after persons with disabilities, as well as the Council for the Disabled, which reviews disability-related issues.

The Convention on the Rights of Persons with Disabilities

Grenada signed the Convention on 12/7/2010.

Guatemala

Constitution and Laws

The constitution and the law prohibit discrimination based on race, gender, disability, language, or social status. In practice the government frequently did not enforce these provisions due to inadequate resources, corruption, and a dysfunctional judicial system.

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 or other areas. The law, however, mandates equal access to public facilities and provides some other legal protections. In many cases, persons with physical and mental disabilities did

not enjoy these rights, 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.

There were minimal educational resources for persons with special needs, and the majority of universities did not have accessibility facilities for persons with disabilities. The National Hospital for Mental Health, the principal health provider for persons with mental illness, lacked basic supplies, equipment, hygienic living conditions, and adequate professional staffing. The National Council for the Disabled, composed of representatives of relevant government ministries and agencies, is the principal government organ responsible for protecting the rights of persons with disabilities. It met regularly to discuss initiatives and had a budget of five million quetzales (\$625,000).

The Convention on the Rights of Persons with Disabilities

Guatemala signed the Convention and Optional Protocol on 30/3/2007. Guatemala ratified the Convention and the Optional Protocol on 7/4/2009.

Guyana

Constitution and Laws

While the constitution prohibits discrimination based on race, gender, disability, language, social status, religion, or national origin, the government did not always effectively enforce these prohibitions.

Persons with Disabilities

The constitution mandates the state to "take legislative and other measures" designed to protect disadvantaged persons and persons with disabilities. On November 2, President Jagdeo signed the Persons with Disabilities Act, which provides for equal protection under the law. The act stipulates that the National Commission on Disabilities shall comprise 12 members appointed by the president; it charges the commission with advising the government, coordinating actions on issues affecting persons with disabilities, and addressing implementation and monitoring of the act's provisions. Regardless, lack of appropriate infrastructure to provide access to both public and private facilities made it difficult for persons with disabilities to be employed outside their homes. The Open Door Center offered assistance and training to persons with disabilities throughout the year.

Other Relevant References

On May 24, the president signed into law a Sexual Offenses Bill that broadened the definition of rape to include spousal rape, coercion, new child-sex offenses, and the creation of offenses for vulnerable adults with a learning disability or mental disorder.

The Convention on the Rights of Persons with Disabilities

Guyana signed the Convention on 11/4/2007.

Haiti

Constitution and Laws

The law does not specifically prohibit discrimination on the grounds of race, gender, disability, language, or social status. It does provide for equal working conditions regardless of gender, beliefs, or marital status. However, no effective governmental mechanism administered or enforced these provisions.

Persons with Disabilities

The constitution and laws do not explicitly prohibit discrimination against persons with physical and mental disabilities, and there were no reports of discrimination by the government against persons with

disabilities in employment, education, access to health care, or the provision of other state services. However, because of widespread and chronic poverty, a shortage of public services, and limited educational opportunities, persons with disabilities were severely disadvantaged. According to the National Network for the Defense of Human Rights (RNDDH), approximately 805,000 persons lived with a physical disability during the year. The earthquake exacerbated the difficulties faced by persons with disabilities, with the RNDDH reporting that 6,000 persons were left with an amputated limb as a result of the earthquake. Only 3 percent of children with disabilities have access to schools.

The Secretariat of State for the Integration of Handicapped Persons (SEIPH) is the lead government agency responsible for providing assistance to and ensuring that the concerns of the disabled are taken into account, especially during the reconstruction phase. SEIPH worked with the UN Health Cluster to coordinate the Injury, Rehabilitation, and Disability working group, which coordinated all activity concerning the rehabilitation of injured persons, the fitting of orthopedic devices, and the provision of assistance to persons with disabilities. SEIPH also signed an agreement with foreign donors to enable the construction in the coming year of a rehabilitation center for persons with disabilities. The center will train teachers and technicians and will provide prostheses and hearing aids. SEIPH's broader mandate is to improve the living conditions of persons with disabilities, raise public awareness on national and international disability issues, strengthen the response capacity of associations or institutions that work on disability issues, and to establish a legal framework for persons with disabilities.

There were no reports of abuse in mental health facilities.

The Convention on the Rights of Persons with Disabilities

Haiti ratified the Convention and the Optional Protocol on 23/7/2009.

