



# Convention on the Rights of Persons with Disabilities

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## Committee on the Rights of Persons with Disabilities

### Concluding observations on the combined second and third periodic reports of Ecuador\*

#### I. Introduction

1. The Committee considered the combined second and third periodic reports of Ecuador (CRPD/C/ECU/2-3) at its 481st and 482nd meetings (see CRPD/C/SR.481 and CRPD/C/SR.482), held on 29 and 30 August 2019. It adopted the present concluding observations at its 504th meeting, held on 17 September 2019.
2. The Committee welcomes the combined second and third periodic reports of Ecuador, which were prepared in accordance with the Committee's reporting guidelines and in response to its list of issues prior to reporting (CRPD/C/ECU/QPR/2).
3. The Committee appreciates the fruitful dialogue held with the State party's high-level delegation and commends the State party on the stature of its delegation, which was composed of representatives of the relevant government ministries.

#### II. Positive aspects

4. The Committee particularly welcomes the enactment of the following legislative measures:
  - (a) The Organic Act on Human Mobility and its implementing regulations (2017), which provide that, in the determination of refugee status, persons with disabilities will be given priority;
  - (b) The incorporation of an intergenerational disability and mobility perspective into the planning of disability-related public policies under the National Agenda for the Equality of Persons with Disabilities 2017–2021.
5. The Committee welcomes the fact that persons with disabilities are taken into account in the National Development Plan 2017–2021 on a cross-cutting basis and recognizes the advances represented by the preparation of a handbook on the rights of persons with disabilities within the judiciary and a handbook on comprehensive sexual and reproductive health care for persons with disabilities. It also recognizes the efforts made, in conjunction with the National Federation of Persons with Physical Disabilities, to promote the integration of persons with disabilities into the workplace and to foster accessible tourism for persons with disabilities and their families.

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\* Adopted by the Committee at its twenty-second session (26 August–20 September 2019).



6. The Committee applauds the introduction of the United Nations Development Assistance Framework in Ecuador 2015–2018 as a key strategic tool for ensuring the participation of persons with disabilities at the national and international levels.

### **III. Principal areas of concern and recommendations**

#### **A. General principles and obligations (arts. 1 to 4)**

7. The Committee observes with concern that the State party's laws, manuals and guidelines have not been harmonized with the human rights model set out in the Convention. It notes, in particular, that the Organic Act on Disabilities retains a conceptual approach that is based on a medical model of disability and that emphasizes the limitation of abilities while disregarding the social dimension of disability. The Committee is also concerned that:

(a) The State party's disability classification system is not in accordance with the principles enshrined in the Convention;

(b) Recent amendments of the Organic Act on the Ombudsman's Office and the Organic Act on Disabilities do away with the Office of the Ombudsman's authority to impose penalties for failures to observe protection measures for persons with disabilities in the public and private sectors.

8. With regard to the institutional framework for public policies and programmes, the Committee is concerned at:

(a) The dissolution in 2016 of the Technical Secretariat for Disabilities, whose areas of authority, programmes and projects have been officially transferred to other ministries and government bodies without providing them with sufficient budgetary allocations for those purposes or a mechanism for monitoring their implementation;

(b) The fact that the targeted objectives and policies established under the National Agenda for the Equality of Persons with Disabilities focus on the provision of assistance rather than on inclusion.

9. In relation to the State party's obligations under article 4 (3), the Committee is concerned at:

(a) The fact that organizations of women, children, adolescents, older adults, indigenous persons, persons of African descent and Montubio persons with disabilities have not participated on an effective, independent basis in decision-making processes concerning all the matters that affect them. The Committee is also concerned at the failure to promote and disseminate information in accessible formats on disability-related legislation and programmes in the State party, the Committee's concluding observations on the State party's initial report or the Committee's general comments;

(b) Reports of continued obstacles to the effective participation in public life of persons with disabilities and their representative organizations, particularly in decision-making processes concerning matters that affect them and in monitoring the implementation of the Convention, and reports of acts of intimidation, harassment and victimization of defenders of the human rights of persons with disabilities.

