



# 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 Mexico\*

#### I. Introduction

1. The Committee considered the combined second and third periodic reports of Mexico<sup>1</sup> at its 570th, 572nd and 574th meetings,<sup>2</sup> held in a hybrid mode on 17, 18 and 21 March 2022. It adopted the present concluding observations at its 581st meeting, held in a hybrid mode on 25 March 2022.
2. The Committee welcomes the combined second and third periodic reports of Mexico, which were prepared in accordance with the Committee's reporting guidelines, and thanks the State party for its written replies<sup>3</sup> to the list of issues.<sup>4</sup>
3. The Committee commends the State party for agreeing to have its combined second and third periodic reports reviewed in a hybrid mode session, given the extraordinary circumstances due to the coronavirus disease (COVID-19) pandemic. The Committee appreciates the fruitful and sincere dialogue held with the large, high-level delegation, which included delegates from various ministries, entities and institutions, including judicial, and which provided further clarifications to the questions posed orally by the Committee.

#### II. Positive aspects

4. The Committee notes with appreciation the adoption of legislation and public policies in the State party and of protocols and guidelines for the purpose of promoting and protecting the rights of persons with disabilities enshrined in the Convention. In particular, it takes note of the following:
  - (a) The comprehensive victim support programme for 2020–2024;
  - (b) Adoption of the charter of sexual and reproductive rights of persons with disabilities in 2018;
  - (c) The national human rights programme for 2014–2018;
  - (d) The national programme for the advancement and inclusion of persons with disabilities for 2014–2018;
  - (e) The national programme of work and employment for persons with disabilities for 2014–2018;

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\* Adopted by the Committee at its twenty-sixth session (7–25 March 2022).

<sup>1</sup> CRPD/C/MEX/2-3.

<sup>2</sup> See CRPD/C/SR.570, 572 and 574.

<sup>3</sup> CRPD/C/MEX/RQ/2-3.

<sup>4</sup> CRPD/C/MEX/Q/2-3.



- (f) The national programme for equality and non-discrimination for 2014–2018;
- (g) The comprehensive programme to prevent, address, punish and eliminate violence against women for 2014–2018;
- (h) The programme for the protection, rehabilitation and social inclusion of persons with disabilities;
- (i) The special migration programme for 2014–2018;
- (j) The protocol for the administration of justice in cases involving persons with disabilities;
- (k) The reform of the Federal Act on the Prevention and Elimination of Discrimination (2014);
- (l) The Federal Telecommunications and Broadcasting Act (2014).

### III. Principal areas of concern and recommendations

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

5. The Committee is concerned about insufficient budgetary allocations to measures implementing the Convention on the federal, state and municipal levels.

6. **The Committee recommends that the State party allocate sufficient resources to implement the Convention effectively at all levels of government.**

7. The Committee is concerned about the absence of a national plan on the implementation of the Convention.

8. **The Committee recommends that the State party issue a comprehensive national plan on the implementation of the Convention on the federal and state levels that includes the mechanisms required to implement it, with a particular focus on indigenous persons with disabilities.**

9. With reference to its previous concluding observations,<sup>5</sup> the Committee is concerned that the legislation on the state level still contains serious gaps in its protection of the rights of persons with disabilities and contains pejorative language with reference to persons with disabilities.

10. **The Committee recommends that the State party harmonize its laws, and particularly the laws of the states, with the Convention in order to protect the rights of all persons with disabilities and eliminate pejorative terminology relating to persons with disabilities.**

11. The Committee is concerned about the prevalence of a welfare and medical model of disability.

12. **The Committee recommends that the State party abandon the welfare and medical model of disability and replace it with the human rights model.**

13. The Committee is concerned about a serious decline in the availability of mechanisms for consultations with persons with disabilities through their representative organizations concerning the design and implementation of laws and policies affecting them.