Honduras

Constitution and Laws

The law prohibits discrimination based on race, gender, disability, language, or social status; however, in practice it was not effectively enforced. Political, military, and social elites generally enjoyed impunity under the legal system.

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, but the government did not adequately enforce these provisions. Statutory provisions make it illegal for an employer to discriminate against a worker based on disability. There were no verifiable reports of discrimination against persons with disabilities in employment, education, access to health care, or the provision of other state services. The law requires access to buildings for persons with disabilities. In practice few buildings were accessible, and the government did not effectively implement laws or programs to ensure such access. The Honduran National Federation of Organizations for Persons with Disabilities stated that the national library contained the nation's only copy of the constitution in Braille. One publicly available National Educational Television program used sign language interpretation to familiarize viewers with the constitution.

The government created a disabilities unit in the Ministry of Social Development and a Secretariat of the Presidency Special Commissioner for Disabilities. The National Congress Committee on Human Rights established an internal committee to act as congressional liaison for disabilities. The Directorate General for the Development of Persons with Disabilities expressed concern that disability issues had not been incorporated into the government's National Development Plan.

A trial was scheduled for September 17 in relation to the March 2009 arrest of former principal Melvin Alvarado Diaz for allegedly sexually molesting 16 students at Pilar Salinas School for the Blind. At year's end Alvarado was on temporary release pending trial.

Other Relevant References

The Ministry of Labor did not investigate alleged violations of occupational health and safety laws and other labor rights problems relating to the approximately 3,000 lobster divers, many from the Misquito indigenous and other ethnic minority groups in Gracias a Dios Department. Since 2003 approximately 365 lobster divers have died and at least 2,000 became disabled due to the dangerous nature of their work.

The Convention on the Rights of Persons with Disabilities

Honduras signed the Convention on 30/3/2007 and Optional Protocol on 23/8/2007. Honduras ratified the Convention on 14/4/2008 and the Optional Protocol on 16/8/2010.

Jamaica

Persons with Disabilities

There are no laws prohibiting discrimination against persons with disabilities or mandating accessibility for persons with disabilities, and such persons encountered discrimination in employment and denial of access to schools. Health care and other state services were reported to be universally available.

The Ministry of Labor has responsibility for the Jamaica Council for Persons with Disabilities (JCPD), which had a budget of J\$48 million (\$560,000) in 2009-10. The JCPD distributes Economic Empowerment Grants of up to J\$50,000 (\$580) 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. These economic empowerment grants are significantly larger than the maximum sum of J\$15,000 (\$174) that persons with disabilities occasionally received in the form of rehabilitation grants ostensibly for the same 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.

The Convention on the Rights of Persons with Disabilities

Jamaica signed the Convention and Optional Protocol on 30/3/2007. Jamaica ratified the Convention on 30/3/2007.

Mexico

Constitution and Laws

The law prohibits discrimination based on race, gender, disability, language, or social status. While the government continued to make progress enforcing these provisions, significant problems, particularly violence against women, persisted.

Persons with Disabilities

Although the law prohibits discrimination against persons with physical and mental disabilities in employment, education, access to health care, and the provision of other services, the government did not effectively enforce all these stipulations. Public buildings and facilities in Mexico City did not comply with the law requiring access for persons with disabilities, although the federal government stated that entrances, exits, and hallways in all of its offices were accessible to persons with disabilities. The

education system provided special education for approximately 341,000 of an estimated two million students with disabilities; only 45 percent of the country's municipalities provided special education.

In the 2000 census, 1.8 percent of the population reported having a disability, 72.6 percent of whom lived in urban areas. According to the National Commission for Persons with Disabilities, of children with disabilities between the ages of six and 14, 62.6 percent attended school, compared with 91.3 percent for those in the same age range without disabilities. Only 3.6 percent of the overall population with disabilities had finished university; 95.2 percent of all persons with disabilities had access to public or private health care. CNDH received 21 complaints of discrimination against persons with physical disabilities and three complaints of discrimination against persons with mental disabilities

The secretary of health collaborated with the secretaries of social development, labor, and public education, as well as with the Integral Development of the Family (DIF) and the Office for the Promotion and Social Integration of the Disabled, to protect the rights of persons with disabilities. The government established offices and programs for the social integration of persons with disabilities, including a program to enhance job opportunities and launch an online portal to disseminate information and assistance. One popular and well-known program, spearheaded by the Humanitarian Foundation for Aid for the Handicapped, employed approximately 70 wheelchair users in the Mexico City airport. The program proved highly successful and was expanding across the country.

