

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

---

## South and Central Asia

### **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.

---

# Contents

|                       |    |
|-----------------------|----|
| Afghanistan .....     | 2  |
| Bangladesh .....      | 3  |
| Bhutan .....          | 4  |
| India.....            | 4  |
| Kazakhstan .....      | 6  |
| Kyrgyz Republic ..... | 7  |
| Maldives.....         | 8  |
| Nepal .....           | 9  |
| Pakistan .....        | 10 |
| Sri Lanka .....       | 11 |
| Tajikistan .....      | 12 |
| Turkmenistan .....    | 12 |
| Uzbekistan.....       | 13 |

## **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.