14. **The Committee recommends that the State party, in line with the Committee's general comment No. 7 (2018), ensure that organizations of persons with disabilities, including of women and girls with disabilities, are consulted and involved in decision-making processes at all levels of government and in all public policy areas relating to them.**

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<sup>5</sup> CRPD/C/MEX/CO/1.

## B. Specific rights (arts. 5–30)

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

15. The Committee is concerned that the federal government and some states and municipalities have not adopted laws prohibiting discrimination of persons with disabilities, in particular women and girls with disabilities and other persons facing multiple and intersecting forms of discrimination; that many laws in force do not recognize a denial of reasonable accommodation as a form of discrimination; and that reparation and compensation are not available as remedies against discrimination in all areas of the Convention.

16. **The Committee, in line with its general comment No. 6 (2018) on equality and non-discrimination, and taking into account targets 10.2 and 10.3 of the Sustainable Development Goals, recommends that the State party:**

(a) **Adopt laws in all States that explicitly prohibit multiple and intersectional discrimination of persons with disabilities;**

(b) **Recognize a denial of reasonable accommodation as a form of discrimination within all areas of life;**

(c) **Provide, inter alia, effective legal remedies and redress against discrimination in all areas of the Convention, including compensation in cases of disability-based discrimination and the denial of reasonable accommodation, taking account of the gender dimension of discrimination against women with disabilities.**

### Women with disabilities (art. 6)

17. The Committee is concerned about the lack of specific measures to empower women and girls with disabilities, in particular indigenous women and girls with disabilities, and to ensure that all human rights and fundamental freedoms of women and girls with disabilities are fully and equally protected by the State party.

18. **The Committee recommends that the State party take note of the Committee's general comment No. 3 (2016) on women and girls with disabilities in its implementation of efforts aimed at achieving Sustainable Development Goal 5, and that it take measures to empower women and girls with disabilities, in particular indigenous women and girls with disabilities. In addition, the Committee, with reference to recommendations made in paragraph 14 (a) of its previous concluding observations, recommends that the State party put into effect the legislation and all of the programmes and actions targeting women and girls with disabilities, including support measures, to prevent multiple and intersecting discrimination against women and girls with disabilities in all aspects of life, in both urban and rural areas, and to ensure their effective participation in the design and implementation of these measures.**

19. The Committee is concerned that legislation on the federal and state levels does not provide protection from intersectional discrimination faced by women and girls with disabilities in rural areas, including indigenous women and girls with disabilities, and by migrant and refugee persons with disabilities.

20. **The Committee recommends that the State party adopt and implement laws at the federal and state levels preventing multiple and intersectional forms of discrimination against women and girls with disabilities, and mainstream a gender and age perspective into its disability-related legislation and policies.**

21. The Committee notes with concern the lack of information, including disaggregated data, about the situation of women and girls with disabilities, and about the impact of legislation and public policies on their rights under the Convention.

22. **The Committee recommends that the State party ensure that data-collection systems and impact assessments of legislation and policies include indicators and disaggregated data on the situation of women and girls with disabilities.**

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

23. The Committee is concerned about:

(a) The institutionalization of children with disabilities, and about the limited scope of specific measures taken to ensure that the rights of children with disabilities are protected, particularly in rural and remote areas, in indigenous communities and in migrant and refugee populations;

(b) The lack of disaggregated data on children with disabilities, particularly on those living in institutions, on victims of violence and on those not attending school;

(c) The insufficient measures adopted to ensure that children with disabilities can participate and express their views with respect to matters affecting them, such as legal proceedings, and the limited access to justice for children with disabilities, especially girls with disabilities who are victims of violence and abuse.