Nevertheless, in a 2010 study, Disability Rights International found widespread human rights abuses in mental institutions across the country, including lack of access to justice, the use of physical and chemical restraints and lobotomies on patients, and trafficking of children with mental disabilities. According to the Latin American Network of NGOs for Disabled Individuals and their Families, 14 percent of workers with disabilities did not receive a salary and 22.6 percent earned below the minimum wage.

The Convention on the Rights of Persons with Disabilities

Mexico signed the Convention and Optional Protocol on 30/3/2007. Mexico ratified the Convention and the Optional Protocol on 17/12/2007.

Nicaragua

Constitution and Laws

The law prohibits discrimination on the basis of race, gender, disability, language, or social status. In practice the government often did not enforce these legal prohibitions, and aggrieved persons filed few discrimination suits or formal complaints.

Persons with Disabilities

The law prohibits discrimination against persons with physical and mental disabilities, but in practice such discrimination was widespread in employment, education, access to health care, and the provision of state services. Laws related to persons with disabilities did not stipulate penalties for companies noncompliant with its provisions, although penalties may be issued under the general labor inspection code. MiFamilia is responsible for the protection and advancement of rights for persons with disabilities. The government did not effectively enforce the law with regard to the protection of such individuals, did not mandate accessibility to buildings for them, and did not make information available on efforts to improve respect for their rights. The PDDH reported that less than 1 percent of public sector employees were persons with disabilities and that public institutions lacked coordination with the Ministry of Labor (MITRAB) regarding rights for persons with disabilities.

On November 13, representatives of several organizations of citizens with disabilities demonstrated in front of the Managua mayor's office and called for implementation of the budget for accessible public

works projects. The demonstrators lamented the lack of government attention to such problems, but at year's end there was no reported execution of projects to create or improve accessibility for persons with disabilities.

Government clinics and hospitals provided care for veterans and other persons with disabilities, but the quality of care was generally poor.

At year's end there was no information available, and none was expected, on the remaining three cases from 2007 regarding abuse of children with disabilities.

Other Relevant References

Trials are public, and the law provides that defendants can choose a jury trial. Defendants have the right to legal counsel and are presumed innocent until proven guilty. Defendants also have the right of 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. The law provides public defenders to represent indigent defendants. Defendants can confront and question witnesses who testify against them and also have the right to appeal a conviction. The law extends these rights to all citizens regardless of gender, ethnicity, disability, or other status.

The Convention on the Rights of Persons with Disabilities

Nicaragua signed the Convention on 30/3/2007 and Optional Protocol on 21/10/2008. Nicaragua ratified the Convention on 7/12/2007 and the Optional Protocol on 2/2/2010.

Panama

Constitution and Laws

The law prohibits discrimination based on race, gender, disability, language, or social status, but the government allegedly did not enforce these prohibitions effectively.

Persons with Disabilities

The law prohibits discrimination based on physical or mental disability; however, 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 special needs. In practice persons with disabilities experienced substantial discrimination in employment, education, access to health care, and the provision of other state services. Some public schools admitted children with mental and physical disabilities, but most did not have adequate facilities for children with special needs. The government installed ramps in some schools and mainstreamed some children with disabilities. Few private schools admitted children with special needs.

On August 2, the National Assembly passed a law mandating that the National Electoral Tribunal register citizen disabilities as well as blood type and allergies on the citizen identification card to be able to deal with situations in which an individual collapses or loses consciousness. The law also requires the National Transportation Authority to include the same information on individual driver's licenses.

The National Secretariat for the Social Integration of Persons with Disabilities is the government agency responsible for protecting the rights of persons with disabilities. The Ministry of Education and MIDES share responsibilities for educating and training minors with disabilities.

MIDES opened a new educational resource center for blind children--the first of its kind in the country--in September to provide access to books, maps, and other documents in Braille. In October the ministry

also translated into Braille a guide to the Labor Code so that blind workers could read about their labor rights. The law provides that a minimum of 2 percent of workers at a given company should be persons with disabilities, with the Ministry of Labor and Labor Development (MITRADEL) responsible for placing workers with disabilities in suitable jobs; however, in practice placement remained difficult. During the period January to July, the Ombudsman's Office received 26 complaints of government violations involving the labor rights of persons with disabilities; information was not available on the resolution of those complaints.