**10. The Committee reiterates the recommendations made in paragraphs 9 and 11 of its concluding observations on the State party's initial report (CRPD/C/ECU/CO/1) and recommends that the State party ensure that any amendments of its legislation conform to the principles enshrined in the Convention and are in line with the human rights approach to disability and that, in particular, the rights of persons with disabilities are mainstreamed therein. The Committee also recommends that the State party:**

**(a) Ensure that the criteria used in its disability classification system are in keeping with the Convention and based on the human rights model of disability rather**

than on the medical model and that they include criteria such as the independence and autonomy of persons within their environment on an equal footing with others;

(b) Ensure the enforcement of protection measures granted to persons with disabilities and the establishment of mechanisms for imposing penalties for the non-observance of such protection measures in the public and private sectors.

11. The Committee also recommends that the State party:

(a) Ensure that the public policies and programmes on disability that have been transferred to different government ministries are fully implemented on the basis of the human rights model of disability and that their implementation is overseen by the National Council for Persons with Disabilities and civil society organizations of persons with disabilities;

(b) Make inclusion a pivotal component of public policies on disability and, in particular, of the National Agenda for the Equality of Persons with Disabilities.

12. The Committee, bearing in mind the recommendation that it made in paragraph 13 of its concluding observations on the State party's initial report (CRPD/C/ECU/CO/1) and general comment No. 7 (2018) on the participation of persons with disabilities, including children with disabilities, through their representative organizations, in the implementation and monitoring of the Convention, recommends that the State party:

(a) Promote the effective, independent participation of organizations of women, children, older adults, indigenous persons, persons of African descent and Montubio persons with disabilities in decision-making processes concerning all matters that affect them and promote and widely disseminate the Committee's concluding observations on the State party's initial report and the Committee's general comments in accessible formats;

(b) Take effective and timely measures to prevent the intimidation, harassment and victimization of human rights defenders, in particular persons with disabilities and their representative organizations, including civil society leaders, journalists, media professionals and defenders of the human rights of persons with disabilities.

## **B. Specific rights (arts. 5 to 30)**

### **Equality and non-discrimination (art. 5)**

13. The Committee is concerned that:

(a) Ecuadorian law does not incorporate an explicit, cross-cutting definition or prohibition of discrimination on the basis of disability, particularly with regard to women, children, indigenous persons, persons of African descent, Montubio persons, migrants and refugees with disabilities, in all areas of life;

(b) There is no law or mechanism for the identification and punishment of acts of discrimination against persons with disabilities that provides for preventive measures, monitoring, sanctions and full redress, including non-repetition;

(c) The definition of reasonable accommodation is not mainstreamed in the State party's laws, accommodations of this sort are infrequent and the denial of reasonable accommodation is not recognized as a form of discrimination.

14. The Committee recommends that the State party:

(a) Ensure that its laws, policies and strategies for eliminating discrimination include an explicit definition and prohibition of disability-based discrimination and that they incorporate, on a cross-cutting basis, a recognition of multiple and intersectional discrimination, particularly in the case of women, children, indigenous persons, persons of African descent, Montubio persons, asylum seekers, migrants and refugees with disabilities, in all areas of life;

(b) **Adopt a law on the prevention and elimination of discrimination that expressly refers to disability-based discrimination; put in place a specific, independent mechanism for receiving, investigating and following up on complaints of discrimination while also providing for the imposition of sanctions in both the public and private spheres and for measures that will afford full redress; establish a system for compiling data disaggregated by age, sex, ethnic origin and basis of the complaint; and disseminate the results of its follow-up actions;**

(c) **Incorporate an explicit provision in its national legislation under which the denial of reasonable accommodation is defined as a form of discrimination on the basis of disability (CRPD/C/ECU/CO/1, para. 15).**

#### **Women with disabilities (art. 6)**

15. The Committee is concerned at the fact that public policies on disability and on gender equality do not provide for measures to prevent and combat multiple and intersectional forms of discrimination against girls and women with disabilities and that girls and women with disabilities are not participating on an effective, independent basis in the design, implementation and follow-up of public policies.

16. **The Committee recommends that the State party, bearing in mind the Committee's general comment No. 6 (2018) on equality and non-discrimination and targets 10.2, 10.3, 16 and 16.b of the Sustainable Development Goals, adopt public policies that incorporate a gender perspective and focus on the prevention and elimination of discrimination against girls and women. It also recommends that the State party promote the independent, effective participation of girls and women with disabilities in the design, implementation and follow-up of public policies.**

#### **Children with disabilities (art. 7)**

17. The Committee is concerned that:

(a) The abandonment and institutionalization of children and adolescents with disabilities persist and that budgetary funds continue to be allocated for referral centres and shelters;

(b) The lack of access to affordable universal health care for children with disabilities, particularly in the case of children with disabilities in indigenous communities and rural areas.