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

(a) **Ensure that children with disabilities, especially those in rural and remote areas, in indigenous communities and in migrant and refugee populations, receive effective and appropriate protection, care and support, and are included in the community;**

(b) **Compile disaggregated data on children with disabilities, particularly on those living in institutions, on victims of violence and on those not attending school;**

(c) **Adopt measures allowing children with disabilities to express their views in all matters related to their lives, including in administrative and judicial proceedings.**

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

25. The Committee is concerned that a welfare and medical model of disability is still prevalent in the public perception of disability; that the rights of children, adolescents and women with disabilities and sexual and reproductive health rights of persons with disabilities are subject to public prejudice, stereotyping and harmful practices; and that the Teletón campaigns still reinforce a view of persons with disabilities as recipients of society's charity.

26. **The Committee recommends that the State party develop and implement, with the involvement of persons with disabilities, comprehensive awareness-raising programmes with the goal of promoting a human rights model of disability and awareness of the rights of children, adolescents and women with disabilities and of sexual and reproductive health rights of persons with disabilities. It further recommends that the State party bring Teletón campaigns fully into line with these goals.**

**Accessibility (art. 9)**

27. The Committee notes with concern that the State party's current legal framework on accessibility for persons with disabilities does not contain binding legal rules addressing all areas covered by article 9 of the Convention, including the respective processes, complaints procedures and evaluation mechanisms.

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

(a) **Review the existing General Law for the Inclusion of Persons with Disabilities on its compatibility with the Convention and on its application in practice;**

(b) **Enact binding laws guaranteeing accessibility in all areas covered by article 9 of the Convention, in keeping with the Committee's general comment No. 2 (2014) on accessibility, ensuring direct application of such laws at all levels of government;**

(c) **Establish competences and procedures to implement accessibility laws, institute complaints and monitoring mechanisms, and define effective remedies in situations of non-compliance;**

**(d) Revise the existing national accessibility plan in light of the new laws on accessibility, and render it applicable to the physical environment, transport, information and communications, including information and communications systems and technologies, and other services and facilities open or provided to the public, in particular for persons with disabilities living in remote, rural and indigenous communities.**

**Right to life (art. 10)**

29. The Committee is concerned about multiple reports indicating a high risk of death of children and adults with disabilities in institutions, resulting from various forms of restraints and improper medical treatment in psychiatric hospitals, and from insufficient professional assistance and support.

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

**(a) In close consultation with, and including the active involvement of, persons with disabilities through their representative organizations, conduct a thorough inquiry into all deaths of children and adult persons with disabilities in all institutions since the Committee's previous concluding observations;**

**(b) Provide protection to the victims of these crimes and bring perpetrators to justice.**

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

31. The Committee notes a lack of specific protocols for the evacuation of persons with disabilities in situations of risk, humanitarian emergencies and the occurrence of natural disasters.

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

**(a) Develop specific protocols for evacuation in situations of risk, humanitarian emergencies and the occurrence of natural disasters, that are adapted to the specific situations of each state, providing clarity of the whereabouts of persons with disabilities and their specific requirements;**

**(b) Design and disseminate, in accessible formats, such as Braille, sign language, Easy Read and audio and video transcription, in all of the State party's official languages, including those used by the indigenous communities, information on early warning mechanisms in case of risk and humanitarian emergency, protection systems, and institutional and community crisis response networks, and identify adequate places of refuge and shelters accessible to persons with disabilities in urban and rural areas;**

**(c) Train all civil defence staff in addressing issues of security and protection for persons with disabilities in situations of risk, humanitarian emergencies and the occurrence of natural disasters.**

33. The Committee notes with concern the lack of a disability-inclusive response to the disproportionate impact of the COVID-19 pandemic on persons with disabilities, in particular women and girls with disabilities and persons with disabilities living in institutions. The Committee is also concerned about the lack of data on the impact of the pandemic on persons with disabilities.

