

International Disability Alliance (IDA)

Member Organisations:

Disabled Peoples' International, Down Syndrome International, Inclusion International,
International Federation of Hard of Hearing People,
World Blind Union, World Federation of the Deaf,
World Federation of the DeafBlind,
World Network of Users and Survivors of Psychiatry,
Arab Organization of Disabled People, European Disability Forum,
Red Latinoamericana de Organizaciones no Gubernamentales de Personas con
Discapacidad y sus familias (RIADIS), Pacific Disability Forum

Suggestions for disability-relevant questions to be included in the List of Issues prior to reporting Country report task force, Human Rights Committee, 103rd Session

The International Disability Alliance (IDA) has prepared the following suggestions for the list of issues prior to reporting, based on previous Concluding Observations and references to persons with disabilities to be found in the recommendations of other treaty bodies and the UPR.

CAMEROON

Cameroon signed the Convention on the Rights of Persons with Disabilities and its Optional Protocol, but has not yet ratified them.

Human Rights Committee's Concluding Observations on Cameroon (CCPR/C/CMR/CO/4), 2010

11. The State party should accelerate the adoption of specific legislation on violence against women with a view to strengthening the legal framework for the protection against domestic violence; sexual harassment; rape, including marital rape; and other forms of violence suffered by women. Measures should also be taken to ensure that women fleeing an abusive partner or husband have access to assistance and can seek refuge in crisis centres. With regard to the crime of rape, the State party should repeal the provision providing for the exoneration of the crime of rape if the perpetrator marries the victim.

17. The State party should ensure that (a) victims of torture, in particular those held in detention, have easy access to mechanisms to report violations; (b) impartial and independent inquiries are carried out to address such allegations of torture and inhuman and degrading treatment; and (c) perpetrators are appropriately punished.

21. The State party should ensure that all persons deprived of their liberty are treated with humanity and with respect for the inherent dignity of the human person and that conditions of detention comply with the Covenant...

Disability references across treaty bodies & UPR with respect to the state :

CRC Committee (CRC/C/CMR/CO/2), 2010

27. The Committee is deeply concerned at the persistence of de facto discrimination among children in the enjoyment of their rights. It is especially concerned that girls, indigenous children, **children with disabilities**, refugee children, children from poor rural areas, and

children in street situations suffer particular disadvantages with regard to education and access to health and social services. The Committee also regrets the existence of traditions under which only male children are regarded as heirs in matters of inheritance.

28. The Committee urges the State party to:

(a) Strengthen efforts to end all discriminatory practices against children and ensure equal respect for the rights of all girl and boy children in the State party, including indigenous and refugee children, children living in poor rural areas and **children with disabilities**;

51. The Committee recognizes the efforts of the State party to ensure the rights of **children with disabilities** and notes that **the Act on the Protection of Disabled Persons** is currently under review. However, the Committee is concerned at **the lack of a clear definition of disabilities** and objective classification of **children with disabilities** in line with WHO standards, the lack of resources for **children with disabilities** and the limited number of specialized health-care and other qualified personnel to address their needs.

52 In light of the United Nations Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and the Committee's general comment No. 9 (2006) on the rights of children with disabilities, the Committee recommends that the State party:

(a) Adopt a clear definition of disability in line with international standards;

(b) Take all necessary measures to ensure the implementation of legislation providing protection for children with disabilities and ensure that the review process of the Act on the Protection of Disabled Persons fully take into account the rights of children with disabilities and be achieved in a timely manner;

(c) **Increase human, technical and financial resources allocated to children with disabilities**, focusing on the **development of community-based services which could better reach families with children with disabilities in all areas, and provide basic education, social and health services**;

(d) Effectively provide children with disabilities with **access to adequate social and health services, as well as to quality and inclusive education**;

(e) Continue its effort to carry out **awareness campaigns to sensitize the public about the rights and special needs of children with disabilities and encourage their inclusion in education and in society**;

(f) Provide training for **professional staff working with children with disabilities**, such as teachers, social workers and medical, paramedical and related personnel.

CEDAW Committee (CEDAW/C/CMR/CO/3), 2009

54. The Committee notes that States' adherence to the nine major international human rights instruments enhances the enjoyment by women of their human rights and fundamental freedoms in all aspects of life. Therefore, the Committee encourages the Government of Cameroon to ratify the treaties to which it is not yet a party, namely, the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the **Convention on the Rights of Persons with Disabilities** and the Convention for the Protection of All Persons from Enforced Disappearance.

UPR, A/HRC/11/21, 12 October 2009

3. Ratify and implement the **Convention on the Rights of Persons with Disabilities (CPD) (Djibouti, Mexico) as well as the Optional Protocol thereto (Mexico) - Accepted**

14. Continue to improve its policies and programmes towards **advancing the status of women, girls' education, children with disabilities**, as well as strengthening measures

and mechanisms on administration of justice, investments in prison infrastructure, protection of detainees' rights, and the overall enjoyment of civil and political rights (Nigeria) - *Accepted*

IDA suggestions for the list of issues

Discrimination issues (Articles 2 and 26)

- What steps are being taken to update legislation on persons with disabilities, including by introducing a modern definition of disability as inscribed in the CRPD?
- What steps are being taken to ratify the CRPD and its Optional Protocol?
- What steps are being taken to raise the public's awareness of the rights of persons with disabilities and to promote their participation and inclusion in society, including children with disabilities and their right to inclusive education?

Articles 3 and 7

- What steps have been taken, in the context of combating domestic violence (2010, para 11), to address the heightened risk for girls and women with disabilities of becoming victims of domestic violence and abuse? What measures are being adopted to ensure that both services and information for victims are made accessible to women and girls with disabilities?

Article 14

- What steps have been taken in law and in practice to provide reasonable accommodation to persons with disabilities in accessing justice and in detention? Is information on making complaints made available in accessible formats?

Article 16 and 26

- What measures are in place to ensure that all health care and services provided to persons with disabilities, including all mental health care and services, are based on the free and informed consent of the person concerned (and cannot be substituted by third party decision-makers such as family members or guardians)?
- What laws and policies are in place to ensure that persons with disabilities enjoy legal capacity on an equal basis with others in accordance with Article 16 ICCPR and as elaborated in Article 12 CRPD?

Articles 16 and 25

- What steps are being taken to repeal or amend sections of the Electoral Law which exclude from voting a person "who is an insane person or is of unsound mind" which is contrary to the latest international human rights standards on the right to vote (Article 29, CRPD)?
- What steps are being taken to guarantee persons with disabilities, including those whose legal capacity has been fully or partially restricted, the right to vote and participate in political and public life on an equal basis with others in law and in practice?