18. **The Committee recommends that the State party:**

(a) **Adopt, without delay, a comprehensive plan for putting an end to the institutionalization of children and adolescents with disabilities that provides for the effective participation of children and their families through organizations of persons with disabilities and that provides that budgetary allocations for referral centres and shelters are channelled into the creation of social inclusion programmes, community services and support networks that will include training for families and personal assistants;**

(b) **Adopt measures for facilitating access to affordable universal health-care services for children with disabilities, particularly those in indigenous communities and rural areas.**

#### **Awareness-raising (art. 8)**

19. The Committee is concerned at the persistence of stereotypes and harmful attitudes in the State party towards persons with disabilities and particularly towards those persons who are faced with multiple and intersecting forms of discrimination. It is also concerned at the media campaigns being run by private organizations that use a charity-based approach.

20. **The Committee recommends that the State party:**

(a) **Reinforce and increase intensive training courses on the rights of persons with disabilities from a human rights perspective for students, judges and personnel**

in the judicial branch, health-care professionals and members of the community at large;

(b) Carry out media campaigns aimed at eliminating prejudices, stereotypes and harmful practices, especially those focusing on persons with psychosocial or intellectual disabilities;

(c) Take steps to ensure that autonomous decentralized municipal governments discourage charity-based campaigns.

#### Accessibility (art. 9)

21. The Committee is concerned at the lack of a comprehensive plan for ensuring the accessibility of the physical environment and of information and communications and at the shortage of sign language interpreters for deaf persons.

22. **With reference to its general comment No. 2 (2014) on accessibility and to Sustainable Development Goal 11, the Committee recommends that, in coordination with organizations of persons with disabilities, the State party:**

(a) Establish a comprehensive policy and plan for ensuring the accessibility of the physical environment and transportation services, including interprovincial, intercantonal and inter-parish public transportation services;

(b) Ensure the accessibility of information and communications in facilities open to the public, with pamphlets being provided in accessible modes and means of communication such as Braille and other alternative modes and means;

(c) Introduce a registration system that will provide disaggregated data on the number of available sign language interpreters in order to ensure the accessibility of public information and services.

#### Situations of risk and humanitarian emergencies (art. 11)

23. The Committee is concerned that the Inclusive Risk Management Strategy still lacks a protocol for the prevention and reduction of risks for persons with disabilities.

24. **The Committee recommends that the State party put in place, without delay, a protocol for the prevention and reduction of risks for persons with disabilities that has been validated by persons with disabilities through their representative organizations. It further recommends that the State party earmark a specific budget allocation for that purpose.**

#### Equal recognition before the law (art. 12)

25. The Committee is deeply concerned at the fact that the Civil Code and the Organic Code of General Procedure continue to provide for guardianships and wardships.

26. **The Committee recommends that, bearing in mind its general comment No. 1 (2014) on equal recognition before the law, the State party:**

(a) Bring the Organic Code of General Procedure into line with the Convention without delay by, inter alia, eliminating restrictions on the legal capacity of persons with disabilities;

(b) Replace substitute decision-making systems, including guardianships and wardships, with supported decision-making systems, take all appropriate measures for the provision of individualized support, properly inform persons with disabilities about such alternatives and train the relevant personnel in accordance with article 12 of the Convention;

(c) Ensure the effective, independent participation of persons with disabilities through their representative organizations in the reform process.

**Access to justice (art. 13)**

27. The Committee is concerned at the continued existence of restrictions that interfere with the full access to justice of persons with disabilities on an equal footing with others.