34. **The Committee recommends that the State party follow the guidance issued by the Office of the United Nations High Commissioner for Human Rights on COVID-19 and the rights of persons with disabilities and the Secretary-General's policy brief on a disability-inclusive response to COVID-19, and that it:**

**(a) Adopt a disability-inclusive response to the COVID-19 pandemic for persons with disabilities by implementing emergency deinstitutionalization of persons with disabilities, preventing their abandonment in their homes and providing them with the necessary support to live in the community in safe conditions;**

**(b) Implement support programmes for persons with disabilities to address the aggravated consequences of the pandemic, considering specific measures for women with disabilities regarding economic empowerment, access to health services, including sexual and reproductive health rights, and provision of information in accessible formats, as well as measures for persons with disabilities living in institutions;**

**(c) Compile data on infections, illness and death of persons with disabilities as a result of SARS-CoV-2, disaggregated by type of impairment, gender, residence in rural and urban areas and socioeconomic status;**

**(d) Closely consult with and involve persons with disabilities, in particular women and girls with disabilities, and their representative organizations at all stages of the development and implementation of COVID-19 response and recovery plans, and in the preparation of such plans for future crises.**

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

35. With reference to paragraph 23 of its previous concluding observations, the Committee is concerned about provisions in the Federal Civil Code and the Federal District Civil Code that contain rules on legal incapacity and guardianship for adults with disabilities, despite a judgment by the National Supreme Court of Justice of 2019. It is equally concerned about the rules conferring guardianship of children in institutions on the institution housing them. The Committee also notes with concern that the proposed national code for civil and family procedures fails to provide support measures allowing persons with disabilities to exercise their legal capacity, and that, in particular, women with disabilities, persons with intellectual disabilities and persons with psychosocial disabilities are disproportionately impacted by substituted decision-making regimes.

**36. The Committee recommends that the State party, in accordance with the Committee's general comment No. 1 (2014) on equal recognition before the law:**

**(a) Adopt laws and policies that replace the substitute decision-making system with supported decision-making mechanisms that respect the autonomy, will and preference of persons with disabilities, and ensure effective participation of women with disabilities to inform the drafting of laws and policies;**

**(b) Review all federal and state legislation with a view to eliminating all restrictions of rights as a result of a declaration of legal incompetence or on the grounds of a person's disability;**

**(c) Provide training on the requirements of the right to legal capacity of persons with disabilities to the authorities, including courts.**

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

37. With reference to paragraph 25 of its previous concluding observations, the Committee is concerned about limited access to justice of persons with disabilities, particularly those from indigenous communities, women and girls with disabilities who are victims of violence and abuse, persons with disabilities living in institutions and children with disabilities, resulting in seemingly wide-spread impunity of perpetrators of crimes committed against persons with disabilities in institutions or under guardianship, particularly women and children with intellectual and psychosocial disabilities. The Committee notes with concern that, in particular, women with disabilities face financial, linguistic and geographic restrictions of their right to access to justice, as well as a lack of reasonable and procedural accommodation. It is further concerned about restrictions of the right of women with disabilities, in particular women with disabilities in indigenous communities, to access to justice in cases of gender-based violence and in cases of women who are under guardianship or are institutionalized, including disregard for the testimony of women and girls with intellectual or psychosocial disabilities.

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

**(a) Adopt and implement age-appropriate and gender-sensitive legal measures guaranteeing access to justice for persons with disabilities, including women**

with disabilities in indigenous communities, such as procedural accommodations, accessible and affordable legal aid, counselling and personal assistance; remove barriers to the physical environment, to information and to prosecution services in criminal cases; and ensure that federal and state prosecutors adapt their directives and their practice accordingly;

(b) Provide effective remedies to persons with disabilities living in institutions, allowing them to effectively lodge their complaints about violations of the Convention, and provide them with legal aid;

(c) Establish specific standards to provide effective redress in situations of gender-based violence, and ensure that children with disabilities are in fact heard in any proceedings affecting them;

(d) Eradicate gender- and disability-based stereotypes in the justice system, and ensure that all procedures, including prosecutions and trials, are conducted in a gender- and disability-sensitive manner.