In October the Social Security Administration announced a new system enabling deaf patients to make medical appointments via the Internet. The government operated the Family Businesses Project, which assisted low income families with members with disabilities to open microbusinesses. The government disbursed 50 balboas (\$50) monthly and donated rehabilitation equipment to low-income persons with disabilities.

Other Relevant References

Human rights problems included [...] substantial discrimination against individuals with disabilities [...].

The Convention on the Rights of Persons with Disabilities

Panama signed the Convention and Optional Protocol on 30/3/2007. Panama ratified the Convention and the Optional Protocol on 7/8/2007.

Paraguay

Constitution and Laws

While the law prohibits discrimination based on race, gender, disability, language, or social status, certain groups faced discrimination in practice.

Persons with Disabilities

The law prohibits discrimination against persons with physical and mental disabilities in employment, education, access to health care, or the provision of other state services. The law does not mandate accessibility for persons with disabilities, and most of the country's buildings were inaccessible. Many persons with disabilities faced significant discrimination in employment; others were unable to seek employment because of a lack of accessible public transportation.

The Ministry of Education estimated that at least half of all children with disabilities did not attend school because public buses could not accommodate them. The National Institute for the Protection of Exceptional People (INPRO) is responsible for legally confirming disability status. On October 15, authorities issued regulations granting blind persons free passage on public transport.

Although the law requires that persons with disabilities fill 5 percent of all public sector jobs, as of April they constituted less than 1 percent of public-sector employees. During the year the Secretariat for Personnel Management conducted training and outreach sessions for human resources offices within the government.

The Convention on the Rights of Persons with Disabilities

Paraguay signed the Convention and Optional Protocol on 30/3/2007. Paraguay ratified the Convention and the Optional Protocol on 3/9/2008.

Peru

Constitution and Laws

The law prohibits discrimination based on race, gender, disability, language, or social status, but enforcement lagged and discrimination persisted.

Persons with Disabilities

The constitution addresses social security, health, education, and employment matters for persons with disabilities as well as their right to engage in business, trade, and industry. 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 prohibits discrimination against persons with disabilities and establishes infractions and sanctions for noncompliance with specified norms.

However, the government devoted limited resources to enforcement and training, and many persons with physical disabilities remained economically and socially marginalized. Government at the national, regional, and local levels made little effort to ensure access to public buildings. There were no interpreters for the deaf in government offices and no access to recordings or Braille for the blind. The majority of government Web sites remained inaccessible to persons with disabilities, and only the congressional television channel offered sign language interpretation.

A report during the year by the Ibero-American Federation of Ombudsmen, a group headed by the country's ombudswoman, Beatriz Merino, highlighted the gap between policy and implementation and pointed out measures not taken since the 2007 ratification of the UN Convention on the Rights of Persons with Disabilities.

The report also pointed out the lack of enforcement of accessibility standards in buildings and public transport and noted that mainstream schools were not prepared to incorporate students with disabilities, despite being encouraged to do so by the government.

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's Office reported in 2009 that the government did not adequately protect the rights of persons with mental illnesses, inhumanely treated institutionalized patients, discriminated in the provision of health and social services, and failed to ensure informed consent.

The Ombudsman's Office tracked instances of abuse of persons with disabilities in educational facilities. A 2000 report identified 38 cases of mistreatment of students with disabilities in special-education facilities, but there was no statistic for mainstream schools. A 2007 report stated that 15.6 percent of teachers and 15.7 percent of students reported cases of abuse of children with disabilities in their mainstream schools.

The MIMDES National Council for the Integration of Persons with Disabilities

(CONADIS) is responsible for protecting the rights of such persons. CONADIS continued to work with the NGO Sense International to provide educational, vocational, and training services to meet the needs of hearing- and sight-impaired persons, integrate them into society, and foster increased public awareness. CONADIS, in collaboration with the Ministry of Economy and Finance, established during the year a

Strategic Program Design in which municipalities were authorized, but not mandated, to use 0.05 percent of their budget for construction, repairs, or modifications that would improve accessibility to urban infrastructure, including municipal buildings. CONADIS also released suggestions for the incorporation of resources and expenses to address the rights of persons with disabilities during the planning and budgeting process of government agencies.