28. **Taking into account the recommendation made in paragraph 27 of its concluding observations on the State party's initial report (CRPD/C/ECU/CO/1), the Committee recommends that, in accordance with the Convention and bearing in mind target 16.3 of the Sustainable Development Goals, the State party revise its laws so as to guarantee full access to justice for persons with disabilities, especially persons with psychosocial or intellectual disabilities, without discrimination. It also recommends that the State party continue to provide training to justice officials; that it take due account of accessibility considerations with respect to the physical environment, information and communications in all facilities having to do with the administration of justice; that it make age-appropriate procedural adjustments; and that it establish timelines, goals and funding arrangements to this end.**

**Liberty and security of the person (art. 14)**

29. The Committee is concerned at the continued institutionalization of children and adults with psychosocial and intellectual disabilities. It is also concerned at the fact that persons with psychosocial or intellectual disabilities continue to be subjected to involuntary medication practices, restraints and treatments.

30. **The Committee recommends that the State party repeal all legal provisions that permit involuntary committal and treatment and that it prohibit committal, forced treatment and the involuntary application of restraints on persons with disabilities. The Committee also recommends that the State party establish a rigorous oversight mechanism for the prevention of such practices and for the submission of complaints, monitoring, the application of penalties, measures that will afford full redress and measures to ensure that persons with disabilities can exercise their legal capacity on an equal footing with others.**

**Protection from exploitation, violence and abuse (art. 16)**

31. The Committee is concerned because:

(a) Ecuadorian law lacks specific provisions for the prevention of gender-based violence, neglect and abuse directed at persons with disabilities that take into account multiple and intersectional discrimination, especially such discrimination against girls and women with psychological or intellectual disabilities, Montubio persons, indigenous persons, migrants, asylum seekers and refugees with disabilities in the public and private institutional and other spheres;

(b) Persons with disabilities who are still living in institutions, particularly women with intellectual or psychosocial disabilities, continue to be exposed to harassment, abuse and acts of sexual and other types of violence;

(c) Ecuadorian law does not explicitly prohibit the corporal punishment of children, including children with disabilities, in all settings;

(d) No data disaggregated by sex, age and ethnic origin are available on cases and complaints of violence or abuse committed in the public and private spheres against persons with disabilities, especially girls and women, and there is a lack of information on preventive, case management, protective and reparative measures, including sanctions.

32. **Taking into account the recommendation made in paragraph 32 of its concluding observations on the State party's initial report (CRPD/C/ECU/CO/1), the Committee recommends that the State party:**

(a) **Adopt all necessary measures, and review those measures already in place, to ensure that gender and disability are mainstreamed in its legislation on the prevention of violence and reinforce existing mechanisms and protocols by incorporating specific measures for preventing, eliminating, monitoring, penalizing and providing redress for all forms of violence, exploitation or abuse of persons with**

**disabilities, especially children, women and older adults with disabilities, persons with psychosocial or intellectual disabilities, indigenous persons, migrants and refugees, persons of African descent and persons in poverty and persons living in rural areas who have disabilities;**

**(b) Guarantee full access for all girls and women with disabilities to assistance programmes for victims of gender-based violence, including shelters that ensure the accessibility of the physical environment and of information and communications and that are staffed by trained personnel;**

**(c) Introduce legislation that explicitly prohibits the corporal punishment of children, especially indigenous children with disabilities, both in the home and in shelters, in line with targets 5.2 and 16.2 of the Sustainable Development Goals;**

**(d) Compile data, disaggregated by sex, age, disability and ethnic origin, on complaints of violence and abuse committed in the public and private spheres against persons with disabilities and on preventive, protective, follow-up and reparative measures.**

#### **Protection of the integrity of the person (art. 17)**

33. The Committee is concerned at:

**(a) The fact that the Organic Act on the Health System is not in line with the Convention since it is not based on the human rights model of disability;**

**(b) That no explicit provision is made for the rights of persons with psychosocial and intellectual disabilities to request or reject treatments of any type on their own volition, including those dealing with sexual and reproductive health, on the basis of their informed consent and supported decision-making in the exercise of their legal capacity;**

**(c) The fact that forced sterilization is not expressly prohibited.**

**34. The Committee recommends that the State party amend the Organic Act on the Health System to incorporate a human rights approach to disability and to expressly prohibit forced sterilization and the non-consensual interruption of pregnancies. The Committee also recommends that the State party guarantee the integrity and autonomy of persons with disabilities based on free and informed consent and supported decision-making in requesting or rejecting treatments relating to all relevant procedures. It also recommends that a mechanism be established for identifying, investigating and following up on any cases that, despite an explicit prohibition, continue to arise and for providing full redress in those instances.**

#### **Liberty of movement and nationality (art. 18)**

35. The Committee notes with concern the adoption of restrictions on entry into the country by persons with disabilities, particularly persons with disabilities who are seeking international protection. The Committee is also concerned at the lack of accessible shelters for migrants with disabilities that are staffed with personnel trained to provide information and to follow up on their applications and petitions.