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

39. The Committee notes with concern that:

(a) Persons with intellectual or psychosocial disabilities have frequently been the subject of declarations of non-liability in the context of criminal proceedings, in the absence of procedural safeguards;

(b) The Code of Criminal Procedure maintains non-liability by reason of disability as a concept, and that detention measures for persons with disabilities may exceed those of regular criminal procedures.

40. With reference to its previous concluding observations, the Committee recommends that the State party:

(a) Guarantee all due process rights for persons with disabilities in processes leading to deprivation of liberty, in particular in the context of criminal proceedings, whether as indicted persons, victims or witnesses, and provide procedural accommodation, adjustments, counselling and personal assistance in such proceedings;<sup>6</sup>

(b) Provide training for officials in the justice and prison systems on the requirements of the Convention in processes leading to the deprivation of liberty of persons with disabilities.

#### **Freedom from torture or cruel, inhuman or degrading treatment or punishment (art. 15)**

41. The Committee is concerned about various reports alleging the use of coercive measures on persons with disabilities in institutions, in particular on persons with intellectual disabilities, persons with psychosocial disabilities, children with disabilities and women with disabilities, such as restraints, isolation, shackling, forced medication and sterilization, electroconvulsive therapy and other medical interventions without the informed consent of the person concerned.

42. The Committee recommends the State party:

(a) Explicitly prohibit all forms of coercive measures, such as restraints, isolation, forced medication and sterilization, electroconvulsive therapy and shackling, taken specifically on persons with disabilities;

(b) Monitor, in accordance with article 16 (3) of the Convention, and with the involvement and full participation of persons with disabilities and their representative organizations, the implementation of the ban on coercive measures in all public and private institutions, housing for persons with disabilities, including by paying

<sup>6</sup> See the Committee's decision in the case of Arturo Medina Vela (CRPD/C/22/D/32/2015).

**unannounced visits, taking effective measures to ensure the ban is adhered to and prosecuting violators;**

**(c) Publish the findings of the monitoring processes;**

**(d) Establish accessible mechanisms to report cruel, inhuman or degrading treatment, and effective remedies for victims, and ensure that perpetrators are prosecuted and punished.**

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

43. The Committee is concerned about:

(a) A lack of measures to identify and prevent all forms of violence against children and adults with disabilities, including gender-based violence, in particular obstetric violence, when accessing sexual and reproductive health services;

(b) The omission of a specific reference to women with disabilities in the General Act to Ensure Women a Life Free of Violence, to measures ensuring accessibility and to procedural accommodations women with disabilities may require to access justice and protective measures on an equal basis with others;

(c) The limited availability of accessible shelters for women with disabilities who are victims of violence, and the lack of effective remedies for persons with disabilities facing violence, including gender-based violence.

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

**(a) Reinforce the implementation of existing legislative and policy measures to prevent all forms of violence against persons with disabilities, including gender-based violence, and to provide effective remedies and redress to victims, both inside and outside of institutions; and amend the General Act to Ensure Women a Life Free of Violence to establish specific standards to support women with disabilities, including support systems that include personal assistance;**

**(b) Periodically compile disaggregated data on the situation of women and children with disabilities in respect of violence, exploitation and abuse, both inside and outside of public and private institutions;**

**(c) Ensure that shelters for victims of violence are established and that the facilities and services provided therein are accessible to persons with disabilities, particularly women with disabilities;**

**(d) Create an independent monitor and oversight mechanism, adhering to article 16 (3) of the Convention, with the involvement and full participation of persons with disabilities and their representative organizations, to effectively monitor and supervise public and private institutions, and publish its findings.**

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

45. The Committee is concerned about continuing practices of forced sterilization, contraception and abortion, particularly affecting women and girls with intellectual or psychosocial disabilities both inside and outside of institutions and indigenous women and girls. The Committee has received very disturbing reports of forced sterilization in Casa Hogar Esperanza.