In 2009 MIMDES developed an Equal Opportunity for Disabled Persons Plan for 2009-18, meant to be a strategic plan across various government agencies, to promote the rights of persons with disabilities based on four fundamental pillars: health, employment, education, and social development. A multisectoral commission was created by executive decree to monitor and evaluate progress.

According to comments by the Ombudsman's Office in December, the plan was insufficiently strategic, only involved four of the seven-plus targeted agencies, lacked a budget, and did not specify indicators for measuring progress. The monitoring and evaluation commission did not include representatives from organizations for persons with disabilities.

Other Relevant References

There was also some discrimination against racial- and ethnic-minority individuals; indigenous persons, lesbian, gay, bisexual, and transgender (LGBT) persons; individuals with disabilities; and persons with HIV/AIDS as well as a lack of labor-law enforcement and the exploitation of child labor, particularly in the informal sector.

Congressional committees included the Justice and Human Rights Committee and a committee for health, population, family, and persons with disabilities. They made no reports and had limited policy impact; credible NGOs did not consider them valuable beyond their legislative functions.

The Convention on the Rights of Persons with Disabilities

Peru signed the Convention and Optional Protocol on 30/3/2007. Peru ratified the Convention and the Optional Protocol on 30/1/2008.

Saint Kitts and Nevis

Persons with Disabilities

While the law prohibits discrimination, it does not specifically cite discrimination against persons with disabilities. There was no reported discrimination against persons with disabilities in employment, education, access to health care, or in the provision of other state services. The law does not mandate access to buildings for persons with disabilities.

Persons who are mentally ill and deemed a menace to society can be incarcerated for life; there were five such persons in the prison. Ministry of Health nurses in the various district health centers deal with persons with mental illness, and the General Hospital has a wing dedicated to caring for patients with mental illness.

The Convention on the Rights of Persons with Disabilities

Saint Kitts and Nevis has not signed the Convention.

Saint Lucia

Constitution and Laws

The constitution prohibits discrimination, but there was no specific legislation addressing discrimination in employment or against persons with disabilities. However, government policy was nondiscriminatory in the areas of housing, jobs, education, and opportunity for advancement.

Persons with Disabilities

No specific legislation protects the rights of persons with disabilities or mandates provision of government services for them. The government is obliged to provide disabled access to all public buildings, but only a few government buildings had ramps to provide access. There was no rehabilitation facility for persons with physical disabilities, although the Health Ministry operated a community-based rehabilitation program in residents' homes. There were schools for the deaf and the blind up to the secondary level. There were isolated cases of persons with disabilities holding jobs, including one blind bank teller, but a recent blind graduate from the local community college was not able to secure employment.

There also was a school for persons with mental disabilities; however, children with disabilities faced barriers in education, and there were few opportunities for such persons when they became adults.

A new foreign-built mental health facility, completed in October 2009, was placed in operation during the year. There were no other mental health facilities on the island, and mentally ill persons were not generally provided much care. The government's four mental health social workers had an average of more than 100 cases each.

The Convention on the Rights of Persons with Disabilities

Saint Lucia signed the Convention on 22/9/2011.

Saint Vincent and the Grenadines

Persons with Disabilities

The law prohibits discrimination against persons with physical and mental disabilities in employment, education, access to health care, and the provision of other state services, and the government generally observed these prohibitions in practice. The law does not mandate access to buildings for persons with disabilities, and access for such persons generally was difficult. Communications were available for persons with disabilities, but the government did not have any programs to facilitate communication through technology. There were no restrictions on voting or other civic participation. The government partially supported a school for persons with disabilities. A separate rehabilitation center treated approximately 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.

The Convention on the Rights of Persons with Disabilities

Saint Vincent and the Grenadines ratified the Convention and the Optional Protocol on 29/10/2010.

Suriname

Constitution and Laws

The law prohibits discrimination based on race and ethnicity but does not address discrimination based on disability, language, or social status. Although the law does not specifically prohibit gender discrimination, it provides for protection of women's rights to equal access to education, employment, and property. In practice various sectors of the population, such as women; Maroons; Amerindians; persons with HIV/AIDS; and lesbian, gay, bisexual, and transgender (LGBT) persons, suffered forms of discrimination.