36. **The Committee recommends that the State party:**

**(a) Ensure that migrants with disabilities, particularly those who are seeking international protection, are able to exercise their rights on an equal footing with others;**

**(b) Establish monitoring and assessment mechanisms at its borders for the identification, processing and protection of migrants with disabilities that use information and adapted procedures in accessible formats, individual adaptations such as the facilitation of physical access and trained personnel;**

**(c) Ensure that conditions at reception centres are such that they afford adequate living standards for migrants and refugees with disabilities and safeguard their physical and mental health on an equal footing with others in accordance with the Convention.**

**Living independently and being included in the community (art. 19)**

37. The Committee notes with concern that public policies and programmes directed towards persons with disabilities, including the “Las Manueles” Mission, disability pensions and the “Neighbourhood Doctor” Strategy are not primarily focused on measures that will help persons with disabilities to live independently and be included in the community. The Committee is also concerned at:

(a) The fact that the State party’s laws, in particular the Organic Act on Disabilities, do not provide for the right to live independently and be included in the community;

(b) The institutionalization of persons with disabilities and the lack of deinstitutionalization plans and community service programmes that involve organizations of persons with disabilities.

**38. The Committee recommends that the State party:**

(a) **Revise the measures provided for in public policies and programmes directed towards persons with disabilities, including the “Las Manueles” Mission, disability pensions and the “Neighbourhood Doctor” Strategy, so as to protect the right of persons with disabilities to live independently and be included in their communities;**

(b) **Review and amend its laws, including, in particular, the Organic Act on Disabilities, to incorporate the right of persons with disabilities to live independently and be included in their communities;**

(c) **Establish, without delay and in coordination with the organizations representing persons with disabilities, a strategic deinstitutionalization plan that includes community strategies and programmes, family and social support networks, and personal and in-home assistance.**

**Freedom of expression and opinion, and access to information (art. 21)**

39. It is of concern to the Committee that:

(a) Measures to promote access to information provided in the media in accessible formats are lacking and not all government websites are accessible;

(b) Ecuadorian Sign Language is not recognized as an official language of the State party;

(c) Qualified interpreter training courses are not sufficient or adequate given the number of deaf persons.

**40. The Committee recommends that the State party:**

(a) **Take steps to promote access to information and communications in public institutions and in the media in accessible formats, including news broadcasts and television and radio programmes;**

(b) **Recognize Ecuadorian Sign Language as an official language of the State party;**

(c) **Increase the number of certified interpreter training courses with the effective participation of organizations of deaf persons in identifying their specific needs.**

**Respect for home and the family (art. 23)**

41. The Committee is concerned at the lack of express recognition in the State party’s laws of the right of persons with disabilities to marry or of respect for home and the family.

**42. The Committee reiterates its recommendation that the State party amend its legislation so that it explicitly recognizes the right of persons with disabilities, including those with intellectual or psychosocial disabilities, to marry, found a family, exercise parental responsibilities and adopt children on an equal footing with others.**

**Education (art. 24)**

43. The Committee notes with concern that the State party retains the use of a special education model; that segregated forms of education predominate in its legislation, in particular in the Organic Act on Disabilities; that 151 segregated schools still exist; and that not enough is being done to change the education system into one based on quality inclusive education.

44. **The Committee recommends that the State party revise and amend the Organic Act on Disabilities without delay and that, as an overall strategy, on the basis of general comment No. 4 (2016) on the right to inclusive education and bearing in mind target 4.5 of the Sustainable Development Goals, it establish an inclusive education system for all persons with disabilities at all levels, regardless of their migration status. It also recommends that the State party redirect budget allocations from special education to the regular education system, provide personalized support starting from the preschool level and continuing on to higher education levels and provide appropriate training for teachers. It recommends that the State party ensure that support, specifically designed teaching materials in alternative accessible formats, modes and means of communication, and information and assistive technologies are provided and that reasonable accommodation for individual requirements is made.**

**Health (art. 25)**

45. The Committee is concerned that:

(a) Health programmes do not expressly include persons with disabilities, in particular women and girls living in rural communities and areas;

(b) The physical environment, information and communications for health care have not been made accessible, and public programmes and policies are predominantly welfare-based;

(c) Insufficient technical, human and economic measures and resources are in place for guaranteeing access to sexual and reproductive health for persons with disabilities, especially girls, adolescents and women with disabilities, and disability prevention measures continue to be prioritized as a means of implementing the right to health.