46. **The Committee reiterates the recommendations made in paragraph 38 of its previous concluding observations urging the State party to launch administrative and criminal investigations into the judicial and health authorities and institutions that recommend, authorize or perform forced sterilizations, contraception and abortion on girls, adolescents and women with disabilities and to guarantee access to justice and reparation for victims.**

47. **The Committee further recommends that the State party implement training programmes for professionals in the public and private health sectors on sexual and reproductive health rights of women and girls with disabilities that include training on**

**respect for their preferences and on dismantling prevalent stereotypes of the sexuality of women and girls with disabilities.**

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

48. The Committee is concerned about a lack of accessibility of information, procedures and migration centres for migrant, refugee, asylum-seeking and internally displaced persons with disabilities. It is also concerned that there is no comprehensive and systematic identification of migrant and internally displaced persons with disabilities and their requirements, and that there is a lack of disaggregated data on migrant and internally displaced persons with disabilities.

49. **The Committee recommends the State party:**

(a) **Render migration centres, information and procedures accessible for migrant, refugee, asylum-seeking and internally displaced persons with disabilities, in accordance with article 9 of the Convention;**

(b) **Systematically and comprehensively identify migrant, refugee, asylum-seeking and internally displaced persons with disabilities and their requirements;**

(c) **Compile disaggregated data and statistics on migrant, refugee, asylum-seeking and internally displaced persons with disabilities.**

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

50. The Committee is concerned about the lack of a federal and state strategy for the inclusion of persons with disabilities in society and their ability to live independently, and about the absence of a specific and effective strategy for the deinstitutionalization of persons with disabilities.

51. **The Committee recalls its general comment No. 5 (2017) on living independently and being included in the community, and recommends that the State party:**

(a) **Amend or adopt laws, policies, financial and other measures, including time frames for their implementation, to ensure that persons with disabilities can live independently in the community. These measures should include personal assistance services, be culturally appropriate, enable beneficiaries to choose their lifestyle and place of residence, express their will and preferences and contain a gender and age perspective;**

(b) **Take expedited measures to end the institutionalization of persons with disabilities by, inter alia, developing and implementing a strategy for the deinstitutionalization of persons with disabilities, in particular children with disabilities, including specific time frames, assessment measures and an adequate budget.**

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

52. The Committee is concerned that the Civil Code restricts the right of some persons with disabilities to marry, and their right to have custody and guardianship of their children on an equal basis with others. It is further concerned about the lack of disaggregated data on persons with disabilities who are victims of domestic violence.

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

(a) **Amend the Civil Code to ensure that all persons with disabilities have the right to marry and to have custody or guardianship of their children, and can in fact exercise it;**

(b) **Provide support to parents with intellectual disabilities and parents with psychosocial disabilities for the discharge of their responsibilities towards their children;**

(c) **Provide financial, organizational and administrative support to effectively guarantee the right of children with disabilities to live with their families or to family life;**

**(d) Establish family support mechanisms, in keeping with the recommendation made by the Committee on the Rights of the Child, following its consideration of the combined fourth and fifth periodic reports of Mexico;<sup>7</sup>**

**(e) Compile disaggregated data on persons with disabilities, including women and children with disabilities, who are victims of domestic violence.**

#### **Education (art. 24)**

54. The Committee is concerned about:

(a) The persistence of special education;

(b) The lack of a strategy covering all levels of the State party aimed at ensuring inclusive education for all children with disabilities;

(c) A high dropout level of children with disabilities from the education system after age 15;

(d) Widespread exclusion of women and girls with disabilities from educational settings in both early and higher education, due to, inter alia, their disability and gender, a lack of accessibility and reasonable accommodations, and a lack of knowledge about the requirements of students with disabilities;

(e) The lack of accessible schools and didactic materials, including textbooks in Braille, and sign-language interpretation.