Persons with Disabilities

There are no laws prohibiting discrimination against persons with physical or mental disabilities in employment, education, access to health care, or the provision of state services. In practice persons with disabilities suffered from discrimination when applying for jobs and services. Some training programs were provided for the persons with visual disability and others with nonvisual disabilities. There are no laws or programs to ensure that persons with disabilities have access to buildings. A judge may rule that a person with a cognitive disability be denied the right to vote, take part in business transactions, or sign legal agreements. Persons with disabilities had equal access to information and communications. There were no reports of abuse in educational facilities for persons with disabilities.

A Ministry of Social Affairs working group remained responsible for protecting the rights of persons with disabilities, but it made limited progress during the year.

The Convention on the Rights of Persons with Disabilities

Suriname signed the Convention on 30/3/2007.

Trinidad and Tobago

Persons with Disabilities

There are no statutes either prohibiting discrimination on the basis of disability or mandating equal access for persons with disabilities to the political process, employment, education, transportation, housing, health care, or other citizen services. The minister of the people and social development publicly called upon employers both in the private and public sectors to end discriminatory practices against persons with disabilities and to create inclusive work environments.

In practice persons with disabilities (an estimated 16 percent of the population) faced discrimination and denial of opportunities in the form of architectural barriers, employer reluctance to make necessary accommodations that would enable otherwise qualified job candidates to work, an absence of support services to assist children with special needs to study, lowered expectations of the abilities of persons with disabilities, condescending attitudes, and disrespect. Transportation was a particular concern, with only five handicap-accessible buses (only one of which was in service) for a special on-call transportation service. A majority of bus stops were located on high sidewalks without ramps. Most government buildings and public places were not accessible. There were no restrictions on access to information, communications, the right to vote, or to participate in civic affairs. The court system and the Elections and Boundary Commission communicated the openness of the courts and voting to all citizens. The government provided some funding to NGOs such as Disabled Peoples International. In August the government installed the first elevator on a raised pedestrian walkway to allow citizens with disabilities to cross a busy highway.

The Convention on the Rights of Persons with Disabilities

Trinidad and Tobago signed the Convention on 27/9/2007.

Uruguay

Constitution and Laws

The law prohibits discrimination based on race, gender, disability, language, or social status, and the government generally enforced these prohibitions effectively, although societal discrimination against some groups persisted.

The Commission Against Racism, Xenophobia, and All Forms of Discrimination, headed by the Ministry of Education and Culture's director of human rights and including government, religious, and civil society representatives, proposes policies and specific measures to prevent and combat racism, xenophobia, and discrimination. Since its creation in 2007, the commission investigated 70 claims from Afro-Uruguayans, persons with disabilities, and lesbian, gay, bisexual, and transgender (LGBT) persons. There were five cases brought to the commission's attention during the year, only one of which it referred for legal action. The commission considered the other cases not valid for its action or handled them through mediation or other means.

Persons with Disabilities

The law prohibits discrimination against persons with disabilities, but the government did not effectively enforce these provisions. Local entities did not devote resources to provide appropriate accommodations. Persons with disabilities reported discrimination in employment despite government efforts to assist in individual cases. The government did not discriminate against persons with disabilities but did not provide sufficient services such as transportation, which inhibited some persons from accessing these services.

The Uruguayan Institute for Educational Psychology reported that schoolage children with disabilities, such as blindness or Down's syndrome, received specially adapted laptops under Plan Ceibal (one laptop per child).

A national disabilities commission oversees implementation of a law on the rights of persons with disabilities. The law mandating accessibility for persons with disabilities to new buildings or public services was not consistently enforced. The law reserves 4 percent of public sector jobs for persons with physical and mental disabilities, but the quota went unfilled.

The Convention on the Rights of Persons with Disabilities

Uruguay signed the Convention on 3/4/2007. Uruguay ratified the Convention on 11/2/2009.

Venezuela

Constitution and Laws

The law prohibits discrimination based on race, gender, sexual orientation, disability, language, or social status; however, discrimination against women, persons with disabilities, and indigenous persons and discrimination based on sexual orientation were problems.

Persons with Disabilities

The constitution prohibits discrimination against persons with physical and mental disabilities in education, employment, health care, and the provision of other state services. Persons with disabilities had minimal access to public transportation, and ramps were practically nonexistent. The law requires that all newly constructed or renovated public parks and buildings provide access and prohibits

discrimination in employment practices and in the provision of public services; however, 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. Online resources and access to information were generally available to persons with disabilities.

The Convention on the Rights of Persons with Disabilities

Venezuela has not signed the Convention.