46. **The Committee recommends that the State party:**

(a) **Design specific health-care protocols for persons with disabilities based on a cross-cutting gender and intersectional perspective;**

(b) **Adopt measures and allocate technical resources to ensure the accessibility of the physical environment, infrastructure, information and communications in all places where health-care services are provided and to ensure the availability of information in accessible means and modes, including Braille, trained personnel and accredited sign language interpreters;**

(c) **Exclude disability prevention measures, which do not form part of the implementation of the Convention.**

**Work and employment (art. 27)**

47. The Committee is concerned at:

(a) The refusal of reasonable accommodation in the workplace as a form of discrimination in the Organic Act on Disabilities;

(b) The reduction in the number of persons with disabilities, especially women with disabilities, engaged in regular employment; the low level of compliance by the institutions of the State party itself and by businesses with the promotion of employment by means, inter alia, of assigned hiring quotas; the scant enforcement and lack of legislative measures for penalizing companies that are not hiring a sufficient number of persons with disabilities in regular positions; and the failure to promote opportunities for self-employment and entrepreneurship incentives for persons with disabilities.

48. **The Committee recommends that, in accordance with the Convention and bearing in mind target 8.5 of the Sustainable Development Goals, the State party:**

(a) **Recognize the refusal of reasonable accommodation in the workplace as a form of discrimination in the Organic Act on Disabilities;**

(b) **Step up its efforts to increase the number of persons with disabilities who are employed in regular positions and who are self-employed in open work environments and to comply with measures designed to promote the employment of persons with disabilities, including quotas in the public sector, and adopt legislative measures to penalize companies that do not hire a sufficient number of persons with disabilities in regular positions;**

(c) **Thoroughly train persons with disabilities for employment in regular paid positions in both urban and rural areas and adopt extensive measures to promote entrepreneurship among persons with disabilities.**

#### **Adequate standard of living and social protection (art. 28)**

49. The Committee is concerned that the US\$ 240 Joaquín Gallegos Lara voucher for persons with a disability classified by the State party as “severe” and the disability pension of US\$ 50 granted to persons with disabilities are not sufficient to cover basic expenses and the additional costs derived from the existence of a disability. The Committee is also concerned that:

(a) As a result of the lack of an appropriate interlinkage between the Ministry of Economic and Social Inclusion and the Ecuadorian Social Security Institute, a significant number of persons with disabilities are not covered by the social protection system;

(b) Persons with disabilities do not have access on an equal footing with others to credits for social housing adapted to meet their accessibility needs.

50. **The Committee recommends that, in accordance with the Convention and bearing in mind target 10.2 of the Sustainable Development Goals, the State party:**

(a) **Establish, without delay, a national social protection programme for persons with disabilities and step up its efforts to improve the standard of living of persons with disabilities, in particular women, migrants, indigenous persons with disabilities and those living in rural areas, by considering an increase in the disability-related voucher that they receive;**

(b) **Guarantee access on an equal footing with others to credits for social housing and the adaptation of such housing to meet accessibility needs.**

#### **Participation in political and public life (art. 29)**

51. The Committee is concerned at the failure to take action to ensure that persons with disabilities, especially women, have access to elected office, with the result that there has been no reinforcement or increase in the effective and independent participation of such persons or their representative organizations in all of the country’s political processes. It is also concerned about the failure to disseminate information on the physical and communication accessibility measures in place in polling stations.

52. **The Committee recommends that the State party take steps to ensure that persons with disabilities have access to elected office in order to increase and reinforce their effective and independent participation through their representative organizations in all of the country’s political processes and that it disseminate information on the physical and communication accessibility measures that are in place in polling stations.**

#### **Participation in cultural life, recreation, leisure and sport (art. 30)**

53. The Committee is concerned at a lack of accessibility for persons with disabilities in all sport, recreational and cultural facilities and at the lack of participation by children with disabilities in sports and cultural events. It is also concerned at the insufficient nature of the

steps taken to implement the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled.