55. **With reference to paragraph 48 of its previous concluding observations, the Committee recommends that the State party:**

**(a) Establish, in law and policy, an inclusive education system at all levels — primary, secondary, post-secondary and life-long learning — including support measures, the provision of reasonable accommodation, adequate funding and training for educational staff;**

**(b) Adopt measures to ensure that all children with disabilities, in particular girls with disabilities, receive an education in mainstream school settings, including children with intellectual and psychosocial disabilities, blind-deaf children and children with disabilities from indigenous communities;**

**(c) Implement measures for the accessibility of schools and didactic materials, including Braille and sign language, and ensure their use from the start of education;**

**(d) Compile data on education, disaggregated by gender, national and ethnic origin, indigence, rural or urban living environment, and type of impairment, on enrolment in segregated school settings and in mainstream schools.**

#### **Health (art. 25)**

56. The Committee is concerned about serious restrictions for persons with disabilities in access to health care, including mental health services and sexual and reproductive health services. It is further concerned about legal exceptions to free and informed consent to medical interventions, and about reports of non-adherence to the requirement of free and informed consent with regard to persons with disabilities.

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

**(a) Remove legal exceptions to the requirement of free and informed consent of all persons with disabilities to medical interventions, including hospitalization, and ensure adherence to the requirement of free and informed consent with regard to all persons with disabilities;**

**(b) Ensure available, accessible and quality health-care services, including sexual and reproductive health services, for persons with disabilities, particularly for women and girls with disabilities, make hospitals and health centres accessible to**

<sup>7</sup> CRC/C/MEX/CO/4-5, para. 40.

persons with disabilities in urban and rural areas, and protect pregnant women with disabilities from being pressured to undergo abortions;

(c) **Compile disaggregated data on the access of women with disabilities to safe sexual and reproductive health services, and on infringements on their right to decide on whether to have an abortion;**

(d) **Provide accessible, effective remedies to persons with disabilities alleging a violation of their rights under article 25, in particular to women with disabilities alleging a violation of their sexual and reproductive health rights.**

58. The Committee is concerned about serious curtailments of health services for persons with disabilities during the COVID-19 pandemic, and about a lack of emergency medical services in cases of sexual violence against persons with disabilities.

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

(a) **Restore all health services for persons with disabilities that were curtailed during the COVID-19 pandemic, and compile disaggregated data on the effects of the pandemic on the health situation of persons with disabilities and on their access to health services;**

(b) **Provide emergency medical services for persons with disabilities who are victims of sexual violence.**

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

60. The Committee is concerned about:

(a) The persistently low employment rate among persons with disabilities, especially among women with disabilities and persons with intellectual and psychosocial disabilities;

(b) Reports of forced labour and trafficking for the purpose of labour exploitation of persons with disabilities;

(c) The lack of legal provisions and specific measures to implement the national work and employment programme for people with disabilities for 2021–2024, including provisions and measures on support measures and reasonable accommodation for persons with disabilities in public and private employment;

(d) The lack of vocational education and training programmes for persons with disabilities.

61. **The Committee recommends that, in accordance with target 8.5 of the Sustainable Development Goals, the State party:**

(a) **Take effective measures to increase employment of persons with disabilities, particularly women with disabilities and persons with intellectual and psychosocial disabilities, in public and private employment, to guarantee non-discrimination in employment and to ensure that the open labour market is inclusive and accessible;**

(b) **Compile data on forced labour, exploitation and harassment, and trafficking for the purpose of labour exploitation, of persons with disabilities, disaggregated by sex, gender, indigence, urban and rural living environment and type of impairment;**

(c) **Intensify efforts to prevent and punish forced labour, exploitation and harassment, and trafficking for the purpose of labour exploitation of persons with disabilities;**

(d) **Enact legal provisions and take specific measures to implement the national work and employment programme for persons with disabilities for 2021–2024, including support measures and reasonable accommodation for persons with disabilities, in public and private employment;**

(e) **Provide vocational education and training programmes for persons with disabilities, and guidance for persons with disabilities on employment.**

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

62. The Committee is concerned about the high poverty level of persons with disabilities, and about a lack of measures specifically designed for persons with disabilities in the special programme for indigenous and Afro-Mexican people for 2020–2024.

63. **The Committee recommends that the State party create a national plan specifically addressing the high level of poverty among persons with disabilities, including its financing and a time schedule for its implementation; implement it; and monitor its implementation.**

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

64. The Committee is concerned that persons with intellectual and psychosocial disabilities are denied the right to vote, despite jurisprudence by the national Supreme Court of Justice, and that voting procedures, facilities and materials are not accessible. The Committee is also concerned about the extent of support provided for persons with disabilities, in particular women with disabilities, participating in politics and public life.

65. **The Committee recommends that the State party amend its legislation to guarantee the right to vote to all persons with disabilities. It further recommends that the State party ensure the accessibility of voting procedures, facilities and materials in urban areas. Additionally, it recommends that the necessary support be provided to persons with disabilities, in particular women with disabilities, participating in politics and public life.**

**C. Specific obligations (arts. 31–33)**

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

66. The Committee is concerned about serious shortcomings of data and statistics on the situation of persons with disabilities at the state and municipal level, and about the use of such data and statistics for the development and implementation of policies designed to comply with the Convention.

67. **The Committee recommends that the State party comprehensively collect disaggregated data and statistics on all levels of government, using the Washington Group short set of questions on disability.**

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

68. The Committee is concerned about the undue complexity and the existence of many lacunae in the focal points and coordination mechanisms and their mutual interaction.

69. **The Committee recommends that the State party comprehensively review the current system of focal points and coordination mechanisms at all levels of government, and establish a transparent system with sufficient funding, defined competences and mutual interaction.**

70. With reference to paragraph 61 of its previous concluding observations, the Committee notes that despite the establishment of an independent mechanism to monitor the implementation of the Convention in Mexico, its structure, functions and activities have not been sufficiently defined with regard to the promotion, protection and monitoring of the rights enshrined in the Convention at the federal and state levels. It is further concerned about insufficient participation of persons with disabilities, in particular women with disabilities, and their representative organization in the implementation and monitoring of the Convention.

71. **The Committee recommends that the State party ensure that the National Human Rights Commission and the 32 state human rights entities, as the independent monitoring mechanism for the Convention, define the mechanism's structure, goals, indicators and resources. The Committee further recommends the State party**

strengthen the National Commission so that it may fulfil its mandate effectively and independently, and that persons with disabilities, in particular women with disabilities, and their representative organizations are involved and participate fully in the implementation and monitoring of the Convention.

#### **Cooperation and technical assistance**

72. Under article 37 of the Convention, the Committee can provide technical guidance to the State party on any queries addressed to the experts through the secretariat. The State party can also seek technical assistance from United Nations specialized agencies with headquarters in the country or the region.

## **IV. Follow-up**

#### **Dissemination of information**

73. The Committee emphasizes the importance of all the recommendations contained in the present concluding observations. With regard to urgent measures that must be taken, the Committee would like to draw the State party's attention to the recommendations contained in paragraph 12, on the shift from the medical model to the human rights model of disability; in paragraph 38, on access to justice; and in paragraph 51, on living independently and being included in the community.

74. The Committee requests the State party to implement 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 in relevant ministries, local authorities and members of relevant professional groups, such as education, medical, judiciary and legal professionals, as well as media, using modern social communication strategies.

75. 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.

76. The Committee requests the State party to disseminate the present concluding observations widely, including to non-governmental organizations and organizations of persons with disabilities, and to 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 website on human rights.

#### **Next periodic report**

77. The Committee requests the State party to submit its combined fourth and fifth periodic reports no later than 17 January 2028 and to include therein information on the implementation of the recommendations made in the present concluding observations. The Committee also invites the State party to consider submitting the above-mentioned reports under the Committee's simplified reporting procedure, according to which the Committee prepares a list of issues at least one year prior to the due date set for the report of a State party. The replies of a State party to such a list of issues constitute its report.