54. **The Committee recommends that the State party guarantee physical and communication access for persons with disabilities at sports, cultural and recreational facilities by putting in place the necessary accessibility measures in both urban and rural areas; that it provide more training for the public employees working in such facilities; and that sign language guides and information in accessible formats, such as Braille and other modes and means of communication, be used to foster the participation of children with disabilities in sport and cultural events. It also recommends that the State party take targeted action to implement the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled.**

### C. Specific obligations (arts. 31 to 33)

#### Statistics and data collection (art. 31)

55. The Committee is concerned that the State party does not make provision for mainstreaming the human rights of persons with disabilities and that persons with disabilities do not effectively participate through their representative organizations in the compilation of relevant records, such as those contained in the National Disabilities Register.

56. **The Committee recommends that the State party incorporate a human rights perspective into the information contained in the National Disabilities Register so that, in coordination with persons with disabilities and their organizations, the effective exercise of their rights is recognized; that it mainstream those rights in public policy and in policy follow-up and evaluation; and that it incorporate information on the participation of persons with disabilities in all areas of social life, such as education, paid work, recreation and political affairs. It also recommends that the State party disseminate the information contained in the National Disabilities Register widely once it has been reformed.**

#### International cooperation (art. 32)

57. The Committee is concerned that persons with disabilities do not participate through their representative organizations in the design and implementation of international cooperation projects.

58. **The Committee encourages the State party to provide detailed information, both to the Committee and to persons with disabilities themselves through their representative organizations on how the disability perspective is being incorporated into national plans for achieving the Sustainable Development Goals of the 2030 Agenda. It recommends that the State party increase the participation of persons with disabilities through their representative organizations in all international cooperation programmes.**

#### National implementation and monitoring (art. 33)

59. The Committee notes with concern that the State party has not designated an independent monitoring mechanism for the follow-up and evaluation of the implementation of the Convention with a budget and designated functions that involves the effective and independent participation of persons with disabilities and their representative organizations.

60. **The Committee recommends that the State party take urgent action, bearing in mind the guidelines on independent monitoring frameworks and their participation in the work of the Committee on the Rights of Persons with Disabilities (CRPD/C/1/Rev.1, annex), to establish an independent mechanism with a budget and designated functions for monitoring the implementation of the Convention. The Committee recommends that the Ombudsman's Office be involved in the independent monitoring mechanism, in line with the Paris Principles, and that persons with**

disabilities and their representative organizations participate in it effectively and independently.

## **IV. Follow-up**

### **Dissemination of information**

61. The Committee emphasizes the importance of all the recommendations contained in the present concluding observations. With regard to the measures to be taken as a matter of urgency, the Committee wishes to draw the State party's attention to the recommendations contained in paragraph 10, on the harmonization of legislation, and paragraph 60, on the independent monitoring mechanism. Targets and specific timelines should be set for action to be taken in response to all the general recommendations.

62. The Committee requests the State party to act upon the recommendations contained in the present concluding observations. It recommends that the State party transmit the concluding observations for consideration and action to members of the Government and parliament, officials of the relevant ministries, local authorities and members of relevant professional groups, such as those in the educational, medical and legal fields, and to the media and that it use modern social communication strategies for those purposes.

63. The Committee strongly encourages the State party to involve civil society organizations, in particular organizations of persons with disabilities, in the preparation of its periodic report.

64. The Committee requests the State party to disseminate the present concluding observations widely, particularly among non-governmental organizations and organizations of persons with disabilities and among persons with disabilities themselves and members of their families, in national and minority languages, including sign language, and in accessible formats, including Easy Read, and to make them available on the Government's human rights website.

### **Next periodic report**

65. The Committee requests the State party to submit its combined fourth and fifth periodic reports by 3 May 2026 and to include information on the implementation of the recommendations made in the present concluding observations therein. The Committee also requests the State party to submit the above-mentioned reports under the Committee's simplified reporting procedure. In accordance with that procedure, the Committee will prepare a list of issues at least one year prior to the due date set for the State party's report. The State party's replies to that list of issues will then constitute its report.

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